

# **Operative Selwyn District Plan**

## **Private Plan Change 72 by Trices Road Rezoning Group**

### **Section 42A Report**

**Request to rezone approximately 28.7 hectares of Rural Inner Plains Zone to Living 3 and Living Z at Prebbleton**

**15 December 2021**

**Report prepared by**

**Jonathan Clease**

**Consultant Planner**

# Introduction

## Qualifications and Experience

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

## Scope of Report

5. I have been asked by the Council to prepare this report under section 42A of the Resource Management Act (the Act) to document the assessment of the subject private plan change request (PC72) to the District Plan.
6. This report effectively acts as an audit of the detailed information lodged with the plan change request originally lodged with the Council on 13 November 2020 and prepared by Aston Consultants Ltd on behalf of the Trices Road Rezoning Group ('the Applicant'). A full copy of the plan change request, the amended request as a result of a Request for Further Information, submissions, summary of submissions, and other relevant documentation can be found on the Council's website<sup>1</sup>.
7. The purpose of this report is to both assist the Hearing Commissioner in evaluating the request and deciding on submissions made on PC72, and to assist submitters in understanding how their submission affects the planning process. This report includes recommendations on matters raised in submissions, and any changes to the District Plan considered appropriate having considered the statutory requirements.

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<sup>1</sup> <https://www.selwyn.govt.nz/property-and-building/planning/strategies-and-plans/selwyn-district-plan/plan-changes/plan-change-72-amend-the-selwyn-district-plan-to-enable-development-of-28.7-hectares-of-land-for-residential-purposes,-prebbleton>

8. For the avoidance of doubt, it should be emphasised that any conclusions reached or recommendations made in this report are not binding on the Hearing Commissioner. It should not be assumed that the Hearing Commissioner will reach the same conclusions or decisions having considered all the evidence from the Applicant and submitters.
9. Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.
10. In preparing this report I have:
  - a) Visited the site (Thursday 10 December 2021) and the surrounding area of Prebbleton;
  - b) Reviewed the original plan change request, the Request for Further Information ('RFI') and the updated plan change documents received in response;
  - c) Read and summarised all the submissions received on the plan change request;
  - d) Considered the statutory framework and other relevant planning documents; and
  - e) Reviewed, and where necessary relied on, the peer reviews provided by other technical experts engaged by the Council to assist with the reporting on this private plan change, as follows:

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

## The Plan Change Proposal

12. The 28.7ha application site is located on the southern boundary of Prebbleton township and currently has a Rural (Inner Plains) zoning, which provides for subdivision and dwellings down to a minimum density of 4ha<sup>2</sup>. PC72 seeks to rezone the site from a Rural Zone to two different zones, namely Living 3 and Living Z. The amendments to the District Plan are limited to a change to the planning maps to reflect this change in zone, the inclusion of an Outline Development Plan ('ODP') and associated narrative text which shows in more detail the key features of the proposed development, and consequential amendments to the subdivision rules to ensure that the site is appropriately referenced in the provisions.
13. For completeness, it is important to emphasise that PC72 does not seek to amend any objectives or policies of the District Plan, and neither does it seek to amend or add in new rules, beyond the consequential referencing identified above.

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<sup>2</sup> A table detailing the addresses and Records of Title of the sites forming the plan change request was included as Appendix 18 to the application.



the development site. The Living 3 Zone provides for rural residential lots at minimum average densities of 0.5ha per household.

17. The ODP accompanying the plan change remains largely the same for all four scenarios, albeit that some consequential amendments will be necessary to the ODP narrative if one of the less preferred options is ultimately selected. The ODP shows a north-south connector road and associated shared pedestrian and cycle path running through the site between Trices and Hamptons Roads, with a T-connection linking this spine road to Birches Road to the west. A landscape strip is shown along the Tuff block portion of the Birches Road frontage. Indicative locations for shared pedestrian and cycle paths, stormwater basins and a local park reserve are likewise shown.

**Figure 2. Proposed ODP**



18. The ODP is designed to achieve an overall minimum net density of 12 households per hectare (hh/Ha), providing for the establishment of some 300 new households under the preferred Living Z/ Living 3 scenario. The ODP narrative identifies that this overall density will be achieved in part through the provision of areas of medium density housing adjacent to key open spaces and proximity to cycle/ walkways.
19. Existing rules contained in the District Plan will require any future subdivision and development to be in accordance with the ODP and the corresponding text. This provides the regulatory method of imposing and enforcing the ODP requirements as part of any future subdivision consent application received by Council should the plan change be successful.



20. The Living Z zone provisions (Table C12.1) provide for variable lot sizes, including Low Density (average allotment size of 700m<sup>2</sup> and a minimum individual allotment size of 550m<sup>2</sup>). discretionary activity under the District Plan rule framework. This approach of resolving the location of medium density typologies as part of the subdivision consent process is a common approach for more recent greenfield development across the inner plains townships.
21. As set out in the applicant's response to the RFI, road boundary fencing and landscaping outcomes are anticipated to be secured via developer covenants on the titles (rather than District Plan rules), as would any necessary bespoke boundary treatments along the eastern boundary of the site to manage interface issues with the Rural Zoned properties further to the east.
22. At the time of writing this report, the hearings of submissions on the Proposed Plan have commenced, with hearings on specific urban growth/ rezoning submissions not likely to be heard until the middle of 2022. My understanding of the statutory context is that there is no specific requirement to consider PC72 against the Proposed Plan. However, the Proposed Plan is useful in understanding the new framework by which urban development proposals will be considered in terms of the Council's obligations under section 74(1) of the RMA.

## Plan Change Site and Context Description

23. The area of land affected by PC72 as shown on the ODP comprises 28.7ha of land located on the southwest side of Prebbleton between Trices, Birches, and Hamptons Roads. There are nine existing dwellings and associated gardens and accessory buildings located within the site (primarily along the Trices Road frontage), with the balance of the site comprised of grassed paddocks with shelterbelt planting demarcating legal and paddock boundaries
24. To the north of Trices Road is suburban Prebbleton, to the east is rural land, to the south of Hamptons Road is land recently acquired by Council for development as a large new district park along with a strip of rural paddocks, and to the west of Birches Road is Living 3 zoned large lots with a small electricity sub-station located on the western corner of Hamptons and Birches Road. A cycle route connecting Prebbleton to Lincoln runs along the site's frontage with Birches Road.
25. Prebbleton is the third largest town in the Selwyn District, behind Rolleston and Lincoln, and has experienced substantial growth over the last 10 years. This growth has been in part a response to the significant changes in population distribution following the Canterbury earthquake sequence, the availability of appropriately zoned land to accommodate that redistribution, and the ability to service that growth through reticulation of wastewater from Prebbleton to the Council's Pines Wastewater Treatment Plant in Rolleston, with stormwater generally disposed of to ground.
26. A key recent change to the wider site context has been the Council acquisition of a large 22ha block on the southern side of Hamptons Road for a new sports park and nature reserve. This site has been designated for recreation purposes, with a management plan prepared. The park will feature several sports fields, bike tracks, areas of native bush, and a dog park. The primary vehicle access will be off Birchs Road, with secondary parking areas available from Leadleys Road. Construction has begun and is programmed to be completed in stages over the next five years.

27. Prebbleton is located approximately 10km south west of the Christchurch CBD, 3.5km to the Hornby retail centre, 4km north of Lincoln, and 7km east of Rolleston. Prebbleton is located within the subregional area identified as 'Greater Christchurch' and is identified as a 'service township' in the Selwyn 2031: District Development Strategy<sup>4</sup> ('Selwyn 2031'), with such townships having an estimated population range between 1,500-6,000 by 2031. Selwyn 2031 seeks that Prebbleton's function is *"based on providing a high amenity residential environment and primary services to Rural Townships and surrounding rural area"*.
28. The site and surrounding context is shown in Figure 3 below.

**Figure 3. PC72 site and context**



Image source: Google Earth

## Statutory Framework

29. The functions of Council as set out in s31 of the RMA include the establishment, implementation and review of objectives, policies and methods to:
- a) achieve integrated management of the effects of the use, development and protection of land and associated natural and physical resources; and
  - b) control any actual or potential effects of the use, development or protection of land.
30. Provided that the proposed rezoning aligns with the outcomes sought in the District Plan objectives and policies, the change in zone will be in accordance with the role and function of the Council.
31. The process for making a plan change request and how this is to be processed is set out in the 1st Schedule of the Resource Management Act 1991 (RMA).

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<sup>4</sup> [https://www.selwyn.govt.nz/data/assets/pdf\\_file/0008/147977/Selwyn-2031-Finalr.pdf](https://www.selwyn.govt.nz/data/assets/pdf_file/0008/147977/Selwyn-2031-Finalr.pdf)

32. Section 73(2) of the RMA allows for any person to request that a change be made to the District Plan, in accordance with the process set out in Part 2 or Part 5 of Schedule 1. Part 5 of Schedule 1 relates to the use of the 'streamlined planning process' and is not relevant to this plan change.
33. Clause 21(2) of Part 2 of Schedule 1 requires that the plan change request: explain the purpose of, and reasons for, the proposed change; contain an evaluation report prepared in accordance with section 32 of the RMA; and where environmental effects are anticipated, describe those effects in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change.
34. In this case, the tests to be applied to the consideration of PC72 under Schedule 1 Part 2 of the RMA are summarised below and include whether:
- a) It accords with and assists the Council to carry out its functions (s74(1)(a) and s31).
  - b) It accords with Part 2 of the Act (s74(1)(b)).
  - c) It accords with a national policy statement, a national planning standard and any regulation (s74(1)(ea) and (f)).
  - d) It will give effect to any national policy statement, national planning standard or operative regional policy statement (s75(3)(a)(ba) and (c)).
  - e) The objectives of the request (in this case, being the stated purpose of the request) are the most appropriate way to achieve the purpose of the RMA (s32(1)(a)).
  - f) The provisions in the plan change are the most appropriate way to achieve the objectives of the District Plan and the purpose of the request (s32(1)(b)).
35. In evaluating the appropriateness of PC72, the Council must also:
- a) Have particular regard to an evaluation report prepared in accordance with s32 (s74(1)(d) and (e)).
  - b) Have regard to any proposed regional policy statement, and management plans and strategies prepared under any other Acts and consistency with the plans or proposed plans of adjacent territorial authorities (s74(2)).
  - c) Take into account any relevant planning document recognised by an iwi authority (s74(2A)).
  - d) Not have regard to trade competition or the effects of trade competition (s74(3)).
  - e) Not be inconsistent with a water conservation order or regional plan (s75(4)).
  - f) Have regard to actual and potential effects on the environment, including, in particular, any adverse effect in respect to making a rule (s76(3)).
36. The functions of Council set out in s31 of the Act that are required to be maintained when evaluating the appropriateness of PC72 include the establishment, implementation and review of objectives, policies, and methods to:
- a) Achieve integrated management of the effects of the use, development and protection of land and associated natural and physical resources (s31(1)(a)).
  - b) To ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district (s31(1)(aa)).



