



# Application for Private Plan Change

## **Trices Road Rezoning Group, Prebbleton** (incorporating RFI responses)

2020

Selwyn District Council

June 2021

# REQUEST TO CHANGE THE SELWYN DISTRICT PLAN UNDER CLAUSE 21 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991

**Request by:** Trices Road Rezoning Group  
C/- Aston Consultants Ltd  
PO Box 1435  
Christchurch 8140, Attn Fiona Aston

**To:** The Selwyn District Council

**Involving the:** Operative Selwyn District Plan

**The location** to which this application relates is:

A 28.7ha site located on the south edge of Prebbleton and bounded by Trices, Birchs and Hamptons Roads.

**The names of the owners and occupiers** of the land to which this application relates are as follows:

**Table 1**

| <b>Registered Owner</b>  | <b>Address</b>   | <b>Appellation Title</b>           | <b>Area (ha)</b> |
|--|------------------|------------------------------------|------------------|
| Grant James Crabbe<br>Mark James Crabbe<br>Rosemary Joyce Crabbe | 341 Trices Road  | Lot 1 DP 73583                     | 2.0236           |
| Anne Elizabeth Sweney<br>Mark Raymond Sweney                     | 329 Trices Road  | Lot 2 DP 73583                     | 2.3868           |
| Gina Ann Cridge<br>Timothy John Cridge                           | 32 Hamptons Road | Lot 1 DP 3896                      | 2.4237           |
| Lee Michael Christopher<br>Robinson                              | 327 Trices Road  | Lot 1 DP 5284                      | 0.1279           |
| Bronwyn Jeffs<br>Evan Ross Jeffs                                 | 321 Trices Road  | Lot 1 DP 78905                     | 8.0000           |
| Anthony Edwin George<br>Barbara Ellen George<br>Hugh Simon Lindo | 311 Trices Road  | Lot 1 DP 360577<br>Lot 2 DP 360577 | 8.1200           |
| John Barrett<br>Tania Barrett                                    | 299 Trices Road  | Pt RS 2423                         | 2.8327           |
| Helen Nancy Tuff<br>Lawrence Napier Tuff                         | 42 Hamptons Road | Pt RS 3122<br>RS 39794             | 2.7864           |
| <b>TOTAL</b>   |                  |                                    | <b>28.7011</b>   |

All Records of Title are attached as **Appendix 18** to this Plan Change request.

**The Proposed Plan Change** (the Proposal) seeks to amend the Operative Selwyn District Plan (OSDP) to enable development of the 28.7 ha site (the Site) for residential purposes, including some medium density lots and some rural residential lots, in a sustainable and integrated manner that will provide for the needs of the Prebbleton and Selwyn community.

The Proposal includes the following changes to the Operative Selwyn District Plan and associated Planning Maps: The amendments are shown below (**new text bold and underlined**, text to be deleted shown as **~~bold and strikethrough~~**).

#### Preferred Relief

- a) Amend Operative Selwyn District Plan Planning Maps by rezoning the land identified above except for the land owned by Helen Nancy and Lawrence Napier Tuff Pt RS 3122 (2.4827 ha) and RS 39794 (0.3037 ha) ('the Tuff land') from Rural Inner Plains to Living Z; and rezone the Tuff land from Rural Inner Plains to Living 3 (**Hamptons/Birchs Road**); and
- b) Insert Outline Development Plan Area 5 (including associated ODP narrative) attached in **Appendix 1** to ensure a coordinated and consistent approach to land development; and
- c) Amend Table C12.1 as follows

| Township   | Zone   | Average allotment size no less than   |
|------------|--|---|
| Prebbleton | Living 3 (Hamptons Road) <u><b>and Living 3 (Hamptons/Birchs Road)</b></u> | 5,000 m <sup>2</sup> minimum average allotment size (calculated across all allotments in the ODP area) and 4,000 m <sup>2</sup> minimum allotment size. |

- d) Amend Rule 4.9.18 as follows

4.9.17 Any building in the Living 3 Zone (Trents Road/Shands Road, Prebbleton (as shown on the Outline Development Plans in Appendix 19) **and the Living 3 Zone (Hamptons/Birchs Road) as shown on the Outline Development Plan in Appendix 42)** shall be set back at least:

- (i) 15 metres from any road boundary except on corner lots where a minimum setback of 10m applies to one road boundary
- (ii) 10 metres from the boundary of Lot 1 DP 52527
- (iii) 5 metres from any other boundary

- e) Add new Rule 4.1.2 in Living Zone Rules – Buildings

4.1 Buildings and Natural Hazards:

2090.02 Trices Road Plan Change

## Restricted Discretionary Activities – Buildings and Natural Hazards

### **4.1.2 Erecting any dwelling or other principal building on land located in the Prebbleton ODP Area 5 shown on Appendix 42 with a minimum building finished floor level less than 300mm above a 200 year Average Recurrence Interval (ARI) flood hazard event shall be a restricted discretionary activity.**

Renumber Rule 4.1.2 as 4.1.3 and amend as below

- 4.1.~~2~~**3** Under Rule 4.1.~~2~~ the Council shall restrict the exercise of its discretion to:
- 4.1.2.1 The nature of any flooding or land instability and whether this makes the site unsuitable to erect the proposed building or undertake the proposed earthworks.
- 4.1.2.2 Any effects of buildings or earthworks in displacing or diverting floodwaters and increasing the potential risk of flooding elsewhere.
- 4.1.2.3 Any mitigation measures proposed.
- f) Any consequential, further or alternative amendments to the Operative Selwyn District Plan to be consistent with and give effect to the intent of this application and the interests of the Applicant. For the avoidance of doubt, the applicant does not seek a new zone at Prebbleton through this Plan Change.

### **Less Preferred Relief:**

- g) Option 1: Rezone all of the land owned identified in Table 1 above Living Z.
- h) Option 2: Rezone all of the land identified in Table 1 above as Living 3A (with a minimum average lot size not less than 2000m<sup>2</sup> and minimum lot size 1000m<sup>2</sup>) except for the Tuff land to be rezoned Living 3 **(Hamptons/Birchs Road)**; and
- i) Amend Table C12.1 Allotment sizes to include two rural residential zones at Trices Road Prebbleton as follows:

|                          |   |
|--------------------------|---|
| Living 3A                |   |
| (Prebbleton Trices Road) | Minimum average lot size 2000m <sup>2</sup> , minimum lot size 1000m <sup>2</sup> ; |

**or**

|                                      |   |
|--------------------------------------|---|
| Living 3                             |   |
| <b><u>(Hamptons/Birchs Road)</u></b> | Minimum average lot size 5000m <sup>2</sup> , minimum lot size 3000m <sup>2</sup> . |

- j) Option 3: Rezone all of the land identified in Table 1 above Living 3 **(Hamptons/Birchs Road)**
- k) Any consequential, further or alternative amendments to the Operative Selwyn District Plan (including an amended ODP as necessary under the alternative less preferred relief) to be

consistent with and give effect to the intent of this application and the interests of the Applicant.

For the avoidance of doubt, the applicant does not seek a new zone at Prebbleton through this Plan Change.

**Signed:**



Fiona Aston, for and on behalf of Trices Road Rezoning Group

Dated: 1 June 2021

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## Overview

### Purpose of the Plan Change Request

1. The purpose of the proposed Plan Change is to enable the residential development of approximately 28 ha of land ('the Site') on the southern edge of Prebbleton and bounded by Trices, Birchs and Hamptons Roads. The preferred relief seeks land closest to Birchs Road (2.8 ha) to be zoned Living 3, and the balance land (25.9 ha) to be zoned Living Z.
2. Development will be in accordance with an Outline Development Plan (ODP) to ensure an integrated approach to residential development including provision of appropriate road linkages to the existing urban area and possible future urban areas to the east of the Site.

### Reason for Request

3. The reasons for our submission are outlined below. In summary:
  - a) The proposed rezoning is both appropriate and necessary to achieve sustainable growth and development of Prebbleton and meet the requirements of the National Policy Statement on Urban Development 2020 ('NPS-UD 2020').
  - b) The Site is an ideal and logical location for further urban growth of Prebbleton and will achieve a compact, and efficient, urban form with excellent connectivity by multiple transport modes as well as bridging the existing urban area to the proposed Birchs Road reserve to the south.
  - c) The rezoning will accommodate a further 290+ households which represents the equivalent of 20% of the current housing stock (1497 households 2018 Census) at Prebbleton; it will supply significant additional capacity and contribute to a well-functioning urban environment, meeting the NPS-UD Objective 6 c) and Policy 8 criteria for 'unanticipated' (in an RMA document) plan changes.
  - d) Any effects on the environment arising from the rezoning will be less than minor and able to be mitigated. A high amenity master planned development is proposed.
  - e) There is no additional cost to the Council in re-zoning the Site as there is capacity in the public utilities and the existing road network, including planned upgrades.
  - f) The rezoning is consistent with the Operative Selwyn District Plan (OSDP) objectives and policies, except those relating to the Canterbury Regional Policy Statement ('CRPS') location of urban growth requirements which are already out of step with higher order Resource Management Act 1991 ('RMA') statutory documents because they do not give effect to the NPS-UD 2020.

- g) The alternative of retaining Rural Inner Plains is not an efficient use of the Site as it is immediately adjoining the urban area of Prebbleton, and in a location highly accessible to the town centre by active transport modes as well as car.
- h) The rezoning is consistent with and the most appropriate, efficient and effective means of achieving the purpose of the RMA.

## The Site

4. The Site is a 28.7 ha block of land bounded by Trices, Birchs and Hamptons Roads, Prebbleton (**Figure 1**) owned by the members of the Trices Road Rezoning Group comprising landowners: Crabbes, Sweneys, Georges, Jeffs, Barretts and Tufts. Gina and Timothy Cridge (2.4 ha) and Lee Robinson (1279m<sup>2</sup>) also own land within the Site but elected not to be not part of the Trices Road Rezoning Group.



**Figure 1: The site (outlined in red), proposed Birchs Road reserve (outlined in green)**

5. The Site has urban land to the north and west. There is a proposed Council reserve ('Birchs Road Reserve') to the south. Directly east are rural lifestyle blocks extending to Tosswill Road. The Site boundaries are clearly defined on three sides by the three roads.
6. The Site sits at the southern edge of Prebbleton. Prebbleton presently has a population of 4,515 (2018 Census). It is rapidly growing:

| 2006 (count) | 2013 (count) | 2018 (count) |
|--------------|--------------|--------------|
| 2,001        | 2,772        | 4,515        |

Statistics NZ

7. The Site primarily contains rural residential lifestyle blocks with a common domestic curtilage around larger individual dwellings. All dwellings are located towards the perimeter of the Site interfacing with Trices, Birchs and Hamptons Road. Properties feature mostly single storey houses, plus auxiliary buildings such as stand-alone garages, sheds and other structures associated with rural living.
8. The Site also features a horse training track and related stables, several bare paddocks used for grazing and a small wooded area with pine trees.
9. Road boundaries are either planted up with rural hedges including some mature trees, or display open style rural fencing enabling views deeper into the Site.
10. Typical of the area the Site is flat with shelterbelts delineating individual properties or functioning as internal windbreaks. Shelterbelts are of varying height and thickness and also provide privacy between properties on narrower land parcels.
11. Along Birchs Road there is a wide area with layers of established specimen trees and varied undergrowth creating a strong landscaped edge to the road. These plantings follow the route of a historical railway along the western boundary of the Site.

