

Operative Selwyn District Plan

Private Plan Change 68 by Urban Holdings Ltd, Suburban Estates Ltd, Cairnbrae Developments Ltd

Section 42A Report

Request to rezone approximately 67.5 hectares of Rural Inner Plains Zone to Living Z at Prebbleton

25 February 2022

Report prepared by

Jonathan Clease

Consultant Planner

Introduction

Qualifications and Experience

1. My full name is Jonathan Guy Clease. I am employed by a planning and resource management consulting firm Planz Consultants Limited as a Senior Planner and Urban Designer. I hold a Bachelor of Science (Geography), a Master of Regional and Resource Planning, and a Master of Urban Design. I am a Full member of the New Zealand Planning Institute and currently sit on the NZPI Board.
2. I have some twenty five years' experience working as a planner, with this work including policy development, providing s42A reports on plan changes, the development of plan changes and associated s32 resource consent applications. I have worked in both the private and public sectors, in both the United Kingdom and New Zealand.
3. I have recently been involved in the review of the Christchurch District Plan and presented evidence on the notified provisions on behalf of submitters on commercial, industrial, Lyttelton Port, natural hazards, hazardous substances, and urban design topics. I have likewise been recently involved in the development of second generation Timaru, Selwyn, and Waimakariri District Plans and the preparation of s42a reports on the Rural, Village, Medium Density, and Future Urban Zones as part of the review of the Waikato District Plan.
4. In the past I have prepared s42a reports on behalf of Selwyn Council regarding Private Plan Changes 8, 9, 28, 36, and 41 to establish rural residential zones. I have also provided an officer report in response to submissions received on Land Use Recovery Plan Action 18 which established the zone provisions and policy framework for managing rural residential development within the Greater Christchurch portion of Selwyn District and the associated Living 3 Zone provisions in the Operative District Plan ('the District Plan').
5. I have recently prepared a s42a report on PC72 in the Trices Rd area of Prebbleton. The statutory context is similar for both sites and therefore this report draws on my earlier findings in relation to PC72.

Scope of Report

6. I have been asked by the Council to prepare this report under section 42A of the Resource Management Act (the Act) to document the assessment of the subject private plan change request (PC68) to the District Plan.
7. This report effectively acts as an audit of the detailed information lodged with the plan change request originally lodged with the Council on 4th November 2020 and prepared by Davie Lovell Smith Ltd on behalf of Urban Holdings Ltd, Suburban Estates Ltd, and Cairnbrae Developments Ltd ('the Applicant'). A full copy of the plan change request, the amended request as a result of a Request for Further Information, submissions, summary of submissions, and other relevant documentation can be found on the Council's website¹.
8. The purpose of this report is to both assist the Hearing Commissioner in evaluating the request and deciding on submissions made on PC68, and to assist submitters in understanding how their submission affects the planning process. This report includes recommendations on matters

¹ <https://www.selwyn.govt.nz/property-and-building/planning/strategies-and-plans/selwyn-district-plan/plan-changes/plan-change-68-rezone-67.50-hectares-of-rural-inner-plains-land-to-living-z-in-southwest-prebbleton>.

raised in submissions, and any changes to the District Plan considered appropriate having considered the statutory requirements.

9. . Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.
10. In preparing this report I have:
 - a) Visited the site (Thursday 10 December 2021) and the surrounding area of Prebbleton;
 - b) Reviewed the original plan change request, the Request for Further Information ('RFI') and the updated plan change documents received in response;
 - c) Read and summarised all the submissions received on the plan change request;
 - d) Considered the statutory framework and other relevant planning documents; and
 - e) Reviewed, and where necessary relied on, the peer reviews provided by other technical experts engaged by the Council to assist with the reporting on this private plan change, as follows:

Appendix A:	Water/Wastewater/Stormwater Servicing (Murray England, Selwyn District Council)
Appendix B:	Transportation Peer Review (Mat Collins, Flow Transport Ltd)
Appendix C:	Growth Capacity Report (Ben Baird, Selwyn District Council)
11. This report seeks to provide as little repetition as possible and identifies only those parts of the request that are not supported or remain unresolved. If a matter is not specifically dealt with in this report, then there is no dispute with the position set out in the request.

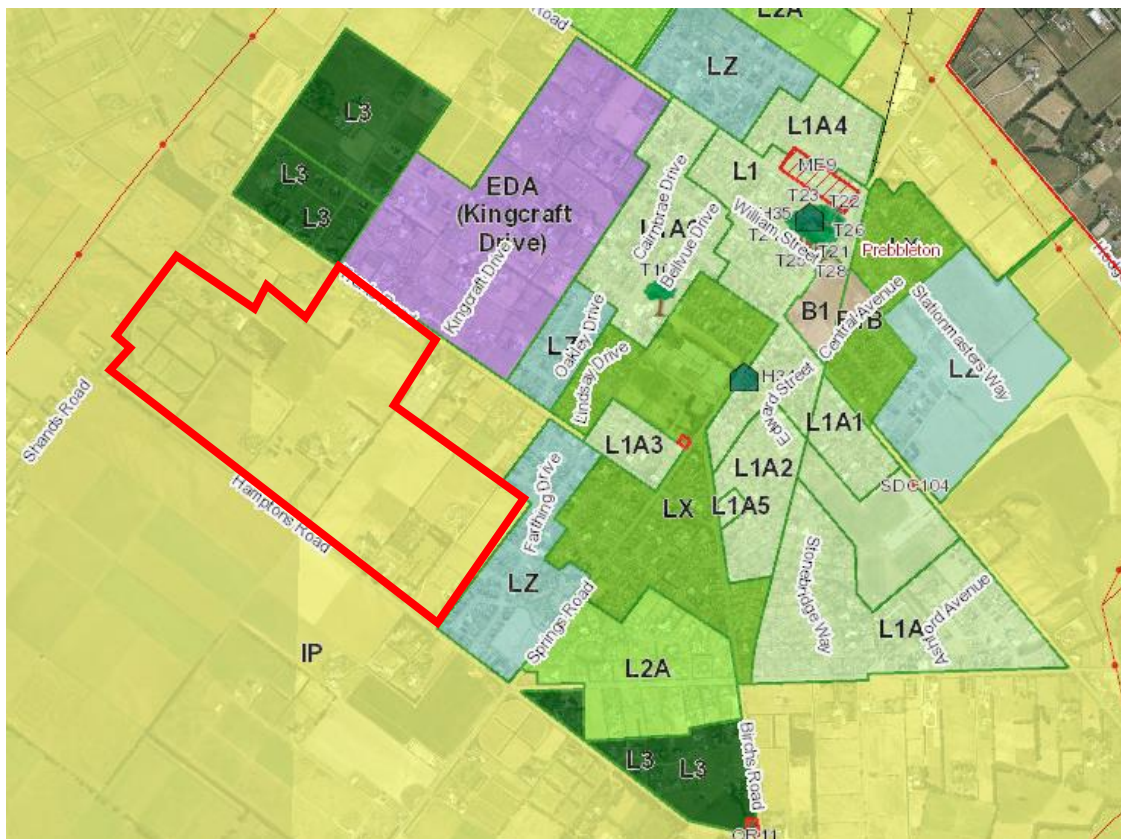
The Plan Change Proposal

12. The 67.5 ha site is located on the southwest side of Prebbleton and is located generally between Trents, Shands, and Hamptons Roads, with the eastern end of the site adjoining the Living Z zoned Stirling Park subdivision (Farthing Drive). To the north of Trents Road is the Kingcraft Drive Existing Development Area ('EDA') and a rural residential Living 3 zone, with two pockets of Rural (Inner Plains) Zoned land located directly to the north of the site between the site and Trents Road. The plan change is bounded by Rural (Inner Plains) Zoning to the west (far side of Shands Road) and south (far side of Hamptons Road)².
13. PC68 seeks to rezone the majority of the site from the Rural (Inner Plains) Zone to Living Z, with a strip of low density Living X zoning (minimum 1,500m²) along the Shands Road frontage. The Living Z Zone is the standard zone applying to new greenfield residential blocks on the edges of the District's Inner Plains townships and provides for suburban outcomes (often with pockets of medium density lots). PC68 proposes that the site will yield a minimum of 12 households per hectare ('hh/ha'), with such densities consistent with the minimum yields recently delivered in other greenfield sites in the Inner Plains. This yield equates to some 820 new households.

² A table detailing the addresses and Records of Title of the sites forming the plan change request was included on the second page of the application.

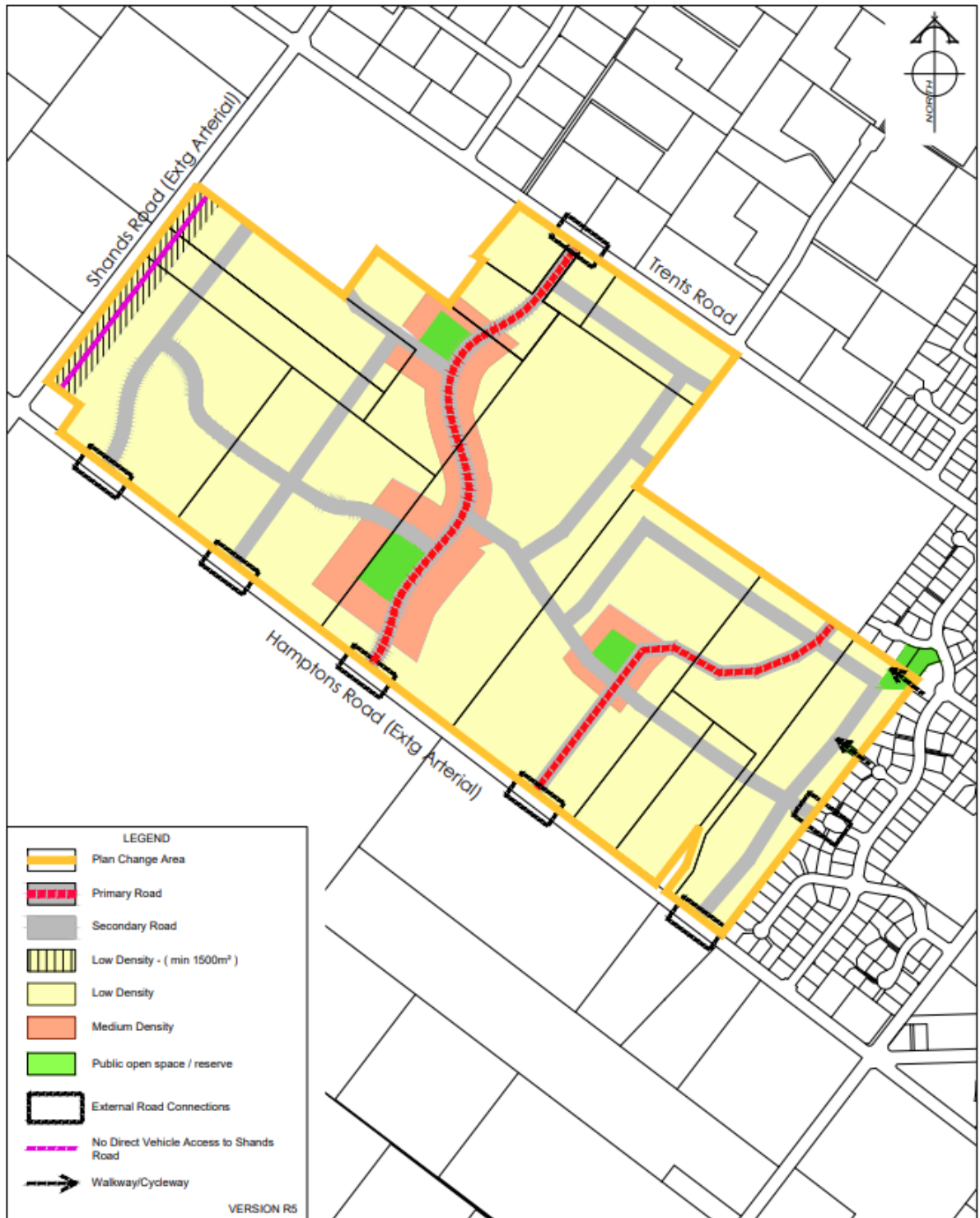
14. The amendments to the District Plan are limited to a change to the planning maps to reflect the change in zone, the inclusion of an Outline Development Plan ('ODP') and associated narrative text which shows in more detail the key features of the proposed development, and consequential amendments to the subdivision rules to ensure that the site is appropriately referenced in the provisions.
15. For completeness, it is important to emphasise that PC68 does not seek to amend any objectives or policies of the District Plan, and neither does it seek to amend or add in new rules, beyond the consequential referencing identified above.
16. The location of the site and the District Plan zoning is shown in red in **Figure 1** below, using the Operative Plan planning maps as the base.

Figure 1. Site location and current zoning



17. The ODP accompanying the plan change shows two north-south collector roads (red lines). New internal roads are shown in grey with new road crossings as black rectangles. New parks are shown as green, with medium density housing shown in pink and generally located adjacent to these parks and the main north-south collector road. Stormwater paths are shown in blue and are generally aligned with the proposed internal road network.

Figure 2. Proposed ODP



18. Existing rules contained in the District Plan will require any future subdivision and development to be in accordance with the ODP and the corresponding text. This provides the regulatory method of imposing and enforcing the ODP requirements as part of any future subdivision consent application received by Council should the plan change be successful.
19. At the time of writing this report, the hearings of submissions on the Proposed Plan have commenced, with hearings on specific rezoning submissions not likely to be heard until early to mid 2023. My understanding of the statutory context is that there is no specific requirement to consider PC68 against the Proposed Plan. However, the Proposed Plan is useful in

understanding the new framework by which urban development proposals will be considered in terms of the Council's obligations under section 74(1) of the RMA.

Plan Change Site and Context Description

20. As noted, the application site is located on the western side of Prebbleton between Trents, Shands, and Hamptons Roads. The site and surrounding context is shown in Figure 3 below.

Figure 3. PC68 site and context



Image source: Google Earth

21. There are some 20 existing dwellings and associated gardens and accessory buildings located within the site (primarily around the external periphery of the site), with the balance of the site comprised of grassed paddocks with shelterbelt planting demarcating legal and paddock boundaries. Prebbleton is the third largest town in the Selwyn District, behind Rolleston and Lincoln, and has experienced substantial growth over the last 10 years. This growth has been in part a response to the significant changes in population distribution following the Canterbury earthquake sequence, the availability of appropriately zoned land to accommodate that redistribution, and the ability to service that growth through reticulation of wastewater from Prebbleton to the Council's Pines Wastewater Treatment Plant in Rolleston, with stormwater generally disposed of to ground.
22. Prebbleton is located approximately 10km south west of the Christchurch CBD, 3.5km to the Hornby retail centre, 4km north of Lincoln, and 7km east of Rolleston. Prebbleton is located within the subregional area identified as 'Greater Christchurch' and is identified as a 'service

township' in the Selwyn 2031: District Development Strategy³ ('Selwyn 2031'), with such townships having an estimated population range between 1,500-6,000 by 2031. Selwyn 2031 seeks that Prebbleton's function is *"based on providing a high amenity residential environment and primary services to Rural Townships and surrounding rural area"*.

Statutory Framework

23. The functions of Council as set out in s31 of the RMA include the establishment, implementation and review of objectives, policies and methods to:
 - a) achieve integrated management of the effects of the use, development and protection of land and associated natural and physical resources; and
 - b) control any actual or potential effects of the use, development or protection of land.
24. Provided that the proposed rezoning aligns with the outcomes sought in the District Plan objectives and policies, the change in zone will be in accordance with the role and function of the Council.
25. The process for making a plan change request and how this is to be processed is set out in the 1st Schedule of the Resource Management Act 1991 (RMA).
26. Section 73(2) of the RMA allows for any person to request that a change be made to the District Plan, in accordance with the process set out in Part 2 or Part 5 of Schedule 1. Part 5 of Schedule 1 relates to the use of the 'streamlined planning process' and is not relevant to this plan change.
27. Clause 21(2) of Part 2 of Schedule 1 requires that the plan change request: explain the purpose of, and reasons for, the proposed change; contain an evaluation report prepared in accordance with section 32 of the RMA; and where environmental effects are anticipated, describe those effects in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change.
28. In this case, the tests to be applied to the consideration of PC68 under Schedule 1 Part 2 of the RMA are summarised below and include whether:
 - a) It accords with and assists the Council to carry out its functions (s74(1)(a) and s31).
 - b) It accords with Part 2 of the Act (s74(1)(b)).
 - c) It accords with a national policy statement, a national planning standard and any regulation (s74)(1)(ea) and (f)).
 - d) It will give effect to any national policy statement, national planning standard or operative regional policy statement (s75(3)(a)(ba) and (c)).
 - e) The objectives of the request (in this case, being the stated purpose of the request) are the most appropriate way to achieve the purpose of the RMA (s32(1)(a)).
 - f) The provisions in the plan change are the most appropriate way to achieve the objectives of the District Plan and the purpose of the request (s32(1)(b)).
29. In evaluating the appropriateness of PC68, the Council must also:
 - a) Have particular regard to an evaluation report prepared in accordance with s32 (s74(1)(d) and (e)).

³ https://www.selwyn.govt.nz/_data/assets/pdf_file/0008/147977/Selwyn-2031-Finalr.pdf

- b) Have regard to any proposed regional policy statement, and management plans and strategies prepared under any other Acts and consistency with the plans or proposed plans of adjacent territorial authorities (s74(2)).
 - c) Take into account any relevant planning document recognised by an iwi authority (s74(2A)).
 - d) Not have regard to trade competition or the effects of trade competition (s74(3)).
 - e) Not be inconsistent with a water conservation order or regional plan (s75(4)).
 - f) Have regard to actual and potential effects on the environment, including, in particular, any adverse effect in respect to making a rule (s76(3)).
30. The functions of Council set out in s31 of the Act that are required to be maintained when evaluating the appropriateness of PC72 include the establishment, implementation and review of objectives, policies, and methods to:
- a) Achieve integrated management of the effects of the use, development and protection of land and associated natural and physical resources (s31(1)(a)).
 - b) To ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district (s31(1)(aa)).
 - c) Control any actual or potential effects of the use, development, or protection of land (s31(1)(b)).
31. The request considers the actual and potential effects of the plan change on the environment, and where necessary, I have made further comment and assessment of these later in this report. Similarly, an assessment of PC68 against the various statutory documents it is required to have regard to is set out further below.

Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021

32. The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act was passed on 20th December 2021. Amongst other matters the Amendment Act seeks to increase housing supply through directing Councils (including Selwyn) to update their District Plans to provide for medium density housing across relevant urban environments. Council has until August this year to notify a plan change (or variation to the Proposed District Plan) to incorporate the medium density requirements of the Amendment Act. The District Plan changes are to be undertaken through a bespoke 'Intensification Planning Instrument' ('IPI') process set out in the Amendment Act.
33. The Amendment Act is explicit that the requirement to enable medium density housing applies to urban areas/ townships with a population of more than 5,000 people as at the 2018 census (which Prebbleton did not). The Medium Density provisions can also be applied to urban areas where Council intends such areas to be part of a housing and labour market of at least 10,000 people.
34. For completeness, the Medium Density Zoning required under the Amendment Act does not apply to 'Large Lot' or 'Settlement' Zones, and neither does it apply to sites where 'qualifying matters' are in play such as natural hazard risk, heritage values, or where intensification would threaten the functioning of nationally significant infrastructure.

35. Council has very recently considered the implications of the Amendment Act at its meeting on 23rd February. The report was considered in public excluded and as such the agenda is not publicly available. At the time of writing the minutes had not been issued, however part of the resolution was that the report be made public following council resolution. As such a copy will be publicly available as part of the Council minutes, and prior to the hearing.
36. Council resolved to prepare a variation to the Proposed District Plan to address the Amendment Act requirements, using the IPI process. The Council resolved that the geographic area to be covered by the IPI includes the townships of Rolleston, Lincoln, and Prebbleton as collectively forming an urban environment with more than 10,000 people, and also noting that since 2018 Prebbleton will have passed the 5,000 population threshold. The Council also resolved that any private plan changes that have reached the point of recommendations being accepted by Council (but not made operative) by the time the IPI is notified will also be included within the IPI. This means that the variation to introduce medium density provisions has its focus on the Proposed District Plan, and will not concurrently seek to amend the Operative Plan provisions as once the Proposed Plan is adopted the Operative Plan essentially falls away. In short, the PC68 process will assess the spatial merit (or not) of urbanising the application site, against the Operative Plan Living Z provisions as they currently stand. The IPI process will then determine what ultimately the zone provisions are the wider Prebbleton township, including the PC68 block.
37. The Amendment Act therefore has significant implications for Prebbleton. Council will, over the coming months, be assessing the geographic extent of any 'qualifying matters' and confirming the exclusion of existing large lot zones such as the Kingcraft EDA Zone and the Living 3 zones. Drafting of the associated medium density provisions and assessment matters (that are not otherwise specified in the Amendment Act) are likewise matters that are still to be determined through the future IPI process that includes opportunities for public consultation and input via submissions and hearings. I have focussed my assessment on the degree to which PC68 aligns with the Operative Plan, and the Living Z zone outcomes sought by the applicant, rather than medium density outcomes which are speculative at this point in time.
38. As a final point, I would note that even if the balance of Prebbleton (and the PC68 site) ultimately has a zoning that facilitates medium density development, such zoning will be designed as one of enablement rather than requirement i.e. developers and future home owners will have the choice as to whether they develop to the full extent enabled by the zoning, or whether market and home owner preferences are for lower density development. A common example of this difference between enablement and requirement can be seen with height limits whereby the Living Z zoning enables buildings up to 8m in height, yet the market preference across the majority of Living Z greenfield areas has been for single storey dwellings. The Living Z zone provisions have likewise long enabled medium density housing through a discretionary consenting pathway. The take up of such opportunities have however been limited, and where medium density housing has occurred it has tended towards detached homes on smaller sections, rather than a shift to more intensive typologies such as attached townhouses or low-rise apartments. As such a more enabling zone framework may in practice result in only limited on-the-ground changes for how new suburban areas are developed.

PC68 Acceptance, Notification and Submission Process

39. PC68 was accepted for public notification at Council's meeting held on 28 July 2021 (under Clause 25(2)(b)).

40. PC68 was publicly notified in the Selwyn Times newspaper on 15 September 2021, with the submission period closing on 12 October 2021. A total of 42 submissions were received. These were then summarised and publicly notified for further submissions with the period for further submissions closing on 15 December 2021. Four further submission was received by that date. The submissions, submission summary and further submissions are available on the plan change webpage⁴. For completeness I note that no late submissions were received.
41. Three submissions were unambiguously in support of the plan change. The balance of submissions were either opposed to the plan change in its entirety, or willing to contemplate a change in zoning if the minimum lot sizes were significantly increased to Living 3/ 5,000m+ minimums. PC68 has reached the point where a hearing is now required (Clause 8B of the First Schedule to the RMA). Following the hearing, the Council is required to give a decision on the plan change and the associated submissions (Clause 10 of the First Schedule to the RMA).

Procedural Matters

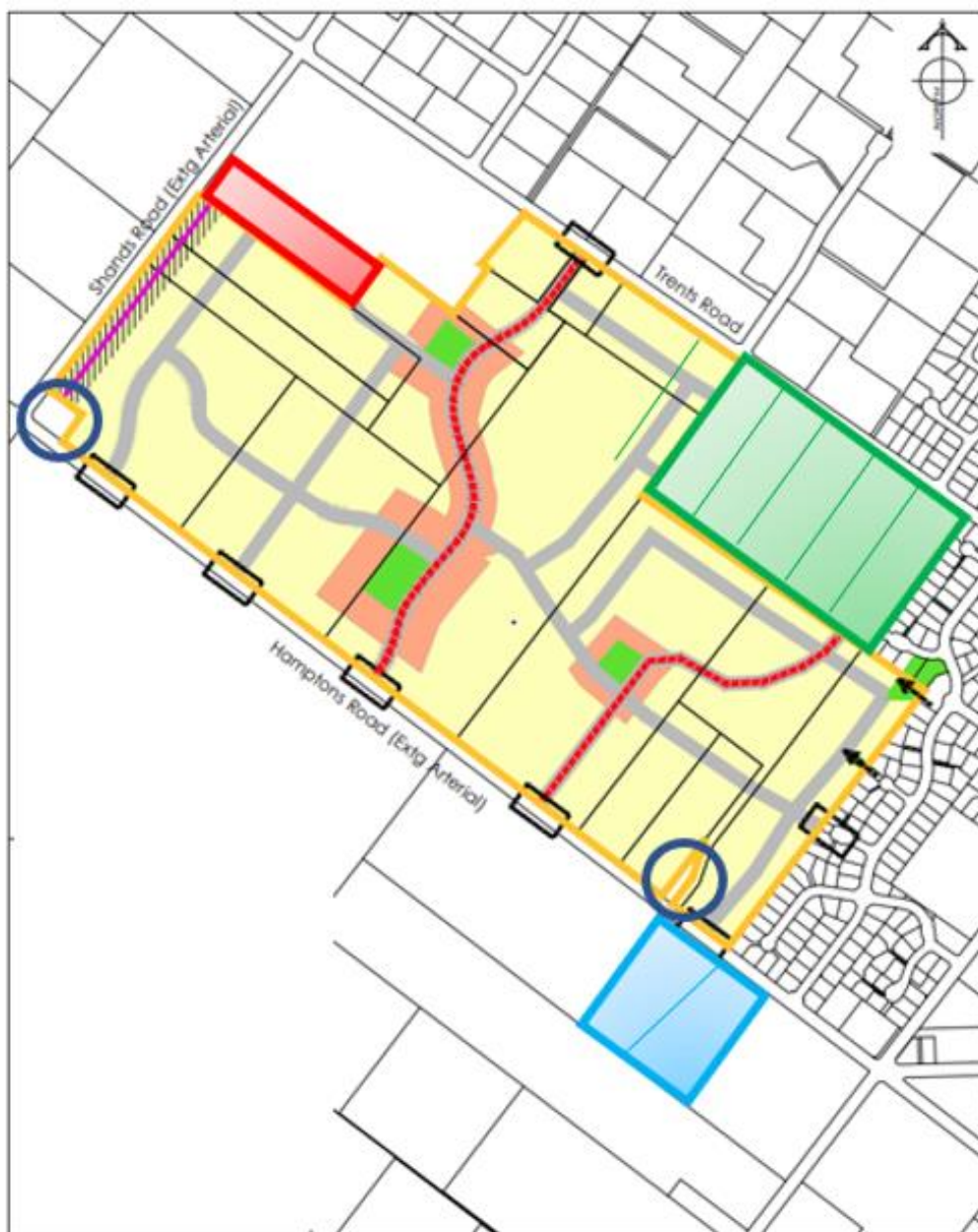
42. Several submissions seek that in the event that the plan change is granted, that the submitters' land is also rezoned as follows:
- Simon Shamy (PC68-0017) regarding 701 Shands Road – shown in red in **Figure 4** below;
 - Chris and Carol White and Adam and Lucy Gard'ner-Moore (PC68-0019) regarding 169 and 171 Hamptons Road – shown in blue;
 - Jonelle and Richard Bowman (PC68-0008 & 0009) regarding 400 Trents Road; and
 - Mark and Joanne Hamlyn (PC68-0031) regarding 386 and 398 Trents Road but with their submission also extending to include all 5 x 2ha sites in the 'gap' – shown in green.
43. In addition to the land sought to be rezoned by submitters, the PC68 site excludes two small blocks on Hamptons Road. These are shown as purple circles in Figure 4. The western lot on the corner of Shands and Hamptons Roads is 3,148m² in area and is held by Selwyn Council. It appears to be a legacy landholding from the time when Council held land near the intersections of rural roads to provide easy access to gravel resource for road maintenance purposes. The second lot is held by a Mr Fryer and is in two titles with a combined area of 1,612m². In the below section on urban form I discuss the merit of including these two small blocks as consequential amendments, acknowledging that the inclusion of these two blocks in the absence of any submissions raises procedural scope issues.
44. In terms of the five x 2ha properties that make up the 'gap' between the PC68 site and the eastern edge of Prebbleton/ Farthing Drive (shown as a green rectangle), the ownership is arranged as follows, moving from west to east:

382 Trents Rd	David Somerfield PC68-0012	Does not seek rezoning
386 Trents Rd	Mark & Joanne Hamlyn PC68-0031	Seeks rezoning of both their land and all five blocks in the Gap

⁴ <https://extranet.selwyn.govt.nz/sites/consultation/PC68/SitePages/Documents.aspx>

398 Trents Rd	Mark & Joanne Hamlyn PC68-0031	Seeks rezoning of both their land and all five blocks in the Gap
400 Trents Road	Jonelle Bowman PC68-0008	Seeks rezoning of her property
414 Trents Road	Andrew and Dawn Eagle	Have not submitted

Figure 4. Submissions seeking a change in zoning



45. The submissions raise a procedural matter regarding whether or not the inclusion of these sites fairly falls within the scope of PC68. Ultimately questions of scope are as much legal as they are planning considerations. In my experience, Councils (and decision makers) are reasonably

conservative on questions of scope and whether the changes sought by a submitter can be said to be 'on' the plan change. This is particularly the case for private plan changes that are seeking the rezoning of a specifically identified block of land, as opposed to more thematic plan changes that address broad matters such as zone policy and rule frameworks, or whole of Plan reviews.

46. In terms of whether the relief sought is 'on' the change, PC68 seeks the rezoning of a large block of land on the southwestern side of Prebbleton. A key element in the merit of the plan change advanced by the applicant concerns the logical extension of the township boundary and the establishment of a new southwestern boundary to Prebbleton. The inclusion of the submitters' properties (excluding the southern 'blue' area) could therefore be said to fall within the broad ambit of PC68 insofar as the plan change examines the appropriate formation of the southern edge of the township. The infilling of the 'gaps' in the urban form resulting from PC68 is therefore arguably consequential to the substantive outcomes sought in the plan change and are sufficiently modest in scale that their inclusion does not threaten or unduly expand the scope of the plan change.
47. The 'blue' block differs somewhat in that it does not have any internal boundaries with the plan change site and appears as a somewhat disconnected area on the southern side of Hamptons Road. As such rather than 'infilling' a gap, it extends the plan change site in a new direction. As such I do not consider that this southern block falls within the scope provided by PC68.
48. I understand that the second issue in play when considering matters of scope concerns natural justice i.e. potential submitters not being aware that substantive changes are being proposed via submissions. This natural justice issue is the key reason behind why Selwyn Council practice is to generally not accept submissions seeking additional land be included within private plan change applications. In this specific instance, I consider that natural justice risks appear to be relatively low, especially for the areas of land bounded by Hamptons, Shands, and Trents Roads, as the red and green blocks of land are generally bounded by the PC68 site and either road boundaries or land that is held by submitters who are already actively engaged in the plan change process.
49. Other parties interested in wider strategic planning matters such as the Canterbury Regional Council ('CRC'), Christchurch City Council ('CCC'), and Waka Kotahi New Zealand Transport Agency ('NZTA') are all participants in the PC68 process and could reasonably be expected to have retained an interest in the issues raised in submissions.
50. That said, Selwyn Council practice is to reject submissions seeking additional land as being out of scope. The submitters may therefore wish to provide the Commissioner with a legal opinion on the matter of scope to assist in his deliberations regarding whether he can progress to a merit-based determination.
51. In the event that the Commissioner considers some or all of these sites do fall within scope, I discuss the merit of such inclusion in the below section on urban form.

Assessment of the Request and Issues Raised by Submitters

52. This section provides an assessment of the material included within the request, submissions received and outlines the expert advice received to inform the overall recommendations within this report.

53. I consider that the key matters either raised by submitters, or necessary to be considered in ensuring that the Council's statutory functions and responsibilities are fulfilled in terms of assessing this plan change, are:
- a) Land Suitability (Geotech, Land Contamination, Versatile Soils, and Flooding/Water Table);
 - b) Infrastructure Servicing (Water, Wastewater and Stormwater);
 - c) Transportation/Traffic
 - d) Urban Design, Urban Form, Density and Character;
 - e) Reverse sensitivity effects on existing rural activities;
 - f) School capacity; and
 - g) Environmental nuisance/ construction effects
54. Given the number of submitters and the various issues raised within each, the approach to the reporting below is issue based. Individual submissions are for the most part not referenced; the number of submissions makes this impractical and inefficient in terms of time required to do so. Notwithstanding, my instruction from the Council included preparing the summary of submissions available on the Council's website, and on that basis I confirm that I have read and am familiar with the content of every submission/further submission lodged.

Land Suitability

55. In relation to the land affected by PC68, there are considered to be four primary matters to consider under this topic:
- a) Geotechnical considerations;
 - b) Land Contamination;
 - c) Versatile Soils; and
 - d) Flooding
56. Each of these are considered in turn below.

Geotechnical Considerations

57. The request included a geotechnical assessment prepared by Engeo Ltd (Appendix C to the original application). Engeo concluded that the *"Likelihood of liquefaction triggering and post-liquefaction induced vertical settlement occurring at the site to be low. We therefore consider the site of the proposed subdivision to have Technical Category 1 (TC1) future land performance whereby future land damage from liquefaction is unlikely, and ground settlements are expected to be within normally accepted tolerances"*.
58. The applicant's geotechnical report was peer reviewed on behalf of Council by Mr Ian McCahon, an engineer with Geotech Consulting Ltd as part of the initial review of plan change documentation. Mr McCahon concluded that *"this site is geotechnically "benign" and we have little issue with the conclusions reached in the report. We consider that the extent of the site testing is adequate for the site and scale of the plan change on the particular soil profile present, and is adequate to demonstrate the geotechnical suitability of the site area for plan change consideration. The wider area is also known to be underlain with deep gravel. We agree that*

there is minimal liquefaction hazard and the site is equivalent TC1 land. We conclude that the investigations are adequate and conclusions are appropriate to the site and proposed zoning”.

59. I note that in addition to the above reports, subsequent subdivision consent processes include provision for more detailed site investigations and if need be land remediation through bulk earthworks. The Building Consent process then enables consideration of the suitability of specific foundation design to ensure the chosen foundation solution is appropriate for the underlying ground conditions. On that basis it is considered that there are no geotechnical considerations that impact on the ability to re-zone the plan change area.

Land Contamination

60. Contaminated soils are managed under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (the ‘NES-SC’). This applies to any subdivision or change in the use of a piece of land, and therefore would apply to the type of land use change that would be facilitated by PC68. The NES-SC requires that a Detailed Site Investigation (DSI) is carried out when the use of the land changes or is proposed to be subdivided to identify the extent of the contaminants, and a Remedial Action Plan or Site Validation Reports prepared if required.
61. The request included a combined Preliminary Site Investigation (PSI) and Detailed Site Investigation (‘DSI’) prepared by Engeo Ltd as Appendix D to the original application. This report was reviewed by Environment Canterbury’s Contaminated Land Team on behalf of the Council.
62. The PSI identified that a number of HAIL activities⁵ have occurred across the site. These activities vary in nature and extent across the site and include activities common with rural land use such as the use and storage of agrichemicals and lead paint around older dwellings. Following identification of these past activities, the applicant undertook targeted soil sampling of the parts of the plan change site where HAIL activities were suspected. The DSI identified elevated levels of contaminants in discrete areas of the site.
63. Whilst there is a risk of soil contamination being present, these risk factors are not untypical of rural landholdings. The DSI investigation informs site remediation works as part of the subdivision consent process. Given the discrete parts of the site affected by contaminated soil, there are well-established processes and options available for managing the risk to human health when changes in land use occur. Such options include removing the contaminated soil to an approved facility such as the Kate Valley landfill, or encapsulating contaminated soil on-site under roads where ongoing soil contact by future residents will be minimal. At this stage of the development process there is nothing to suggest that the land is unsuitable for development given the known HAIL activities previously undertaken within the plan change area.

Versatile Soils

64. Under the land use capability classifications, the land affected by PC68 includes areas of Class 2 and 3 soils (see **Figure 5**).