- c) Control any actual or potential effects of the use, development, or protection of land (s31(1)(b)).
- 37. The request considers the actual and potential effects of the plan change on the environment, and where necessary, I have made further comment and assessment of these later in this report. Similarly, an assessment of PC72 against the various statutory documents it is required to have regard to is set out further below.

### **Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill**

- 38. At the time of writing, Parliament was considering an Amendment Bill to the RMA. Amongst other matters the Bill seeks to increase housing supply through directing Councils (including Selwyn) to update their District Plans to provide for medium density housing across all urban environments, unless 'qualifying matters' such as natural hazards or heritage are in play.
- 39. The Bill as originally drafted had two important implications for the PC72 site. The first was a requirement that all plan changes that were currently in process had to have their hearings concluded by 20<sup>th</sup> February 2020. This deadline date has then driven the timing of this report and is the reason for it being released just prior to Christmas (which in normal events is less than ideal timing).
- 40. The second implication was that if rezoned, the plan change site would then form part of the wider urban environment and therefore be subject to the direction that Council update its District Plan by 20<sup>th</sup> August 2022) to enable medium density housing. Such a subsequent change in zoning clearly has direct consequences in terms of housing yield, servicing, transport, and character and amenity outcomes.
- 41. The Select Committee reported back to Parliament on 4<sup>th</sup> December, with the Bill passing its second reading on 5<sup>th</sup> December. Of significance, the Select Committee recommended that the 20<sup>th</sup> February deadline for having hearings completed be removed. The second material amendment recommended by the Committee was that the Bill only apply to urban areas/ townships with a population of more than 5,000 people as at the 2018 census (which Prebbleton did not).
- 42. The Bill is currently programmed to be passed into law prior to the PC72 hearing. I will be able to provide the Commissioner with an update as to its final form, however on the basis of the (unchallenged) amendments advanced in the second reading, it appears that this Bill (and subsequent medium density requirements) will not apply to either this plan change or to Prebbleton in general. The 20<sup>th</sup> February deadline for concluding the hearing therefore may well no longer be in play once the Bill is passed into law.

### **PC72 Acceptance, Notification and Submission Process**

- 43. PC72 was accepted for public notification at Council's meeting held on 9 June 2021 (under Clause 25(2)(b)).
- 44. PC72 was publicly notified in the Selwyn Times newspaper on 30 June 2021, with the submission period closing on 29 July 2021. A total of 50 submissions were received. These were then summarised and publicly notified for further submissions in the Selwyn Times on 29 September 2021. The period for further submissions closed on 13 October 2021. One further submission was received by that date.

45. The submissions, submission summary and further submissions are available at the plan change webpage<sup>5</sup>.
46. For completeness I note that no late submissions were received.
47. PC72 has reached the point where a hearing is now required (Clause 8B of the First Schedule to the RMA). Following the hearing, the Council is required to give a decision on the plan change and the associated submissions (Clause 10 of the First Schedule to the RMA).

## Procedural Matters

48. The submission by GM and J Drinnan (PC72-0044) seeks that a strip of their land be incorporated into the plan change, as shown on the below map that accompanied their submission.

**Figure 4. Drinnan submission changes**



49. I discuss the merit of including this block later in this report. The submission raises a procedural matter regarding whether or not the inclusion of this strip of land fairly falls within the scope of PC72. Ultimately questions of scope are as much legal as they are planning considerations. It is my understanding as a planner that case law is reasonably conservative on questions of scope and whether the changes sought by a submitter can be said to be 'on' the plan change. This is particularly the case for private plan changes seeking the rezoning of a specifically identified block of land are concerned, and as opposed to more thematic plan changes that address broad matters such as zone policy and rule frameworks.
50. In terms of whether the relief sought is 'on' the change, PC72 seeks the rezoning of a large block of land on the southern side of Prebbleton. A key element in the merit of the plan change advanced by the applicant concerns the new urban edge to the township created by the recently acquired Birchs Park area. The inclusion of the submitter's strip therefore could be said to fall within the broad ambit of PC72 insofar as the plan change examines the appropriate formation of the southern edge of the township. The infilling of a 'gap' in the urban form resulting from PC72 is therefore arguably consequential to the substantive outcomes sought in the plan

<sup>5</sup> <https://extranet.selwyn.govt.nz/sites/consultation/PC72/SitePages/Report.aspx>

change and is sufficiently modest in scale that it does not threaten or unduly expand the scope of the plan change.

51. I understand that the second issue expressed in case law concerns matters of natural justice i.e. potential submitters not being aware that substantive changes are being proposed via submissions. In this instance I note that the strip of land in question is bounded by the PC72 site to the north, the balance of the submitter's block to the east, and Council-held park land to the west and south. As such there are no immediate neighbours affected by the submission who are not otherwise already engaged in the plan change process. Other parties interested in wider strategic planning matters such as the Canterbury Regional Council ('CRC'), Christchurch City Council ('CCC'), and Waka Kotahi New Zealand Transport Agency ('NZTA') are all participants in the PC72 process and could reasonably be expected to have retained an interest in the issues raised in submissions.
52. As such, in this specific instance, I consider that natural justice risks appear to be relatively low.
53. The submitter may wish to provide the Commissioner with a legal opinion on the matter of scope to assist in his deliberations regarding whether he can progress to a merit-based determination.

## **Assessment of the Request and Issues Raised by Submitters**

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

## **Land Suitability**

57. In relation to the land affected by PC72, there are considered to be four primary matters to consider under this topic:

- a) Geotechnical considerations;
- b) Land Contamination;
- c) Versatile Soils; and
- d) Flooding

58. Each of these are considered in turn below.

## Geotechnical Considerations

59. The request included a geotechnical assessment prepared by Fraser Thomas Ltd, an engineering and surveying firm. Fraser Thomas Ltd have concluded that *“in general terms and within the limits of the investigation as outlined and reported herein, no unusual problems, from a geotechnical perspective, are anticipated with residential development at the subject site. 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 in the relevant New Zealand Standard Codes of Practice”*.
60. This report was peer reviewed by Ian McCahon of Geotech Consulting Ltd on behalf of the Council, with further clarification sought through the RFI process. Fraser Thomas Ltd responded to the matters raised, with this response then reviewed by Mr McCahon. Mr McCahon concluded that the material provided by Fraser Thomas Ltd *“sufficiently answers the questions and we conclude that the geotechnical report plus the FTL letter [the RFI response] fulfil the requirements of the MBIE Guidance and adequately address geotechnical issues for Plan Change purposes”*.
61. I note that in addition to the above reports, subsequent subdivision consent processes include provision for more detailed site investigations and if need be land remediation through bulk earthworks. The Building Consent process then enables consideration of the suitability of specific foundation design to ensure the chosen foundation solution is appropriate for the underlying ground conditions. On that basis it is considered that there are no geotechnical considerations that impact on the ability to re-zone the plan change area.

## Land Contamination

62. The request included a Preliminary Site Investigation (PSI) prepared by Fraser Thomas Ltd. This report was reviewed by Environment Canterbury’s Contaminated Land Team on behalf of the Council. The initial peer review sought further information to identify all potential Hazardous Activities and Industries List (‘HAIL’) activities across the plan change area. An updated PSI was provided as part of the RFI response (dated 25 February 2021).
63. The PSI identifies that a number of HAIL activities have occurred across the site. These activities vary in nature and extent across the site and include activities common with rural land use such as the use and storage of pesticides and fuel storage, in addition to activities associated with the historic rail corridor that runs along the site’s western boundary. The PSI identifies that given the presence of these historic activities, a Detailed Site Investigation (‘DSI’) should be undertaken as part of any future subdivision consent process.
64. Contaminated soils are managed under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (the ‘NES-SC’). This applies to any

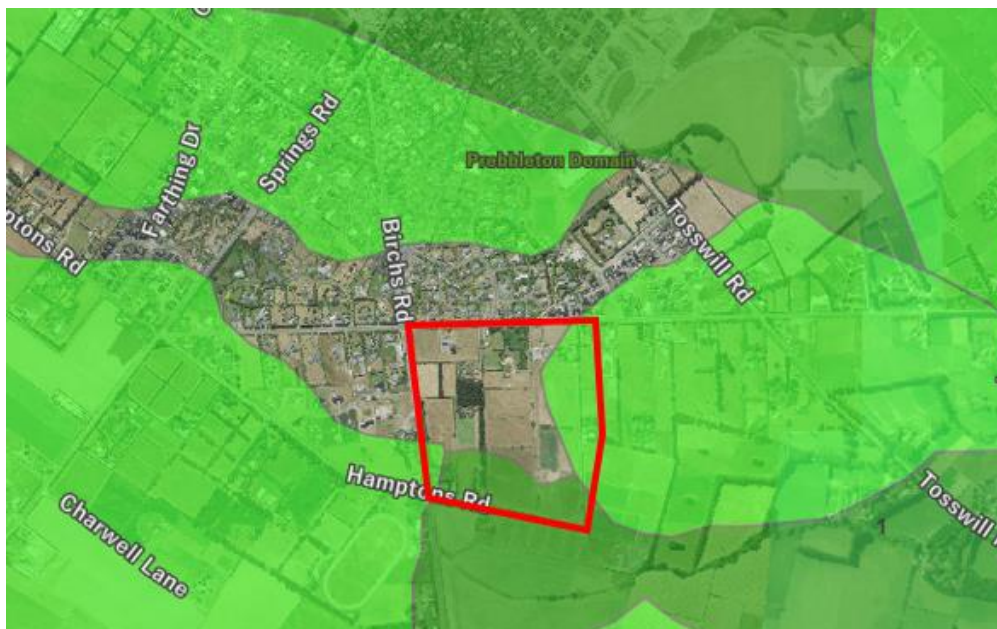
subdivision or change in the use of a piece of land, and therefore would apply to the type of land use change that would be facilitated by PC72. The NES-SC requires that a Detailed Site Investigation (DSI) is carried out when the use of the land changes or is proposed to be subdivided to identify the extent of the contaminants, and a Remedial Action Plan or Site Validation Reports prepared if required.