### Land ownership

12. The land ownership is shown in **Figure 2** below.

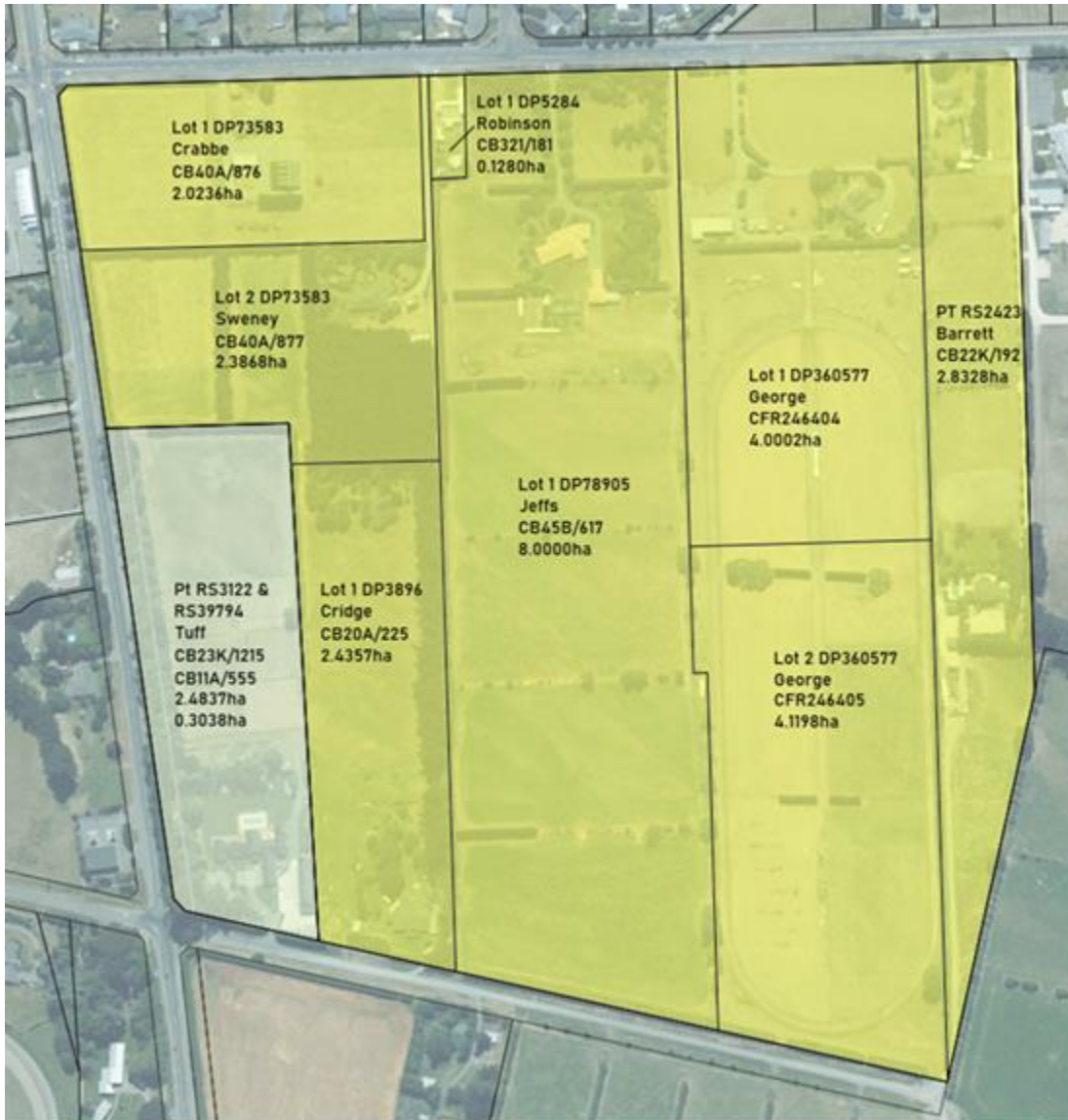
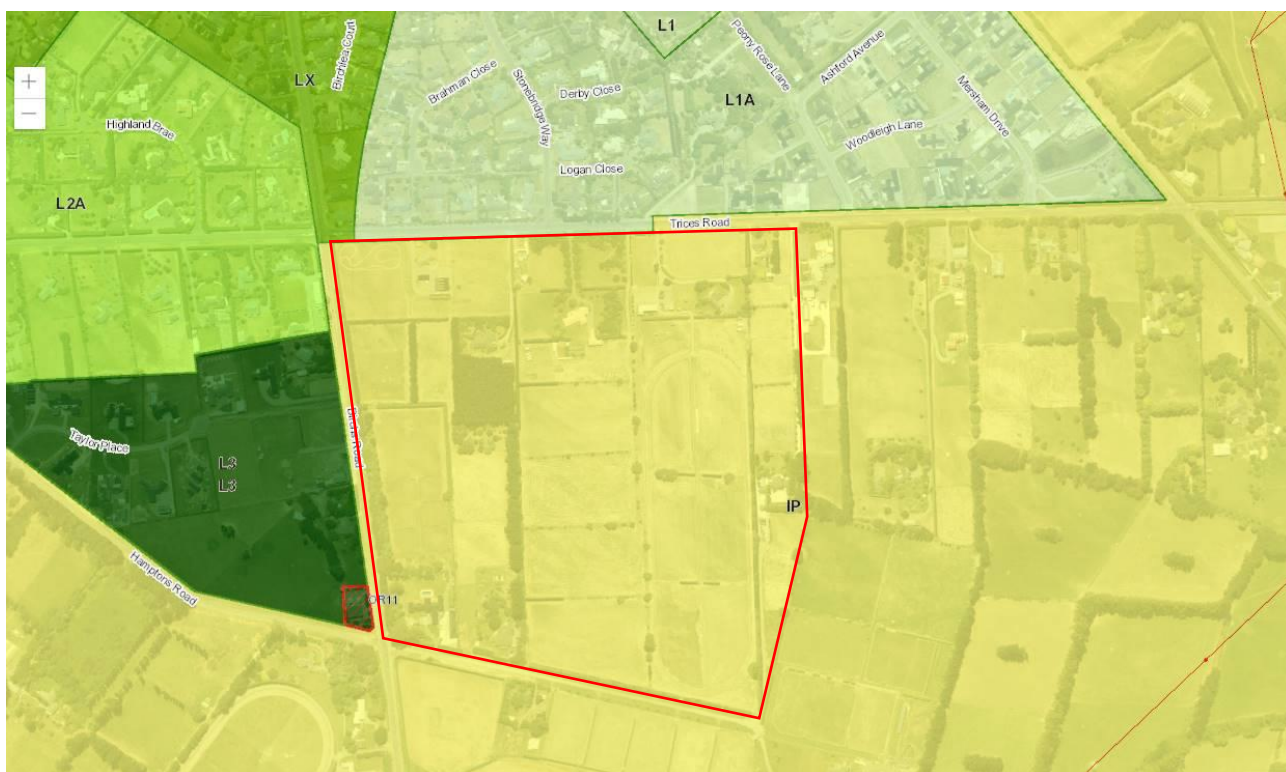


Figure 2: Land ownership

### Operative Selwyn District Plan Zoning

13. The Site is zoned Inner Plains in the Operative Plan. The minimum lot size for subdivision and a dwelling is 4 ha.



**Figure 3: Zoning of the Site** (site outlined in red)

### Approach and Key Features of the Proposed Plan Change

14. The proposal is to rezone a 28.7 ha block held in eight ownerships as detailed above from Rural Inner Plains to Living Z and Living 3.
15. The proposed Outline Development Plan Area 5 (ODP) is attached as **Appendix 1**.
16. Subdivision of the Site will create approximately 290+ Living Z lots, and five Rural Residential lots.
17. The key design drivers for the ODP are:
  - a) Providing a key link between Prebbleton Domain to the north and the Birchs Road Reserve to the south connecting these key destinations and making them easily and safely accessible to the community including by walking and cycling.
  - b) Creating strong connections with the immediate neighbourhood by providing a cohesive interconnected roading layout that picks up direct links to the neighbourhood on Trices and Birchs Road and carries them into the Site.
  - c) Creating a high amenity and diverse residential neighbourhood by providing a large variety of lot sizes in various locations throughout the site (Living Z and Living 3 residential zones) with interfaces to roads, reserves and rural environments.

- d) Respecting and building on local identity and character of Prebbleton by retaining specific vegetation features from the Site and enabling views to the Port Hills anchoring the development into the wider landscape.
  - e) Preserving existing landscape features by creating a neighbourhood reserve around a group of well-established trees and maintain well established plantings along Birchs Road. The trees along Birchs Road will remain in private ownership.
  - f) Integrating existing rural residential dwellings with larger domestic curtilage into the residential character of the proposed development and enabling their established gardens to enhance the amenity of the surrounding streets and adjacent sites.
18. The development concept provides for sound urban design by providing:
- a) A hierarchy of movement corridors;
  - b) Prioritisation of walking and cycling;
  - c) A north-south alignment of street blocks to maximize solar access and provide for efficient use of lots;
  - d) Block perimeters being kept as small as practicable to aid permeability and higher public amenity;
  - e) Lifestyle choice and well-being through a range of lot sizes enabling a range of housing typologies with small pockets of medium density housing co-located with green space where feasible; and
  - f) Achieving a minimum of 12 households/ha.
  - g) Developer covenants (at the time of subdivision) are proposed to manage fencing along road frontages and with rural zone boundaries.
19. The development concept proposes a number of environmental enhancement measures:
- a) A pocket park protecting a significant group of specimen trees off Trices Road.
  - b) Stormwater Management Areas designed to serve a utility function and a recreation/open space function.
  - c) Lots on the eastern boundary of the Site to provide a mix of standard and larger residential lots to provide a transition interface to the adjoining rural area.
  - d) Living 3 residential zoning is proposed for the Birchs Road frontage to help preserve the existing landscaped and green edge to the south of Prebbleton marking its entry point, and reflecting the type of development to the west of Birchs Road.

## ENVIRONMENTAL EFFECTS OF PROPOSED CHANGE

### Township growth and urban form

20. An Urban Design Statement and a Landscape Matters and Visual Assessment (**Appendix 2**) assesses the proposed Site rezoning predominantly for urban residential purposes in the context of Prebbleton township and its environs as a whole. It also sets out an assessment of how the ODP seeks to achieve an integrated development of the Site, and how it relates to the proposed Council Birchs Road reserve to the south.
21. This Statement concludes that:
  - a) The creation of the Birchs Road Reserve and the need for urban integration and connectivity of this recreational greenspace with the township means that a full residential development such as the proposed Living Z zone is a better fit for this area than a rural residential development.
  - b) When comparing all areas on the periphery of Prebbleton identified for urban growth that are still available for development, this area should be the first one to be considered. It is a logical and preferred location for future urban growth, compared to other parts of Prebbleton.
22. Specifically the Urban Design Statement notes that in the Rural Residential Strategy 2014 the Council confirmed the Site as Area 8 for these (and other) reasons:
  - a) *The risk of ribbon development occurring along Birchs Road is reduced as Area 8 is located on the northern side of Hamptons Road, which provides a strong boundary to residential or rural residential growth south of Prebbleton.*
  - b) *Area 8 is outside the Township boundary, immediately adjoining a Living zone, and within 1km of the town centre and across Birchs Road from Area 6.*
  - c) *Areas 8 and 9 assist in achieving the long term compact concentric urban form of the Township by assisting to establish a permanent peri-urban edge to Prebbleton north of Hamptons Road and west of Tosswill Road respectively.*
  - d) *Areas 4 to 8 are small contained nodes where appropriate boundary treatments are required to integrate the sites into both the urban and rural environments. There are definitive road boundaries, physical features or established land uses that reduce the potential of on-going urban sprawl, avoid adverse reverse sensitivity effects and the urban form of Prebbleton coalescing with Lincoln to the south and Christchurch City to the north.*
  - e) *Areas 8 and 9 can be economically provided with reticulated water and wastewater.*
23. The Urban Design Statement provides the urban design context for how the Site best delivers on providing an important bridge to the Birchs Road Reserve and how it best consolidates the urban form of Prebbleton compared to other sites on the edges of Prebbleton:

*Area 8 was clearly identified as suitable for residential development to deliver a cohesive integrated urban form for Prebbleton with the intention of the area to become a transitional buffer from LZ to Rural and Hamptons Road being the new town boundary, however, the introduction of the large recreational reserve south of Hamptons Road has created a far stronger edge to the town not requiring a transitional buffer with a gradual reduction in density from north to south.*

*It is rather the opposite. Area 8 now has to provide a vital and active link to the new reserve. Rural residential character by nature of its openness, rural streetscape and rural type landscaping to the larger properties would not provide the appropriate level of connectivity that is required to fully integrate the reserve with the township.*

*A full residential zoning such as GRZ will provide a better street character, overall amenity and passive surveillance over the street, and will create the correct lighting standards, roading standard, fully formed footpaths and cycleways required for such an important public connection.*

*It is also important to note that apart from Birchs Road 'Area 8' offers the only opportunity to create such a strong and direct connection between the township and the reserve via the Prebbleton Domain and through established residential areas. In comparison to Birchs Road however it will be able to create a far safer environment and a higher amenity for pedestrians and cyclists.*

*The creation of the reserve and the need for urban integration and connectivity of this recreational greenspace with the township means that a full residential development such as the proposed GRZ is a better fit for this area than a rural residential development. It should be undertaken in parallel with the implementation of the reserve to ensure that the correct movement habits can establish between the township and the reserve right from the start.*

24. A small pocket park of approx. 900m<sup>2</sup> is proposed to provide protection for a cluster of existing mature trees that are currently part of a larger garden of one of the existing dwellings. The rationale behind the decision to retain this particular cluster of trees is primarily to provide a sense of scale and a natural break in the proposed development. This measure will ensure that these trees can be retained without negatively affecting or shading adjacent new residential properties. The small pocket park will be publicly accessible with two road boundaries and will significantly add to the amenity of the surrounding streetscape and higher density of the proposed development. The pocket park also functions as the 'green gateway' into the Site and offers a 'focal point' and casual meeting place for the community.

### **Neighbourhood and wider community effects**

25. The Site is well contained by the surrounding three roads, the immediately adjoining residentially developed land to the west and north of the site and the proposed Birchs Road Reserve to the south of the Site. A key positive neighbourhood and community effect will

arise from the position of the Site immediately adjacent to the proposed Birchs Road Reserve. Homes within that part of the Site will be attractive for the significant amenity and quality of environment that that affords, in addition to the visual and amenity benefits of the significant stormwater, and local amenity, reserves proposed within the Site. The latter 'protects' an existing area of attractive mixed species mature planting off Trices Road.