⁵ Hazardous Activities and Industry List, as described in the NES-SC

Figure 5: NZLRI LUC Classes 1-3

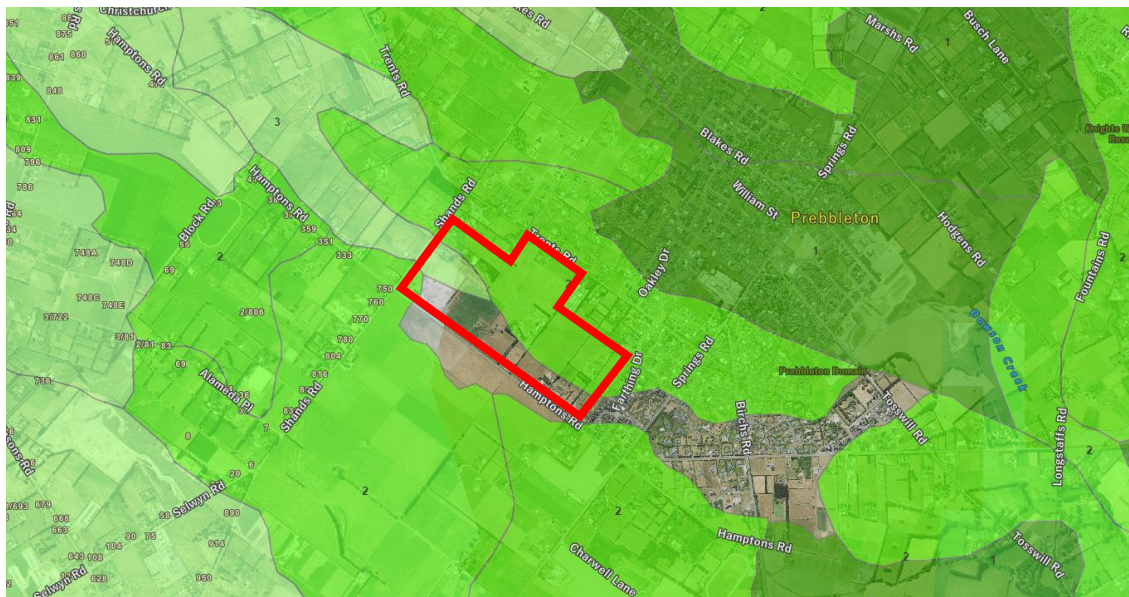


Image source: Canterbury Maps. (Land Resource Inventory, dark green = Class 1; mid-green = Class 2; light green = Class 3; no colour = not Class 1-3)

65. A gravel strip runs across the southern portion of the site as a result of historic Waimakariri River outbreaks. As such the southern portion of the site is less versatile than the majority of other rural areas adjacent to the Inner Plains townships. The quantum of any loss is not considered to be significant when assessed in the context of the wider rural Prebbleton area, or in terms of the District generally.
66. The management of versatile soils is currently under consideration through a proposed National Policy Statement on Highly Productive Land (pNPS-HPL), with the draft NPS providing a clear signal to local authorities that highly productive land is a matter of national significance, and as such is a matter that should be given appropriate weight in land-use planning and decision-making.
67. Although the pNPS-HPL is useful as it signals the Governments intentions in respect to protecting highly productive land, it does not have any statutory weight at this point in time. Furthermore, at this stage there is limited guidance as to how the outcomes sought therein are to be balanced with the operative National Policy Statement on Urban Development (NPS-UD) in terms of prioritising versatile soils over the pressing need for further urban development to meet housing objectives.
68. It is clear that there are trade-offs between protecting highly productive land for primary production while providing for greater urban capacity. This is especially the case for parts of New Zealand like the Selwyn Inner Plains area where virtually all of the plains area is classified as containing Class 1-3 soils. **Figure 6** below shows the Inner Plains context where the only locations where versatile soil is not present is to the west of Rolleston, Hornby, and the Port Hills. In short, there are virtually no pathways for urban expansion in the Selwyn portion of Greater Christchurch that do not extend over areas of versatile soil.

Figure 6. NZLRI LUC Classes 1-3 across the Selwyn Inner Plains

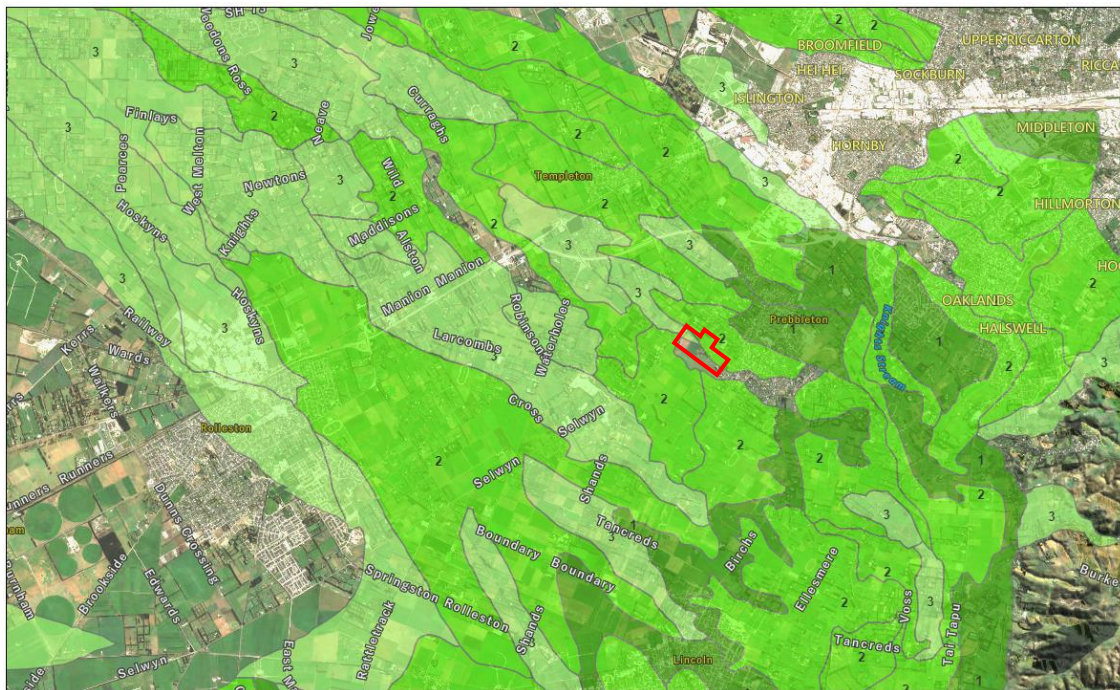


Image source: Canterbury Maps. (Land Resource Inventory, dark green = Class 1; mid-green = Class 2; light green = Class 3; no colour = not Class 1-3)

69. In the context of PC68, the consideration comes down to promoting the best use of highly productive land resource to deliver the most benefit, which is essentially the outcome sought under section 32 of the RMA. PC68 will not result in the loss of the most versatile Class 1 soils. It will result in the loss of some Class 2 and 3 soils. The location of a portion of the site over non-versatile soils means that the plan change is better located than alternative areas on the other boundaries of Prebbleton (and most other growth alternatives in Greater Christchurch) when it comes to maintaining the soil resource.
70. In and of itself, I do not consider the Land Use Classification of the soils making up a portion of the plan change area to be sufficient to state that the land is not suitable for residential development. It is however one of the considerations when evaluating the benefits and costs of allowing PC68.

Flooding

71. The plan change request includes a flood hazard report prepared by Engeo Ltd. The flood hazard report confirms that the site is not subject to coastal flooding or flooding from the Waimakariri or Selwyn Rivers. Flood risk is therefore caused primarily by localised ponding generated by rainfall that exceeds the site's ability to absorb that rainfall (rather than large volumes of overland flow generated from rain falling in off-site locations).
72. The operative District Plan does not contain any mapped flood hazard areas applicable to the site. The Proposed Plan includes several overlays that identify Flood Management Areas on the plains. These overlays map the 1 in 200 year (0.5% AEP⁶) and 1 in 500 year (0.2% AEP) flood

⁶ 'AEP' is the Annual Exceedance Probability, namely the probability of the event occurring in any given year.

depths. Whilst the Proposed Plan maps are currently subject to submissions, they nonetheless provide a useful indication of the extent of flood risk across the plains environment.

Figure 7. 1 in 500 year flooding

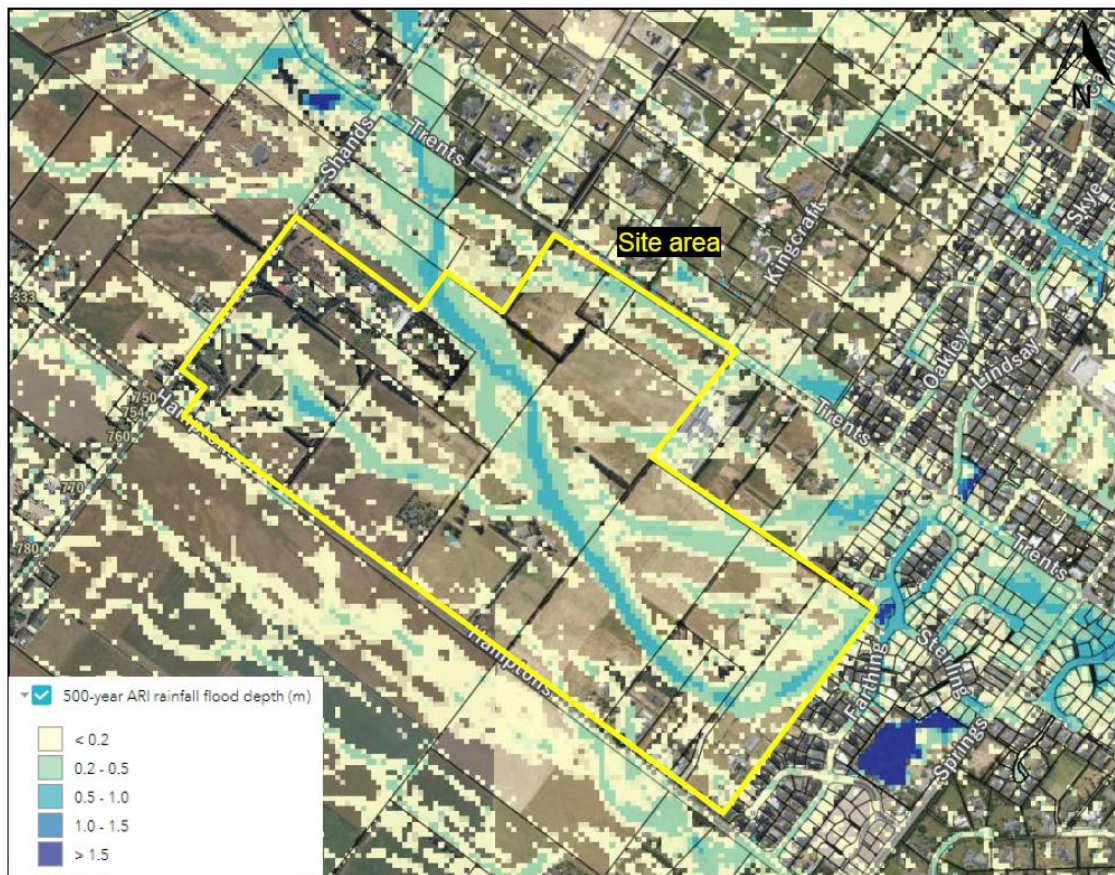


Image source: Figure 4, Engeo Ltd Geotechnical report, Appendix C PC68 application.

73. The flood map shows that that majority of the site is free from flood risk. There is an overland flow path that traverses the site and flows in a northwest to southeast direction, with a smaller path running in a southwest to northeast direction, forming a rough X-shape through the site. A small channel likewise runs along the northern edge of the site roughly parallel with Trents Road. In a 1:500 ARI event flood depths are generally less than 0.5m, and at worst extend to depths of 0.5-1m in a narrow portion of the site in the main channel.
74. In terms of options for mitigating this risk, the ODP aligns the proposed stormwater routes with these existing features. The stormwater flowpaths likewise generally align with the proposed road network, with the roads providing secondary flow paths. Suitable building platforms will be able to be formed through bulk earthworks as part of the subdivision process, and if need be minimum floor levels for buildings can be set through the Building Consent process to ensure internal floors are clear of the 1:50 ARI event.
75. Overall, the site is not located near any large waterways and is not in a location that is particularly prone to flooding or flood risk. The management of stormwater is discussed in more detail in the below section on servicing.

Infrastructure Servicing (Water/Wastewater/Stormwater)

76. The application includes an Infrastructure Assessment prepared by Davie Lovell-Smith Ltd (Appendix A in the application). The infrastructure Assessment considered not just the servicing necessary to support the PC68 site (and some 820 new dwellings) but also the servicing necessary were all the land located within Shands, Trents, and Hamptons Roads to ultimately be rezoned to Living Z (approximately 1,040 dwellings). This means that the servicing of the additional sites sought by submitters to be included in the plan change has been considered as part of the applicant's assessment (and Council's peer review).
77. A broad range of concerns were raised in submissions regarding servicing, including the adequacy of the existing reticulated networks to service a development of this scale, impacts on current users, and how the upgrades might be funded. A general concern expressed was that existing ratepayers will have to subsidise infrastructure development required to accommodate the additional housing.
78. It is noted that upgrades will either need to be undertaken (and funded) by the developer; or where they are necessitated by growth beyond just this site, there are mechanisms available to the Council to recoup proportional costs from the developer such as through development contributions taken at the subdivision stage or through a developer agreement. In my view, the funding of any such infrastructure upgrades necessitated by the plan change is not an impediment to the rezoning. Mr Murray England, the Council's Asset Manager – Water Services has provided an assessment of PC68 (attached as **Appendix A**).
79. The application confirms the ability to connect to electricity and telecommunication networks.

Water

80. The water supply to Prebbleton is currently provided via a series of deep groundwater bores. Selwyn Council holds water take consents from the Canterbury Regional Council⁷ that permit takes of up to 1,576,800m³ per year. Mr England has confirmed that over the last five years the maximum annual take has been 703,919m³. There therefore remains significant capacity within the consented water take to service the new development.
81. Water supply infrastructure within the site will be provided by the developer as part of the subdivision development process. This process will also identify whether any additional bores are needed, along with any additional trunk main pipework to connect the site to the wider reticulated water supply network. Selwyn Council is in the process of expanding the reticulated network to connect a new bore to the west of the Shands/ Blakes Rd intersection, south along Shands Road and then east along Trents Road adjacent to the PC68 site.
82. It is anticipated that the new reticulated water supply infrastructure will be designed and built in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. The PC68 Infrastructure Report identified that there are no water supply issues which would impede the re-zoning of the land for residential purposes. Council's asset manager has confirmed that there is sufficient capacity within the water supply network to enable the site to be serviced.

⁷ CRC202353 and CRC010900

Wastewater

83. Wastewater is to be reticulated within the site and gravity-fed to either one or two new pump stations located within the site (depending on final design). These pump stations/s will then pump to the main Prebbleton Terminal Pump Station located on Springs Road (adjacent to the ex-Meadow Mushrooms site). Mr England has confirmed that connection to the Council's reticulated network at the Prebbleton Terminal is feasible, subject to an engineering approval process in the future. Mr England does note that whilst the Prebbleton Terminal has sufficient existing capacity to accommodate the additional load generated by the PC68 site, capacity upgrades may be required were other current private plan change applications (PC72 and PC79) to also be approved. In the event that all three sites are approved there may be the need for staging or prioritisation between the sites, or additional developer contributions to fund upgrades beyond those currently programmed in the Long Term Plan.
84. Council's reticulated wastewater network ultimately connects Prebbleton sewage to the Pines Wastewater Treatment Plant ('the Pines Plant') located to the southwest of Rolleston. The Pines Plant is near capacity, with upgrades currently underway and additional upgrades planned and budgeted for to accommodate up to 60,000 person equivalents (PE) of incoming flow, with plans to increase the treatment capacity up to 120,000 PE being prepared. The current connected catchment (2021) has a population equivalent of approximately 42,000 - 45,000. These connections along with projected growth are estimated to require additional treatment processes (beyond 60,000 PE) developed on site to meet incoming flows. Mr England notes that the extension of the Pines Plant to 120,000 PE capacity has been identified and funded in the LTP, with design and consenting works programmed for the forthcoming years, to allow for future development within the district, which could include this plan change request. Therefore, capacity upgrades planned and budgeted for would be sufficient to accommodate the wastewater generated by development facilitated by PC68.
85. Overall, the options identified to convey wastewater to the Pines Plant are feasible and the PC68 area can be adequately served by the Council's wastewater network subject to the provision of on-site pump facilities and any localised pipe and pump station upgrades (if required).

Stormwater

86. As noted above, stormwater currently drains across the site through several shallow channels that are ephemerally wet in very high rainfall events. Stormwater is proposed to be discharged to ground on-site i.e. minimal discharges beyond the site boundary are anticipated beyond those currently occurring from its undeveloped state. Bulk earthworks are proposed to be undertaken as part of the subdivision process to ensure drainage of sites to the internal road network or naturalised flow paths. Secondary flow paths will follow existing natural channels through the site and will be sized to ensure that any upstream flows can be accommodated.
87. The detailed design of the stormwater system, including the need for any on-site treatment of stormwater prior to discharge, is a matter that is typically resolved through subdivision and Canterbury Regional Council consents. Mr England has confirmed that disposal to ground is appropriate for this area. For plan change purposes there does not therefore appear to be any flooding or stormwater constraints that are of sufficient significance to warrant the plan change being declined.

Conclusion – Servicing

88. Overall, the servicing of the PC68 area by extensions to the existing reticulated water and wastewater systems is feasible, with sufficient capacity programmed for the Pines Plant. Furthermore, based on the advice from Mr England, it appears that there is a viable means to dispose of stormwater to ground within the plan change area subject to detailed design of Stormwater Management Areas through the subdivision consent process.
89. Overall, the site can be serviced for three waters infrastructure. The detailed design of all three systems is appropriately undertaken through the subdivision consent process and through any associated Canterbury Regional Council consents related to the management of water quantity and quality. The funding and connection of new 3-waters systems to existing networks are common for new growth areas and there are well-established processes and funding mechanisms available to ensure infrastructure is paid for and constructed to a suitable standard.