65. Whilst there is a risk of soil contamination being present, these risk factors are not untypical of rural landholdings. The DSI process and subsequent ability to document and undertake site remediation where necessary provides a well-established process for managing the risk to human health when changes in land use occur. At this stage of the development process there is nothing to suggest that the land is unsuitable for development given the known HAIL activity previously undertaken within the plan change area.

### Versatile Soils

66. Under the land use capability classifications, the land affected by PC72 includes some areas of Class 1 and 2 soils, albeit that the majority of the site is not Class 1-3 (see **Figure 4**).

**Figure 4: NZLRI LUC Classes 1-3**



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

67. A historic gravel strip runs across the majority of the site as a result of past Waimakariri River outbreaks. As such the majority of the site is less versatile than the majority of other rural areas adjacent to the Inner Plains townships. The quantum of any loss is likewise not considered to be significant when assessed in the context of the wider rural Prebbleton area, or in terms of the District generally.
68. The management of versatile soils is currently under consideration through a proposed National Policy Statement on Highly Productive Land (pNPS-HPL), with the draft NPS providing a clear signal to local authorities that highly productive land is a matter of national significance, and as such is a matter that should be given appropriate weight in land-use planning and decision-making.



69. Although the pNPS-HPL is useful as it signals the Governments intentions in respect to protecting highly productive land, it does not have any statutory weight at this point in time. Furthermore, at this stage there is limited guidance as to how the outcomes sought therein are to be balanced with the operative National Policy Statement on Urban Development (NPS-UD) in terms of prioritising versatile soils over the pressing need for further urban development to meet housing objectives.
70. Final decisions on the proposed NPS-HPL are currently programmed to be made by Ministers and Cabinet in mid-2022. If approved by Cabinet, the proposal would likely take effect in the second half of 2022.
71. The cabinet papers prepared as part of the consultation process on the pNPS-HPL highlight that Treasury has signalled concerns that the pNPS-HPL may conflict with the goals for urban growth due to introducing restrictions on land use that do not currently exist<sup>6</sup>. In this regard it is noted that the proposed NPS-HPL policies focus on redirecting growth to more appropriate areas rather than constraining growth *per se*.
72. It is clear that there are trade-offs between protecting highly productive land for primary production while providing for greater urban capacity. The pNPS-HPL serves to provide greater weight and recognition to the protection of versatile soils when undertaking this balancing exercise.
73. In the context of PC72, the consideration comes down to promoting the best use of highly productive land resource to deliver the most benefit, which is essentially the outcome sought under section 32 of the RMA.
74. I consider that PC72 would represent a minimal loss of the overall Class 1 and Class 2 versatile soil resource within the region. This is mitigated to some extent by the majority of soils within PC72 not being classified as versatile, and therefore the plan change is better located than alternative areas when it comes to maintaining the soil resource.
75. In and of itself, I do not consider the Land Use Classification of the soils making up a portion of the plan change area to be sufficient to state that the land is not suitable for residential development. It is however one of the considerations when evaluating the benefits and costs of allowing PC72.

## Flooding

76. The plan change request includes a flood hazard report prepared by E2 Environmental Ltd ('E2'), an environmental engineering firm. The flood hazard report confirms that the site is not subject to coastal flooding or flooding from the Waimakariri or Selwyn Rivers. It further confirms that there are no local waterways or water bodies, and no existing flood defence systems such as stop banks, located within the site. Flood risk is therefore caused by localised ponding generated by rainfall that exceeds the site's ability to absorb that rainfall (rather than large volumes of overland flow generated from rain falling in off-site locations).
77. The District Plan does not contain any mapped flood hazard areas applicable to the site. The Proposed Plan includes several overlays that identify Flood Management Areas on the plains. These overlays map the 1 in 200 year (0.5% AEP<sup>7</sup>) and 1 in 500 year (0.2% AEP) flood depths.

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<sup>6</sup> <https://www.mpi.govt.nz/dmsdocument/37065-Proposed-National-Policy-Statement-for-Highly-Productive-Land-Cabinet-paper> (paragraph 8).

<sup>7</sup> 'AEP' is the Annual Exceedance Probability, namely the probability of the event occurring in any given year.

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

**Figure 5. 1 in 500 year flooding**

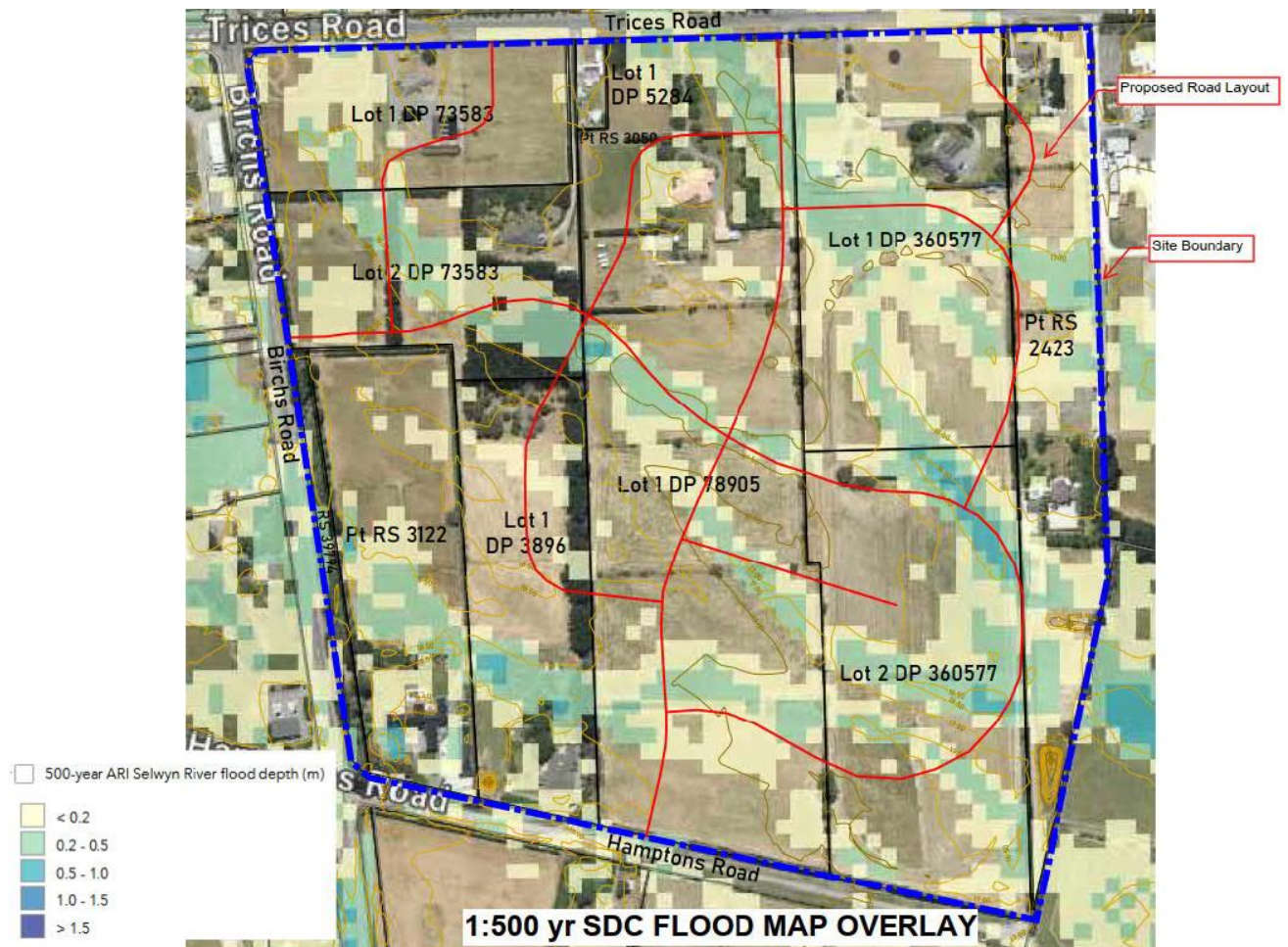


Image source: Attachment A, Figure A2, E2 Flood Hazard Report, Appendix 5 PC72 application

78. The two overlays show that that majority of the site is free from flood risk. There are three overland flow paths than generally run downhill in a southeast direction towards the eastern cul-de-sac head of Hamptons Road. Even in 1 in 200 and 1 in 500 year flood events, flood depths are generally less than 0.2m, and at worst extend to depths of 0.63m (1 in 200) or 0.74m (1 in 500).
79. In terms of options for mitigating this risk, the E2 report notes that *“there is a reasonable correlation between the proposed road network and existing preferential flow paths. Limited areas of overland flow are expected upstream and downstream of the road network to collect flows into the road network and to discharge them in a manner that mimics the existing situation. It is expected that development within these areas would be managed by formalising the overland flow route (if possible), setting finished floor levels, maintaining ground levels, requiring permeable fencing etc and possibly consent notices to maintain and protect the existing flood flow routes”*. Site earthworks can likewise be readily designed to ensure future building platforms are provided at an adequate height to ensure that dwellings are clear of inundation.