26. The Site will support a variety of residential building typologies and this will contribute to a mix of households within the development and provide built form variety and interest in the streetscape. To achieve the proposed minimum density of 12 households per ha (except for the Tuff land – the proposed approximately 2.8 ha Living 3 residential zone fronting Birchs Road) some medium density housing will be required, as provided for under the Living Z residential rules (small site development and/or comprehensive development).
27. Prebbleton is well-positioned to accommodate and service the needs of a fast-growing resident population that will in turn support more business activity, schools, community facilities and community organisations.
28. The Landscape Matters and Visual Assessment (**Appendix 2**) includes recommended treatment of the ODP eastern boundary, in recognition that the rural land to the east is a potential future township growth path and that a small pocket of medium density housing is outlined in the ODP as being in the south east corner of the Site. At the time of development, a shared access drive running up the eastern boundary, accessed from Hamptons Road, will facilitate a larger setback for the medium density dwellings, and, along with existing boundary vegetation, will reduce any potential visual effects resulting from the increased density on the eastern neighbour.
29. No other reverse sensitivity issues will be in play as the extent of residential activity edge to rural land is minimised and indicative layouts for Birchs Reserve show abundant set back and landscaping to manage effects from reserve activities (see Draft Birchs Road Reserve Masterplan in **Appendix 3**).
30. There is also rural land on the south side of Hamptons Road between the Birchs Road Reserve and the Site apart from at the Birchs Road 'end' where a 'meadow' is proposed. Car parking will be along Birchs Road with vehicle access from Birchs Road not Hamptons Road.
31. There is potential for urban development to extend east of the Site. However, this will not arise from a decision by the Plan Change applicant; that will be a Council decision following due process either by resource consent, private plan change or by decision on the

Proposed District Plan. Any decision to urbanise to the east of the site will be through one of the above planning mechanisms. It is for a future Council decision.

32. However, there are some factors that will shape decisions on whether eastwards urban development is tenable and likely:

- a) The land in question (to the east of the plan change Site) has not been shown as an area for rural residential development in the 2014 Rural Residential Strategy, nor has it been identified as an urban growth overlay under the PDP.
- b) *Policy B4.3.6: Encourage townships to expand in a compact shape where practical.*

This Policy constrains tenable re-zone options but it is solely directed to urban form, and does not provide for strong physical features typically used as defensible boundaries and to limit expansion of urban areas such as major roads, rivers, special landscape features etc.

- c) The proposed edge treatments will ensure the amenity and outlook for the rural properties is maintained to an appropriate level and addresses reverse sensitivity between the two different semi-rural activities, and at the same time provide for future connectivity.
- d) The Site is well contained on three sides: south, north and west.
  - i. To the South the proposed future reserve will provide a strong natural boundary for development.
  - ii. The area to the north of the Site is fully developed.
  - iii. The majority of the area to the west is already developed residential or is used for infrastructure purposes. There is a small portion zoned residential but not yet developed. In addition, the retention of the vegetation strip, tall trees and the Living 3 zone assist in the prevention of further urban development to west.
- e) Along the eastern boundary there are no natural features that would assist in “holding” an urban edge. The control over the extension of the urban form in an eastward direction is a matter of strategic forward planning on behalf of the District Council.
- f) The ODP anticipates that in the long-term urban growth may be directed towards the east and has allowed for suitable future transport connections across the boundary into the rural area. This is a response to a Council request at a pre-application

meeting that the Plan Change proposal provide for potential future road access points to the east on the ODP to keep the option open for future potential urban development in that direction. The meeting record is attached in **Appendix 17**.

### **Well-functioning urban environments**

33. The Site adjoins the existing built up urban area of Prebbleton.
34. The conversion of the Site from present rural and rural lifestyle uses to residential will continue a pattern of outward expansion of Prebbleton.
35. Prebbleton is growing apace. It is attracting significant interest from new home buyers as people respond to the significant investment in upgraded transport links (Southern Motorway and public transport) and a growing economic base for employment in nearby industrial and commercial areas of the City and at Rolleston.
36. Prebbleton has excellent connectivity to the City, both via the Southern Motorway Extension and a cycleway link into the City. There is a very regular bus service every half hour. The standard trip takes 37 minutes and the twice daily express service, 30 minutes.
37. Prebbleton is closer to the City than Selwyn's two Key Activity Centres i.e. Rolleston and Lincoln and is 'en route' to Lincoln. It can therefore 'benefit' from any service improvements at Lincoln.
38. It is important in planning terms to view Prebbleton as part of Greater Christchurch, rather than assume it must satisfy all relevant planning outcomes within itself. It is part of, and contributes to, a bigger economic and social network part of which has been in place a very long time. It would be fanciful and inefficient for there to be an expectation that Prebbleton should replicate services, jobs, facilities and amenities that are close by within southern Christchurch City. Our Space states that *"encouraging more of the growth to occur in Christchurch City, where the employment opportunities are, will be vital to manage the effects of growth and reduce transport network pressures."* Prebbleton neighbours the substantial and fast growing south west Christchurch industrial area and is far closer to that than much of Christchurch as a location for jobs. It is also close to, and readily accessible to, major employers at Lincoln including the university and research institutes. It has the capacity to achieve a degree of self-sufficiency if it is seen as part of a bigger socio-economic system, in accordance with the CRPS C6 Policy 6.3.6 Business land:  
10. *Encourage self-sufficiency in employment and business activities within communities across Greater Christchurch.*

39. The Site will help provide a squaring off of the southern edge of Prebbleton, and provide a good interface connection to the proposed Birchs Road reserve. The Site is convenient to the town centre, to this new reserve, and Prebbleton Domain. This will enable easy walking and cycling access.
40. The following assessment of the criteria in the NPS-UD 2020 for determining a well-functioning urban environment shows that the proposal will deliver urban, housing and residential outcomes that meet those criteria. There will be a variety of homes enabled by three lot types from medium density to larger lots. The Site is well-positioned, building as it does on an existing township well-serviced by public transport and cycling options, to provide good accessibility to jobs, community services, and open spaces, as well as mitigating climate change impacts and future natural hazards as it is located away from the coast and well removed from major rivers. A detailed assessment of the Plan Change against Policy 1 at a Local, District and Regional scale is attached in **Appendix 12**.

| NPS-UD Policy 1  | Assessment   |
|--|--|
| <p>(a) have or enable a variety of homes that:</p> <p>(i) meet the needs, in terms of type, price, and location, of different households; and</p> <p>(ii) enable Māori to express their cultural traditions and norms;</p> | <p>The proposal is to have medium, standard and large lots supporting three housing typologies. House prices in Prebbleton are expensive and the rezoning will generate varied and more affordable housing options in the locality.</p> <p>A significant part of the site will not be built on; it is given over to Stormwater Management Areas which will create a unique urban environment in Prebbleton. These will serve a utility and open space/recreation purpose and provide options to locate medium density housing on parts of its margins.</p> |
| (b) N/A business sectors   |  |
| <p>(c) 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</p>  | <p>The Site has frontage to Birchs Road which already is a public bus route to the city, and a cycling Rail Trail connecting the City, Prebbleton and Lincoln.</p> <p>The site immediately adjoins Birchs Road reserve and is in walking distance (between 1.5 and 2.25 km) of the town centre.</p>  |
| <p>(d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and</p>   | <p>The demand for housing and land in Prebbleton is largely ahead of the planning means to respond. This proposal will “top up” the land presently set</p>   |

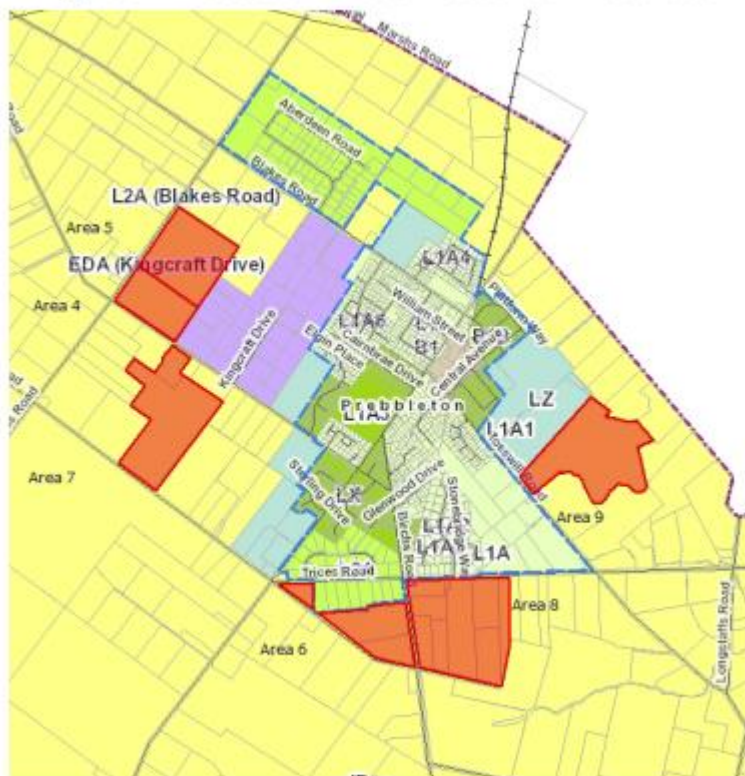
|  |   |
|--|---|
|  | aside in the PSDP and provide a necessary 290 lot buffer to demand. The Site is held in eight ownerships and the owners have been keen to release this land for development for some time; there is no prospect of land banking over the 28ha.  |
| (e) support reductions in greenhouse gas emissions; and                      | <p>The Site has significant advantages in being within walking distance of the town centre and the two township reserves, community facilities and school. The Site is served by a public bus route and a cycling trail.</p> <p>The proposal enables a consolidated form to Prebbleton with enhanced connectivity and linkages to Birchs Road reserve and the town centre reducing the need for car travel.</p> |
| (f) are resilient to the likely current and future effects of climate change | The Site is an inland site away from major rivers. It is not at risk from climate change induced extreme natural hazard events like sea level rise, or river flooding.  |

### Landscape and visual effects

41. An Urban Design Statement (**Appendix 2**) sets out an assessment of how the ODP seeks to achieve an integrated and coherent development. The proposal will lead to a change in the landscape of the Site from a predominantly lifestyle block landscape with a mix of substantial houses and utilitarian rural buildings present with some plantings, to an urban environment dominated by residential building that will, in time, get the benefit of street tree and reserve plantings and landscape treatments around the houses.
42. The exception to the above change is the proposed Living 3 residential zone for the Tuff land along the majority of the Birchs Road frontage of the Site which will have a much lower housing density (average 5000m<sup>2</sup> sites). This area will maintain an open and spacious character that contrasts with the built-up areas and rural land.
43. This Tuff land is at the southern entrance to Prebbleton township on Birchs Road, and the Living 3 residential zoning will enable retention of the attractive mature mixed tree and shrub planting along the Birchs Road frontage of this land which creates an attractive entry character.

44. The proposal for a Living 3 zone on this part of the Site is also entirely consistent with the existing developed Living 3 development on the opposite (west) side of this part of Birchs Road.
45. The visual effects which will arise from a change in the number of vegetative and built elements in the landscape are significant, but not avoidable, if the Site is to contribute to the on-going growth of Prebbleton. An assessment of visual effects has been undertaken in the Landscape Matters and Visual Assessment in **Appendix 2**. The outcome of the proposal will be a different amenity and quality of environment, still of a high quality, and one that will be entirely consistent with and supportive of the urban and rural residential/Living 3 development that has proceeded to the north and west of the Site respectively already. Developer covenants (at the time of subdivision) are proposed to manage fencing along road frontages and with rural zone boundaries. This is consistent with the approach adopted by several other current private plan change requests (including PC 73, 69 and 78).
46. The landscape, amenity and visual changes have been foreshadowed by the Site's status as Area 8, a preferred rural residential site in the Selwyn Rural Residential Strategy (**Figure 4**).

**Figure 31: Prebbleton – Rural Residential Areas 4 to 9**



**Figure 4: Prebbleton Rural Residential Areas (2014)**

### Effects on ecosystems and habitats

47. The Site is held by eight different landowners, with existing properties ranging in size from 2.38ha to 8ha. It is currently used for a mix of low intensity (grazing) farming, and lifestyle purposes. Shelter belts have been established, and a horse training track on one of the two larger blocks.
48. There is no indigenous biodiversity of any particular value on the Site proposed to be rezoned although the Site is located within the PDP ecosystems and indigenous biodiversity overlay – Canterbury Plains Area. This overlay seeks, primarily to retain indigenous vegetation. Due to historic land use there is no indigenous vegetation present on the Site.
49. Due to the size of the land parcels and a history of rural residential/lifestyle land use, no indigenous vegetation exists on the Site.

### Effects on natural and physical resources

50. The surficial soils underlying the Site are likely to comprise alluvial sediments of the Springston Formation of Holocene age. The Site drains in a SE direction from more free draining soils to less well-drained soils where the Stormwater Management Areas are proposed.
51. There will be a degree of site disturbance as part of creating the roading network, and reserves, and as part of curtilage development on each lot.
52. The proposed use for residential activity inevitably leads to loss of some rural productive potential as built forms and hard surfaces become dominant (except for the Tuff land where larger lot sizes will enable some continued very small scale productive use e.g. grazing).
53. Conversion of the Site to residential use is an effect foreshadowed by the Site's status as Area 8, a preferred rural residential site in Prebbleton in the Selwyn Rural Residential Strategy 2014.
54. A small portion of the Site contains Class 1 or 2 soils as defined in the NZ Land Use Inventory (Landcare Research) Land Use Capability classes 1-3 (**Figure 5**). Productive use of these soils other than for low level purposes i.e. grazing, is not feasible given the small size of the individual titles, existing land ownership pattern and urban edge location (with potential for reverse sensitivity effects arising with more intensive production).