Transportation/Traffic Effects on the Roding Network

90. The PC68 application included an Integrated Transport Assessment (ITA) prepared by Abley Consultants Ltd⁸ ('Abley'). Additional assessment was subsequently provided by Abley in response to a Request for Further Information made by the Council. The Abley report has been peer reviewed for Council by Mr Mathew Collins of Flow Transportation Specialists Ltd, with Mr Collin's report attached as **Appendix B**.
91. Adjacent to the site's western frontage, Shands Road is classified as an arterial road, linking the southern side of Rolleston with the Christchurch Southern Motorway Stage 2 ('CSM2'). The portion of Shands Road adjacent to the site has a posted speed limit of 80kph and is formed as a rural road i.e. no cycleways, footpaths, or kerb and channel. No new road connections are proposed from the PC68 site onto Shands Road and likewise no individual site accesses are proposed i.e. the proposed large lots with frontage to Shands Road will obtain their access from a rear laneway/ local road internal to the PC68 site.
92. Trents Road runs along the site's northern frontage and is formed to rural road characteristics with no footpaths or kerb and channel. Trents Road is not classified in the District Plan, with the Abley report considering that it functions as a secondary collector road, providing a link between Shands Road and Springs Road. Trents Road currently has a 70kph speed limit adjacent to the site.
93. Hamptons Road borders the southern edge of the plan change site and is again formed to rural standards. It is categorised as having an arterial road function in the District Plan and has a posted speed limit of 80kph.
94. In the event that the plan change is approved, it is anticipated that the speed limits on these three frontage roads will all be reviewed. Both Hamptons and Trents Roads are recommended by Mr Collins to be formed to urban standards with pedestrian and cycle facilities and kerb and channel. Shands Road is proposed to retain its rural arterial formation and function.

⁸ Appendix E to the application

Intersection functionality

95. There are four key existing road intersections in the vicinity of the site, being the two Shands Road intersections with Trents and Hamptons Roads respectively, the Trents/ Springs Road intersection, and the Hamptons/Springs Road intersection. As set out in Table 1 and Figure 3 of Mr Collins report, upgrades are currently programmed over the next three years to both of the Shands Road intersections and also to the Hamptons/ Springs Road intersection, along with seal widening along both Trents and Hamptons Roads.
96. The Abley report modelled the effects of the additional traffic generated by PC68 on these four intersections. Mr Collins generally agrees with the methodology used by Abley in modelling the performance of these intersections. The Abley modelling identified that the four intersections will continue to perform adequately, provided the upgrade works currently programmed by Council are undertaken. There is therefore a potential timing issue whereby the PC68 site is built out (and additional traffic generated) prior to the necessary upgrades being in place. Mr Collins therefore recommends that the applicant undertake further modelling of these intersections to better understand performance in the absence of the upgrades, and if not, how long the timing issue will be between subdivision build-out and programmed upgrade. Mr Collins also notes that the Abley modelling relies on the Shands/ Trents intersection being upgraded to a double-lane roundabout, when the programmed upgrade is only for a single lane roundabout.
97. As I see it there are three solutions available. First, the applicant undertakes further sensitivity modelling of the intersections, with the timing of upgrades overlaid with the timing of likely build-out, and this additional modelling demonstrates that the intersections will continue to perform adequately.
98. If sensitivity modelling does show that there is a significant (if temporary) issue, then a second option is that the applicant enters into an agreement with Council to provide additional funding to enable the programmed works to be advanced in terms of timing. The costs are those associated with bringing the works forward by a year or two, rather than the cost of the works themselves. Increasing the capacity of the Shands/ Trents roundabout to two lanes is likewise a matter that could be developer funded if such additional capacity is demonstrated to be necessary as a result of PC68.
99. The third option is to add a new rule to the District Plan as a consequential amendment, with the rule limiting the number of houses that can be built and occupied prior to the upgrades being in place. The numeric limit on households would need to be determined by the additional sensitivity analysis recommended by Mr Collins.
100. Any of the above three options provide an adequate solution to ensure that the four key intersections closest to the site will continue to operate safely and provide a reasonable level of service.

Pedestrian and Cycle Connections

101. There are no existing cycleways adjacent to the site. The Rail Trail runs along Springs and Birchs Roads approximately 1km east of the site and provides a cycle link from Christchurch to Lincoln. Mr Collins has advised that a new cycle route is also proposed between Templeton and Prebbleton for 2023-24. This proposed route is to run along Trents Road adjacent to the site, with eastern connections to Springs Road and the Rail Trail. This proposed route enhances site accessibility for cycling.

102. The site frontages to Hamptons and Trents Roads are proposed to be upgraded to urban standard by the applicant. Mr Collins confirms that such treatment is appropriate and considers that this should form part of the ODP narrative which I agree with. Shands Road frontage can retain its current rural arterial formation given that no site access is proposed to Shands Road.
103. Mr Collins raises concerns with the lack of pedestrian linkages and continuity between the site frontage to Trents Road back towards the township centre i.e. the strip of road in front of the submitter properties that form the 'gap' between the PC68 site and the existing urban edge. A much smaller gap occurs on Hamptons Road. Mr Collins recommends that the ODP plan and narrative be amended to confirm that the developer will upgrade the length of these roads so that continuous footpath connections are provided from the PC68 site along Trents and Hamptons Roads to the existing urban edge. These recommended amendments are shown in Figure 6 of Mr Collins report.
104. Mr Collins likewise seeks that the ODP be amended to better provide for cycle connections. These recommended routes are located within the PC68 site via three north-south links and one east-west link following the main internal spine roads. I agree that such connections will assist in providing future residents with alternative modes of transport. The final design of cycle facilities can be determined in discussion with Council as part of the subdivision consent process.

Public Transport

105. No public transport bus routes currently operate adjacent to the site. The #80 route operates between Lincoln and Central Christchurch via Prebbleton and runs along Springs and Birchs Roads. The closest stop is approximately 1km east of the site. The service currently provides a 15 minute frequency during peak hours and a 30 minute frequency off-peak. Peak time express services also operate on this route between Central Christchurch and Lincoln, with a stop in Prebbleton.
106. Public transport options are therefore limited. The nearest bus stop is 1km away which whilst walkable is outside the distance that is generally sought for facilitating public transport use. In my experience the routing and frequency of public transport follows population i.e. as population increases additional services are able to be supported. The formation of the main north-south internal road will be capable of accommodating a public transport service should a future service through the site and along Hamptons and/or Trents Road be considered to be necessary. In short, whilst the site is not currently well serviced by public transport, the plan change and ODP do not preclude the provision of such services in the future.

Cumulative Transport Network Effects

107. Mr Collins identifies that in itself, the Plan Change will result in only modest increases to traffic movements on the wider network. He raises concerns not so much with the traffic generated by PC68 per se, but rather with the cumulative traffic effects that might be generated by the suite of plan changes proposed in the wider area, including those in Rolleston and Lincoln.
108. In considering the traffic implications on the wider commuter network, Mr Collins notes that without a corresponding increase in local employment and access to services (which are not proposed), additional impact on the Greater Christchurch transport network can be expected as additional residents in Selwyn travel to access services and employment. This is especially the case given that the PC68 area is outside the anticipated growth areas in the CRPS i.e. it is in

addition to the anticipated growth areas rather than instead of, and therefore will result in a net increase in households (and traffic movements) in Selwyn.

109. Assessing the effects of such development on the long-term planning and funding commitments associated with bulk transport infrastructure is complex and requires assessment of multiple land use scenarios. Mr Collins identifies a recent report prepared by QTP on behalf of Selwyn Council that examines the potential impact on the road network from an additional 10,000 dwellings over and above the growth anticipated in the locations shown on Map A of the Canterbury Regional Policy Statement. In modelling the distribution of these additional households, QTP used the locations and quantum that are proposed through the private plan changes that are currently in-process. As such it models a 'worst case' where all of these plan changes to be approved.
110. Mr Collins infers from the QTP modelling that there are surprisingly modest increases to traffic on the two key arterial routes of Shands Road (from Rolleston) and Springs Road (from Lincoln). The reason being that both of these routes are already congested at peak times, and therefore the additional traffic generated by upstream development reallocates to alternative routes into the City that whilst being longer are less congested. It does not mean that Shands and Springs Roads will not be congested, but it does mean that this congestion should not worsen markedly beyond anticipated levels.
111. As is discussed in more detail in the statutory assessment below, the integration of transport upgrades and urban growth has until recently been reasonably settled, with growth areas identified in the Canterbury Regional Policy Statement and road network improvements programmed accordingly. The National Policy Statement on Urban Development ('NPS-UD') has provided an opportunity for locations outside of these identified growth areas to be advanced through private plan changes. This has led to a proliferation of private plan change requests being received across the Selwyn Inner Plains townships. These plan changes are currently being heard on a first come first served basis. At the time of writing, the only decision to have been released is in relation to PC67 in West Melton, and therefore it is unknown whether some or all of these plan changes will be approved. In the event that all (or most) of the applications are approved, significant new housing capacity will be released in both Lincoln and Rolleston.
112. I understand from feedback from Mr Andrew Mazey, Council's roading asset manager, that the Greater Christchurch Partnership organisations are well aware of the potential changes to commuter volumes arising from the plethora of recent plan change applications. They are in the process of investigating how to support modal shift towards public transport, and the potential for commuter rail from Rolleston. Such changes to public transport services (and in particular rail-based services) are however likely to be more of a medium to long-term proposition. In the meantime the Partner organisations are reviewing the functioning of the wider road network, noting that such is an iterative process that is having to proceed in the context of considerable uncertainty generated by the multitude of plan changes in locations that have not previously been identified for growth.
113. In my view such tension is inevitable with the door opening created by the NPS-UD. The NPS-UD creates a process whereby the coordination of urban growth with transport infrastructure becomes reactive and iterative, particularly where the effects derived from individual plan changes are found to be acceptable and any adverse effects are only felt cumulatively.

Transport Conclusions

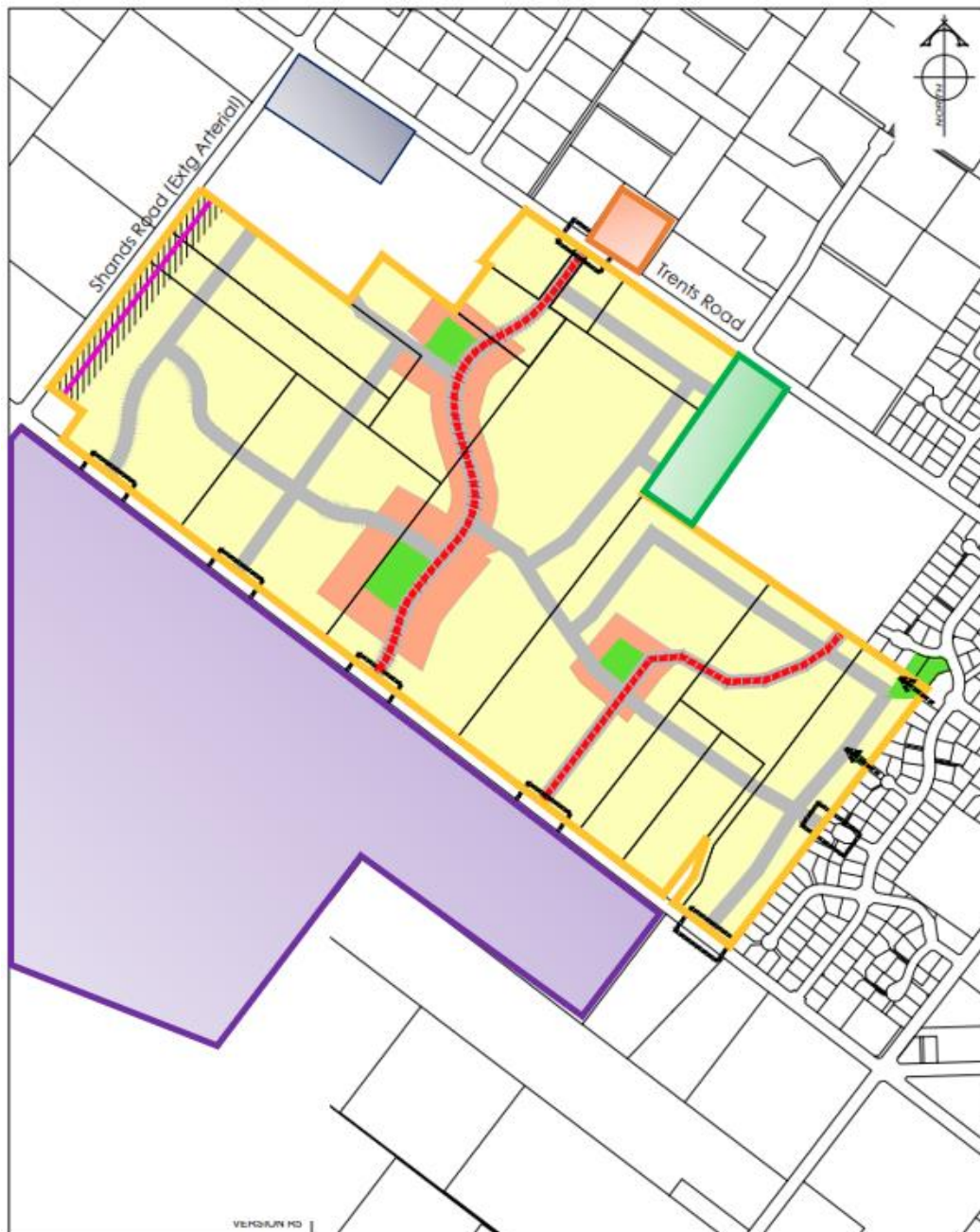
114. For PC68 it appears that the immediate road connections/ nearby intersections to Shands, Trents, Hamptons, and Springs Roads can all function acceptably, once programmed upgrades have been implemented. Mr Collins has identified the need for additional sensitivity modelling and if need be a staging rule to ensure these upgrades are in place prior to additional traffic being released by PC68. Mr Collins has likewise recommended that the ODP plan and narrative be amended to better provide for frontage road upgrades to urban standards and associated provision of an integrated footpath network, along with improved cycle routes through the site. There are no other transport effects generated by this plan change on the immediate network that would lead to a recommendation that it should be declined.
115. The plan change will add to the cumulative volume of traffic on the wider road network. The issues created by this additional volume in and of themselves are not critical to network function, however when added to the volumes generated in the event that all or most of the plan change applications that are currently proposed upstream in Rolleston and Lincoln are approved, there will be cumulative changes in road capacity and service. Because decisions on the other plan changes in Rolleston and Lincoln have yet to be released, any increase in traffic generated by them is simply speculative at the time of writing. In short, if they are all (or mostly) declined then there is limited cumulative effect.
116. In the event that a number of plan changes are approved, the QTP modelling suggests that the additional traffic demand will result in movement shifts to alternative less congested routes into Christchurch. In parallel to the funding and construction of wider network improvements (if required), improvements to public transport to encourage modal shift can be undertaken. The reality is though that such works are likely to be implemented over the medium to long term. There is therefore a likelihood that there will be some increase in congestion in the short term.

Reverse Sensitivity

117. Reverse sensitivity concerns have been raised by the following submitters, with the location of their properties shown in **Figure 8** below:

Submitter	Location	Activity
Adam and Sarah Pollard (PC68-0030),	Corner of 681 Shands Rd and 308 Trents Rd – shown in dark blue	Morgan & Pollard landscape depot
Greg and Jenny Tod (PC68-0025)	349 Trents Road - shown in orange	Plant nursery
David Sommerfield (PC68-0012),	382 Trents Road - shown in green;	Plant nursery
Angela Philips (PC68-0042),	799 Shands Rd – 73ha farm south of Hamptons Rd and out to Shands Rd - shown in purple	Arable farming

Figure 8. location of submitters raising reverse sensitivity concerns



118. Reverse sensitivity is a well-recognised planning concept. In essence it refers to an existing environment with long-established activities that are either operating in accordance with resource consents or are consistent with the outcomes anticipated in the existing zoning. In this instance the submitters in question are undertaking arable farming, plant nursery, and landscape contractor operations. New activities then establish that are more sensitive or expect a higher level of amenity than is currently provided, such as a shift from adjacent land being used as paddocks, to new houses and gardens. The new residents then complain about the amenity-related effects of the existing operations, which in turn either results in these existing activities having to close or modify their operations, or limits further intensification of the activities.

119. In order for reverse sensitivity risk to be significant, the operations in question need to be generating effects that extend beyond their site boundaries. These effects in turn need to be at a level where they are likely to give rise to amenity-related complaints. The sites in question are all bounded by lifestyle blocks or large lots, with dwellings in close proximity. They should therefore already be operating in a manner that is not giving rise to unacceptable effects beyond their boundaries. Obviously a change in zoning will enable more residential neighbours, with dwellings located closer to the shared boundaries, and therefore there is the potential for effects that are currently acceptable in a large lot context to no longer be acceptable once neighbouring sites have intensified. That said, it is common for farmland to adjoin residential properties – the existing edges of not just Prebbleton but all of the Inner Plains townships display such an interface. As far as I am aware, this interface does not give rise to significant limitations on farming operations, especially where these operations are separated by roads, as is the case with Hamptons Road separating the PC68 site from the Phillips’ farm to the south.
120. Plant nurseries and landscape depots are likewise common features in urban environments. There are a number of examples of plant nurseries located within suburban Christchurch with long-established residential neighbours. These two types of activities appear to be able to co-exist without giving rise to complaints or amenity effects. The submitter activities can therefore be readily differentiated from the sorts of rural activities that regularly do give rise to amenity-related complaints, such as intensive farming, quarries, dairy sheds and associated effluent ponds, mushroom factories, or rural machinery depots.
121. Whilst the plan change will clearly result in an increase in residential neighbours, the submitter sites already have residential neighbours and appear to be operating in a reasonably benign manner. The limited effects beyond site boundaries is consistent with similar operations elsewhere in Christchurch that co-exist in suburban environments. As such I am not convinced that reverse sensitivity risk is at the point where either the plan change should be declined or additional interface rules are necessary.
122. If the Commissioner is of the view that the interface needs to be further managed, then there are several tools that are readily available, such as wrapping the Living X zoning around the edge of the sites in question and including as a consequential amendment a rule requiring dwellings to be set a certain distance from the shared internal boundaries. In the absence of any submitter evidence identifying the extent and nature of off-site effects generated by the submitter activities, I am unable to recommend minimum lot sizes or building setback rules that could be justified in being both necessary and effective in managing amenity-issues at the interface.
123. The costs and benefits of managing this interface are connected to the Commissioner’s findings regarding whether some or all of these blocks should be included within the plan change and also rezoned, with the scope and merit of such amendments discussed in the below section on urban form.