80. Overall, the site is not located near any waterways and is not in a location that is particularly prone to flooding or flood risk. The detailed design of site earthworks and road alignments can be resolved through the subdivision consent process, with the ODP identifying the general location of two stormwater ponding areas towards the south eastern end of the site where water collected in the overland flow paths can be directed into the internal road network and then managed to ground. The management of stormwater is discussed in more detail below.

## **Infrastructure Servicing (Water/Wastewater/Stormwater)**

81. The application includes an Infrastructure Assessment prepared by Fox and Associates. E2 provided additional information on wastewater and stormwater servicing as part of the applicant's response to the RFI.
82. A broad range of concerns were raised in submissions regarding servicing, including the adequacy of the existing reticulated networks to service a development of this scale, impacts on current users, and how the upgrades might be funded. A general concern expressed was that existing ratepayers will have to subsidise infrastructure development required to accommodate the additional housing.
83. It is noted that upgrades will either need to be undertaken (and funded) by the developer; or where they are necessitated by growth beyond just this site, there are mechanisms available to the Council to recoup proportional costs from the developer such as through development contributions taken at the subdivision stage or through a developer agreement. In my view, the funding of any such infrastructure upgrades necessitated by the plan change are not an impediment to the rezoning. Murray England, the Council's Asset Manager – Water Services has provided an assessment of PC72 (attached as **Appendix A**).

### **Water**

84. Water supply will be via connections to the Council's reticulated network and will be designed in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. The PC72 Infrastructure Report identified that there are no water supply issues which would impede the re-zoning of the land for residential purposes. Council's asset manager has confirmed that there is sufficient capacity within the water supply network to enable the site to be serviced.

### **Wastewater**

85. Wastewater is to be reticulated within the site and gravity-fed to a new pump station that will be located in the southeastern corner of the site in close proximity to Hamptons Road. A rising main would then carry wastewater from this location westward along Hamptons Road approximately 1.4km to the intersection of Hamptons and Springs Road and then discharge into the Council's gravity sewer network, with this network in turn draining to a new wastewater pump station at 612 Springs Road. The need for any upgrades between the Springs Road connection point and the on-site pump station is a matter that can be resolved during the subdivision consent phase, as is any upgrades to the wider network if necessitated by the additional volumes created by this plan change.
86. Council's reticulated wastewater network ultimately connects to the Pines Wastewater Treatment Plant ('the Pines Plant') located to the southwest of Rolleston. The Pines Plant is currently at or near capacity, with upgrades currently underway and additional upgrades

planned and budgeted for to accommodate up to 60,000 person equivalents (PE) of incoming flow, with plans to increase the treatment capacity up to 120,000 PE being prepared. The current connected catchment (2021) has a population equivalent of approximately 42,000 - 45,000. These connections along with projected growth are estimated to require additional treatment processes (beyond 60,000 PE) developed on site to meet incoming flows. Mr England notes that the extension of the Pines WWTP to 120,000 PE capacity has been identified and funded in the LTP, with design and consenting works programmed for the forthcoming years, to allow for future development within the district, which could include this plan change request. Therefore, capacity upgrades planned and budgeted for would be sufficient to accommodate the wastewater generated by development facilitated by PC72.

87. Overall, the options identified to convey wastewater to the Pines WWTP are feasible and the PC72 area can be adequately served by the Council's wastewater network subject to the provision of on-site pump facilities and any localised pipe and pump station upgrades (if required).

## **Stormwater**

88. As noted above, stormwater currently drains across the site in a southeast direction. The road network will be designed to accommodate these flows and direct them into Stormwater Management Areas ('SMAs') as shown on the ODP. The road network can likewise be designed to help accommodate temporary storage of stormwater in very high (1 in 200 year+ events). In addition, direct soakage to ground may be employed on individual house sites to reduce the overall load placed on the proposed stormwater network. Stormwater from the site currently flows onto neighbouring rural property via a network of private drains and farm channels i.e. is not connected to a Council-held network.
89. The submission by GM and J Drinnan<sup>8</sup> (the neighbours to the east) raised concerns with the development increasing stormwater discharges onto their property and the lack of any connection to a council-controlled network. The applicant's intention is that the SMAs are to be designed to be sufficient to attenuate flows such that post-development discharges from the site are no greater than current discharges, and thereby do not place any greater load (or reliance) on the stormwater received on neighbouring sites. Ultimately, the onus will be on the applicant to be able to demonstrate through the subdivision and regional consent process that their proposed SMAs are appropriately sized to be able to attenuate flows within the application site to pre-development levels, or alternatively that appropriate legal agreements are in place with neighbouring properties (via mechanisms such as easements in gross for stormwater discharge) to enable any increase in discharges above pre-development levels to be transferred across these neighbouring sites. Whilst disposal of stormwater to private third party land rather than to a public network is not a reason to decline the plan change, Mr England has recommended that the applicant confirm the necessary Regional Consents for stormwater management prior to applying for subdivision consent.

## **Drinnan Block**

90. As noted in the section on procedural matters above, the Drinnans have sought via submission the inclusion within the plan change of a 2.2ha (approx.) block of land located adjacent to Hamptons Road between the PC72 site and the new Birches Park. Their submission does not

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<sup>8</sup> Submission PC72-0044



contain any assessment as to how their block might be serviced. Given the relatively small size of the block, and its general proximity to reticulated services, connection and servicing does not appear to present an insurmountable barrier to the rezoning of this block.

### **Conclusion – Servicing**

91. Overall, the servicing of the PC72 area by extensions to the existing reticulated water and wastewater systems is feasible, with sufficient capacity programmed for the Pines Plant. Furthermore, based on the advice from Mr England, it appears that there is a viable means to dispose of stormwater within the plan change area subject to detailed design of Stormwater Management Areas through the subdivision consent process.
92. Overall, the site can be serviced for three waters infrastructure. The detailed design of all three systems is appropriately undertaken through the subdivision consent process and through any associated Canterbury Regional Council consents related to the management of water quantity and quality.

## **Transportation/Traffic Effects on the Rading Network**

93. PC72 included an Integrated Transport Assessment (ITA) prepared by Lisa Williams of Novo Group Ltd (as Appendix 10 to the application).
94. Adjacent to the site frontage, Trices Road is classified as a collector road, has a 60 km/h speed limit, and carries some 2,550 vehicles per day. Birches Road is likewise classified as a collector road, has a 50 km/h speed limit (increasing to 60 km/h 100m south of the Trices Road intersection), and carries some 4,400 vehicles per day. Hamptons Road is a local road that adjacent to the site is formed as a rough asphalt and gravel cul-de-sac, has an 80 km/h speed limit (anticipated to be reduced to 60 km/h if this plan change proceeds), and carries some 50 vehicles per day (increasing to 330 vehicles per day west of Birches Road).
95. The applicant's ITA identified that there have been 12 reported crashes in proximity to the site between 2010 and 2020, centred around the Trices/ Birches intersection. This intersection was upgraded in 2019 to provide an improved crossing facility for cyclists and pedestrians. The ITA concludes that it is too early to be able to determine if these works have also reduced the crash risk.
96. Public transport is limited to a route connecting Lincoln with Christchurch. Bus stops are located on Birches Road south of Hamptons Road, and north of the site near Glenwood Drive. The ITA identifies that services are currently limited to two buses per hour, with some additional services during peak hours. A school bus route is also available between Prebbleton and Lincoln High School.
97. The proposed ODP shows new road connections to Trices and Hamptons Roads via an internal north-south spine road. A T-road connection is also shown to connect the spine road to Birches Road. Cycle and walking routes are shown through the site, along with connections to the Little River Rail Trail which runs along the site's western boundary with Birches Road.
98. Ms Williams' assessment predicts PC72 will generate in the order of 263 vehicle movements in the peak hours, based on an average of 0.9 movements per dwelling. She then allocates these movements to the various site access points and models the impact that these additional movements will have on the safe and efficient functioning of the immediate site intersections. She has found that the proposed new road connections from the site to Hamptons, Trices, and



Birchs Road will all function safely with standard intersection design and controlled via give way signs.

99. Ms Williams has also assessed the functioning of the nearby intersection of Trices and Birchs Road. She has concluded that this intersection will continue to operate within acceptable levels of service with the additional traffic of the proposed development and allowing for 20% growth in existing traffic volumes.
100. Ms William's modelling and conclusions have been reviewed by Mr Mat Collins, a transport engineer with Flow Transportation Specialists Ltd ('Flow'). Mr Collins' report is attached as **Appendix B**. Mr Collins generally agrees with the description of the existing traffic environment.
101. Mr Collins has identified the need for further modelling to be undertaken on the functioning of the Birchs/ Springs Road intersection as this intersection is already congested at peak times and is likely to be a key commuting route to and from the PC72 block.
102. Mr Collins agrees that the immediate new intersections proposed in the ODP are likely to function safely and efficiently. He has recommended that a number of minor safety-related upgrades be undertaken to the Trices/ Birchs intersection. In my view these are best addressed through the subdivision consent process.
103. Mr Collins has likewise made several recommendations regarding the internal and immediately adjacent road layout. These recommendations can be implemented through amendments to the ODP map and /or narrative. In summary the following changes are recommended:
  - a) The narrative should identify that "the Trices Road, Birchs Road and Hamptons Road frontages are to be upgraded to an urban standard in accordance with the Engineering Code Practice";
  - b) The ODP be amended to show an extension of the primary east/west road to the eastern boundary of PC72;
  - c) The ODP should be amended to include additional cycling routes within PC72 including shared pedestrian and cycling facilities on the Trices Road and Hampton Road frontages, along with a safe crossing point over Trices Road in proximity to Stonebridge Way;

Mr Collins provides an amended ODP showing the east/west road and cycle elements. I note that the outcome is broadly consistent with the additional provisions recommended by Mr Nicholson from an urban design perspective (discussed below), albeit that their proposed alignments vary somewhat. Having been appraised of the overall outcomes (future road connection to the east and improved through-site cycle and pedestrian linkages) it is suggested that the applicant update the Commissioner with a single revised ODP response.