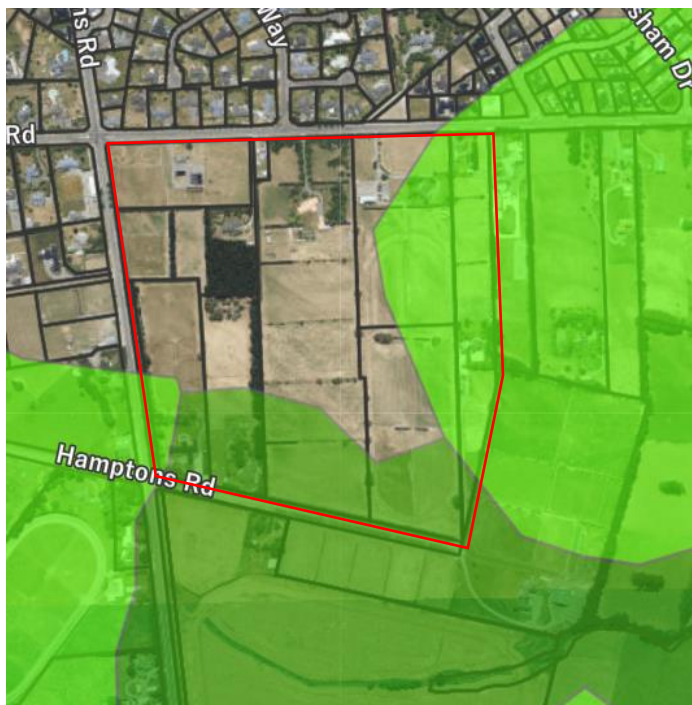


Figure 5: Site outlined in red; Class 1 soils – darker green; Class 2 soils – bright green

#### Effects on tangata whenua values

55. The Proposed District Plan does not identify any resources or sites of significance to tangata whenua on or in close proximity to the Site.
56. The site is not listed as an archaeological site on the NZ Archaeological Site database.

#### Discharges of contaminants into the environment

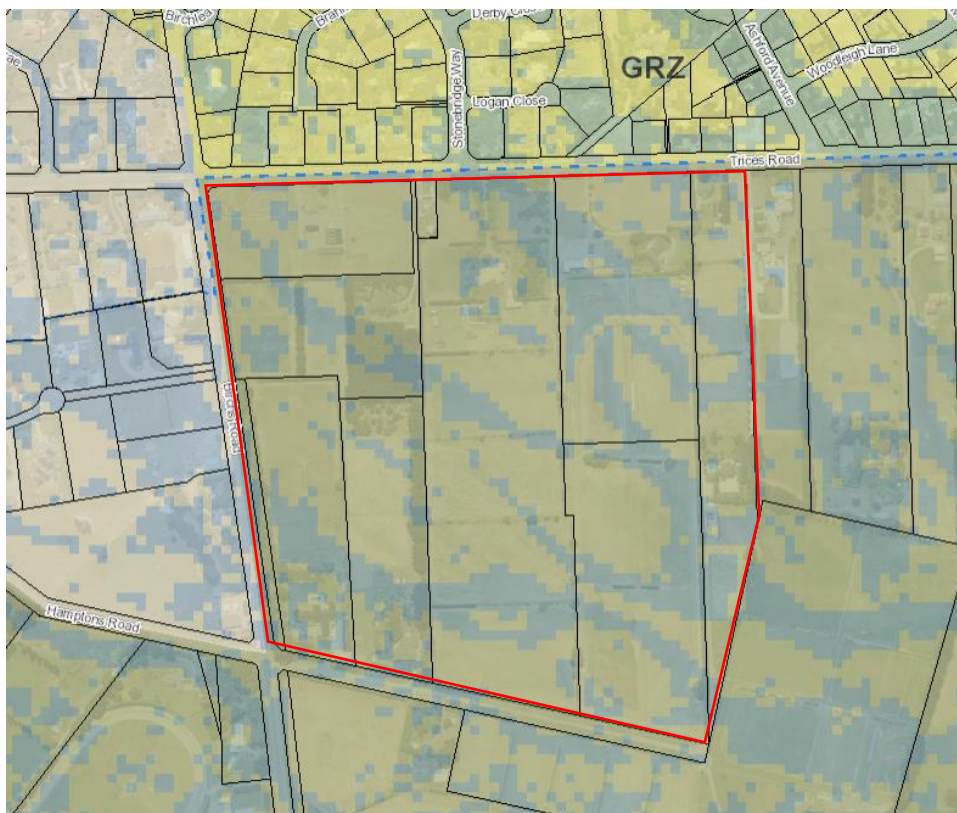
57. There will be no discharges of contaminants into the environment. Wastewater will discharge to the Council's reticulated system and stormwater will discharge to onsite stormwater management and treatment areas which will meet all relevant Council standards.

#### Risks from natural hazards or hazardous installations

58. Parts of the Site are within the Proposed Selwyn District Plan Plains Flood Management Area (shown blue **Figure 6**). The Site is outlined in red. This comprises land that is subject to flooding in a 1:200 year event.
59. A Report by e2 Environmental assessed the nature of, and how to manage, stormwater in the Site (**Appendix 4**). It proposed measures such as Stormwater Management Areas

connecting to off-site drainage channels, and roads as secondary flow paths to ensure that post-development peak flow characteristics matched re-development levels.

60. Proposed Selwyn District Plan Rule NHR2 requires a minimum building finished floor level 300mm above a 200 year Average Recurrence Interval (ARI) flood hazard event. Whilst this is a requirement under the Proposed District Plan, it is also appropriate to apply to this proposed change to the Operative District Plan. All future dwellings within the proposed LZ and L3 zones will meet this requirement.
61. A flood hazard assessment is attached as **Appendix 5**. Constructing preferential flood flow paths through the Site (likely to be within road reserves) will allow the onsite flood hazard to be managed. The ODP roading layout facilitates this. There are no high flood hazard areas within the Site. The assessment concludes that the Site flood hazard identified on the planning map can be fully mitigated during the detailed design and subdivision process to allow residential development to proceed.
62. There will be no hazardous installations.



**Figure 6: 1:200 year flooding** (site outlined in red)

## Geotechnical assessment

63. A Geotechnical investigation by Fraser Thomas in July 2020 (**Appendix 6**) concluded that

*... the subject site, for the purposes of the submission on the Selwyn District Plan Review should be assumed to be within Foundation Technical Category 1 (TC1), as defined by the MBIE guidance document, and that it is unlikely that liquefaction induced ground deformation could occur within the area in response to a large earthquake event, and that the ground settlements within the area in response to seismic loading should be considered to be "within normally accepted tolerances" as defined by the MBIE December 2012 guidance document.*

64. Fraser Thomas are of the view that

*...the site is, in general, considered suitable for its intended use, with satisfactory conditions for future residential building development, subject to the recommendations and qualifications reported herein, and provided the design and inspection of foundations are carried out as would be done under normal circumstances in accordance with the requirements of the relevant New Zealand Standard Codes of Practice.*

## Contaminated land

65. A Preliminary Site Investigation was carried out for the Site by Fraser Thomas in August 2020. (**Appendix 7**).

66. That investigation concluded that

*...the subject site has only been used for rural/residential and grazing purposes. It identified the following localised potential or actual HAIL activities:...whilst it is clear that historic HAIL activities have occurred at the site, it is uncertain what effects, if any, there have been on site soils. Therefore, in accordance with NESCS requirements, a targeted site Investigation (DSI) is required in order to assess site soils to determine environmental effects, or otherwise.*

67. A plan of the Site shows several types of potential contamination including:

- a) orchard sites
- b) demolition material piles
- c) small oil spills
- d) poultry farm
- e) storage of above ground fuel tank
- f) historical storage of car bodies
- g) historic railway
- h) possible lead pain
- i) historical and existing horse trotting tracks

## Economic effects

68. An Economic Assessment for the proposal was carried out by Urban Economics (**Appendix 8**).

69. That Assessment reviewed supply and demand for land for residential development in Prebbleton and found that:

- a) *There is currently “reasonably expected” development capacity for an additional 100 dwellings (within Prebbleton). With demand averaging 100 dwellings per annum, this is only one year of supply.*
- b) *Currently the NPS-UD requirements for the short, medium, and long term are not met for Prebbleton.*
- c) *The Trices Road Block will bring capacity for an additional 280 dwellings to the market. This would increase capacity to 3.8 years, which would enable the short-term capacity requirements to be met, however the Medium and Long Term capacity requirements would not be met.*

70. The Assessment concludes that:

*Currently there is very little commercially feasible capacity for new dwellings in Prebbleton, either from subdividing existing residential properties or from live zoned new greenfield development areas. The proposal would meet this short-term shortage and enable Prebbleton to meet its NPS-UD requirements to provide sufficient capacity to meet demand for housing.*

*The proposal also enables more affordable housing in the \$400,000 - \$600,000 price range by providing some relatively small lots at between 400 – 500m<sup>2</sup>. Currently only 245 dwellings or 14% of all dwellings fall within this price range. The proposal enables an additional 274 dwellings or 16% of all current dwellings in this price range. Enabling a diversity of housing choices both in terms of size and price is a significant economic benefit for Prebbleton.*

## **Climate change effects**

71. An assessment of the effects of the proposal on climate change is at para 40 as part of the assessment of a well-functioning urban environment.

72. A well-functioning urban area that is designed and serviced in an integrated manner, applying sound urban design principles, will enable a reduction in greenhouse gas emissions compared to unplanned, ad hoc development that does not create compact urban forms located where the services and benefits of existing, established urban areas are not readily accessible.

73. There is a triangle of planning influence that can be brought to bear on reducing greenhouse gas emissions:

- a) Compact urban form minimising distances between homes and work/play options;
- b) Proximity of homes to community facilities, services and amenities and business/work areas; and
- c) Design and provision of movement corridors and linkages that create opportunities other than for vehicles for getting around.

74. The Site of this proposal:
- a) Helps in building a compact urban form to Prebbleton; it squares up the township.
  - b) Is located within 1.5 – 2.25 km of the town centre and is positioned between the two major community reserves (Prebbleton Domain and Birchs Road Reserve).
  - c) Has on Birchs Road a public transport route and a Rail Trail cycleway. The Outline Development Plan 5 has provided linkages to the existing urban area and provides for possible future urban growth east. The Site provides an area of open space able to be used for recreation in and around the Stormwater Management Areas.
75. Prebbleton has excellent connectivity to the City, both via the Southern Motorway Extension, a cycleway link into the City and a very regular bus service (every half hour – the standard trip takes 37 minutes and the twice daily express service, 30 minutes).
76. Prebbleton is closer to the City than Selwyn's two Key Activity Centres i.e. Rolleston and Lincoln and is 'en route' to Lincoln. It can therefore 'benefit' from any service improvements at Lincoln and neighbours the substantial and growing south west Christchurch industrial area.

### **Positive effects**

77. The proposal will provide for the continued growth of Prebbleton by managing the development through an ODP. The proposal will yield significantly more lots as Living Z than Living 3 (290+ lots cf about 50-55 lots) and provide a buffer to on-going high level demand for lots in Prebbleton. The proposal for development of the Site will enable a form of development that is a much more efficient use of a prime site supporting a well-functioning urban area. It is a positive endorsement of Prebbleton as a growth node in the District.
78. The eight landowners have pursued this proposal for some time and early on recognised the benefits of a collaborative, integrated approach and plan of development. Much better urban design outcomes and a more efficient form of development is possible through the ODP which is a significant positive effect.
79. The existing dwellings that could be retained have been identified as part of the urban design concept. Their associated domestic curtilage can be carefully integrated into the proposed roading layout to ensure direct access and a cohesive street scene. Existing dwellings can be placed onto larger lots to allow established vegetation around these dwellings to be retained without shading future residential lots. The design work underlying their positioning and access will then enable them to be further subdivided at a future date, if required. The

existing dwellings, gardens and in particular the mature specimen trees can contribute positively to the development as they provide a sense of scale and visual focal points penetrating through the roofscape of the proposed residential development. The benefits derived from this approach include facilitating high levels of connectivity, creating community focal points with the pocket park off Trices Road and the multi-use Stormwater Management areas. The Site adjoins Birchs Road Reserve and is handily located to Prebbleton Domain. The strategic allocation of medium density areas as described in the Urban Design Statement provides variety and focus to the development and together with the Stormwater Management Areas will provide a distinctive environmental quality and point of difference to the development.

80. The ODP area adjoins the existing residential development on the southern edge of Prebbleton and does not create urban design or servicing issues by being located remotely from such services, or separately from an existing urban area.
81. From a community well-being perspective, the provision of additional land for residential growth will continue to support the Council's investment in community infrastructure by maintaining and facilitating growth rates, increasing the rating base and attracting development contributions.

## SERVICING FOR THE PROPOSAL AND EFFECTS ARISING FROM SERVICING

### Wastewater

82. The Servicing Report by Fox Associates (**Appendix 9**) reports that in meetings with Council staff, the Council's preference is to service Residential allotments via a gravity network which in turn will require a new pump station.
83. A low pressure sewer is an option for Living 3 zoned land but on the understanding that should it later become Residential then the low pressure sewer network would need to be replaced with a gravity network solution.
84. The applicant's servicing expert (E2 Environmental) has advised that, based on the residential zoning yield of approximately 295 lots (including 5 large lot residential lots), they estimate from the SDC Engineering Code of Practice (6.4.4) that the maximum flow generated will be:  
 Average Sewer Flow ASF  
 = 295 lots x 220 L/p/day x 2.7 persons/lot  
 = 175,230 L/day or 2.03 L/s

Maximum Sewer Flow MF  
 = 2.03 L/s x 2.5 x 2 (peaking factors)  
 = 10.1 L/s.