Urban Design and Urban Form

124. The PC68 application⁹ included an urban design and landscape assessment prepared by Mr David Compton-Moen (DCM Urban Ltd). This assessment places the PC68 site in the wider context of Prebbleton Village and also considers both the immediate site context, the change

⁹ Appendix B to the application

in visual effects from a predominantly pastoral landscape to a more suburban outcome, and the ODP design and associated connections and layout.

125. In considering the wider urban form outcomes generated by PC68 I consider that it is helpful to first place the site in the context of structure plans and strategies for Prebbleton.

Prebbleton Structure Plan¹⁰

126. Prior to the Canterbury earthquake sequence, the Council prepared a structure plan for Prebbleton, with the plan adopted on 24 February 2010. This plan was one of a series of similar structure plans prepared for the other Inner Plains townships of Rolleston and Lincoln. The structure plan identified a number of growth areas. These growth areas have now largely been rezoned and developed for housing in the twelve or so years since the structure plan was developed.
127. In addition to rapid growth of the township over the last decade, a new supermarket-anchored retail area has been developed in the town centre, the Meadow Mushrooms factory site in the middle of the town has closed (with concurrent removal of odour and associated limitations on residential infill adjacent to the factory site), and the Southern Motorway has been completed which has altered roading patterns in the wider area.
128. Given that the structure plan is now over a decade old, with the identified growth areas taken up, the structure plan has become quite dated in terms of usefully informing how best to manage ongoing growth pressures. The structure plan nonetheless provides some broad guidance regarding the preferred direction of growth, namely that a clear separation should be maintained between Prebbleton and the urban edge of Christchurch to the north, and secondly that growth should occur to the east and west in preference to ribbon development extending south along Shands and Springs Roads.

Rural Residential Strategy 2014¹¹

129. In response to the amendments to the CRPS incorporated through the post-earthquake Land Use Recovery Plan (discussed in more detail below), the Council prepared a Rural Residential Strategy in 2014 ('RRS-14'). The RRS-14 identified a set of criteria for identifying areas in the Inner Plains that would be suitable locations for rural residential development. As a generalisation, rural residential locations were chosen on the basis that they were located on the edge of existing townships (rather than as isolated rural enclaves), were able to be serviced by reticulated networks, and were sited in locations where they were not in an identified growth path for suburban density development and/or were located to provide a clear 'edge' to the township.
130. Of particular relevance to PC68, a central portion of the application site was identified as a suitable location for rural residential development (Area 7).

Figure 8. Rural Residential Areas in Prebbleton

¹⁰ <https://www.selwyn.govt.nz/property-and-building/planning/strategies-and-plans/prebbleton-structure-plan>

¹¹ <https://www.selwyn.govt.nz/property-and-building/planning/strategies-and-plans/rural-residential>

- *Areas 4, 5 and 7 are located at the edge of the “Preferred Urban Form” identified on Map 28 of Appendix 2 of this Strategy. A ‘future proofed’ rural residential subdivision design may be considered to protect the future growth path, ensuring that the site can be intensified to urban densities in an integrated and comprehensive manner, if this is required at some future date for the further expansion of Prebbleton. Alternatively, due to their location on Shands Road it may be preferred that Areas 4 and 5 remain as part of a permanent peri-urban fringe to Prebbleton¹⁴.*
 - Under the heading of ‘rural residential form, function and character’ the RRS14 identified that *“the risk of ribbon development occurring along Trents or Hamptons Roads is reduced as Areas 4, 5, and 7 are located on the eastern side of Shands Road. Shands Road provides a definitive boundary to residential or rural residential growth west of Prebbleton”.*
 - The RRS-14 went on to state that Areas 4, 5 and 7 are within the ‘Preferred Urban Form’ area for Prebbleton, *“The requirement for the site to the ‘future proofed’ to provide for intensification to urban densities for the possible future expansion of Prebbleton will protect this future expansion option... Areas 4, 5, 7 ... assist in achieving the long term compact concentric urban form of the Township by supporting growth west of Springs Road as far as Shands Road¹⁵.*
135. In summary, the RRS-14 built on the earlier work undertaken through the Prebbleton Structure Plan process. Map 28 to the RRS-14 shows Shands Road forming a clear long-term township edge to the west, with Hamptons Road forming the township edge to the south. Large lot development is anticipated along the eastern side of Shands Road (the western end of the PC68 site), and aligning with Areas 4 and 5. Area 7 was seen as a transitional space whereby any future subdivision was to be designed such that it enabled subsequent infilling to suburban densities so that the growth path was not frustrated. In short, the PC68 site is located in a manner that is consistent with future growth direction in the most recent strategic planning document that has been undertaken for Prebbleton.
136. I note that this transitional role for a proposed rural residential area is unusual. The majority of the rural residential areas identified in the RRS-14 are in locations where they would form the long-term edge to townships and are intended as an ‘end-state’ i.e. will not be later infilled. This aligns with CRPS Policy 6.3.9(7) which includes a direction that “rural residential development areas shall not be regarded as in transition to full urban development”. Obviously in terms of timing, the RRS-14 was developed after the CRPS Chapter 6 and was designed to give effect to the Policy 6.3.9 requirements.
137. In line with the wider township analysis undertaken in both the Prebbleton Structure Plan and the RRS-14 I am comfortable that the PC68 site forms a logical extension to the existing township form. It maintains the separation between the township and Christchurch to the north and likewise avoids ribbon development to the south along Shands or Springs Roads. It maintains Shands Road as the western edge of the township and includes larger lots along this western edge.

Inclusion of additional land

138. In terms of wider form, the PC68 site excludes a row of 5 x 2ha rural properties located on Trents Road between the PC68 site and the existing urban edge to the east. The PC68 site likewise

¹⁴ Pg. 66, RRS14

¹⁵ Pg. 67, RRS14

excludes an area on the corner of Shands and Trents Roads that is held in four titles, each with different owners. Finally, the PC68 site also excludes two small lots with frontage to Hamptons Road, as shown in purple circles in **Figure 4** earlier in this report.

139. In terms of a coherent urban form, if PC68 is approved then ultimately the inclusion of these blocks would logically also form part of the urban township so that Shands Road and Hamptons Road form the western and southern edges to urban zoned land. These various landholdings do differ subtly in context and therefore I address each in turn:

Trents Rd 'Gap'

140. The inclusion of all five properties in the Trents Road gap is sought in the submission by the Hamlyns, and is also sought for 400 Trents Road by Ms Bowman, the owner of that site. Exclusion of the Trents Road 'gap' will in my view result in a poor localised urban form outcome with a relatively small pocket of rural land bounded by urban development. Whilst the area to the north of Trents Road has an 'Existing Development Area' zoning, and therefore is not technically 'urban', functionally this northern area is very much used primarily for residential activities, with the predominant use of the land being for dwellings set within landscaped gardens, rather than pastoral production. The context of the gap is therefore one of being a small rural-zoned enclave surrounded by residential activities at varying densities.
141. The transport report prepared for the applicant, and Mr Collin's peer review, have not shown any transport-related issues with the inclusion of the additional sites. Indeed transport outcomes and pedestrian connectivity between the PC68 site and the existing urban edge of the township would be improved with the inclusion of the gap site. Mr England's servicing report likewise does not identify any issues with infrastructure capacity associated with including this additional land that cannot be resolved through the subdivision consent process.
142. I therefore recommend that provided sufficient scope exists that these properties be included within PC68 and rezoned to Living Z with the ODP updated to show their inclusion.

Shands/ Trent Road corner

143. The PC68 site excludes four properties arranged around the corner of Shands and Trents Road. All four submitters oppose the plan change, although Mr Shamy seeks that in the event of PC68 being granted that his property also be included. The submitter details are as follows:

Adam & Sarah Pollard – PC68-0030	681 Shands Road & 308 Trents Road
Xaojiang Chen – PC68-0006	330 Trents Road
Trevor Holder & Karle Mayne – PC68-0033	687 Shands Road
Simon Shamy – PC68-0017	701 Shands Road

144. Whilst I consider that ultimately the extension of the urban edge out to the Shands/ Trents Road corner makes sense in terms of wider urban form, I am mindful that the majority of submitters who own property in this location have not sought that they be included within the plan change. As such I recommend that they retain their rural zoning given the greater distance that they are from the existing urban edge, the larger rural-zoned land holdings on the far western side of Shand's Road (which differentiates these blocks from the Trents Road gap), and importantly the lack of scope provided in submissions.

145. The exception in terms of scope and merit is 701 Shands Road owned by Mr Shamy. This site is directly adjacent to the PC68 site on its southern and eastern internal boundaries and therefore could logically be incorporated into the PC68 site. It would also help to 'square up' the stepped northern edge of the plan change site. If the Commissioner were satisfied on the question of scope, then I would anticipate that the ODP treatment of the Shands Road edge would be continued onto Mr Shamy's site in the form of larger lots and no direct access adjacent to Shands Road.

Hamptons Road lots

146. The two small lots with frontage to Hamptons Road will be bounded on all internal boundaries by the PC68 site. As such they will constitute small rural zoned lots inserted into a residential suburban environment. I therefore see considerable merit in including both of these properties within the proposed Living Z zone, and conversely their exclusion would result in a fragmented zone pattern. No submitter scope exists for either of these sites and therefore their inclusion would need to fall within the ambit of consequential amendments.
147. The submission by Chris and Carol White and Adam and Lucy Gard'ner-Moore sought the inclusion of their respective landholdings at 169 and 171 Hamptons Road. These two lots are located on the southern side of Hamptons Road and therefore are completely disconnected from the plan change site. As such I do not consider that they should be included (even if scope were available) due to the poor resultant urban form that would result in an isolated suburban enclave extending out into an otherwise intact rural environment.

Conclusion on localised urban form

148. In the event that PC68 is approved, then ultimately the logical urban boundary for Prebbleton would extend to Shands Road to the west and Hamptons Road to the south. It is unfortunate that PC68 was unable to take a more comprehensive approach to the urban edge, although I accept that private plan changes are driven by individual landowners (or groups thereof) and therefore the extent of land included in a plan change is in large part dictated by the holdings of the parties who are funding the process, rather than what would ultimately be a more logical zone boundary.
149. Provided sufficient scope exists, I recommend that the areas shown as green and red rectangles and purple circles on **Figure 4** be included in the plan change and rezoned to Living Z (and Living X along the Shands Road frontage). If the Commissioner is not satisfied that sufficient scope exists, then there are alternative processes available whereby these properties could ultimately be rezoned, such as via subsequent private plan changes or plan reviews, albeit that I accept that the timing of such can extend to a number of years. In the interim their current uses as lifestyle blocks can continue until such time as they are rezoned.
150. If the various blocks are not included, then the localised urban form resulting from PC68 is sub-optimal and does result in several relatively isolated rural-zoned properties or enclaves that will be largely surrounded by suburban or large lot residential development. Whilst not ideal, I consider the resultant urban form issues to be relatively short-lived in nature and that ultimately Prebbleton would extend out to Shands and Hamptons Roads with the gaps in-filled. This pattern is already evident in Prebbleton whereby there are a wide range of lot sizes reflected in the fine-grained number of zones across the township and a number of larger landholdings imbedded within a wider suburban context where landowners have chosen not to develop at this point in time.

Internal Layout and Edge Interface

151. The ODP plan and narrative set out the key design outcomes and drivers for the site. I agree with the Shands Road treatment of placing larger lots along this edge, recognising the rural arterial road function of Shands Road (and its potential for further upgrading in the future). As such it is appropriate that the lots with frontage to Shands Road obtain their access from the rear i.e. a local road or laneway internal to the PC68 site. Larger lots also make it easier to create a landscaped edge along Shands Road retaining the rural appearance of this corridor and providing greater separation between dwellings and the arterial road function.
152. I likewise support the proposed Hamptons Road edge treatment. The function (and traffic volumes) on Hamptons Road are lower than Shands Road. In the event that PC68 is granted, it is anticipated that the speed limit on Hamptons Road would be reviewed, with either a 50kph or 60kph limit being in place. As such it is appropriate for lots fronting onto Hamptons Road to also obtain their access from Hamptons Road, i.e. the lots and future dwellings face Hamptons Road rather than turning their backs on this road. As a future residential street, I agree with Mr Collins that the northern road edge treatment of Hamptons Road should be upgraded from its current rural formation to a suburban edge treatment with kerbs, footpaths, and cycling facilities.
153. As with Hamptons Road, Trents Road will also form a more suburban roading character and function with housing (or large residential lots) on both sides of the street. It is anticipated that the speed limit would be reduced to 50kph. Again it is appropriate for sections fronting onto Trents Road to gain their access from Trents Road and orient towards the road. Road formation should likewise be to urban standards. Regardless of whether the 'gap' rural block is included within the plan change, I agree with Mr Collins that it is important that safe, functional pedestrian and cycle connectivity is achieved along Trents Road between the site and the existing township edge to the east. I consider that the ODP plan and narrative should be amended to make such provision explicit.
154. I note that some submitters have sought that no direct driveway access be provided from either Trents or Hamptons Roads and/or larger 0.5ha lots should be provided to maintain the rural appearance of these two roads. In essence the choice is between modifying the proposal to retain the existing primarily rural (or rural-residential) landscape and amenity qualities, or shifting the character to one that is more suburban in nature. I accept that PC68 will result in landscape change, and that for some submitters such a change will be perceived as being for the negative. Conversely if Prebbleton is to grow, then the PC68 site is located in the preferred growth path for the town. Providing suburban density lots with a large lot edge or rural road formation around the perimeter will ultimately result in rural road formation running through an urban environment. If the Commissioner agrees that the PC68 site should be rezoned to suburban densities, then I consider the adjacent road interfaces should also be adapted to reflect suburban rather than rural environmental outcomes.
155. Internal to the site the ODP shows the key road links. It is anticipated that additional internal roads will be formed through the subdivision process to provide local site access. The ODP therefore shows the key roads, rather than all roads. A new north-south spine road is proposed to connect Hamptons to Trents Roads, with medium density housing and new local parks arranged along this spine. East-west road links are also proposed. The alignment of the east-west roads is arranged in part to align with existing overland flow paths for stormwater. I support the concept of aligning roads with swales, where swales can be incorporated into the

road reserve as a landscape feature, whilst concurrently enabling the road reserve itself to function as a secondary flow path in very high rainfall events. I support the provision of road connections to the northwest corner of the site and also to the 'gap' block to facilitate the urbanisation of these sites in the future (in the event that they are not rezoned through the PC68 process). To the east a single road connection is proposed to connect to the existing suburban edge through the head of the Guinea Drive cul-de-sac. Two additional pedestrian linkages are provided to the east to connect to Peso Place and the local park on the corner of Farthing Drive and Guilder Drive. Ideally an additional road connection would also be provided to the east given the length of the site's eastern boundary, however I accept that the established roading layout and newly built houses along this boundary makes the formation of an additional road connection challenging. Were the Gap block to also be included then there is the potential to establish a second roading connection to link into the Guilder Drive cul-de-sac which should be shown on an amended ODP.

156. Overall I consider that the ODP and associated narrative provides an appropriate level of detail and an appropriate level of connections and boundary treatments, subject to amendment to ensure road frontage upgrades and connections along Trents and Hamptons Roads to the suburban edge to the east.

Density

157. The applicant proposes that a minimum average density of 12 households/ hectare ('12hh/ha') be achieved across the site. The CRPS currently requires that a minimum of 10hh/ha be achieved in greenfield areas (Policy 6.3.7). The Proposed District Plan, along with other recent private plan changes, has looked to increase the yields of new greenfield areas so that they deliver a minimum of 12 hh/ha. PC68 is therefore consistent with the level of density/ yield that is now typically being delivered.
158. A number of submitters considered that larger sections at Living 3 densities of 5,000m²+ would be more in keeping with Prebbleton. I agree that much of the existing edge of Prebbleton is characterised by large lot development. The northern side of Trents Road in particular contains both the Existing Development Area (Kingcraft Drive), and a Living 3 zone adjacent to Shands Road. The existing character of Prebbleton, and the immediate area to the north, does therefore lean towards larger lots, albeit that the proposed densities are comparable to the recent development that has occurred in Farthing Drive and adjacent cul-de-sacs to the east of the site. Large lot development therefore would constitute a continuation of the status quo approach to edge of township development in Prebbleton.
159. In essence there is a tension between competing outcomes, with the maintenance and perpetuation of existing character needing to be balanced against the provision of additional housing capacity and the need to reduce the extent of rural land needing to be taken up to deliver the necessary number of households. The direction contained in the CRPS, both the operative and proposed district plans, and in the National Policy Statement on Urban Development all prioritise the latter over the former, with greenfield areas required to achieve minimum densities in order to increase housing supply and concurrently reduce urban sprawl and enable the efficient provision of alternative modes of transport.
160. The submission by the Christchurch City Council seeks that while their primary relief is that the plan change is declined, as a secondary relief they seek that if approved, the minimum yield be increased to 15 hh/ha. I agree that an increase in yield has the twin benefits of both providing more housing, and also reducing to a small degree the amount of greenfield land necessary to

accommodate new households. Whilst the question of density is finely balanced, the site overall is not particularly well located to support high levels of medium density housing given its distance from a retail centre and associated services and facilities. I am likewise mindful that Prebbleton currently has a very low density character with larger lots. The delivery of at least 12 hh/ha will therefore result in a noticeable increase in density relative to the wider Prebbleton township character, and will therefore provide some range in housing typology/ greater mix of section sizes. On balance I consider that a minimum yield of 12hh/ha is appropriate given the site's context within Prebbleton.