104. Mr Collins identifies that in itself, the Plan Change will result in only modest increases to traffic movements on the wider network. He raises concerns not so much with the traffic generated by PC72 per se, but rather with the cumulative traffic effects that might be generated by the suite of plan changes proposed in the wider area, including those in Rolleston and Lincoln.
105. In considering the traffic implications on the wider commuter network (to Christchurch and Rolleston/ Lincoln), Mr Collins notes that without a corresponding increase in local employment and access to services, additional impact on the Greater Christchurch transport network can be expected as additional residents in Selwyn travel to access services and employment.
106. Assessing the effects of such development on the long-term planning and funding commitments associated with bulk transport infrastructure is complex and requires assessment of multiple

land use scenarios. At present this assessment does not form part of the applicant's ITA (and in fairness is a Selwyn-wide issue).

107. As is discussed in more detail in the statutory assessment below, the integration of transport upgrades and urban growth has until recently been reasonably settled, with growth areas identified in the Canterbury Regional Policy Statement and road network improvements programmed accordingly. The National Policy Statement on Urban Development ('NPS-UD') has provided an opportunity for locations outside of these identified growth areas to be advanced through private plan changes. This has led to a proliferation of private plan change requests being received across the Selwyn Inner Plains townships. These plan changes are currently being heard on a first come first served basis. At the time of writing, no decisions have been released on changes seeking residential rezoning, and therefore it is unknown whether some or all of these plan changes will be approved. In the event that all (or most) of the applications are approved, significant new housing capacity will be released in both Lincoln and Rolleston. In particular, residential growth in Lincoln has implications for the traffic volumes on Springs Road, and residential growth towards the southern end of Rolleston has implications for the traffic volumes on Shands Road.
108. Mr Collins identifies that in the event that the majority of these plan changes are approved, both Shands and Springs Road are likely to be at (or beyond) capacity during the morning and evening peak hours. His findings are complemented by the 'real-world' observations of numerous submitters who have identified an increase in traffic levels and congestion through Prebbleton resulting from recent developments in Lincoln and Rolleston. Such a congested outcome is likely even if growth is limited to just those growth areas identified in the Canterbury Regional Policy Statement ('CRPS').
109. To a certain extent when routes become congested, commuters adapt by using other less direct (and also less congested) routes, for example commuters originating from the southern side of Rolleston using the Southern Motorway in preference to Shands Road, or commuters originating in Lincoln shifting to Ellesmere Road and thereby accessing Christchurch via Halswell. To help facilitate such options the Council has included in its LTP upgrades to the Ellesmere Road arterial to take some of the pressure off the Springs and Shands Road arterials from traffic originating in Lincoln (and townships further south such as Leeston). Mr Collins has found that such redistribution is the likely outcome. It does not mean that Shands and Springs Roads will not be congested, but it does mean that this congestion should not worsen beyond anticipated levels.
110. I understand from feedback from Mr Andrew Mazey, Council's roading asset manager, that the Greater Christchurch Partnership organisations are well aware of the potential changes to commuter volumes arising from the plethora of recent plan change applications. They are in the process of investigating how to support modal shift towards public transport, and the potential for commuter rail from Rolleston. Such changes to public transport services (and in particular rail-based services) are however likely to be more of a medium to long-term proposition. In the meantime the Partner organisations are reviewing the functioning of the wider road network, noting that such is an iterative process that is having to proceed in the context of considerable uncertainty generated by the multitude of plan changes in locations that have not previously been identified for growth.
111. In my view such tension is inevitable with the door opening created by the NPS-UD. The NPS-UD creates a process whereby the coordination of urban growth with transport infrastructure

becomes reactive and iterative, particularly where the effects derived from individual plan changes are found to be acceptable and any adverse effects are only felt cumulatively.

112. For PC72 it appears that the immediate road connections/ intersections to Trices, Hamptons, and Birches Roads can all function safely, with minor upgrades for Trices/Birchs. The increased traffic volume passing through the existing Trices/ Birches Intersection will likewise not result in an unacceptable level of service being experienced (although an increase in wait times relative to the current environment is likely). There is a need for further modelling of this plan change's effects on the functioning and level of service of the Birchs/ Springs Rd intersection. Apart from a question mark regarding effects on this intersection, there are no other transport effects generated by this plan change on the immediate network that would lead to a recommendation that it should be declined.
113. The plan change will however add to the cumulative volume of traffic on the wider road network. The issues created by this additional volume in and of themselves are again not critical to network function, however when added to the volumes generated in the event that all or most of the plan change applications that are currently proposed upstream in Rolleston and Lincoln are approved, there will be a noticeable decline in road capacity and service. Because decisions on the other plan changes in Rolleston and Lincoln have yet to be released, any increase in traffic generated by them is simply speculative at the time of writing. In short, if they are all (or mostly) declined then there is limited cumulative effect. Whilst cumulative transport effects are therefore potentially an issue, at this point I do not consider them to be sufficiently certain that a recommendation to reject the plan change would be justified.
114. In the event that a number of plan changes are approved, the solution to transport implications first requires remodelling of the network once some certainty is gained regarding which specific plan changes are to proceed. Works will then need to be programmed (and weighed against other competing funding priorities), and the physical works commenced. In parallel, improvements to public transport to encourage modal shift can be undertaken. The reality is though that such works are likely to be implemented over the medium to long term. There is therefore a strong likelihood that there will be an increase in congestion in the short term. Such is a trade-off with the provision of additional housing capacity (and the benefits of such to the wider community in terms of ensuring a competitive housing market).

## **Urban Design and Urban Form**

115. The PC72 RFI response included an urban design and landscape assessment prepared by Ms Nicole Laurenstein (a+urban Ltd). This and the relevant submissions relating to urban design matters has been assessed by Hugh Nicholson (UrbanShift) and his report is attached as **Appendix C**.
116. Mr Nicholson describes the sites setting and character, and assesses the urban design merit of the proposed ODP and associated narrative statement. He concludes that the site is well located in terms of the wider urban form of Prebbleton and notes that the site completes the urban edge in this location through enabling the township to extend to the proposed new district park to the south. He therefore supports in principle the urbanisation of this block. He likewise supports its development to a minimum density of 12 hh/ha, noting that this is not a particularly dense outcome, especially when compared to larger urban centres such as Christchurch City. He considers the alternative relief sought by the CCC who if the plan change is not declined, as an alternative seek that the density be increase to a minimum of 15hh/ha. Mr Nicholson notes that whilst the question of density is finely balanced, the site is not within a particularly walkable

distance of the primary school or Prebbleton retail centre and therefore whilst some diversity in housing typology is positive, the site overall is not particularly well located to support high levels of medium density housing. As such he concludes that for this specific site a minimum density of 12 hh/ha is appropriate. He conversely finds that there is little to distinguish the Tuff block from the wider plan change site in terms of either urban form or landscape outcomes. As such he sees little merit in retaining a very low density rural residential enclave in the southwest corner of the site and instead recommends that the entire site have a Living Z zoning. He also considers that if sufficient scope exists, on merit the inclusion of the Drinnan block between the PC72 site and the park would be a positive urban design outcome, would avoid a relatively small rural parcel being surrounded on urban areas and parkland, and would improve passive surveillance of the park and connectivity through the PC72 site into the park.

117. Mr Nicholson then assesses the connectivity and outcomes delivered by the ODP. Whilst generally supportive of the ODP layout and the strong north-south road connection, he considers that connectivity through the site and around the external permitter roads could be enhanced, especially for cyclists and pedestrians. He therefore recommends the ODP show some additional linkages in this regard, including an extension of the east-west spine road so it connects to the site's eastern boundary and thereby facilitates a direct connection to the east in the event that Prebbleton ultimately expands further in that direction.
118. Mr Nicholson identifies that the plan change will inherently result in a change in landscape outcomes – the site will shift from rural residential lifestyle blocks with a predominantly rural/pastoral appearance, to a more suburban outcome. He notes that some nearby submitters are likely to prefer their current rural outlook. A suburban outlook is not however negative – suburban areas within Selwyn's townships generally display a high level of amenity, albeit a different amenity and landscape character relative to rural areas.
119. I would add that the block has long been identified as being suitable for development to Living 3 densities, and therefore a shift from a purely pastoral landscape to one containing more houses and garden curtilages is not unanticipated.
120. Overall, provided the ODP map and narrative are amended to strengthen the site's connectivity and the functionality of the permitter roads for cycling and walking, Mr Nicholson is supportive of the entire site (and the Drinnan block) being rezoned to Living Z with a minimum density of 12 hh/ha.

## **Other Matters**

121. There were two other common themes raised in the submission, being the impact of PC72 on the existing community facilities and their ability to grow at the rate required to appropriately serve the new and existing population should PC72 proceed; and matters relating to environmental quality generally, including effects from construction of a development of this scale.

## **Educational Facilities**

122. Several submitters, including the Ministry of Education (PC72-0050) are concerned about the additional pressure that PC72 will place on existing schools (Prebbleton Primary School and Lincoln High School), and the lack of provision for a new school site within the development area. The Ministry's submission states that school network planning and investment in Prebbleton in recent years has been guided by Council advice on future development and the current school network has generally not been designed to accommodate any development

outside of these areas. Consultation with the Ministry has not occurred and accordingly the Ministry requests that PC72 is only approved if the applicant consults with the Ministry and sufficient provisions are made to accommodate additional school age children, which could include amending the ODP to provide for a new school site.