85. This maximum flow assumes full development of the area with no further infilling possible. The likely position for gravity wastewater pump station is in the south east of the plan change block where all of the site can drain by gravity to a low point. It is likely that a pump station will be on the proposed stormwater utility reserve nearest Hamptons Road.
86. A rising main would pump wastewater from this location westward along Hamptons Road approximately 1.4km to the intersection of Hamptons and Springs Road and discharge into the SDC gravity sewer network at or near this intersection. This network drains to a new wastewater pump station (WWPS) recently installed at 612 Springs Road (**Figure 7**).



Figure 7 Possible rising main route

87. E2 Environmental has corresponded with Murray England (Asset Manager Water Services) and Amit Chauhan on wastewater servicing. Amit Chauhan verbally confirmed that there is capacity in the Council's new wastewater pump station for this flow.
88. Any upgrades to the network between the Springs Road connection point and the pump station will be discussed and agreed during the subdivision consent phase.

## Roading and traffic effects

89. Novo Group (**Appendix 10**) and Fox Associates (**Appendix 9**) have produced reports assessing the effects of traffic arising from the proposed development. The latter proposes specific designs for the different roads within the Site. Cross sections of a typical primary and local road, illustrating the on-road and off-road locations of cycle paths, are attached as **Appendix 9A**.
90. The Integrated Transport Assessment (ITA) by Novo Group examines the existing road network, its crash history, planned future road upgrades, the existing public passenger transport services and other active transport modes.
91. The ITA confirms that the  
  
...DEV ODP) layout is considered to provide an appropriate structure of primary roads and future local road connections to be consistent with and integrate into the existing road network and to provide for property access to future residential development. The proposed layout also provides for good connectivity for active modes towards existing public transport routes and key land use destinations. As such the layout is considered to be appropriate for the proposed location and future use.
92. Within the context of the proposed plan change and the future recreational reserve, Hamptons Road is expected to provide direct access to existing and proposed private properties and connect the north / south axis with Birchs Road. It will most likely also serve as an access road to several entry points into the reserve.
93. The nature of the adjacent activities requires Hamptons Road to be a low traffic environment, where it is easy and safe for pedestrians and cyclists to move across the site into the reserve. Along the residential edge a footpath should be included to provide access to private properties and connect the shared cycle and walkway of the north-south axis with the pedestrian path through the smaller, southern utility reserve. Exact details will be resolved at subdivision stage and in discussion with SDC with regard to the alignment of pedestrian connections into the recreational reserve.
94. Unless the urban form of Prebbleton extends further towards the east, Hamptons Road will most likely remain a dead-end road.

## Stormwater servicing

95. e2 Environmental (**Appendix 4**) and Fox Associates (**Appendix 9**) have produced reports assessing how to provide for and manage stormwater generated by the development.
96. The land falls from the north and west to the east towards Hamptons Road.

97. The stormwater management system is designed to achieve hydrologic neutrality, i.e. peak flows post development match pre-development peak flows. The use of Stormwater Management Areas best achieves that; it has the added advantage of being designed to provide an open recreation space with walkways and appropriate plantings to add to the amenity and quality of the environment within the development. The ODP shows how provision is made for these areas.
98. The stormwater system design takes into account the potential for flooding through the Site as discussed at para 58 – 61 of this application.
99. The applicant's servicing expert (E2 Environmental) has advised that the success of the proposed stormwater system at this Site relies on a free outfall clear of obstructions as the drain traverses private land downstream of the Site.
100. The stormwater servicing report (**Appendix 4**) described the plan change catchment that currently flows through the Drinnan's and Urban Estates land. The drainage conveyance through the Drinnan's land is currently achieved by a combination of a paleo-channel formed by the natural concentration of drainage of the land and a farm drain next to the paleo-channel that is assumed to have been installed to direct and control runoff from Hamptons Road. These two features combine/join as runoff discharges off Drinnan's land into the Urban Estates land. From this point the flow is directed into the start of the private drain that ultimately flows under Tosswill Road.
101. The stormwater proposal for the Plan Change Site continues to utilise this existing drainage. The Trices Road Rezoning Group is intending that the post development runoff is attenuated such that the receiving drain does not experience any additional peak flows or volumes, and hence the maintenance requirements will not increase for the private owners. Similarly, for the private property any risks of blockage on the private drain will pose no greater risk than what is currently experienced.
102. This discharge meets the case law understanding of Natural Servitude and of maintaining existing flows from upland properties. There is precedence for the Council accepting Stormwater Management Areas that discharge to private drains while maintaining flow neutrality (i.e. Plan Change 28 Denwood Trustees, Springs Road Lincoln).
103. Under Plan Change 28 there was an existing private drain that carried runoff from the Site, surrounding farmland and bywash from one of SDC's stock water races. In Plan Change 28 the proposed Stormwater Management Area restricted the future runoff to the same as what occurred prior to the development of the land. The conclusion (as for the Trices Road Site) was that there would be no impact on the private drain's capacity, and that the future

discharge would be similar in nature to the existing discharge so that there would be no need to change the ownership [sic.] or management of the private drain. In the Commissioner's decision (Blue Network) the stormwater from Plan Change 28 was permitted to discharge into the private western waterway.

Based on previous approvals, it is not considered necessary to provide easements during the plan change process particularly as there is no guarantee that the development will proceed to the subdivision consent phase (hence seeking easements would be an unnecessary cost/burden and is not appropriate at this point). That said, the Rezoning Group will continue to consult with the neighbours on the potential to formalise pre-existing stormwater flows across their property with an easement in gross for stormwater

104. Discharge consents will be obtained from ECan for the discharge of stormwater to land and/or to water once the conceptual design for the plan change Site has been completed.

### **Water supply**

105. The Servicing Report by Fox Associates (**Appendix 9**) reports that the water main supply network would be required to be extended from Trices Road through the development in accordance with the design and firefighting standards.
106. There is sufficient water supply to service the development.

### **Electricity reticulation**

107. The Servicing Report by Fox Associates (**Appendix 9**) confirms that the development can be serviced by electricity and telecommunications services.

## **STATUTORY PLANNING ASSESSMENT**

### **Requests for Changes to Plans**

108. Under Clause 22(1) of the First Schedule, a plan change request shall explain the purpose of, and reasons for, the change to a plan, and contain an evaluation report prepared in accordance with section 32 for the proposed change (**Appendix 11**). The purpose of and reasons for are covered in detail in the earlier sections of this application.
109. Under Clause 22(2) where environmental effects are anticipated, the request shall describe those effects, taking into account clauses 6 and 7 of Schedule 4, in such detail as corresponds with the scale and significance of the actual or potential environmental effects

anticipated from the implementation of the change. Where relevant these matters are addressed in earlier sections of this application, however no effects are anticipated as a result of the proposal as any further subdivision (i.e. implementation of the plan change) of the Site, once rezoned, will require consent under the Selwyn District Plan and environmental effects will be addressed in full at this time.

110. It is requested that the proposed Plan Change request be accepted in accordance with Clause 25(2)(b) of the First Schedule of the RMA and that the Selwyn District Council proceed to publicly notify the request under Clause 26.

111. It is considered that there is no reason(s) to reject the request in whole or part under Clause 25(4) of the First Schedule:

*a) the request or part of the request is not frivolous or vexatious; and*

*b) within the last 2 years, the substance of the request or part of the request—*

*(i) has not been considered and given effect to, or rejected by, the local authority or the Environment Court; and*

*(ii) has not been given effect to by regulations made under section 360A; and*

*c) the request or part of the request is in accordance with sound resource management practice; and*

*d) the request or part of the request would not make the policy statement or plan inconsistent with Part 5; and*

*e) the request is not to change a plan that has been operative for less than two years.*

## **SECTIONS 74 AND 75 – MATTERS TO BE CONSIDERED**

112. Sections 74 and 75 of the RMA set out the matters to be considered by a territorial authority in deciding to change its plan, including changing its plan through a Plan Change request.

113. Before a plan change can be incorporated into a District Plan, the key matters that need to be considered include:

**74** *Matters to be considered by territorial authority*

*A territorial authority must prepare and change its district plan in accordance with—*

*(a) its functions under section 31; and*

*(b) the provisions of Part 2; and*

*(c) a direction given under section 25A(2); and*

*(d) its obligation (if any) to prepare an evaluation report in accordance with section 32; and*

*(e) its obligation to have particular regard to an evaluation report prepared in accordance with section 32; and*

- (ea) a national policy statement, a New Zealand coastal policy statement, and a national planning standard; and*
- (f) any regulations.*

## **75 Contents of district plans**

- (3) A district plan must give effect to—*
  - (a) any national policy statement; and*
  - (b) any New Zealand coastal policy statement; and*
  - (ba) a national planning standard; and*
  - (c) any regional policy statement.*

114. An assessment of the proposed Plan Change in relation to each of the above matters is outlined below.

## **Functions under section 31**

115. The proposal, if approved, will form part of the Selwyn District Plan and will enable the Council to give effect to its obligations under section 31 RMA, specifically the establishment, implementation and review of objectives and policies and methods to give effect to the RMA in its District.
116. Those functions relevantly for this plan change include:
- (a) integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*
    - (aa) the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district:*
  - (b) the control of any actual or potential effects of the use, development, or protection of land*
117. The Proposal includes provisions to address these matters and will ensure sufficient residential land of a form, location, urban design and development and subdivision standards to achieve a number of Operative District Plan policies. It will help deliver the Council's strategic intentions for Prebbleton.
118. The Council has the key function of maintaining a district plan as provided in section 73 RMA
- (1) There must at all times be 1 district plan for each district, prepared in the manner set out in the relevant Part of Schedule 1.*
  - (1A) A district plan may be changed in the manner set out in the relevant Part of Schedule 1.*

*(2) Any person may request a territorial authority to change a district plan, and the plan may be changed in the manner set out in Part 2 or 5 of Schedule 1.*

## **Part 2 Resource Management Act 1991**

119. The Proposal will only be approved if the Council determines that the proposed plan change will achieve the purpose of the Act, this being the essence of Part 2. There are checks and balances in the plan change process to assist with that decision including public consultation, submissions and hearings, and the documentation requirements of the First Schedule and section 32 RMA.
120. Section 5 of the RMA states that the purpose of the Act is “to promote the sustainable management of natural and physical resources”. The terms “sustainable management” is defined in the RMA as:

*...managing the use, development, and protection of natural and physical resources in a way, or at a rate which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

121. The proposal is necessary to allow Council to meet the reasonably foreseeable needs for housing in the Prebbleton District and will provide a range of housing typologies thus achieving the enabling elements of section 5 RMA.
122. Use of the Site for intensive residential development is consistent with section 5 of the RMA and any effects of future subdivision as a result of layout and servicing can be assessed at that time as consent will be required.
123. Section 6 of the RMA requires certain matters to be recognised and provided for in relation to managing the use, development, and protection of natural and physical resources. None of these matters of national importance are considered to be relevant to the proposal.
124. Section 7 of the RMA lists other matters to which particular regard shall be had. Of relevance to this proposal are the following:

- (b) The efficient use and development of natural and physical resources*
- (c) The maintenance and enhancement of amenity values*

(f) *Maintenance and enhancement of the quality of the environment*

125. The proposal will enable future residential use of the Site which is an efficient use of land due to the Site's proximity to the existing urban Prebbleton township. The proposal has been designed so as to provide for a high-quality residential environment. The stormwater management areas, reserves proposed within the Site and retention of the existing established vegetation along Trices Road will contribute to significant amenity. The provisions of the Selwyn District Plan will ensure that any future subdivision maintains and enhances the quality of the environment.
126. Section 8 of the RMA requires Councils to take into account the principals of the Treaty of Waitangi. An assessment of the proposal against the Mahaanui Iwi Management Plan is undertaken below and it is considered that the proposal will not be inconsistent with the Principals of the Treaty of Waitangi.
127. The proposal has been based on expert advice, consulted on before notification, and has met all the requirements of the First Schedule to assist in setting out how the proposal will achieve Part 2 purposes.

**Direction under Section 25A(2) RMA**

128. The proposal does not arise from a direction from the Minister.

**Evaluation under section 32 RMA**

129. Section 32 of the Act requires that an evaluation report is prepared which identifies the objective of the proposal, determines if it is the most appropriate method of achieving the purpose of the Act, and if the proposed amendments to the District Plan are the most efficient and effective method of achieving the objective.
130. The Section 32 Evaluation (**Appendix 11**) concludes that, of the possible alternative methods for achieving residential development for this Site, and implementing the District Plan objectives and policies, the plan change is the most appropriate or efficient and effective method.