Landscape

161. The PC68 landscape values are set out in Mr Compton-Moen's landscape report that formed part of the application. The existing landscape values are typical of those found in the Inner Plains part of the District, and are characterised by large lifestyle blocks with a dwelling, outbuildings, extensive gardens, and paddocks with shelterbelt and amenity tree planting. The site is not identified in the District Plan as having any special or significant landscape or ecological values, rather it is simply typical of the flat plains environment on the outskirts of Christchurch. The plan change will inherently result in a change in landscape outcomes – the site will shift from a predominantly rural/ pastoral appearance to a more suburban outcome. A significant number of submitters have raised concerns regarding this change in outlook and landscape/ village character. I agree that the outlook will change. A suburban outlook is not however negative – suburban areas within Selwyn's townships generally display a high level of amenity, albeit a different amenity and landscape character relative to rural areas.
162. I would add that the centre of the block has long been identified as being suitable for development to Living 3 densities, and therefore a shift from a predominantly pastoral landscape to one containing more houses and garden curtilages is not unanticipated, at least for part of the site.

Urban Design Conclusions

163. The PC68 site is well located relative to the existing Prebbleton township and provides a logical extension to the township form. It is consistent with the long-term preferred direction of growth signalled in both the Prebbleton Structure Plan and the RRS-14. Ultimately, the immediate urban form would be strengthened if the various adjacent blocks that do not form part of the PC68 site were also rezoned to provide a coherent edge to the township out to Shands Road to the west and Hamptons Road to the south.
164. The ODP and associated narrative contains an appropriate level of detail and shows the location of key structuring elements. The road connections between the PC68 site and the current urban edge to the east need to be strengthened to provide connected pedestrian and cycle routes along Trents and Hamptons Roads, with larger lots and no site access being appropriate on the Shands Road frontage. The provision of internal road links to the immediate rural neighbours is likewise supported as being necessary to facilitate their eventual urbanisation if they are not incorporated into the PC68 site at this point in time.

Other Matters

165. There were two other common themes raised in the submission, being the impact of PC68 on the existing community facilities and their ability to grow at the rate required to appropriately serve the new and existing population should PC68 proceed; and matters relating to

environmental quality generally, including effects from construction of a development of this scale.

Educational Facilities

166. Several submitters, including the Ministry of Education (PC68-0027) are concerned about the additional pressure that PC68 will place on existing schools (particularly Prebbleton Primary School and Lincoln High School), and the lack of provision for a new school site within the development area. The Ministry's submission states that school network planning and investment in Prebbleton in recent years has been guided by Council advice on future development and the current school network has generally not been designed to accommodate any development outside of the areas shown in Map A to the CRPS. Consultation with the Ministry has not occurred and accordingly the Ministry requests that PC68 is only approved if the applicant consults with the Ministry and sufficient provision is made to accommodate additional school age children, which could include amending the ODP to provide for a new school site.
167. I understand that further discussions have been had between the applicant and the Ministry regarding this matter, and as such the applicant may be able to provide an update to the Commissioner in this regard.
168. I note that in my separate report on PC72 I recommended that this other plan change be approved. If the Commissioner for PC72 agrees, then that would result in a further 300 or so households in Prebbleton. Given the size of the PC68 site, in combination with the PC72 site, it may be that such development would trigger the need for an additional primary school in Prebbleton. I therefore consider that the ODP narrative should include a requirement that the need (and potential location) for a new primary school within the PC68 site be a matter that is considered at the time of subdivision. A similar issue was raised by the Ministry of Education as part of the PC72 process (and indeed on other recent private plan changes in Rolleston and Lincoln). The PC72 process resulted in the applicant agreeing to add the following sentence to the ODP narrative:
- 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 within the site, and the appropriateness of any amendments to the layout shown in the ODP to accommodate this.*
169. If a new primary school is deemed to be necessary, then the Ministry of Education is a Requiring Authority and has the ability to seek a designation as an expedient planning tool for enabling the development of education facilities. I note that numerous primary schools have been established in new greenfield residential areas in Rolleston in recent years and the planning process for such has been straight forward.
170. Mr Collins has considered traffic issues regarding PC68 and the existing primary school on Blakes Road in his transport report.

Environmental Quality

171. A number of submitters raise concerns about the impact that the plan change will have on the amenity or environmental quality of the surrounding areas, including concerns about:

- a) Increase in noise, dust and heavy traffic dust during construction and the adverse health impacts arising.
 - b) Pollution, contamination of waterways, quality of potable water, rubbish and health and safety.
 - c) The increased density resulting in increased crime.
172. I consider that effects resulting from construction can be appropriately managed and consider that this can be addressed by specific assessment at the time of subdivision through existing mechanisms, including the control of noise through the NZ Standard for construction noise; management of dust through requirements under the Regional Land and Water Plan; and through subdivision consent conditions relating to the construction phase. Similarly I consider that matters relating to crime, pollution, contamination of waterways, quality of potable water, rubbish and health and safety are already managed through existing mechanisms that would apply to development of the site.

Statutory Analysis

173. This section of the report and the associated analysis is similar to that prepared as part of my recent s42a report on PC72 which covers the Trices Road area in Prebbleton, as the issues in play and the statutory framework is similar for both sites. I likewise note that the statutory framework has recently been considered in some detail in relation to PC67 in West Melton. The recommendation of Commissioner Caldwell was issued on 10 January and has since been adopted by Council. Whilst each plan change needs to be assessed on its merits, I have provided a link to this recent decision and the associated findings on statutory matters¹⁶.
174. As noted earlier, the District Plan (including as amended by any plan change) must give effect to any operative national policy statement (s75 (3)(a)) and any regional policy statement (s75 (3)(c)); have regard to any management plan or strategy prepared under other Acts (s74 (2)(b)(i)); take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district (s75(2A)); and must not be inconsistent with any regional plan (s75(4)(b)). The content of these documents as they relate to PC68 is discussed in the application and is set out further below.
175. The planning history of Prebbleton (and indeed the wider Inner Plains portion of Selwyn District) has evolved rapidly over the last decade. The statutory framework has likewise evolved through changes to both the District Plan and the Canterbury Regional Policy Statement ('CRPS'), recent National Policy Statements, proposed amendments to the RMA, and non-RMA planning processes such as township structure plans. I discuss these various planning processes and documents in approximate chronological order in order to provide an understanding of how the planning framework has evolved over time with reference to the application site.

Land Use Recovery Plan

176. Following the Canterbury earthquake sequence, a Land Use Recovery Plan ('LURP')¹⁷ was prepared in December 2013 to facilitate development and recovery in the Greater Christchurch

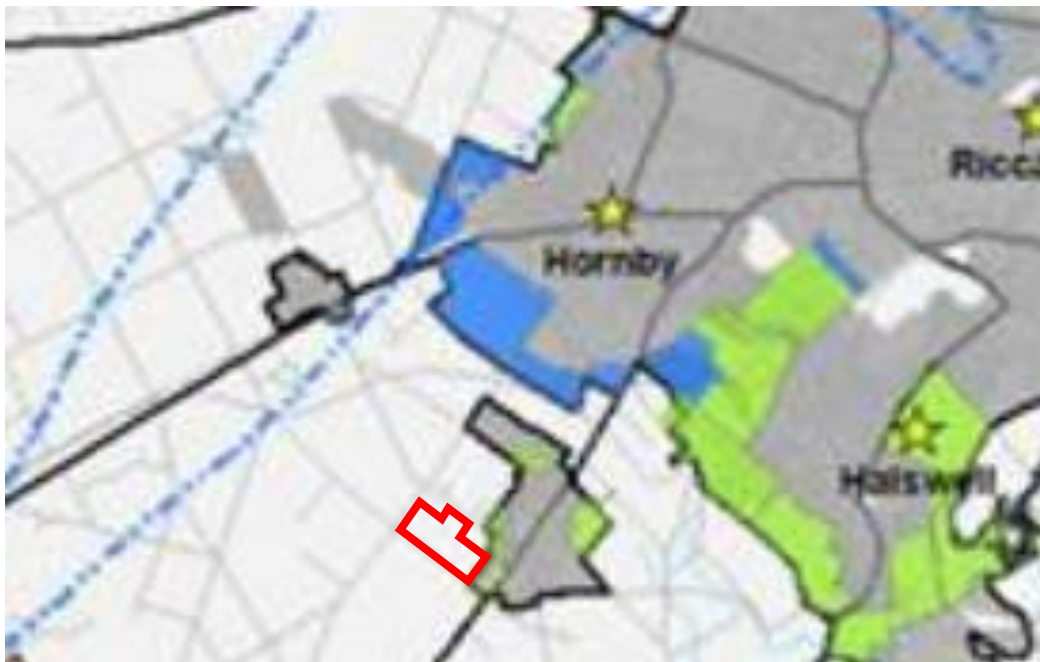
¹⁶ https://www.selwyn.govt.nz/_data/assets/pdf_file/0006/704931/PC67-Commissioner-Recommendation-10-January-2022-1.pdf

¹⁷ The LURP was prepared under the Canterbury Earthquake Recovery Act 2011 rather than the RMA.

area. Of significance, the LURP included amendments to the Canterbury Regional Policy Statement ('CRPS') through a new **Chapter 6** which directed land use change across the Greater Christchurch area.

177. The CRPS amendments included 'Map A' which showed growth locations around the various Selwyn townships as 'greenfield priority areas', with the location of these areas generally reflecting the findings of the earlier structure plan processes. The CRPS policy framework is discussed in more detail below, however for now it is sufficient to note that the provisions included directive policies that growth should only occur within the identified greenfield priority areas. This strong policy direction provided a settled framework for managing growth in Selwyn. It is important to note that the application site is not identified as a Greenfield Priority Area.

Figure 9. CRPS Map A



178. The LURP also directed a number of amendments to the District Plan, including changes in zoning of a number of the greenfield priority areas to enable their development for residential activities.
179. In addition to directing the location of urban growth, the new CRPS Chapter 6 also considered the provision of 'Rural Residential' development, which was defined as residential development at a density of 1-2 households per hectare and located outside of the greenfield priority areas. Policy 6.3.9 stated that new rural residential areas could only be provided where they were located in accordance with a Council-adopted rural residential development strategy prepared in accordance with the Local Government Act.
180. As set out in the above section on urban design, Selwyn Council prepared the RRS-14 to set out the locations for rural residential development in 2014. A number of the areas identified in the RRS-14 were then rezoned to Living 3 through private plan changes.

'Our Space' and the National Policy Statement – Urban Development Capacity (NPS-UDC)

181. In response to increasing concerns regarding housing affordability, supply, and integration with infrastructure, the Government gazetted the NPS-UDC in 2017. This NPS required Councils in

high growth areas to undertake an assessment of housing (and business) demand and supply and to demonstrate there will be sufficient, feasible development capacity to support housing and business growth needs over the medium (next 10 years) and long term (10 to 30 years)¹⁸.

182. In response to meeting the reporting obligations under the NPS-UDC, the Greater Christchurch Partnership organisations (which include Selwyn Council) prepared a document entitled 'Our Space 2018-2048: Greater Christchurch Settlement Pattern Update *Whakahāngai O Te Hōrapa Nohoanga*' ('Our Space').
183. Our Space is focused on how to best accommodate housing and business land needs in a way that integrates with transport and other infrastructure provision, builds greater community resilience, and contributes to a sustainable future for Greater Christchurch that meets the needs and aspirations of communities. It provides targets for housing for 30 years and outlines how any identified shortfall in capacity to meet these targets will be met, including through the identification of areas for housing growth. This planning was intended to promote "*a compact urban form, which provides for efficient transport and locates development in a manner that takes into account climate change and sea level rise*"¹⁹. This is reflected in additional capacity being directed to Rolleston, Rangiora and Kaiapoi in support of the public transport enhancement opportunities identified²⁰. Given the significant crossover between Our Space and the CRPS, subsequent changes to the CRPS were signalled as being required to facilitate the outcomes set out therein. Our Space also highlights the value that versatile soil resource provides the sub-region and the need to consider this resource as part of the settlement pattern to promote a sustainable urban form²¹.
184. In summary, the matters raised by Our Space are effectively the same as those discussed below in relation to the CRPS.

National Policy Statement on Urban Development 2020 (NPS-UD)

185. Prior to July 2020, the planning framework for the Inner Plains was therefore clearly established. Development to suburban densities could only occur within greenfield priority areas identified on Map A of the CRPS. Our Space recognised the need for some additional capacity to be made available in Rolleston, with the additional locations of greenfield growth incorporated into the CRPS.
186. Development to rural residential densities could likewise only occur in areas specifically identified in the RRS-14, and then only once a change in zoning to Living 3 had been confirmed through a private plan change process.
187. The Government gazetted the National Policy Statement for Urban Development 2020 (NPS-UD) on 20 July 2020. The NPS-UD was in response to growth pressures being faced nationally, and has particular relevance for 'Tier 1' Councils which include Selwyn District. It built on (and replaced) the NPS-UDC.
188. The NPS-UD defines an 'urban environment' as being an area of land that is or is intended to be predominantly urban in character; and is or is intended to be part of a housing and labour

¹⁸ A partnership of Christchurch City Council, Environment Canterbury, Selwyn District Council, Waimakariri District Council, Te Rūnanga o Ngāi Tahu, New Zealand Transport Agency, Canterbury District Health Board and the Greater Christchurch Group of the Department of Prime Minister and Cabinet.

¹⁹ Executive Summary.

²⁰ Page 28.

²¹ [Our-Space-2018-2048](#). Section 4. Our Challenges (Page 18), Figure 10: Example constraints on development across Greater Christchurch (Page 21).

market of at least 10,000 people (regardless of size, and irrespective of local authority or statistical boundaries). Whilst the population of Prebbleton is some 4,500 people (2018 census), the whole of the Greater Christchurch area functions as a single (albeit complex) housing and employment market. As such the NPS-UD is considered to apply to Prebbleton. The inclusion of the Inner Plains townships within the ambit of the NPS-UD as urban environments is an interpretation that has been applied consistently across the numerous private plan changes that are currently in process and is also an interpretation that has been adopted by the Greater Christchurch partner Councils.

189. NPS-UD **Policy 8**, states that *“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:*

- a) unanticipated by RMA planning documents; or*
- b) out-of-sequence with planned land release”.*

190. In short, Policy 8 ‘opens the door’ for private plan changes to be considered for blocks of land that were not identified as greenfield priority areas in the CRPS i.e they are ‘unanticipated by a RMA planning document’. This includes the PC68 block. It likewise enables the opportunity to consider whether development of the site to more suburban densities e.g. Living Z zoning, would produce a better overall outcome or a ‘well-functioning urban environment’ relative to the alternative of developing the central portion of the site to rural residential densities and retaining the balance as a Rural Zone.

191. In order to be able to pass through the Policy 8 doorway, plan changes need to meet two tests, namely that the plan change would add significantly to development capacity, and secondly that it would contribute to a well-functioning urban environment.

192. In terms of the statutory framework, the alignment of the plan change with the outcomes sought in the NPS-UD, and the interplay of the NPS-UD with the CRPS, is the crux of my assessment. As such I consider the NPS-UD in some detail as follows.

Development Capacity

193. **Objective 6** of the NPS-UD seeks that local authority decisions on urban development that affect urban environments are integrated with infrastructure planning and funding decisions; strategic over the medium term and long term; and are responsive, particularly in relation to proposals that would supply significant development capacity.

194. This Objective is implemented by:

- **Policy 2**, which requires that “at least” sufficient development capacity is provided within the district to meet the expected demand for housing, in the short, medium and long terms.
- **Policy 6**, which guides decision-makers to have particular regard to (amongst others) *“any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity”*; and
- **Policy 8**

195. Guidance in terms of the application of **Policy 8** is found within the NPS-UD itself. Subpart 2 – Responsive Planning, 3.8 ‘Unanticipated or out of sequence developments’ sets out that:

- (2) *Every local authority must have particular regard to the development capacity provided by the plan change if that development capacity:*
 - a) *would contribute to a well-functioning urban environment; and*
 - b) *is well-connected along transport corridors; and*
 - c) *meets the criteria set under subclause (3); and*
 - (3) *Every regional council must include criteria in its regional policy statement for determining what plan changes will be treated, for the purpose of implementing Policy 8, as adding significantly to development capacity.*
196. In terms of (3) above, no such criteria have yet been included in the CRPS. In my view, if there are no criteria then it is only the first two matters listed in (2)(a) and (b) that are relevant.
197. Clearly PC68 is unanticipated by the District Plan and the CRPS. In order to be considered under Policy 8 it therefore first needs to be capable of delivering 'significant development capacity'. The applicant's assessment of PC68 is that it does represent significant additional urban growth capacity, especially when considered within the context of Prebbleton.
198. The submissions from both CCC (PC68-0026) and CRC (PC68-0034) raise the matter of whether an additional 800 or so households meets the threshold for being 'significant'. Both submitters consider that the growth represented by PC68 is less significant when set against the medium term housing target of 32,300 households for Greater Christchurch as a whole, or long term target of 86,600 in the case of the CCC submission. The CCC notes that some 800 houses is only a very small fraction of that overall housing target.
199. In my view, to set a 'significant' threshold as having to equate to a large percentage of total Greater Christchurch growth would mean a new plan change would need to be providing for many thousands of houses, which is far in excess of any individual growth area ever developed in Greater Christchurch over the last thirty years. In short, setting a significance threshold as a large percentage of Greater Christchurch capacity would create a bar that is set implausibly high, such that the pathway provided by Policy 8 could never be used, which is clearly not the intent of the national direction.
200. I consider that 800+ houses is large enough to comfortably meet the 'significant' threshold. In the context of Prebbleton township an extra 800 houses constitutes a large increase in percentage terms (noting that Prebbleton currently has approximately 1,500 homes). In a wider context of the annual growth experienced across the Selwyn Inner Plains townships (averaging approximately 1,200 households per year), 800 homes equates to approximately 66% of annual demand. I note that the PC67 decision found that an additional 130 dwellings in the context of West Melton was sufficient to be considered significant. As such I consider that the plan change passes the 'significant' threshold.
201. The NPS-UD defines development capacity as follows:
- means the capacity of land to be developed for housing or for business use, based on:*
- a) *the zoning, objectives, policies, rules, and overlays that apply in the relevant proposed and operative RMA planning documents; and*
 - b) *the provision of adequate development infrastructure to support the development of land for housing or business use*
202. The definition of development infrastructure includes water, wastewater and stormwater as well as land transport infrastructure. Therefore, if a proposal cannot be adequately serviced by the necessary infrastructure it cannot be said to contribute to development capacity. The above

assessment on servicing has confirmed that the site can be serviced for three water infrastructure and roading. Any necessary site-adjacent upgrades are either already programmed or able to be resolved through the subdivision consent process, noting the need identified by Mr Collins to resolve the timing of nearby intersection upgrades.