123. I have not been made aware of any further discussions between the applicant and the Ministry regarding this matter, however the applicant may be able to provide an update to the Commissioner in this regard.
124. The Ministry also express concerns that if PC72 is approved, it may set a precedent for development occurring outside existing planned areas, which would make planning for school capacity and networks increasingly difficult. They consider that the direction in Policy 8 of the NPS-UD should be balanced against other parts of the NPS-UD that require councils to ensure sufficient additional infrastructure, including schools are provided. In some respects this is a similar issue to that raised by transport, namely cumulative effects of additional population pressure on infrastructure/ community facilities, and the manner in which this is coordinated (or retrofitted). If no other plan changes in Prebbleton are approved (apart from PC72), then given the modest size of PC72 school capacity may be able to be accommodated within existing school sites. If conversely all of the Prebbleton plan changes are approved then it may well be that a second primary school will be required in Prebbleton. In this regard I am also processing PC68 which concerns a large block located between Hamptons, Trents, and Shands Roads and that provides for some 880 houses. The Ministry has lodged a similar submission on PC68 and I understand the applicant for that plan change has engaged with the Ministry regarding the potential for a school site. In short, if just pC72 is approved, then additional demand on educational facilities will be modest, and if both PC72 and PC68 are approved then an additional school site is a matters that can be explored as a part of the much larger PC68 application.
125. Mr Collins has considered traffic issues regarding PC72 and the existing primary school on Blakes Road in section 7.1 of his transport report.

### **Environmental Quality**

126. A number of submitters raise concerns about the impact that the plan change will have on the amenity or environmental quality of the surrounding areas, including concerns about:
- a) Increase in noise, dust and heavy traffic dust during construction and the adverse health impacts arising.
  - b) Pollution, contamination of waterways, quality of potable water, rubbish and health and safety.
  - c) The increased density resulting in increased crime.
127. I consider that effects resulting from construction can be appropriately managed and consider that this can be addressed by specific assessment at the time of subdivision through existing mechanisms, including the control of noise through the NZ Standard for construction noise; management of dust through requirements under the Regional Land and Water Plan; and through subdivision consent conditions relating to the construction phase. Similarly I consider that matters relating to crime, pollution, contamination of waterways, quality of potable water, rubbish and health and safety are already managed through existing mechanisms that would apply to development of the site.



## Statutory Analysis

128. As noted earlier, the District Plan (including as amended by any plan change) must give effect to any operative national policy statement (s75 (3)(a)) and any regional policy statement (s75 (3)(c)); have regard to any management plan or strategy prepared under other Acts (s74 (2)(b)(i)); take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district (s75(2A)); and must not be inconsistent with any regional plan (s75(4)(b)). The content of these documents as they relate to PC72 is discussed in the application and is set out further below.
129. The planning history of Prebbleton (and indeed the wider Inner Plains portion of Selwyn District) has evolved rapidly over the last decade. The statutory framework has likewise evolved through changes to both the District Plan and the Canterbury Regional Policy Statement ('CRPS'), recent National Policy Statements, proposed amendments to the RMA, and non-RMA planning processes such as township structure plans. I discuss these various planning processes and documents in approximate chronological order in order to provide an understanding of how the planning framework has evolved over time with reference to the application site.

### Prebbleton Structure Plan<sup>9</sup>

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

### Land Use Recovery Plan

133. Following the Canterbury earthquake sequence, a Land Use Recovery Plan ('LURP')<sup>10</sup> was prepared in December 2013 to facilitate development and recovery in the Greater Christchurch area. Of significance, the LURP included amendments to the Canterbury Regional Policy

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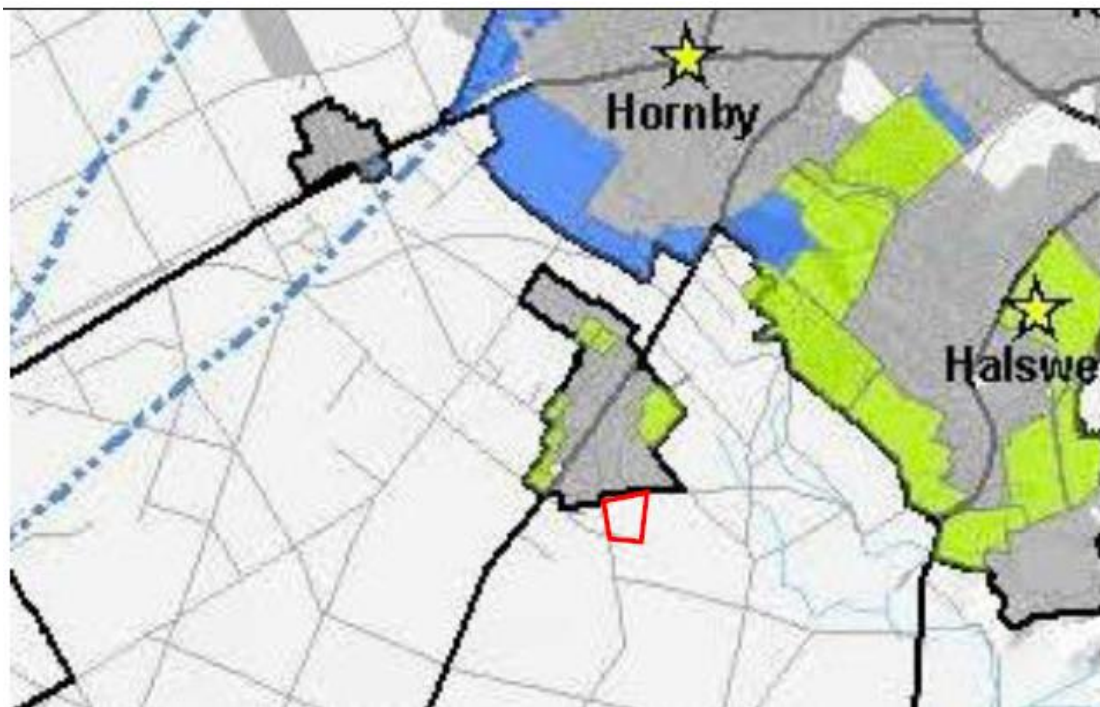
<sup>9</sup> <https://www.selwyn.govt.nz/property-and-building/planning/strategies-and-plans/prebbleton-structure-plan>

<sup>10</sup> The LURP was prepared under the Canterbury Earthquake Recovery Act 2011 rather than the RMA.

Statement ('CRPS') through a new **Chapter 6** which directed land use change across the Greater Christchurch area.

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

**Figure 6. CRPS Map A**



135. The LURP also directed a number of amendments to the District Plan, including changes in zoning of a number of the greenfield priority areas to enable their development for residential activities.
136. In addition to directing the location of urban growth, the new CRPS Chapter 6 also considered the provision of 'Rural Residential' development, which was defined as residential development at a density of 1-2 households per hectare and located outside of the greenfield priority areas. Policy 6.3.9 stated that new rural residential areas could only be provided where they were located in accordance with a Council-adopted rural residential development strategy prepared in accordance with the Local Government Act.

### **Rural Residential Strategy 2014<sup>11</sup>**

137. In response to the amendments to the CRPS, the Council prepared a Rural Residential Development Strategy in 2014 ('RRS-14'). The RRS-14 identified a set of criteria for identifying areas in the Inner Plains that would be suitable locations for rural residential development. As

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

a generalisation, rural residential locations were chosen on the basis that they were located on the edge of existing townships (rather than as isolated rural enclaves), were able to be serviced by reticulated networks, and were sited in locations where they were not in an identified growth path for suburban density development and/or were located to provide a clear 'edge' to the township.

138. Of particular relevance to PC72, the application site was identified as a suitable location for rural residential development (Area 8).

**Figure 7. Rural Residential Areas in Prebbleton**

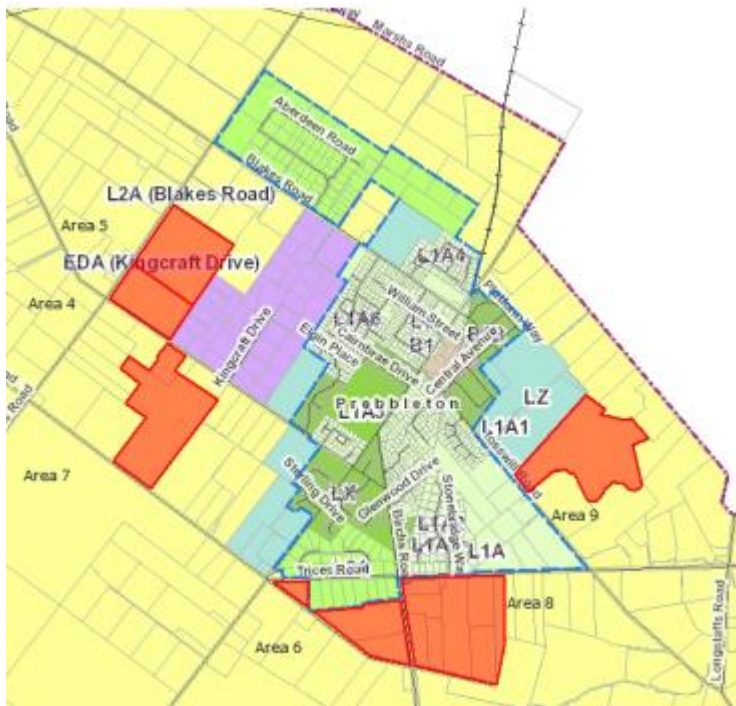


Image source: RRS14, Figure 31

139. Subsequent to the development of the RRS-14, the District Plan was amended to provide a rural residential zone (Living 3), including objectives, policies and rules<sup>12</sup>.
140. A number of private plan changes have since been promulgated by landowners to rezone sites identified in the RRS-14 to Living 3, including the Living 3 site located opposite the application site on the western side of Birches Road.
141. The RRS-14 and associated direction in the CRPS provides an important basis for considering the various options put forward in this application. Rezoning the entire site to Living 3 in my view aligns directly with CRPS Policy 6.3.9 in that it is located outside of the greenfield priority areas, is clearly identified within a RRS, and meets all of the locational criteria set out in Policy 6.3.9.
142. I note that a number of submissions were opposed to rezoning to Living Z, but were accepting of change to rural residential densities as being more in keeping with the existing low density character of Prebbleton and the expectations as to the form of future development for the site derived from the RRS-14 process.

