

# Selwyn District Plan, Private Plan Change 71 – Levi, Lincoln Rolleston Roads and Nobeline Drive, East Rolleston

## Summary Statement, Planning, Selwyn District Council

### Introduction

1. My name is Liz White and I prepared the Section 42A Report on Private Plan Change 71 to the Selwyn District Plan, dated 17 January 2022. After circulation of that report, the applicant and submitters have lodged statements of evidence. The purpose of this summary statement is to summarise key matters from my perspective, and outline where, as a consequence of the evidence lodged, I have revised any of the views set out in the Section 42A report.

### Airport Noise Contours

2. Ms Aston's evidence touches on various matters relating to the establishment and remodelling of the Airport Noise Contours. In my view, this is not the forum to challenge the basis of the modelling, or the process by which the current contours were set; the current contours are what they are, and the relevant consideration in this process is about how best to achieve the objectives in the District Plan and give effect to the CRPS, as they relate to these contours.
3. I agree, on reflection, that the deferred status or a non-complying activity rule would also give effect to the CRPS in regards to the Airport Noise Contour. However, my concern is more about efficiency and effectiveness in anticipating a change in land use based on something that may or may not occur. In terms of the likelihood of the contour moving, I have placed more weight on CIAL's evidence. In essence, I therefore agree with the below summary provided by Mr Bonis:<sup>1</sup>

*In my view, the proposed Deferred Living Z zone under PC71 is not the more appropriate in terms of achieving these operative provisions. The proposed zoning simply creates an expectation for residential development, when the outcome of the CRPS Policy 6.3.11(3) process – and equally important policy response – is not yet known. The extent of the final updated contours is also, as a matter of evidence, not known.*

4. I also agree with Mr Bonis' view on the use of a deferred zoning as a mechanism in this circumstance.<sup>2</sup>

### Supermarket Development

5. The PC71 application was lodged well before the supermarket consent was lodged. The timing of the latter is such that it was only able to be briefly considered in the s42A report. As such, it was not possible for PC71 to pre-anticipate that now-proposed land use anticipated for this site and given the short timeframe I also consider it would have been difficult for the applicant to propose significant changes before filing their evidence.
6. As acknowledged in the evidence for Foodstuffs, it is not uncommon for supermarkets to be located in residential areas and adjoining residential properties. While I generally agree that it

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<sup>1</sup> Evidence of Matthew Bonis, paragraph 68.

<sup>2</sup> Evidence of Matthew Bonis, paragraphs 72 – 79.

is best practice to manage interfaces where issues such as reverse sensitivity may arise, in this instance, the supermarket is not yet established, nor even consented. In this context, I do not agree that the Plan Change should be declined on account of the proposed location for the supermarket. Therefore, in my view, any response on the PC71 site to its development needs to be flexible, providing for the possibility that a supermarket may be established, without pre-supposing this. In my view, this is best achieved by including in the ODP text that mitigation is required, should the supermarket obtain consent.

7. With respect to any specific mitigation requirements, I am not aware of any other plans that require a 45m setback in a residential zone from the boundary with a supermarket. I consider this to be a highly inefficient use of land. I note that neither the noise nor the planning evidence for Foodstuffs does not discuss how this interface is managed in other plans. For example, Mr Allen<sup>3</sup> acknowledges that supermarkets and residential activities are not by default incompatible activities, and can and do successfully operate adjacent to one another provided appropriate mitigation measures are implemented to provide an appropriate residential/non-residential interface – but does not go on to discuss what measures have been applied in other plans. I would also note that while he refers to a residential/non-residential interface, it is important to remember that the zoning of the proposed supermarket site is residential and the granting of any resource consent does not alter this.
8. I also note that while the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 will allow greater development in residential zones at reduced setbacks etc, this would apply not just to this site but to all residential zones, and as such, in response to the need to provide greater housing supply, the Amendment Act anticipates that there will be intensified housing next to existing facilities like supermarkets; as such it is not a factor that is unique to this site.
9. Finally I note that Mr Allan considers several policies in Chapter 5 of the CRPS; however these provisions are not applicable to Rolleston, because they expressly apply to the ‘wider region’, being that area within the region that is outside of Greater Christchurch.

## **Water Supply**

10. Mt Mthamo addresses the concerns raised in the Section 42A report regarding the provision of additional water for those parts of the Site outside the RSP, outlining various options to meet demand. He states that because potable water can be provided to the site, an additional rule, restriction subdivision until a water supply is provided, is not necessary.<sup>4</sup> I disagree with this, as my understanding is that Mt Mthamo has simply demonstrated that compliance with the rule is achievable. In my view, the rule is necessary to ensure that at the time of subdivision, one of the options identified is implemented.

## **NPS-UD and CRPS matters**

11. Mr Langman discusses several matters relating to the NPS-UD and its application to this Request. These are matters that have been well-traversed in other private plan change hearings

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<sup>3</sup> Paragraph [32].