203. Implicit in the submissions of both the Christchurch City Council and Canterbury Regional Council is the concern that even if the plan change passes the 'significant' threshold, such additional capacity is not needed as adequate capacity to meet **Policy 2** obligations is already provided within the various District Plans covering the Greater Christchurch area. Furthermore, that existing capacity is located in preferable locations, such that additional capacity in sub-optimal locations will result in a less well-functioning urban environment than might otherwise occur.
204. In considering growth capacity under the NPS-UD, Selwyn Council has previously undertaken and been part of the various growth and strategic planning projects. This is outlined in more detail in the technical memorandum prepared by Ben Baird, '*Growth Planning in Selwyn District*', dated 19 August 2021 (**Appendix C**). Mr Baird describes the various strategic documents prepared over the last 15 years that have influenced growth in the District, the identification of areas intended for growth, and the wider objectives intended for such growth which are considered to be consistent across strategic growth documents and planning.
205. Mr Baird also outlines how capacity within the District has been assessed, and how further capacity will be provided to meet projected demand, as well as why most of the proposed distribution of growth capacity is focussed on Rolleston. This is intended to improve self-sufficiency of the local economy; provide greater certainty to inform investment decisions; improve the amenity of the Rolleston Town Centre and efficient use of its social infrastructure; and promote the efficient use of infrastructure, including transport.
206. It is noted that the numbers used in Mr Baird's Memorandum are drawn from the Greater Christchurch Housing Capacity Assessment²². For Selwyn, this means that townships such as Darfield and Leeston, which provide over one third of all existing growth capacity, are considered within the total Selwyn demand and supply although they are not otherwise within the area traditionally recognised as 'Greater Christchurch'. In my view this overstates the 'urban' growth capacity for Selwyn set out in the Greater Christchurch Housing Development Capacity Assessment.
207. The figures for demand are based on a 'high' growth scenario, which I understand is the highest that can be allowed for within the Selwyn Capacity for Growth Model (SCGM). However, Table 1 of Mr Baird's Memo sets out that the number of new dwellings has significantly exceeded Council's predictions. Recent history would suggest that even using the highest growth projection is significantly underestimating current growth patterns, noting the annual number of new dwellings set out in Mr Baird's report. Given that recent 'real world' growth clearly exceeds modelled growth, there is the possibility that Council could be in a position of not providing sufficient zoned land, thereby not meeting the obligations under **Policy 2** of the NPS-UD as well as adversely affecting housing affordability. In summary, I consider that the capacity is potentially overstated given that a reasonable portion of this capacity is located in the 'outer

²² <https://www.greaterchristchurch.org.nz/assets/Documents/greaterchristchurch/Capacity-Assessment-reports-2021/Greater-Christchurch-Housing-Development-Capacity-Assessment-July-2021.pdf>

plains' townships, and demand is potentially understated given that the modelled growth is lower than the 'real world' growth that has occurred over the last decade.

208. Furthermore, in my view such considerations have to be made in the context of the risk of over-supplying zoned land. The NPS-UD only requires that sufficient capacity is provided, it does not preclude greater capacity being provided, i.e. it is a tool for ensuring minimum capacity requirements are met, not as a tool for limiting further capacity (provided such additional capacity is in locations that meet the other NPS-UD policy tests). In my view the impacts of under-supply outweigh any consequence arising from an over-supply, especially if that additional supply can be efficiently serviced, is appropriately located and integrated with existing townships to produce a good urban form, and particularly in the current climate of rapidly rising housing costs and a general consensus that there is a 'housing emergency'.
209. There are numerous private plan changes currently in process. The southwest Farringdon block in Rolleston has also recently been granted the necessary land use, subdivision, and regional consents²³ to enable the development of some 990 houses. Recently heard plan change applications in West Melton, Rolleston, and Lincoln cumulatively equate to some 5,000 households. Plan changes seeking another 5,000 or so houses are in various pre-hearing stages of the plan change process. At the time of writing, apart from PC67 in West Melton, no other decisions on these plan change have been released. Even if all of them were to be granted (and noting that the large Rolleston changes were recommended to be declined), the additional capacity released equates to less than 10 year's worth of growth based on the annual take-up of housing that has been experienced over the last five years as specified in Mr Baird's report.
210. I am therefore satisfied that the application will provide significant capacity, especially when considered first in the context of Prebbleton, and secondly against annual demand across the Selwyn Inner Plains townships. There is no direction within the NPS-UD that prevents or discourages the provision of more than adequate capacity, provided such additional growth areas are appropriately located and serviced. In my view the risks relating to the adequate supply of housing are greater if there is insufficient capacity being made available, than the risk of oversupply.

A well-functioning urban environment

211. As noted above, the provision of significant capacity is the first of two policy tests. The second test set out in Policy 8 is whether that additional capacity is located such that it will 'contribute to a well-functioning urban environment'. Such an assessment is informed by the other objectives and policies of the NPS-UD which work as a package.
212. **Policy 1** of the NPS-UD sets out what constitutes a 'well-functioning urban environment' and requires that planning decisions contribute to such environments. A well-functioning urban environment must meet all of the criteria in the policy, which includes that they: have or enable a variety of homes that meet the needs of different households; support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and support reductions in greenhouse gas emissions.

²³ <https://www.epa.govt.nz/fast-track-consenting/referred-projects/farringdon/>

213. I consider that the proposal will enable a variety of homes to meet the needs of different households and will support the competitive operation of land and development markets. The above discussion on urban design and urban form matters likewise has concluded that the application site is well located in terms of adjacency with Prebbleton, is located in an area identified as being a logical preferred growth path, and avoids both expansion north towards Christchurch and ribbon development along Springs and Shands Roads to the south.
214. As discussed above, PC68 will provide limited accessibility to employment by way of active transport. This is because the site itself does not contain a commercial area, and Prebbleton township likewise does not contain a large employment base. The application site is however located within cycling distance of Lincoln, Rolleston, Hornby, and the proposed Halswell Key Activity Centres. The site is close to a major cycle way connecting to the Lincoln Key Activity Centre, has good internal cycle and pedestrian linkages shown on the ODP (and recommended to be further enhanced by Mr Collins), and therefore there are walking and cycle opportunities and connections within the site's localised context.
215. Public transport services are currently limited in Prebbleton, however there is the potential for such services to be enhanced, with the proposed internal spine road network capable of accommodating public transport.
216. That said, active and public transport opportunities are unlikely to be practicable for the majority of residents in terms of access to employment and the services available in the larger commercial centres, at least in the short-term. This has flow on implications in terms of the degree to which the proposal is able to support reductions in greenhouse gas emissions, as it will introduce additional households into an area that is largely dependent on private vehicle movements.
217. An increase in commuter traffic will result in more people making trips, resulting in increased emissions, congestion and longer journey times. Clearly this is not an issue that is specific to just PC68 when compared to other growth areas within the Selwyn District, including for instance Rolleston, West Melton, and Lincoln where other private plan changes have been received. Compared with the other Inner Plains townships, Prebbleton is closer to Christchurch, and therefore arguably growth in Prebbleton reduces the potential for greenhouse gas emissions relative to other growth options in Selwyn District.
218. In my view if climate change were to be used as a reason to refuse further growth in Prebbleton then no growth anywhere in the Selwyn District would be appropriate for the same reason (and in the absence of any rapid public transport solution such as rail from Rolleston). The alternative being that growth should be accommodated as infill within Christchurch.
219. This alternative assumes that the markets for quite different locations and housing typologies are interchangeable. The Greater Christchurch Housing Development Capacity Assessment (pg.34) identified that such substitution is by no means certain and concluded that:
- "Further market analysis is however required on the relationship between greenfield and infill development (namely whether one offsets the other) to draw any further conclusions on what specifically has driven the historical demand for new neighbourhoods (i.e. house design, section size, price, and/or amenity) and whether these greenfield area drivers are the same or different between spatial areas (i.e. a new subdivision within Waimakariri compared to new neighbourhoods in Selwyn or Christchurch City). Furthermore, whether the greenfield area demand drivers are the same or different than for redevelopment areas, or do some demand aspects such as proximity to schools, come more into play.*

220. In summary, I consider that the proposed development would add significantly to development capacity, that there is a potential risk of undersupply, and the effects resulting from such undersupply on the efficient functioning of the housing market outweigh the risks associated with over supply where that additional supply can be serviced. I consider that subject to the amendments to the ODP recommended by Mr Collins, the proposal will contribute to a well-functioning urban environment as required by **Policies 1 and 8**.

Canterbury Regional Policy Statement (CRPS)

221. As set out above, a new Chapter 6 was added to the CRPS in late 2013 to specifically address growth and recovery in the Greater Christchurch area. The CRPS was recently updated through Plan Change 1²⁴ which identified some Future Development Areas' ('FDAs') in Rolleston (and Rangiora and Kaipaoi) in response to the need to provide additional housing capacity.
222. The application sets out that the most relevant objectives and policies of the CRPS are those contained in Chapters 5 (to the extent relevant to the entire region), 6, 9, 11, 12, 15 and 17. I generally agree with the applicant's assessment of the relevant objectives and policies.
223. As noted above, prior to the NPS-UD, the CRPS Chapter 6 provided settled direction regarding urban growth, with growth anticipated within greenfield priority areas (and more recently FDAs), and conversely to be avoided outside of these areas. In terms of **Objectives 6.2.1** and **6.2.2**, and **Policy 6.3.1** the application is clearly not consistent with the prescriptive provisions in Chapter 6 directing urban growth to specific areas. The submissions from both the CCC and CRC likewise identify this lack of alignment.
224. **Objective 6.2.2** seeks that growth is accommodated through an increasing emphasis on intensification rather than greenfield growth. The first two time periods set out in the objective have now passed, with the final time period seeking that 55% of growth is accommodated through intensification, averaged over the period between 2022 and 2028. I do not have access to intensification figures for the Greater Christchurch area, however this may be something that CRC can update the Commissioner on. Anecdotally there does appear to have been a significant increase in the number of medium density houses built in Christchurch in recent years, with residential development inside the Four Avenues having increased in particular.
225. In addition to a gradual shift in emphasis towards intensification, Objective 6.2.2(5) concurrently seeks to "*encourage sustainable and self-sufficient growth of the towns of Rangiora, Kaiapoi, Woodend, Lincoln, Rolleston and Prebbleton and consolidation of the existing settlement of West Melton*".
226. Whilst not identified as a Key Activity Centre, the ongoing growth of Prebbleton is nonetheless a matter that is to be 'encouraged', with the goal being that Prebbleton's population becomes more self-sufficient. Movement towards such self-sufficiency is in part evidenced by the recent growth in commercial development in the town centre that is occurring in response to the increase in the size of the local community over the last decade. The addition of the PC68 block will further help to reinforce the commercial viability of the town centre through the provision of additional households in the local retail catchment.
227. **Policy 8** of the NPS-UD provides an opportunity to allow consideration of an 'out of sequence' proposal that meets the significant capacity threshold. Out of sequence could in my view refer to both geography, and also to the relative proportion of infill versus greenfield i.e. both timing and location. I also consider that as a higher order document, the NPS-UD should be considered

²⁴ The Proposed Change was approved by the Minister for the Environment on 28 May 2021 and the changes became operative on 28 July 2021

as providing an ‘opportunity’ that would otherwise be precluded by the CRPS and other planning documents. This reflects the central government objectives to facilitate greater opportunities for urban growth and housing opportunities. However, in order to be given this opportunity the NPS-UD requires such out of sequence development to still “*contribute to well-functioning urban environment*”, and must also be weighed against other applicable provisions to determine whether PC68 is the most appropriate way to achieve the purpose of the RMA. In short, the NPS-UD opens the door to overcome the prescriptive CRPS directions regarding growth only being located within greenfield priority areas. Such door opening is not however open-ended, with proposed new growth areas still needing to ‘stack up’ in terms of their alignment with the other outcomes sought in the CRPS.

228. In summary, the PC68 site:

- Does not exacerbate natural hazard risks;
- Is not located in an area with identified high landscape, ecological, or cultural values;
- A portion of the site is not located on versatile soils;
- Is not located such that it would result in reverse sensitivity or otherwise affect the functioning of strategic infrastructure;
- Is able to be connected to reticulated infrastructure networks for which there is sufficient existing or programmed capacity;
- Is located in a manner that results in good urban form, is able to provide a clear edge to the township, and at a site-level is able to be connected and integrated into the wider street and pedestrian/ cycle network;
- Is consistent with encouraging self-sufficient growth in the township;
- Will be developed in accordance with an ODP that shows the requisite matters set out in Policy 6.3.3;
- Will result in a yield of at least 10 households/ hectare, as required in Policy 6.3.7;

Summary – CRPS regarding Living Z zoning

229. Clearly PC68 conflicts with the directive outcomes sought in regard to **Objective 6.2.1(3)** and **Policy 6.3.1(4)** of the CRPS. Were this application to have been considered prior to the NPS-UD being gazetted, then such a policy conflict would have presented an extremely high hurdle.

230. The NPS-UD has changed the policy basis. **Policy 8** of the NPS-UD opens the door to consider the merit of blocks of land that have not been previously identified in strategic planning documents such as the District Plan or the CRPS. The above assessment, and that provided in the application, demonstrate that apart from not being identified on Map A of the CRPS, the PC68 block is compatible with the other outcomes sought in the CRPS for new growth areas.

CRPS – Rural Residential Development

231. In addition to providing direction regarding more urban (or suburban) forms of growth, the CRPS also provides direction regarding rural residential development. **Policy 6.3.9** provides for this form of housing at a density of 1-2 households per hectare, where the location for such is identified in a RRS, and meets various qualifying criteria set out in the policy. The central portion of the application site is identified in the RRS, and this identification can be taken to mean that it also therefore meets the CRPS qualifying criteria.

232. Whilst PC68 therefore conflicts with the CRPS direction regarding greenfield priority areas, rezoning of the central portion of the site to rural residential development would be consistent with the CRPS. There is some tension between the CRPS regarding identified rural residential development being an end state, and the RRS-14 identification of this central area as being a transitional location in the middle of a preferred urban growth path.
233. Given that PC68 does not seek rural residential development, the alignment of the central portion of the site for Living 3 is somewhat academic, beyond providing some context to the assessment of effects insofar as development to rural residential densities is anticipated as being acceptable in terms of the CRPS and the District Plan without the need for recourse to the NPS-UD Policy 8 doorway.

Canterbury Land and Water Regional Plan (LWRP) and Canterbury Air Regional Plan (CARP)

234. Under s75(4)(b) of the RMA, the District Plan cannot be inconsistent with a regional plan, which in respect to this application include the LWRP and CARP. The establishment of activities within the plan change site will either need to meet the permitted activity conditions of these plans or be required to obtain a resource consent.
235. In broad terms I consider that the effects associated with requirements under these regional plans can be considered at the time of detailed development and the necessary consents obtained.

National Policy Statement for Freshwater Management 2020 (NPS-FM) & National Environmental Standard for Freshwater (NES-F)

236. The NPS-FM introduces the fundamental concept of Te Mana o te Wai, which refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.
237. There is a hierarchy of obligations set out in **Objective 2.1**, which prioritises:
- a) first, the health and well-being of water bodies and freshwater ecosystems
 - b) second, the health needs of people (such as drinking water)
 - c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.
238. **Policy 6** refers to there being no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted. **Policy 9** is that the habitats of indigenous freshwater species are protected. **Policy 15** refers to communities being enabled to provide for their social, economic, and cultural well-being in a way that is consistent with this National Policy Statement.
239. The site does not include any waterways or wetlands, with subdivision-phase earthworks and associated management of stormwater subject to obtaining the necessary regional consents. Given the absence of waterways and wetlands within the site, a change in zoning does not threaten the values that the NPS-FM seeks to protect.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS)

240. As this is a request for a zone change, and not to determine the actual use of the site, the NES-CS does not strictly apply. The requirements of the NES-CS will have to be appropriately addressed at any subsequent subdivision or building consent stage and, depending on the nature of any future activity, may either satisfy the permitted activity requirements or require resource consent under the NES-CS.
241. As identified above in terms of the discussion on land suitability, I consider that any risk of developing the land for residential purposes to people's health can be effectively managed under the NES-CS at the subdivision consent stage of the process.

Mahaanui Iwi Management Plan (IMP)

242. The Mahaanui Iwi Management Plan (IMP) is a planning document recognised by an iwi authority and lodged with the council, which includes content that relates to the district's resource management issues. Under s74(2A) of the RMA, the Council, in considering this plan change, must take into account the IMP. The application includes an assessment of IMP²⁵. The application notes that there are no cultural sites identified in the District Plan applicable to the site, and neither are there any known archaeological sites. As noted above there are no waterways or wetlands on the site, and no mahinga kai areas.
243. Sewage resulting from the development will be reticulated and treated in the Council's Pines plant. The design and operation of stormwater collection and treatment systems will be subject to obtain the necessary regional consents and provide a process whereby water quality outcomes can be assessed.
244. The applicant has advised that prior to lodgement they provided a draft copy of the application to Mahaanui Kurataiao Limited who represent Tangata Whenua interests. No pre-lodgement feedback was received. As part of the public notification process, as standard practice the Council directly notified Mahaanui Kurataiao Limited in order to provide an opportunity for mana whenua to submit, with no submission having been received. The applicant may be able to advise the Commissioner if any further consultation or feedback has been received from mana whenua over the intervening time period.