<sup>12</sup> This change was undertaken as a LURP action under CERA legislation.

## Birchs Park Management Plan<sup>13</sup>

143. As noted above, Council has recently acquired a large 22ha block located to the south of the application site for development into a large new district park. The park has been designated in the District Plan for recreation purposes and a management plan to guide the development of the park has been prepared following public consultation. The management plan establishes the spatial layout and facilities that the park will contain.
144. Of particular relevance to this plan change is the change in urban form created by the park development. The RRS-14 was based on rural residential development forming an edge to townships, enabling a transition from suburban densities through to large lots on the margins, and then to rural inner plains farmland which is typically formed as 4ha lifestyle blocks. The acquisition of the park means that the park now provides a clear alternative (and strongly defensible) southern edge to the township that was not available when the RRS-14 was developed.

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

145. In response to increasing concerns regarding housing affordability, supply, and integration with infrastructure, the Government gazetted the NPS-UDC in 2017. This NPS required Councils in high growth areas to undertake an assessment of housing (and business) demand and supply and to demonstrate there will be sufficient, feasible development capacity to support housing and business growth needs over the medium (next 10 years) and long term (10 to 30 years)<sup>14</sup>.
146. In response to meeting the reporting obligations under the NPS-UDC, the Greater Christchurch Partnership organisations prepared a document titled ‘Our Space 2018-2048: Greater Christchurch Settlement Pattern Update *Whakahāngai O Te Hōrapa Nohoanga*’ (‘Our Space’).
147. Our Space is focused on how to best accommodate housing and business land needs in a way that integrates with transport and other infrastructure provision, builds greater community resilience, and contributes to a sustainable future for Greater Christchurch that meets the needs and aspirations of communities. It provides targets for housing for 30 years and outlines how any identified shortfall in capacity to meet these targets will be met, including through the identification of areas for housing growth. This planning was intended to promote “*a compact urban form, which provides for efficient transport and locates development in a manner that takes into account climate change and sea level rise*”<sup>15</sup>. This is reflected in additional capacity being directed to Rolleston, Rangiora and Kaiapoi in support of the public transport enhancement opportunities identified<sup>16</sup>. Given the significant crossover between Our Space and the CRPS, subsequent changes to the CRPS were signalled as being required to facilitate the outcomes set out therein. Our Space also highlights the value that versatile soil resource

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<sup>13</sup> <https://yoursay.selwyn.govt.nz/birchs-rd-park/widgets/267320/photos/65557>

<sup>14</sup> A partnership of Christchurch City Council, Environment Canterbury, Selwyn District Council, Waimakariri District Council, Te Rūnanga o Ngāi Tahu, New Zealand Transport Agency, Canterbury District Health Board and the Greater Christchurch Group of the Department of Prime Minister and Cabinet.

<sup>15</sup> Executive Summary.

<sup>16</sup> Page 28.

provides the sub-region and the need to consider this resource as part of the settlement pattern to promote a sustainable urban form<sup>17</sup>.

148. In summary, the matters raised by Our Space are effectively the same as those discussed below in relation to the CRPS.

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

149. Prior to July 2020, the planning framework for the Inner Plains was therefore clearly established. Development to suburban densities could only occur within greenfield priority areas identified on Map A of the CRPS. Our Space recognised the need for some additional capacity to be made available in Rolleston, with the additional locations of greenfield growth incorporated into the CRPS.
150. Development to rural residential densities could likewise only occur in areas specifically identified in the RRS-14, and then only once a change in zoning to Living 3 had been confirmed through a private plan change process.
151. The Government gazetted the National Policy Statement for Urban Development 2020 (NPS-UD) on 20 July 2020. The NPS-UD was in response to growth pressures being faced nationally, and has particular relevance for 'Tier 1' Councils which include Selwyn District. It built on (and replaced) the NPS-UDC.
152. The NPS-UD defines an 'urban environment' as being an area of land that is or is intended to be predominantly urban in character; and is or is intended to be part of a housing and labour market of at least 10,000 people (regardless of size, and irrespective of local authority or statistical boundaries). Whilst the population of Prebbleton is some 4,500 people (2018 census), the whole of the Greater Christchurch area functions as a single (albeit complex) housing and employment market. As such the NPS-UD is considered to apply to Prebbleton. The inclusion of the Inner Plains townships within the ambit of the NPS-UD as urban environments is an interpretation that has been applied consistently across the numerous private plan changes that are currently in process and is also an interpretation that has been adopted by the Greater Christchurch partner Councils.
153. NPS-UD **Policy 8**, states that *"local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:*
- a) unanticipated by RMA planning documents; or*
  - b) out-of-sequence with planned land release".*
154. In short, Policy 8 'opens the door' for private plan changes to be considered for blocks of land that were not identified as greenfield priority areas in the CRPS i.e they are 'unanticipated by a RMA planning document'. This includes the PC72 block. It likewise enables the opportunity to consider whether development of the site to more suburban densities e.g. Living Z zoning, would produce a better overall outcome, or a 'well-functioning urban environment' relative to the alternative of developing the site to rural residential densities.

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<sup>17</sup> [Our-Space-2018-2048](#). Section 4. Our Challenges (Page 18), Figure 10: Example constraints on development across Greater Christchurch (Page 21).



155. In order to be able to pass through the Policy 8 doorway, plan changes need to meet two tests, namely that the plan change would add significantly to development capacity, and secondly that it would contribute to a well-functioning urban environment.
156. In terms of the statutory framework, the alignment of the plan change with the outcomes sought in the NPS-UD, and the interplay of the NPS-UD with the CRPS, is the crux of my assessment. As such I consider the NPS-UD in some detail as follows.

### Development Capacity

157. **Objective 6** of the NPS-UD seeks that local authority decisions on urban development that affect urban environments are integrated with infrastructure planning and funding decisions; strategic over the medium term and long term; and are responsive, particularly in relation to proposals that would supply significant development capacity.
158. This Objective is implemented by:
- **Policy 2**, which requires that “at least” sufficient development capacity is provided within the district to meet the expected demand for housing, in the short, medium and long terms.
  - **Policy 6**, which guides decision-makers to have particular regard to (amongst others) “*any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity*”; and
  - **Policy 8**
159. Guidance in terms of the application of **Policy 8** is found within the NPS-UD itself. Subpart 2 – Responsive Planning, 3.8 ‘Unanticipated or out of sequence developments’ sets out that:
- (2) *Every local authority must have particular regard to the development capacity provided by the plan change if that development capacity:*
    - a) *would contribute to a well-functioning urban environment; and*
    - b) *is well-connected along transport corridors; and*
    - c) *meets the criteria set under subclause (3); and*
  - (3) *Every regional council must include criteria in its regional policy statement for determining what plan changes will be treated, for the purpose of implementing Policy 8, as adding significantly to development capacity.*
160. In terms of (3) above, no such criteria have yet been included in the CRPS. In my view, if there are no criteria then it is only the first two matters listed in (2)(a) and (b) that are relevant.
161. Clearly PC72 is unanticipated by the District Plan and the CRPS. In order to be considered under Policy 8 it therefore first needs to be capable of delivering ‘significant development capacity’. The applicant’s assessment of PC72 is that it does represent significant additional urban growth capacity, especially when considered within the context of Prebbleton.
162. The submissions from both CCC (PC72-0043) and CRC (PC72-0047) raise the matter of whether an additional 300 or so households meets the threshold for being ‘significant’. Both submitters consider that the growth represented by PC72 is less significant when set against the medium term housing target of 32,300 households for Greater Christchurch as a whole, or long term target of 86,600 in the case of the CCC submission. The CCC notes that some 300 houses is only a very small fraction of that overall housing target.
163. In my view, to set a ‘significant’ threshold as having to equate to a large percentage of total Greater Christchurch growth would mean a new plan change would need to be providing for

many thousands of houses, which is far in excess of any individual growth area ever developed in Greater Christchurch over the last thirty years. In short, setting a significance threshold as a large percentage of Greater Christchurch capacity would create a bar that is set implausibly high, such that the pathway provided by Policy 8 could never be used, which is clearly not the intent of the national direction.

164. I acknowledge that 300 houses is very much at the smaller end of what might be considered significant. That said, in the context of Prebbleton township an extra 300 houses does constitute a reasonable increase in percentage terms (noting that Prebbleton currently has approximately 1,500 homes). In a wider context of the annual growth experienced across the Selwyn Inner Plains townships (averaging approximately 1,200 households per year), 300 homes equates to approximately 25% of annual demand. As such I consider that the plan change does make a sufficient contribution towards capacity that it passes the 'significant' threshold.
165. The NPS-UD defines development capacity as follows:
- means the capacity of land to be developed for housing or for business use, based on:*
- a) the zoning, objectives, policies, rules, and overlays that apply in the relevant proposed and operative RMA planning documents; and*
  - b) the provision of adequate development infrastructure to support the development of land for housing or business use*
166. The definition of development infrastructure includes water, wastewater and stormwater as well as land transport infrastructure. Therefore, if a proposal cannot be adequately serviced by the necessary infrastructure it cannot be said to contribute to development capacity. The above assessment on servicing has confirmed that the site can be serviced for three water infrastructure and roading, with any necessary site-adjacent upgrades either already programmed or able to be resolved through the subdivision consent process. Wider roading network improvements are necessary if other plan changes in the wider area are also approved, however this is a wider infrastructure matter than just that derived from this application.
167. Implicit in the submissions of both the Christchurch City Council and Canterbury Regional Council is the concern that even if the plan change passes the 'significant' threshold, such additional capacity is not needed as adequate capacity to meet **Policy 2** obligations is already provided within the various District Plans covering the Greater Christchurch area. Furthermore, that existing capacity is located in preferable locations, such that additional capacity in sub-optimal locations will result in a less well-functioning urban environment than might otherwise occur.
168. In considering growth capacity under the NPS-UD, Selwyn Council has previously undertaken and been part of the various growth and strategic planning projects. This is outlined in more detail in the technical memorandum prepared by Ben Baird, '*Growth Planning in Selwyn District*', dated 19 August 2021 (**Appendix D**). Mr Baird describes the various strategic documents prepared over the last 15 years that have influenced growth in the District, the identification of areas intended for growth, and the wider objectives intended for such growth which are considered to be consistent across strategic growth documents and planning.
169. Mr Baird also outlines how capacity within the District has been assessed, and how further capacity will be provided to meet projected demand, as well as why most of the proposed distribution of growth capacity is focussed on Rolleston. This is intended to improve self-sufficiency of the local economy; provide greater certainty to inform investment decisions;

improve the amenity of the Rolleston Town Centre and efficient use of its social infrastructure; and promote the efficient use of infrastructure, including transport.