## National Policy Statements

### National Policy Statement on Urban Development Capacity (NPS-UD)

131. The NPS–UD 2020 applies to this proposal as it is directed at Tier 1 urban environments, and Tier 1 local authorities which includes Selwyn District as part of the Christchurch urban environment. This is defined in Table 1 of the NPS-UD 2020, and additionally defined as:
- any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that is, or is intended to be, predominantly urban in character; and is, or is intended to be, part of a housing and labour market of at least 10,000 people.*
132. The NPS-UD 2020 recognises the national significance of:
- a) Having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future; and
  - b) Providing sufficient development capacity to meet the different needs of people and communities.
133. This outcome is to be achieved through objectives that address:
- a) Planning decisions improving housing affordability by supporting competitive land and development markets
  - b) Regional policy statements and district plans enabling more people to live in areas of urban environments near centres or areas with employment opportunities, area well serviced by public transport or a high demand for housing in the area.
  - c) Urban environments developing and changing over time in response to diverse and changing needs of people, communities and future generations
  - d) Local authority decisions on urban development being integrated with infrastructure planning and are strategic over the medium term and long term
  - e) Local authority decisions on urban development are responsive particularly for proposals supplying significant development capacity.
134. With respect to a), there is very little remaining development capacity remaining at Prebbleton (discussed below) the land market is dominated by just one developer. Rezoning the Site, in multiple ownership, will create a more competitive market.
135. The key method to implementing the above objectives is by development of a Future Development Strategy (FDS). This will set out how the Councils will provide for sufficient

development capacity over the next 30 years to meet expected demand. There is no FDS for the greater Christchurch Urban Area that meets the requirements of the NPS-UD 2020.

136. However, there has been work on development capacity completed for the NPS -UDC 2016 by the Greater Christchurch Partnership. This took the form of an update of the existing Urban Development Strategy (UDS) – Our Space. This work confirmed what feasible development capacity was available to support future housing and business growth for the medium (next 10 years) and long term (10 to 30 years) periods but is out of date as it does not address the requirements of the NPS-UD 2020. It directed all new growth in Selwyn District to Future Development Areas in south Rolleston notwithstanding that there is very little remaining development capacity at Prebbleton.

| NPS-UD 2020 Policy  | Assessment   |
|---|--|
| Policy 1 – Planning decisions for well-functioning urban environments   | Assessed at para 40.<br>Further detailed assessment is provided as part of Appendix 12.  |
| Policy 2 - Sufficient development capacity<br>Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term. | The proposed rezoning is anticipated to provide for approximately 290 lots/houses and 5 large lots. This will mean sections will be available for the short term (up to 3 years) and into the medium term (3-10 years) if adopting a more conservative outlook.<br>Urban Economics ( <b>Appendix 8</b> ) identified an immediate short term shortfall in lots in Prebbleton and a projected housing demand of 100-200 hh/annum, based on historical demand. The locational and amenity advantages of Prebbleton also favour strong ongoing demand. |

137. The detailed assessment of the objectives and policies contained in **Appendix 12** confirms the rezoning proposal at Trices Road achieves the desired outcomes. The absence of operative criteria in the CRPS for determining what constitutes “adding significantly to development capacity” is not a bar to considering this application on its merits. The Council can and must apply Policy 8 as from the date the NPS-UD 2020 came into effect.
138. Accepting this application to rezone the Site, and enable the proposed development, at Trices Road will satisfy the objectives of the NPS-UD 2020.

### Proposed National Policy Statement for Highly Productive Land (NPS-HPL)

139. The Government proposed in 2019 a NPS-HPL to prevent the loss of productive land and promote its sustainable management. The overall purpose of the proposed NPS-HPL is to improve the way highly-productive land is managed under the RMA to:
  - a) Recognise the full range of values and benefits associated with its use for primary production;
  - b) Maintain its availability for primary production for future generations; and
  - c) Protect it from inappropriate subdivision, use, and development.
140. The NPS-HPL is still a proposal and not intended to take effect until after Gazettal anticipated mid-2021. At the time this proposal was lodged the NPS had no effect and no assessment of it is required for the purposes of this application.
141. Members of the Trices Road Rezoning Group submitted on the draft NPS-HPL, raising concerns that it should not apply to small land holdings in peri-urban environments, which have no realistic productive farming potential, other than for very low intensive uses that do not give rise to reverse sensitivity concerns. They also raised concerns with the proposed methodology for defining highly productive land, and the proposed interim definition.
142. The Proposed NPS-HPL interim definition of highly productive land is land defined as Land Use Capability Class 1-3 soils. A small portion of the Site contains Class 1 or 2 soils (see **Figure 5** and para 50-54 above) 'Effects on natural and physical resources'. Highly productive use of these soils is not realistic given the small size of the individual titles, existing land ownership pattern and urban edge location (with potential for reverse sensitivity effects arising with more intensive production). Its present use as lifestyle blocks, low level grazing and agistment is the more likely long run use of the Site.
143. Importantly Objective 3 of the Proposed NPS-HPL specifically refers to highly productive soils being protected by avoiding "*uncoordinated urban expansion on highly productive land that has not been subject to a strategic planning process*". The Site has been identified through a coordinated strategic planning process (Selwyn Rural Residential Strategy) as a preferred site for rural residential development – an 'urban use'.
144. It is considered that the proposal is in accordance with the Proposed NPS-HPL.

### National Planning Standards

145. The National Planning standards prescribe various matters under the RMA so that there is
- 2090.02      Trices Road      Plan Change

consistency among planning documents most relevantly here in terms of appellations for zones, and the standards applying to these zones.

146. The proposal here adopts the existing Operative District Plan zone and rules framework for consistency.

### Canterbury Regional Policy Statement 2013

147. Chapter 6 of the CRPS “*provides a resource management framework for the recovery of Greater Christchurch, to enable and support recovery and rebuilding, including restoration and enhancement, for the area through to 2028. Recovery in Greater Christchurch is also supported by the provisions in Chapter 5 notated as ‘Entire Region’. The provisions in the remainder of the RPS also apply.*”<sup>1</sup> “
148. Chapter 6 was amended in 2019 with the insertion of housing capacity targets for the period 2018-2048 (Table 6.1 below).

**6.2.1a Targets for sufficient, feasible development capacity for housing [Inserted in accordance with sections 55(2) and 55(A) of the Resource Management Act 1991, from the National Policy Statement on Urban Development Capacity 2016]**

For the period 2018-2048, sufficient, feasible development capacity for housing is enabled in Greater Christchurch in accordance with Table 6.1.

Table 6.1 Targets for housing development capacity in Greater Christchurch, 2018-2048

|                      | Development capacity to be enabled (number of dwellings) |                                       |                                     |
|----------------------|--|---------------------------------------|-------------------------------------|
|                      | Medium Term <sup>1</sup><br>(2018-2028)                  | Long Term <sup>2</sup><br>(2028-2048) | Total 30 Year Period<br>(2018-2048) |
| Christchurch City    | 17,400   | 38,550                                | 55,950                              |
| Selwyn               | 8,600  | 8,690                                 | 17,290                              |
| Waimakariri          | 6,300  | 7,060                                 | 13,360                              |
| Greater Christchurch | 32,300   | 54,300                                | 86,600                              |

<sup>1</sup>NPS-UDC, Policy PA1: Development capacity must be feasible, zoned and either serviced with development infrastructure, or the funding for the development infrastructure required to service that development capacity must be identified in a Long Term Plan required under the Local Government Act 2002 (NPS-UDC, PA1).

<sup>2</sup>NPS-UDC, Policy PA1: Development capacity must be feasible, identified in relevant plans and strategies, and the development infrastructure required to service it must be identified in the relevant Infrastructure Strategy required under the Local Government Act 2002 (NPS-UDC, PA1).

149. The Table 6.1 targets were required under the National Policy Statement – Urban Development Capacity 2016 (NPS-UDC). Minimum targets for sufficient feasible development capacity for housing for the medium term (3-10 years) and long term (10-30 years) must be set by regional councils and included in their CRPS (Policy PC5).

<sup>1</sup> RPS Introduction

Development capacity must be sufficient to meet housing demand which reflects needs for different types and locations of development and feasible i.e. commercially viable. It is based on the zoning and other applicable plan provisions, and there must be adequate infrastructure to support development.

150. The Table 6.1 targets were based on work undertaken for Our Space (see discussion above). Our Space identified existing housing development capacity in Selwyn District of 9725 households, and a shortage of capacity in the long term of 5475 households (see Table 3 below).

**Table 3: Sufficiency of housing development capacity in Greater Christchurch against Housing Targets, 2018 - 2048**

|                             | Housing Development Capacity | Housing Target | Sufficiency of Housing Development Capacity |                                  |
|-----------------------------|------------------------------|----------------|---|----------------------------------|
|                             |                              |                | Medium Term (2018–2028)                     | Medium and Long Term (2018–2048) |
| Christchurch City           | 59,950*                      | 55,950         | + 38,875                                    | + 4,000                          |
| Selwyn                      | 9,725**                      | 17,290         | + 1,825***                                  | - 5,475***                       |
| Waimakariri                 | 4,200**                      | 13,360         | - 1,600***                                  | - 7,675***                       |
| <b>Greater Christchurch</b> | <b>73,875</b>                | <b>86,600</b>  | <b>+ 39,100***</b>                          | <b>- 9,150***</b>                |

*Note: Capacity figures included in the table represent number of dwellings (numbers have been rounded to the nearest 25).*

*In the medium term, capacity for around 3,500 dwellings in Christchurch is constrained by the provision of necessary infrastructure.*

*Sufficiency of housing development capacity will be reviewed and published as further feasibility modelling and investigation is completed.*

*These housing targets include the additional capacity margins required by the NPS-UDC as shown in Table 1.*

*\* Alternative modelled scenarios documented in the Capacity Assessment, which are based on less favourable assumptions, identified development capacity for approximately 52,675 or 36,400 dwellings.*

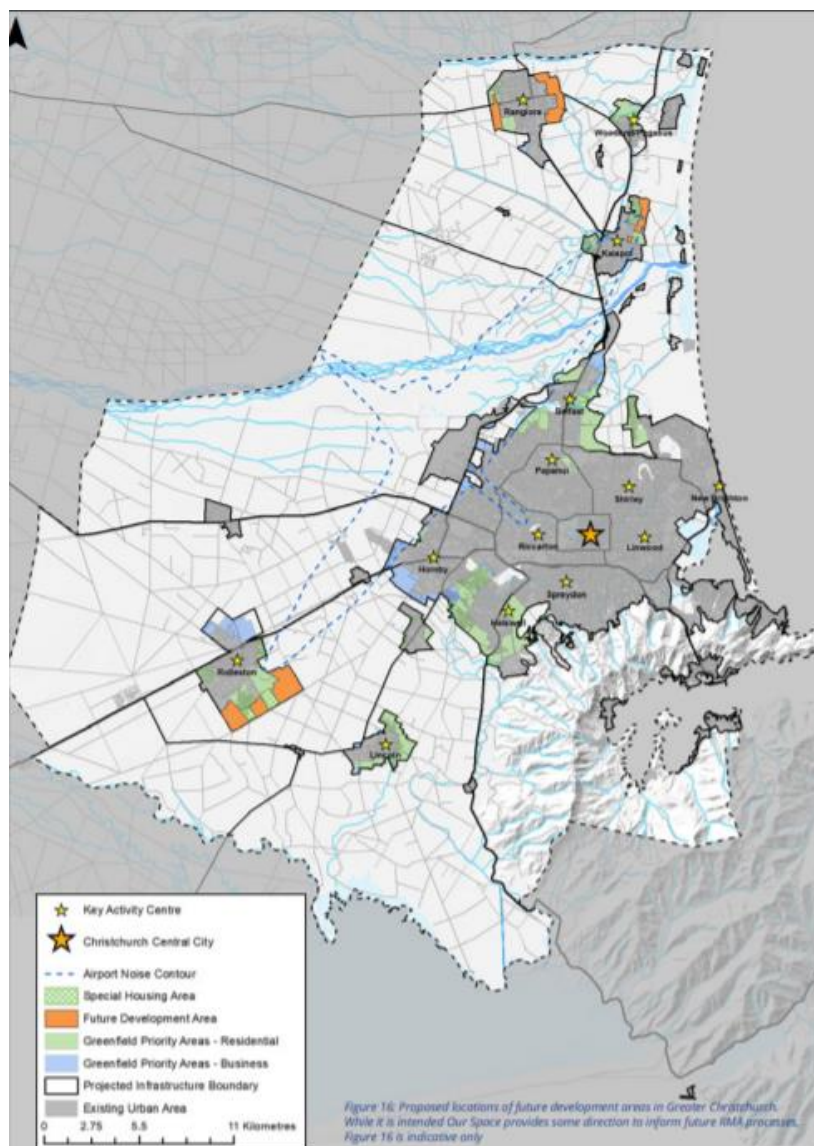
*\*\* These capacity figures are derived from a qualitative assessment of greenfield land only. An alternative modelled scenario, including existing zoned land and incorporating changes in prices and costs over time, identified development capacity for the long term of approximately 9,200 dwellings in Selwyn and 6,100 dwellings in Waimakariri.*

*\*\*\* These sufficiency figures have been adjusted to discount the demand over the medium and long term likely to be met through uptake of development in rural zoned areas (averaging 70 dwellings/year for Selwyn and 50 dwellings/year for Waimakariri). Demand met through capacity in rural areas will be reviewed following the review of rural zoning as part of respective District Plan Reviews in Selwyn and Waimakariri.*

151. The NPS-UDC targets were intended to be ‘minimums’ not ‘maximums’. They were added under s55 of the RMA without any opportunity for challenge through the normal RMA submissions, hearing and appeals process. The overall intent of the NPS-UDC was to ensure planning decisions actively enabled urban development in a way that maximized wellbeing now and in the future. This included by providing plenty of opportunities for development, and thus contributing to a competitive land and development market and lower house prices<sup>2</sup>.