Consistency with the plans of adjacent territorial authorities

245. Matters of cross-boundary interest are outlined in the District Plan (in Section A1.5 of the Township Volume). I do not consider there to be any directly relevant provisions in the District Plans of neighbouring territorial authorities that are affected by PC68. The most applicable matters to PC68 include:
- a) Effects on the strategic and arterial road network from people commuting between Selwyn and Christchurch.
 - b) Development on or near the boundary of Selwyn District and Christchurch City Council that may influence housing sufficiency and the coordination of infrastructure services.
246. These cross-boundary interests have primarily been addressed and managed through the sub-regional approach of managing growth across Greater Christchurch through the Greater

²⁵ Paragraphs 163-170

Christchurch partnership forum and resultant Our Space document. Notwithstanding, matters relating to urban form, transport infrastructure, and housing capacity have been discussed above, noting the NPS-UD framework provides an opportunity for unanticipated and out of sequence development to be considered.

Consideration of alternatives, benefits and costs

247. Section 32 requires the consideration and evaluation of the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the Act (s32(1)(a)); as well as an assessment of whether the provisions in the proposal are the most appropriate way to achieve the objectives (of both the proposal and the existing District Plan objectives), having regard to the efficiency and effectiveness of the provisions and having considered other reasonably practicable options (s32(1)(b)).
248. An assessment of the proposal against s.32 is set out in the application (pg. 35-37). I agree with this assessment. For completeness I note that the plan change proposal does not involve any new objectives or changes to the existing objectives and policies within the District Plan. The assessment required under s32(1)(a) is therefore the extent to which the plan change is the most appropriate way to achieve the purpose of the RMA. The stated general purpose of the PC72 is *“rezoning of 67.50 hectares of rural Inner Plains land to Living 2 in southwest Prebbleton”*.
249. In considering the appropriateness of the proposal in achieving the purpose of the RMA, I consider that there are no section 6 matters in play. The location of the site outside areas identified for urban development in the CRPS and Our Space is relevant to the consideration of whether the proposal results in an efficient use of natural and physical resources (s7(b)). Physical resources include various infrastructure, such as transport networks and the alternative option of developing the central portion of the site to rural residential densities through a change to a Living 3 zone.
250. I am satisfied that the provision of servicing for this site can be achieved without compromising the ability for other sites, where the Council has anticipated development, to also be appropriately serviced (namely by water and wastewater).
251. Whilst the plan change will result in a change in landscape values, this change is not inherently negative. Amenity values (s7(c)) and the quality of the environment (s7(f)) are both able to be maintained and enhanced through the development of good quality suburban outcomes. The suburban balance of Prebbleton currently displays good levels of amenity and there is no reason to expect the PC68 site to differ in terms of delivering a good quality living environment.

Operative Selwyn District Plan

252. Section 32(1)(b) requires examination of whether the proposed plan change provisions i.e. a change to the zone, are the most appropriate way of achieving the District Plan objectives. There are several objectives and policies specific to the form and development of Prebbleton township itself. There are also objectives and policies addressing urban form and residential amenity generally.
253. I also consider that the existing direction in the Selwyn District Plan should be considered in assessing the appropriateness of the proposal at achieving the purpose of the RMA, given that the Plan has been prepared to give effect to the purpose of the RMA.

254. **Objective B4.3.3** and **Policy B4.3.1** seek that within the Greater Christchurch area, new residential development is contained within existing zoned areas or priority areas identified within the CRPS. In essence these provisions give effect to the CRPS direction regarding growth areas, and are therefore subject to the same need to consider unanticipated proposals under the NPS-UD where proposals are in locations where development is not anticipated.
255. The applicant has undertaken an assessment of the proposal against the District Plan's objectives and policies. I generally agree with this assessment and in summary note the following:
- **Objective B4.3.6** seeks to ensure that Living Z areas achieve an average net density of at least 10 households per hectare;
 - **Objective B3.4.4** and **Policy B4.3.6** seek that the growth of townships achieves a compact urban form where practical;
 - **Policies B4.3.7** and **B4.3.8** require the provision of an ODP and the identification (as appropriate) of principal roads, stormwater and parks, integration or upgrades with infrastructure, and any other methods necessary to protect important features;
 - **Objective B.3.4.5** seeks that urban growth provide a high level of connectivity within the development and with adjoining land areas and will provide suitable access to a variety of forms of transport.
256. In addition to broad direction regarding the above matters and the need for urban growth areas to align with those shown in the CRPS, the District Plan also contains two specific policies that guide the direction of growth in Prebbleton. These two policies are as follows:
257. **Policy B4.3.64** seeks to *"encourage land located to the east and west of the existing Living and Business zones, being those Living and Business zones that adjoin Springs Road, which is located as close as possible to the existing township centre as the first preferred areas to be rezoned for new residential development at Prebbleton, provided sites are available and appropriate for the proposed activity"*.
258. **Policy B4.3.65** seeks to *"discourage further expansion of Prebbleton township north or south of the existing Living zone boundaries adjoining Springs Road"*.
259. The PC68 aligns with both these policies. It does not result in a north or southward expansion along Springs Road. It is located to the west of the existing Living zones and is located as close as possible to existing suburban areas.
260. **Policy B4.3.3** seeks to *"avoid zoning patterns that leave land zoned Rural surrounded on three or more boundaries with land zoned Living or Business"*. This policy falls within a section of the Plan that directs how growth is to be managed in that part of the District outside of Greater Christchurch (on the basis that growth within Greater Christchurch only occurs on land identified in Map A of the CRPS, and none of this land results in isolated rural zoned enclaves). The policy is not therefore strictly in play, however the principle of forming logical urban edges in my view remains relevant, especially as the proposal is for an out of sequence development that is overtly not aligned with policies directing growth in Greater Christchurch.
261. As discussed in the above section on urban form, ideally the entire block bounded by Hamptons, Trents, and Shands Roads would be rezoned in a comprehensive manner. The PC68 site as currently proposed does result in a number of relatively isolated pockets of rural land imbedded within new suburban environments. The resultant urban form therefore sits uneasily against

the policy direction regarding the formation of logical urban boundaries. Depending on the Commissioner's findings on both scope and merit, a number of these isolated blocks may be able to be incorporated within the plan change. If they are not included, then the resultant gaps in urban form will in my view be relatively short-lived and temporal in nature, with the gaps ultimately able to be infilled through other plan change processes over the coming decade.

Proposed Selwyn District Plan

262. As noted earlier, my understanding is that there is no specific requirement to consider a plan change against the Proposed Plan, especially given that the urban growth provisions are subject to a significant number of submissions and decision have yet to be released.
263. The Urban Growth chapter is intended to assist in meeting demands for housing and business opportunities to support growing community needs. New urban areas have an underlying General Rural zoning, but are identified within an 'Urban Growth Overlay' (UGO). **UG-P2** directs that the rezoning of land to establish new urban areas within the UGO is provided for; while **UG-P3** directs the avoidance of zoning of land to establish new urban areas/township extensions outside this UGO. My understanding is that the UGO is intended to generally identify areas for future growth, while still requiring these areas go through more specific rezoning process before they can be developed for urban purposes. The central portion of the site IS identified as a UGO (albeit for rural residential purposes).

Whether the Provisions in the Proposal are the Most Appropriate way to Achieve the Objectives

264. A Ministry for the Environment (MfE) guide to section 32 notes that case law has interpreted 'most appropriate' to mean "*suitable, but not necessarily superior*".

Option 1: Retain a rural zone

265. This is the option preferred by the majority of submitters who enjoy the current rural outlook and who are likewise concerned about ongoing expansion of Prebbleton (in any direction) and the impacts such would have on the existing village character of the township and associated pressure on infrastructure and roading capacity. As set out above, the site is appropriately located in terms of being able to connect to reticulated services, and is in a location that is relatively free of natural hazards, versatile soils, and areas with high ecological, landscape, or cultural values. It is likewise sited in a location that aligns with the District Plan policy guidance concerning the preferred directions in which Prebbleton is to grow and is identified in the RRS-14 as a preferred growth path. Given the growth pressures faced by the District, the shortage of land available for housing in Prebbleton, and the identification of this block as a preferred location for growth in the most recent township-focussed planning exercise undertaken for Prebbleton, I do not consider that retention of this block as rural land is efficient or effective in meeting the housing needs of the community.

Option 2: Rezone the centre of the site to Living 3 and keep the balance rural

266. I consider that this option most readily aligns with the District Plan and CRPS policy frameworks. As set out above, both the District Plan and the CRPS anticipate that sites identified within a RRS-14 are suitable in principle for development to rural residential densities, pending site-specific confirmation of details such as ODP design and servicing via a plan change.

267. As identified by a number of submitters, it would also be in keeping with the current form of much of the current edge development around the periphery of Prebbleton, such as the recent development on the northern side of Trents Road.
268. If the Commissioner is of the view that the 'gateway' tests of Policy 8 NPS-UD have not been met, then this option is able to be progressed as a form of development that is readily compatible with both the District Plan and CRPS policy frameworks.
269. In my view the RRS-14 identified this block at a time that both preceded the NPS-UD (and associated need to demonstrate adequate housing capacity), was at a time when there was a ready supply of housing land available in both Prebbleton and the other Inner Plains townships following the land released through the LURP, and unlike other rural residential sites identified the Area 7 block as being a transitional form of housing that should be future proofed to enable long-term intensification to suburban densities.
270. The build-out of available land, combined with the directions in the NPS-UD, are material changes in both the policy framework and the physical environment since the RRS-14 was developed. In my view a key driver of the RRS-14 was to locate very low density development in township edge locations where rural residential dwellings would form a transition or edge to the rural area. This edge outcome is now able to be better provided by the development of housing out to Shands and Hamptons Roads, with larger lots along Shands Road as a defensible edge to the western and southern sides of Prebbleton. As such I consider that higher yielding forms of development are a more efficient use of the land resource. In short Living 3 is a missed opportunity to provide significantly more houses in an appropriate location that can be easily serviced.

Option 3: Rezone to Living Z and Living X

271. The site can be serviced and is otherwise suitable for urban development. The NPS-UD has a strong focus on ensuring there is sufficient capacity to meet the communities' housing needs, provided such capacity is provided in suitable locations, and in a manner that will result in a well-functioning urban environment. In my view development to suburban densities is appropriate, and indeed constitutes a more efficient use of the site than the alternatives.
272. For the above reasons I likewise consider that the Trents Rd gap, the Shamy property, and the two small lots on Hamptons Road should all be included within the plan change to enable a more logical urban boundary. Should any of these existing landowners wish to retain their current lifestyle block then they are free to do so i.e. a change in zone enables development but does not compel it.

Option 4: Rezone the entire site to Living Z with a minimum density of 15hh/ha

273. Whilst the CCC as their primary relief seek that the plan change be declined, their submission also seeks that in the event that the plan change is approved a minimum density requirement of 15 households/hectare is applied to the plan change site in order to better achieve efficiencies in coordination of land use and infrastructure, support mixed land use activities and multi-modal transport systems and protect the productive rural land resource.
274. The PC68 request proposes a minimum net density of 12 households per hectare, and is therefore consistent with the CRPS, which only requires a minimum net density of 10 households units per hectare in greenfield areas in the Selwyn District. A density of 12 hh/ha is the standard minimum density that has been applied to recent Living Z greenfield areas in the

District Plan and is likewise the density requirement in the proposed replacement District Plan (albeit that such direction is currently subject to submissions and hearings).

275. In essence there is a balance between the efficient use of land i.e. accommodating more people on any given block and thereby limiting the need for further greenfield expansion, and the provision of a level of amenity and character that is compatible with surrounding urban areas. Over time the density requirements (and therefore character) of the Inner Plains townships has been changing. Prebbleton has a diverse range of section sizes, albeit that these sections range from large to very large i.e. part of the character of Prebbleton is derived from the spacious size of existing lots. There is very little medium density housing options in Prebbleton, meaning that the housing typologies available are limited to 3-4 bedroom detached family homes with very few smaller, low maintenance housing options available.
276. A density of 12hh/ha does represent an increase in density relative to other recent housing developments in Prebbleton. The ODP likewise contemplates the provision of pockets of medium density housing to both enable the overall yield target to be met and to provide some choice in housing typology. That said, Prebbleton township is still a modestly sized village with limited employment and services available. As such it is different in context to large greenfield areas that either have their own commercial centres and/or are located in close proximity to such centres. An increase in density and a high proportion of medium density housing becomes more appropriate for locations that are near Key Activity Centres.
277. A further increase to 15hh/ha will have benefits in terms of efficient use of the site, and will of necessity require the provision of more medium density house styles. These benefits need to be weighed against the delivery of a new area of housing that comfortably integrates with the existing township. In my view a requirement to deliver a yield of 15 hh/ha would be out of context for Prebbleton.

Efficiency and Effectiveness of the provisions and having considered other reasonably practicable options

278. "Effectiveness" is an assessment of the contribution new provisions make towards achieving the objective, and how successful they are likely to be in solving the problem they were designed to address.
279. The application contains identification of other reasonably practicable options for achieving the purpose of the proposal, and provides an assessment of the benefits and costs and efficiency and effectiveness of the proposed plan change. I have likewise considered the various options available to the Commissioner. I consider that rezoning the entire site to Living Z (with a Living X strip on Shands Road), with a yield of 12 hh/ha, is the most effective and efficient method for achieving the wider policy framework and the direction contained within the NPS-UD.

Part 2 Matters

280. Under s74(1)(b), any changes to the District Plan must be in accordance with the provisions of Part 2 of the RMA. This sets out the purpose of the RMA (s5), matters of national importance that must be recognised and provided for (s6) and other matters that particular regard is to be had to (s7).
281. Notwithstanding that the Council has notified a proposed District Plan, I consider that the purpose of the Act is currently reflected in the objectives and policies of the operative District

Plan, which PC68 does not seek to change. The appropriateness of the plan change in achieving the purpose of the RMA is also a requirement under s32, which has been considered above.

282. The nature of the PC68 area is such that there are no s6 matters in play.
283. In terms of other matters set out in s7 of the RMA, I consider that the efficient use and development of natural and physical resources (s7(b)), the efficiency of the end use of energy (s7(ba)), the maintenance and enhancement of amenity values (s7(c)), the maintenance and enhancement of the quality of the environment (s7(f)); and the effects of climate change (s7(i)) are relevant to the plan change.
284. As various submitters have noted, the creation of such a large residential development without a corresponding increase in local employment and access to services, will result in a further increase in the existing pattern of commuter travel from Prebbleton to other centres of employment (primarily being either Rolleston, Lincoln, or Christchurch). Whilst the Key Activity Centres of Rolleston, Lincoln, and Hornby are all within cycling distance, it is accepted that the majority of trips are going to be car-based. This has impacts in terms of climate change, the efficiency and end use of energy in addition to the traditionally considered impacts on the road network in terms of both amenity values and traffic safety and efficiency related effects.
285. In considering this issue I have noted above that Prebbleton is located closer to Christchurch than any of the other Inner Plains townships and as such development in Prebbleton will result in fewer emissions relative to the alternative if that same growth was located in Lincoln or Rolleston (absent any high volume public transport system). Conversely it is likely to result in higher overall emissions than if that growth was accommodated via infill within Christchurch. I am not convinced that the townhouse infill market in inner Christchurch is readily interchangeable or able to be substituted for stand-alone family sized homes in townships such as Prebbleton. To me they appear to be largely separate markets, a point recognised in the Greater Christchurch Housing Capacity study. Should substitution occur through a lack of capacity within the Inner Plains townships, in my view it is more likely that future homeowners who are seeking a new detached family home are more likely to go further afield to take advantage of the zoned capacity in Outer Plains townships such as Leeston or Darfield as opposed to substituting for a townhouse in St Albans or Riccarton. This is reinforced by the capacity of these Outer Plains townships forming a key part of the overall capacity available in Selwyn in the Council's response to meeting NPS-UD obligations. As such I consider that the plan change represents a 'less bad' option in terms of climate change effects when compared with the readily substitutable alternatives. Over time these effects may recede in the event that increased population density helps to support improved public transport services, and uptake of electric vehicles increases.
286. Otherwise I consider the matters set out in sections 7 and 8 have been addressed in the effects assessment and consideration of submissions set out above and in the various reports from technical experts attached.

Conclusions and Recommendation

287. The statutory matters that must be considered in relation to a plan change require the assessment of sections 31, 32, 74 and 75, and regard must be had to the overall purpose and principles set out in Part 2 of the Act.

288. In terms of the proposal's inconsistency with **Objective B4.3.3/Policy 4.3.1** of the District Plan and various provisions within the CRPS/Our Space that direct the location of growth, I am satisfied that this is outweighed by the significance of the development capacity provided by the proposal. While this capacity is less significant when considered in the context of Greater Christchurch as a whole, the proposal is still considered to add significantly to development capacity when considered against first Prebbleton capacity and secondly against annual housing uptake in Selwyn.
289. Before being able to rely on **Policy 8** of the NPS-UD, PC72 must also demonstrate that it *contributes to well-functioning urban environments* (as defined by **Policy 1** of the NPS-UD).
290. Based on the information included in the plan change request and the assessment provided in the various reviews by technical experts contained in the Appendices, I am satisfied that PC68 will contribute to a well-functioning urban environment.
291. This conclusion is dependent on the applicant responding to the need identified by Mr Collins to undertake further sensitivity modelling of the timing of development and nearby intersection upgrades, and if need be the introduction of a staging rule (or some other mechanism to bring forward the required upgrades). The ODP is likewise recommended to be amended to show the formation of continuous pedestrian and cycle linkages between the PC68 site and the existing urban edge of Prebbleton to the east, and improved cycle linkages within the PC68 site.
292. In terms of zoning, it is recommended that the Trents Rd gap, the Shamy property, and the two sites on Hamptons Road all be included within the ODP and rezoned to Living Z, provided the Commissioner is satisfied that sufficient scope exists to make such a change.



Jonathan Cleese

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25 February 2022