<sup>4</sup> Statement of Evidence of Victor Mthamo, at 33.

that I have been the reporting officer for (PC67 and PC73) and to avoid repetition, I simply note that my view on these matters has not changed. The only exception to this, is that at the time of the hearings on PC67 and PC73, the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act had not been enacted. I accept that the changes made under this Amendment Act enable a greater level of intensification to occur within existing residentially-zoned areas. However, the extent to which this is likely to be taken up in an area such as Rolleston remains to be seen. I re-emphasise that the NPS-UD requires only that 'at least' sufficient development capacity is provided, not that more is precluded; and I am not aware of any analysis that has been undertaken so far as to whether additional capacity as enabled under the Amendment Act is feasible. In my view, it is therefore speculative to place too much emphasis on the potential uptake of medium density development in Rolleston under the Amendment Act.

### **Urban Design and Transport Matters**

12. Mr Collins and Mr Nicholson, having considered the evidence lodged, have identified areas of disagreement between them and other technical experts. To avoid repetition, I note the following matters:
  - a. Mr Nicholson recommends further amendments to the layout of the proposed ODP, including:
    - i. the adoption of some of the amendments proposed by the applicant;
    - ii. the removal of any notations within Airport Noise Contours, reflecting my recommendation that this area be excluded from the rezoning;
    - iii. shifting the secondary connection onto Levi Road to a location supported by Ms Williams and Mr Collins; and
    - iv. locating the two neighbourhood parks closer to the centres of the northern and southern residential areas.
  - b. Consistent with, or expanding on their previous recommendations, they both recommend that:
    - i. a requirement is included for the Broadlands Drive connection and intersection to be formed before any subdivision of land is approved to the south of an identified development line (shown in Figure 2 rev.1. of Mr Nicholson's summary statement). This is to ensure appropriate connectivity and transport network effectiveness to the northern residential area; and
    - ii. Separated shared pedestrian and cycle ways, and safe crossing points are required along the Lincoln Rolleston Road frontage.

### **Amendments**

13. Having considered the evidence lodged, as well as discussing this with Mr Collins, Mr England and Mr Nicholson, I recommend additional changes are made to PC71, for the reasons set out below.

Matter	Reason
<p>Amend recommended Rule 12.1.3.52A(b) to read:</p> <p>(b) <i>Within the area to the south of the 'Development Line' in ODP Area 14, no allotments shall be created prior to the formation of a roundabout at the intersection of Lincoln Rolleston Road and Broadlands Drive, and the extension of Broadlands Drive over ODP Area 4. This shall not include any reserve allotment or utility allotment created.</i></p>	<p>The need for a limit on development prior to the formation of this roundabout was discussed by Mr Collins in his evidence and responded to by Ms Williams.</p> <p>However, while this addresses the connection from a road safety and efficiency perspective, it does not address connectivity and the effectiveness of the transport network; particularly where the connectivity of the northern portion of the Site to the town centre may be reduced if the supermarket consent is approved. Mr Collins and Mr Nicholson have therefore identified that portion of the northern part of site within which they consider the connection to Lincoln Rolleston Road is necessary to ensure connectivity between new residential development and the wider township.</p>
<p>Add reference to requirement for a roundabout to be formed by the applicant when Area 14 connects to the Levi/Ruby intersection in the ODP text.</p>	<p>This was recommended in the Section 42A report<sup>5</sup>, and is supported by both Mr Collins and Ms Williams, but was unintentionally omitted from the changes marked up in Appendix 2 to the Section 42A report.</p>
<p>Amend ODP text to exclude reference to the proposed deferred area.</p>	<p>Appendix 2 of the Section 42A Report continued to refer to the area under the Airport Noise Contours as being 'within' the ODP area. On reflection, as this land would remain rural, I do not consider it should be 'included' in the ODP; nor should restrictions or requirements apply to this land. Several changes are now recommended to ensure this.</p>
<p>Add reference to the potential supermarket consent and the need to manage this interface.</p>	<p>This is discussed above.</p>
<p>Add reference to separated shared pedestrian/cycle ways and to the provision of safe crossing points.</p>	<p>Reference to separated shared pedestrian/cycle ways were included in the applicant's revised ODP text. I have</p>

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<sup>5</sup> At para 179(a).

	recommended further additions to reflect Mr Collins and Mr Nicholson's views that this should include the Lincoln Rolleston Road frontage and the requirement for safe crossing points.
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## Conclusion

14. I continue to consider that PC71 should be approved, but amended such that it does not include, even on a deferred basis, the rezoning of land located within the Airport Noise Contour. Attachment 1 sets out additional changes that I recommend to the text of ODP Area 14. For ease of reference, changes recommended in the Section 42A report are shown, as they were in Appendix 2 to that report, using **red text**. Changes proposed by Ms Aston which I agree with have been added using **green text**. Further changes I now recommend and as detailed in this summary statement are shown using **purple text**.

**Liz White**

10 February 2022