<sup>2</sup> NPS-UDC Introduction

152. Our Space recognizes that the greenfield priority areas on CRPS Map A are not adequate to supply housing capacity requirements in the long term for Selwyn District, (and medium and long term in Waimakariri District). It recommends Future Development Areas (FDA) (marked orange on Our Space Fig 16 below). The only FDA in Selwyn District is at Rolleston. However, importantly, the FDAs are indicative only, and intended to *“provide some direction to future RMA processes.”*



**Figure 8: Map A Chapter 6 Regional Policy Statement Greenfield Priority areas**

153. Our Space anticipated a change to the CRPS in 2019 which *“would ensure that land can be rezoned to meet medium term capacity needs, and the longer term will be considered as part*

*of the comprehensive review of the CRPS scheduled for 2022.*<sup>3</sup>

154. Proposed Change 1 to the RPS was notified in January 2021, utilising RMA streamlined procedures. It is a targeted change to Chapter 6 of the RPS which identifies Future Development Areas on Map A at South Rolleston, Rangiora and north east Kaiapoi; and adds new Policy 6.3.12 which enables development under specified circumstances to address a shortfall(s) in feasible development capacity to meet the RPS medium term housing development capacity targets. Wider and longer-term urban development issues are to be considered as part of a scheduled full review of the CRPS in the next four years. Change 1 retains a fixed urban/rural boundary line and an allocative approach whereby rezoning and development is only enabled to the extent that it is required to meet the minimum targets, which are in effect treated as 'maximums'. It does not address the responsive planning provisions of the NPS-UD including provisions which require Councils to be responsive to unanticipated or out of sequence development which adds significant development capacity and contributes to well functioning urban environments.
155. Given all of the above, the current CRPS is not consistent with the NPS-UDC, or its replacement, the NPS-UD 2020. It retains a 'hard and fast' urban/rural boundary line which predates both NPSs and there is no ability to rezone land outside the Map A greenfield priority or existing urban areas.<sup>4</sup> Even if parts of the FDA areas are added to meet minimum targets for medium term needs, this does not enable Councils to consider proposals which contribute further capacity above those 'minimums'.
156. With respect to Selwyn, the FDA land is at Rolleston only. Highly desirable locations such as Prebbleton, where there is very strong demand for further housing, is unable to contribute to meeting that demand due to restrictive provisions of the CRPS.
157. One of the key changes in the NPS-UD 2020 is that local authority decisions on urban development that affects urban environments are responsive, particularly to proposals that would supply significant additional capacity.<sup>5</sup> It also amends the required methodology for housing and business capacity assessments.
158. The current CRPS does not meet the new NPS-UD 2020 requirement in relation to proposals for significant additional capacity. Regional councils are required to include criteria in the CRPS to determine what plan changes will be treated for the purposes of Policy 8 as adding

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<sup>3</sup> CRPS, Chapter 6 Section 5.3

<sup>4</sup> CRPS Policy 6.3.1.4 is "ensure urban activities only occur within existing urban areas or identified greenfield priority areas on Map A, unless they are otherwise expressly provided for in the CRPS."

<sup>5</sup> NPS-UD Objective 6c) and Policy 8

significantly to development capacity<sup>6</sup> as soon as practicable.<sup>7</sup> ECAN has yet to respond to this requirement.

159. The NPS-UD 2020 has immediate effect, so in the meantime, proposals (such as this proposal) must interpret 'significant development capacity' in the context of the overall intent and purpose of the NPS-UD 2020 as articulated in the NPS-UD 2020 objectives and policies. This includes that NZ has well-functioning environments; provides sufficient development capacity to meet the different needs of people and communities; planning decisions improve housing affordability to contributing to competitive house and land markets; and RMA plans enable more people to live near major employment areas, where there is existing or planned public transport, and where there is high demand for housing.
160. The NPS-UD 2020 is the higher order document and its requirements override those of lower order documents where there is a conflict, including regional and district RMA plans.
161. An assessment of this proposal against the relevant CRPS Objectives and Policies is set out in **Appendix 13**. This should be read in the context of the above assessment of the current 'weight' to be afforded to the CRPS.
162. That assessment shows that:
  - a) The development proposal achieves the objectives for the location, design and function of new developments.
  - b) The traffic effects of the proposal do not give rise to adverse effects and so achieves CRPS objectives for the strategic land transport network.
  - c) There is a fundamental inconsistency with Map of Chapter 6 but is consistent with the approach of the NPS-UD 2020 for significant development capacity.
  - d) The environmental effects assessment included in this application establish that the proposed development is consistent and will not give rise to any concerns with respect to all the matters listed in Policy 6.2.1 clauses 4. to 11. These matters are:

## **RECOVERY AND REBUILDING OF GREATER CHRISTCHURCH**

### **6.2 OBJECTIVES**

#### **6.2.1 Recovery framework**

*Recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that:*

1. *identifies priority areas for urban development within Greater Christchurch;*
2. *identifies Key Activity Centres which provide a focus for high quality, and, where appropriate, mixed-use development that incorporates the principles of good urban design;*

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<sup>6</sup> NPS-UD Clause 3.8(3)

<sup>7</sup> NPS-UD Clause 4.1(4)

3. *avoids urban development outside of existing urban areas or greenfield priority areas for development, unless expressly provided for in the CRPS*
4. *protects outstanding natural features and landscapes including those within the Port Hills from inappropriate subdivision, use and development;*
5. *protects and enhances indigenous biodiversity and public space;*
6. *maintains or improves the quantity and quality of water in groundwater aquifers and surface waterbodies, and quality of ambient air;*
7. *maintains the character and amenity of rural areas and settlements;*
8. *protects people from unacceptable risk from natural hazards and the effects of sea-level rise;*
9. *integrates strategic and other infrastructure and services with land use development;*
10. *achieves development that does not adversely affect the efficient operation, use, development, appropriate upgrade, and future planning of strategic infrastructure and freight hubs;*
11. *optimises use of existing infrastructure; and*
12. *N/A*

e) The proposal achieves policies relating to

- Urban form and settlement patterns
- Sustainability
- Integration of transport infrastructure and land use
- Development within Greater Christchurch
- Urban design
- Residential location and yield
- Biodiversity, natural hazards, landscape, soils, contaminated land.

## Land and Water Regional Plan

163. An assessment of this proposal against the relevant Regional Plan Objectives and Policies is set out in **Appendix 14**.
164. That assessment shows that the proposal is entirely consistent with the relevant objectives and policies.
165. The proposal achieves objectives relating to land uses responding to socio-economic and community demand (in this case for more housing), sustainability of ground water resources, minimising contamination of soils, and protecting the region's fresh water resources.
166. The proposal is consistent with policies seeking:
  - a) No direct discharges to water; stormwater is passed through stormwater management areas before discharge.
  - b) Sewage will be collected and managed in a reticulated system built to Council specifications.
  - c) Stormwater (**Appendix 4**) is reticulated to off-site points of discharge after management

through a Stormwater Management System of on-site ponds.

- d) The Stormwater Management System will ensure post-development peak flows match pre-development levels and intensities.
  - e) The site will be developed subject to subdivision consent(s) that will impose necessary conditions about earthworks during construction including sediment control plans.
  - f) A geotechnical assessment (**Appendix 6**) concluded the Site is suitable for intended residential use.
167. The Policy requirement for a stormwater management plan can be addressed at subdivision stage.

### **Operative Selwyn District Plan (OSDP)**

168. An assessment of this proposal against the relevant Operative District Plan Objectives and Policies is set out in **Appendix 15**.
169. That assessment shows that the proposal is entirely consistent with the relevant objectives and policies subject to paragraph 171 below.
170. The proposal achieves policies relating to natural resources, transport, community infrastructure and reserves, natural hazards, townships and township growth. This includes policies seeking:
- a) Compact and sustainable towns;
  - b) Integration of land use and infrastructure; and
  - c) Consolidated and compact urban forms
171. The exception to the above, is Objective B4.3.3 requiring new residential development to be within existing urban areas and priority greenfield areas identified in the CRPS. The Site is outside these areas. However as noted above, the CRPS has not been revised to give effect to the NPS-UD 2020, which takes priority, and provides for unanticipated plan changes which supply significant additional development capacity, as is the case with the proposed rezoning.

### **Proposed Selwyn District Plan (PSDP)**

172. An assessment of this proposal against the relevant Proposed District Plan Objectives and Policies is set out in **Appendix 16** and notified on 5 October 2020.
173. That assessment shows that the proposal is entirely consistent with the relevant objectives and policies. With respect to urban growth, the proposal is consistent with UG-P3 because

the Site is within an Urban Growth Overlay.

174. The proposal achieves policies relating to:

- a) Strategic directions with respect to:
  - Compact and sustainable towns;
  - Urban growth and development; and
  - Integration of land use and infrastructure
- b) Contaminated land and natural hazards
- c) Subdivision outcomes
- d) Urban growth with respect to
  - Achieving attractive, pleasant, high quality, and resilient urban environments
  - Consolidated and compact urban forms
  - Sufficiency of feasible housing capacity
- e) Development being supported by a development plan
- f) Urban form and scale outcomes
- g) Integration with existing urban environments, and optimise the efficient and cost-effective provision of infrastructure.

175. Importantly the proposal meets the objectives of UG-01 relating to the qualities and characteristics of urban growth identified in clauses 1 – 8:

*Urban growth is provided for in a strategic manner that:*

1. *Achieves attractive, pleasant, high quality, and resilient urban environments;*
2. *Maintains and enhances the amenity values and character anticipated within each residential, kainga nohoanga, or business area;*
3. *Recognises and protect identified Heritage Sites, Heritage Settings, and Notable Trees;*
4. *Protects the health and well-being of water bodies, freshwater ecosystems, and receiving environments;*
5. *Provides for the intensification and redevelopment of existing urban sites;*
6. *Integrates with existing residential neighbourhoods, commercial centres, industrial hubs, inland ports, or knowledge areas;*
7. *Is coordinated with available infrastructure and utilities, including land transport infrastructure; and*
8. *Enables people and communities, now and future, to provide for their wellbeing, and their health and safety.*

## **ASSESSMENT AGAINST OTHER PLANNING DOCUMENTS**

### **Our Space 2018-2048 Greater Christchurch Settlement Update (2019)**

176. Our Space is a non-statutory document prepared under the Local Government Act. It

*“responds to the new Government Policy Statement on Land Transport, which has increased funding for mass public transit schemes, and meets the requirement of*

*the National Policy Statement on Urban Development Capacity (NPS-UDC) 2016 to prepare a future development strategy.... Specifically, it:*

- sets out how targets for housing for the next 30 years will be met, accommodating an additional 150,000 people;*
- identifies locations for housing growth, encouraging Central City and suburban centre living while providing for township growth in Rolleston, Rangiora and Kaiapoi;...*
- promotes 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.<sup>8</sup>*

*..Underpinning this settlement pattern approach is the vision for a transformation of the transport network that fosters much greater public and active transport usage, and reduced reliance on the private vehicle.*

177. Our Space acknowledges that this will require commitment from the Government to invest in the necessary improvements to our transport system, which could include investing in rapid transit services. To date, there has been no successful business case for improved public transportation, including not as a Covid 19 fast track infrastructure project.
178. The Our Space housing capacity targets (Table 3) and Future Development Areas are reproduced above (under ‘Canterbury Regional Policy Statement’).
179. Our Space, like the CRPS (and Operative District Plan) are now out of date, as they do not reflect or give effect to the new requirements of the NPS-UD 2020.

### **Prebbleton Structure Plan 2010**

180. The purpose of this document is to provide a framework for coordinating development and other changes in Prebbleton in order to achieve a high standard of town planning and urban design.
181. The Selwyn District Council website link to the Prebbleton Structure Plan notes that:  
*The village is expected to grow by an additional 1,295 households by 2041. The Structure Plan details what community services and infrastructure is required and the character elements that need to be protected to ensure that the village amenity is retained.*
182. The narrative supporting the Structure Plan does not reflect recent growth patterns for the town. An additional 1295 households over the 40 years 2010-2040 is only 45 new households per year. That may be consistent with the Long Term Plan assumption but building consent figures in recent years have been 100-200 per year. At the 2018 Census, Prebbleton had

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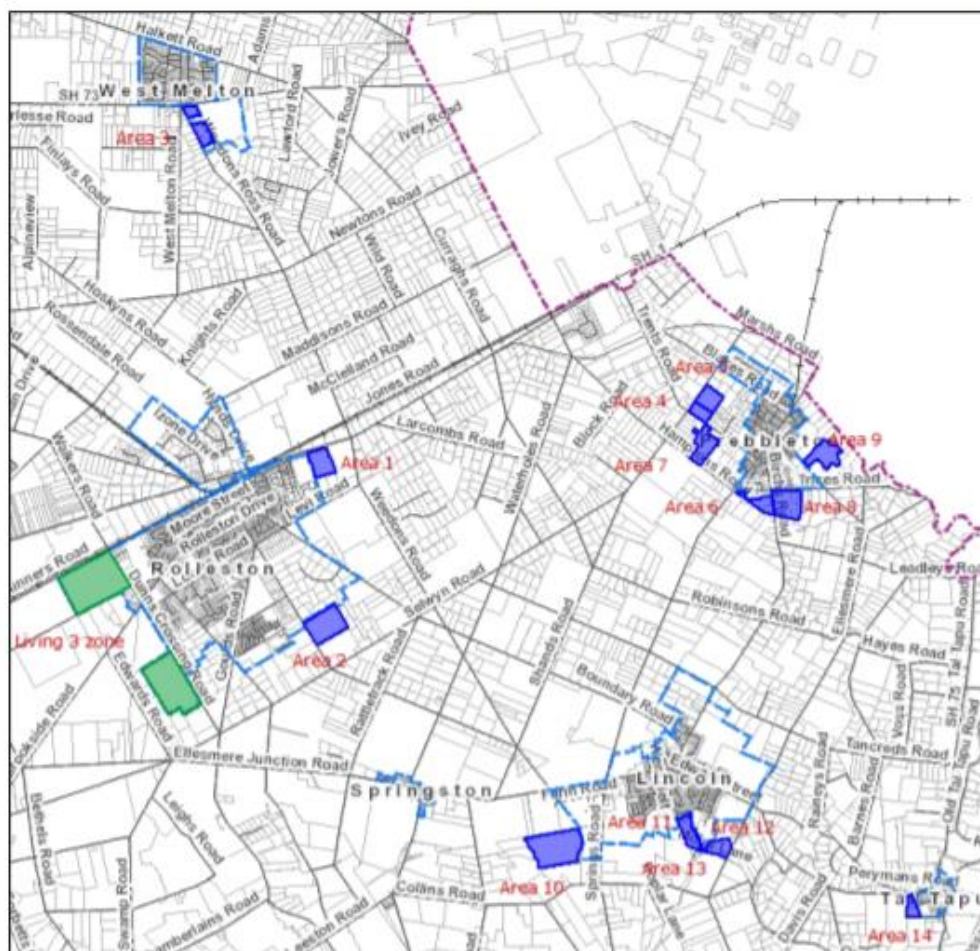
<sup>8</sup> Our Space Executive Summary

1497 dwellings confirming how out of step the structure Plan had become; within 8 years there were already over 200 more households than the 30 year projection. It has not been reviewed. It was a sound forward thinking proposal in 2010. In 2020 it should not constrain land development choices for this fast growing township. It no longer serves as a sound basis on which to provide a planned future for Prebbleton.

183. The Prebbleton Structure Plan does not show recent changes in and around the township such as the proposed Birchs Road reserve.
184. With respect to Prebbleton, there is now a significant shortage of urban residential land capacity, with only one year's supply left (as outlined in the Economic Assessment in **Appendix 8**). The Site is extremely well placed to meet some of the supply shortfall given the urban edge location, and close proximity and ready accessibility to Prebbleton town centre by multiple transport modes.

#### **Selwyn Rural Residential Strategy (SRRS 2014)**

185. The SRRS provides guidance and policy direction on how best to manage rural residential development within the eastern portion of Selwyn district. This includes establishing the optimal form, function and character of rural residential development and where it is best located. A total of 14 preferred rural residential areas are identified, in addition to the existing two Living 3 zone sites, based on preliminary strategic planning, servicing and constraints analysis.
186. They provide for a potential total of 655 rural residential lots, all at township edge locations at West Melton, Rolleston, Tai Tapu, Lincoln and Prebbleton as shown below.

**Figure 25: Rural residential locations****Figure 9: Selwyn District Council Rural Residential Strategy: Figure 25**

187. The Site is identified as Prebbleton Preferred Rural Residential Area 8, with a potential yield of 54 rural residential lots – blue node above.
188. Two of the 14 preferred rural residential sites are required to be ‘future proofed’ for future potential urban zoning because they are identified as within future township growth paths. These are Area 2 (south Rolleston) and Area 7 (west Prebbleton, between Trents and Hamptons Roads). Area 2 has since become a Housing Accord Area and has been subdivided for urban residential purposes (Acland subdivision). Area 7 remains undeveloped but it is understood that the landowner’s aspirations are for urban residential zoning (along with land adjoining to the east, between Area 7 and the current Prebbleton township boundary).
189. The SRRS is now somewhat out of date and overdue for review (section 8.11 states it is to reviewed within 5 years of being adopted i.e. in 2019). With respect to Prebbleton, there is

now a significant shortage of urban residential land capacity, with only one year's supply left (as outlined in the Economic Assessment in **Appendix 8**). Area 8 is extremely well placed to meet some of the supply shortfall given the urban edge location, and close proximity and ready accessibility to Prebbleton town centre by multiple transport modes.

190. In addition, since the SRRS was prepared, the Council has purchased and advanced plans for the Birchs Road Reserve, on land adjoining to the south. Development works are scheduled to commence in 2021. This urban reserve forms the logical southern boundary to Prebbleton township, with development of Area 8 for urban residential purposes now being the most logical, efficient and appropriate use of the Site.

### **District Development Strategy 2031 (DDS)**

191. The DDS 2031 (2014) adopts the following key growth concepts:

- a) Establishment of a township network, which provides a support framework for managing the scale, character and intensity of urban growth across the whole district;
- b) Establishment of an activity centre network, which provides a support framework for managing the scale and intensity of business areas throughout the district townships;
- c) Encouraging self-sufficiency at a district-wide level. (

192. Prebbleton was identified as being a service centre/township.

*Service Townships – West Melton, Prebbleton, Darfield and Leeston*

*a) Estimated population range: 1,500 - 6,000*

*b) Function is based on providing a high amenity residential environment and primary services to Rural Townships and surrounding rural area. (p18 DDS)*

193. The Selwyn District Long Term Plan (2018-2028) anticipated only 40 new dwellings per year at Prebbleton for the next ten years. Building consent records show that development has been proceeding at a much faster rate with 100-200 new dwellings being constructed each year, reducing to around 50 dwellings per annum since 2017-2018 since existing capacity has been exhausted (see Economic Assessment **Appendix 8**). The planning assumptions underpinning growth strategies such as the DDS simply do not seem to have anticipated the rate of growth and are now well out of step with actual growth. That calls in to question the weight to be given to these non-statutory documents including the District Plan provisions that are based on those growth assumptions. They are also inconsistent with the NPS-UD 2020 which requires providing sufficient development capacity to meet demand, not to 'cap' this at a certain upper level irrespective of demand.

194. At the 2018 Census Prebbleton had a population of 4515, and 1497 dwellings. Assuming a

recent slightly lower growth rate (due to limited housing capacity) i.e. 50 dwellings per annum, the 2020 resident population is estimated to have increased by 300 persons (i.e. 100 hhs x 3.0 persons per household), to 4815. The township can grow by another 1185 persons (395 households) and remain within the anticipated size range for a 'service centre' noting that this 'status' is now outdated and needs revisiting.

195. The remaining greenfield land capacity at Prebbleton is of the order of another 90 dwellings/270 persons (see Economic Assessment, **Appendix 8**). The proposed Site rezoning will accommodate another appx. 290 households /667 persons, within the township. Together, the remaining greenfield capacity, and Trices Road site rezoning could yield around 380 lots/accommodation for 937 persons. Based on a current 2020 estimated population of 4815, this would increase the population to 5752 persons, remaining within the anticipated size range for a 'service centre', assuming this township 'status' is retained.

### **Mahaanui Iwi Management Plan**

196. The Mahaanui Iwi Management Plan (MIMP) 2013 was released on 1 March 2013. It was prepared by the six Papatipu Rūnanga of the takiwā that extends from the from the Hurunui River in the north, to the Hakatere/Ashburton River in the south, inland to Kā Tiritiri o Te Moana (the Southern Alps), and including Te Pātaka o Rākaihautū (Banks Peninsula), and the coast. These Rūnanga are:
- Ngāi Tūāhuriri Rūnanga
  - Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga
  - Te Rūnanga o Koukourārata
  - Ōnuku Rūnanga
  - Wairewa Rūnanga
  - Te Taumutu Rūnanga
197. The MIMP is a tool for tangata whenua to express their identity as manawhenua and their objectives as kaitiaki, to protect their taonga and resources, and their relationships with these. The MIMP seeks to ensure that these taonga and resources are recognised and protected in the decision-making of agencies with statutory responsibilities to tangata whenua. Importantly it is also a tool that assists Papatipu Rūnanga representatives to articulate their values, issues and policy into statutory processes.

198. The MIMP includes both general objectives and policies about the management of land, air, and water, and also includes region specific objectives and policies. Under section 74(2A) of the RMA, the Council must take into account any such plan to the extent that it has a bearing on the resource management issues of the District.
199. With respect to general objectives and policies the proposal and application site will not affect landscapes, or sites of cultural heritage or significance (Chapter 5.8). The Site does not contain any areas of significant biodiversity, and the proposal seeks to include landscaping within the reserves, and in road corridors adding to the overall biodiversity of the Canterbury Plains consistent with Chapter 5.5 of the MIMP.
200. The proposal provides for full urban reticulation of the three waters and is consistent with the objectives and policies contained in Chapters 5.3 and 5.4 of the MIMP. The proposal does not preclude individual land owners from installing rainwater collection and use from roof areas at the time of building development.
201. Chapter 6.11 is the area specific section for the Te Waihora area and has a key theme of Ki Uta Ki Tai (from the mountains to the sea) with respect to effects on Te Waihora/ Lake Ellesmere. The proposal has been designed taking into consideration the potential effect of resultant subdivision and development on the rivers and streams that flow into Te Waihora/Lake Ellesmere.
202. There are no identified sites of significance within the Site, nor are there any known areas of mahinga kai. The Site has a long history of use for lifestyle, and grazing purposes.
203. Overall it is considered that the proposal will not have adverse impact on the cultural values of iwi as set out within the MIMP.

## CONSULTATION

204. Representatives of the Trices Road Rezoning Group and their consultants held a pre-submission meeting with Council staff on 20/8/20 (meeting minutes attached in **Appendix 17**).
205. Key feedback was that Council staff were strongly in favour of full urban residential not Rural Residential zoning provided the proposal contributes to good urban form and provides good transport links including to the east. In the Council's experience e.g. at Rolleston, urban 'future proofed' large lot residential development has been problematic and is not favoured (noting however, that at Rolleston intensification has occurred without 'future proofing' being in place).

206. Specific feedback included in relation to:
- a) If stormwater management areas were to be off-site they should not constrain development east towards Tosswill Road;
  - b) Comment on utilities design;
  - c) Advice on road design: swales, footpaths, road upgrades;
  - d) Trices/Birchs intersection safety;
  - e) Approach to further development of Residential 3 to Residential Z standards;
  - f) Pocket park trees, street tree planting;
  - g) Urban/rural interface; and
  - h) NPS-UD 2020
207. Consultants engaged by the Trices Road Rezoning Group have been in regular contact with Council staff from planning, traffic, infrastructure and reserve teams throughout the proposal development stages. Significant information has been made available from various Council teams to inform and guide the technical reports.
208. Representatives of the Trices Road Rezoning Group met with neighbouring landowners, the Drinnans, on 4 November 2020. Matters discussed included:
- a) The proposal and potential impact on the Drinnan property including with respect to stormwater management and discharge;
  - b) The Birchs Road Reserve development; and
  - c) Mutual benefit to be obtained from the two parties working together.
209. The Trices Road Rezoning Group had early communications with Gina and Tom Cridge who own the property at 32 Hamptons Road. While the Cridge property is included within this rezoning proposal, there has been no formal consultation and they have not been provided a copy of the proposed ODP included within this application.
210. No formal consultation has occurred with Lee Robinson, the owner of 327 Trices Road. The Robinson property is an existing 1,279m<sup>2</sup> section which contains an existing dwelling.

## CONCLUSION

211. The proposed Plan Change seeks to rezone 28.7 ha of land adjoining Prebbleton from Inner Plains Zone to Living Z and Living 3.
212. The Site has a long history of rural lifestyle use and is not restricted by potential natural hazards, sites of significance to iwi, there are no water bodies or rivers. The Site has three

road frontages, immediately adjoins the urban area of Prebbleton, and is well located to join in to Council utility services. It is well suited for conversion to residential use.

213. The Site is identified within the Rural Residential Strategy as a preferred future development area for low density residential use (Area 8). It is in a location that achieves compact town growth offering ease of access to business services, community facilities, reserves and the primary road network.
214. The proposal provides for a connected and high amenity residential living environment while avoiding and/or mitigating any potential adverse effects on the environment. It will provide for continuing high demand for a variety of residential sections in an ideal location, within easy walking distance of the existing town centre services and facilities. It will broaden the range of housing available.
215. The use of this Site for residential purposes has been demonstrated through this application to be a sustainable and efficient use of land and infrastructure. The rezoning better provides for the social, economic, environmental well-being of the Prebbleton community than continuation of the current low intensity lifestyle land use, or any form of large lot/low density residential use.
216. The potential adverse effects of the implementation of the proposed zoning have been described in this application. Capacity has been confirmed for infrastructure, power and road network. Any future subdivision of the Site will need to confirm water supply and wastewater treatment and disposal options.
217. Rezoning of the site to Living Z and Living 3 zones is consistent with the policies and objectives of the OSDP, PSDP and the CRPS, except those relating to urban growth which are out of line with the NPS-UD 2020, in particular a restrictive urban growth approach based on meeting but not exceeding minimum anticipated housing land capacity targets and an 'immovable' urban/rural boundary line.
218. As the proposal helps achieve the purpose of the RMA, and has been shown to be consistent with the relevant provisions of the NPS-UD 2020, and the relevant regional and district

policies and plans, it can be accepted by Selwyn District Council in accordance with Clause 25(2) of the First Schedule of the RMA.