170. It is noted that the numbers used in Mr Baird's Memorandum are drawn from the Greater Christchurch Housing Capacity Assessment<sup>18</sup>. For Selwyn, this means that townships such as Darfield and Leeston, which provide over one third of all existing growth capacity, are considered within the total Selwyn demand and supply although they are not otherwise within the area traditionally recognised as 'Greater Christchurch'. In my view this overstates the 'urban' growth capacity for Selwyn set out in the Greater Christchurch Housing Development Capacity Assessment.
171. The figures for demand are based on a 'high' growth scenario, which I understand is the highest that can be allowed for within the Selwyn Capacity for Growth Model (SCGM). However, Table 1 of Mr Baird's Memo sets out that the number of new dwellings has significantly exceeded Council's predictions. Recent history would suggest that even using the highest growth projection is significantly underestimating current growth patterns, noting the annual number of new dwellings set out in Mr Baird's report. Given that recent 'real world' growth clearly exceeds modelled growth, there is the possibility that Council could be in a position of not providing sufficient zoned land, thereby not meeting the obligations under **Policy 2** of the NPS-UD as well as adversely affecting housing affordability. In summary, I consider that the capacity is potentially overstated given that a reasonable portion of this capacity is located in the 'outer plains' townships, and demand is potentially understated given that the modelled growth is lower than the 'real world' growth that has occurred over the last decade.
172. Furthermore, in my view such considerations have to be made in the context of the risk of over-supplying zoned land. The NPS-UD only requires that sufficient capacity is provided, it does not preclude greater capacity being provided, i.e. it is a tool for ensuring minimum capacity requirements are met, not as a tool for limiting further capacity (provided such additional capacity is in locations that meet the other NPS-UD policy tests). In my view the impacts of under-supply outweigh any consequence arising from an over-supply, especially if that additional supply can be efficiently serviced, is appropriately located and integrated with existing townships to produce a good urban form, and particularly in the current climate of rapidly rising housing costs and a general consensus that there is a 'housing emergency'.
173. There are numerous private plan changes currently in process. The southwest Farringdon block has also recently been granted the necessary land use, subdivision, and regional consents<sup>19</sup> to enable the development of some 990 houses. Recently heard plan change applications in West Melton, Rolleston, and Lincoln cumulatively equate to some 5,000 households. At the time of writing, decisions on these plan change have yet to be released. Even if all of them were to be granted (and noting that the West Melton and Rolleston changes were recommended to be declined), the additional capacity released equates to only 4 years growth based on the annual take-up of housing that has been experienced over the last five years as specified in Mr Baird's report.
174. I am therefore satisfied that the application will provide significant capacity, especially when considered first in the context of Prebbleton, and secondly against annual demand across the

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<sup>18</sup> <https://www.greaterchristchurch.org.nz/assets/Documents/greaterchristchurch/Capacity-Assessment-reports-2021/Greater-Christchurch-Housing-Development-Capacity-Assessment-July-2021.pdf>

<sup>19</sup> <https://www.epa.govt.nz/fast-track-consenting/referred-projects/farringdon/>

Selwyn Inner Plains townships. There is no direction within the NPS-UD that prevents or discourages the provision of more than adequate capacity, provided such additional growth areas are appropriately located and serviced. In my view the risks relating to the adequate supply of housing are greater if there is insufficient capacity being made available, than the risk of oversupply.

### **A well-functioning urban environment**

175. As noted above, the provision of significant capacity is the first of two policy tests. The second test set out in Policy 8 is whether that additional capacity is located such that it will 'contribute to a well-functioning urban environment'. Such an assessment is informed by the other objectives and policies of the NPS-UD which work as a package.
176. **Policy 1** of the NPS-UD sets out what constitutes a 'well-functioning urban environment' and requires that planning decisions contribute to such environments. A well-functioning urban environment must meet all of the criteria in the policy, which includes that they: have or enable a variety of homes that meet the needs of different households; support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and support reductions in greenhouse gas emissions.
177. I consider that the proposal will enable a variety of homes to meet the needs of different households and will support the competitive operation of land and development markets. The above discussion on urban design and urban form matters likewise has concluded that the application site is well located in terms of adjacency with Prebbleton and fills in a gap created between the existing suburban edge of the town and the large new district park being developed by Council. As such the site has clear urban edges, integrates well with the existing township form, and avoids both infilling towards Christchurch and ribbon development along Springs and Shands Roads to the south.
178. As discussed above, PC72 will provide limited accessibility to employment by way of active transport. This is because the site itself does not contain a commercial area, and Prebbleton township likewise does not contain a large employment base. The application site is however located within cycling distance of Lincoln, Rolleston, and Hornby Key Activity Centres. The location of the application site adjacent to a major cycle way connecting to the Lincoln Key Activity Centre, in close proximity of a large district park, and with internal cycle and pedestrian linkages shown on the ODP (and recommended to be further enhanced in the memorandum of Mr Nicholson), mean that there are walking and cycle opportunities and connections within the site's localised context.
179. Public transport services are currently limited in Prebbleton, however there is the potential for such services to be enhanced, and stops are located adjacent to the site on Birches Road.
180. That said, active and public transport opportunities are unlikely to be practicable for the majority of residents in terms of access to employment and the services available in the larger commercial centres, at least in the short-term. This has flow on implications in terms of the degree to which the proposal is able to support reductions in greenhouse gas emissions, as it will introduce additional households into an area that is largely dependent on private vehicle movements.

181. An increase in commuter traffic will result in more people making trips, resulting in increased emissions, congestion and longer journey times. Clearly this is not an issue that is specific to just PC72 when compared to other growth areas within the Selwyn District, including for instance Rolleston, West Melton, and Lincoln where other private plan changes have been received. Compared with the other Inner Plains townships, Prebbleton is closer to Christchurch, and therefore arguably growth in Prebbleton reduces the potential for greenhouse gas emissions relative to other growth options in Selwyn District.
182. In my view if climate change were to be used as a reason to refuse further growth in Prebbleton then no growth anywhere in the Selwyn District would be appropriate for the same reason (and in the absence of any rapid public transport solution such as rail from Rolleston). The alternative being that growth should be accommodated as infill within Christchurch.
183. This alternative assumes that the markets for quite different locations and housing typologies are interchangeable. The Greater Christchurch Housing Development Capacity Assessment (pg.34) identified that such substitution is by no means certain and concluded that:
- “Further market analysis is however required on the relationship between greenfield and infill development (namely whether one offsets the other) to draw any further conclusions on what specifically has driven the historical demand for new neighbourhoods (i.e. house design, section size, price, and/or amenity) and whether these greenfield area drivers are the same or different between spatial areas (i.e. a new subdivision within Waimakariri compared to new neighbourhoods in Selwyn or Christchurch City). Furthermore, whether the greenfield area demand drivers are the same or different than for redevelopment areas, or do some demand aspects such as proximity to schools, come more into play.*
184. In summary, I consider that the proposed development would add significantly to development capacity, that there is a potential risk of undersupply, and the effects resulting from such undersupply on the efficient functioning of the housing market outweigh the risks associated with over supply where that additional supply can be serviced. I consider that subject to the amendments to the ODP recommended by Mr Nicholson, the proposal will contribute to well-functioning urban environment as required by **Policies 1 and 8**.

### Canterbury Regional Policy Statement (CRPS)

185. As set out above, a new Chapter 6 was added to the CRPS in late 2013 to specifically address growth and recovery in the Greater Christchurch area. The CRPS was recently updated through Plan Change 1<sup>20</sup> which identified some Future Development Areas’ (‘FDAs’) in Rolleston (and Rangiora and Kaipoi) in response to the need to provide additional housing capacity.
186. The application sets out that the most relevant objectives and policies of the CRPS are those contained in Chapters 5 (to the extent relevant to the entire region), 6, 9, 11, 12, 15 and 17. Appendix 13 to the application sets out the applicant’s assessment of the relevant objectives and policies. In my view, the applicant has identified those provisions within the CRPS that are relevant to the proposal. I also agree with the assessment undertaken by the applicant, albeit that I consider Chapter 6 in more detail given that it is this chapter that provides specific urban growth direction.

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<sup>20</sup> The Proposed Change was approved by the Minister for the Environment on 28 May 2021 and the changes became operative on 28 July 2021



187. As noted above, prior to the NPS-UD, the CRPS Chapter 6 provided settled direction regarding urban growth, with growth anticipated within greenfield priority areas (and more recently FDAs), and conversely to be avoided outside of these areas. In terms of **Objectives 6.2.1** and **6.2.2**, and **Policy 6.3.1** the application is clearly not consistent with the prescriptive provisions in Chapter 6 directing urban growth to specific areas. The submissions from both the CCC and CRC likewise identify this lack of alignment.
188. **Policy 8** of the NPS-UD provides an opportunity to allow consideration of an 'out of sequence' proposal that meets the significant capacity threshold. I also consider that as a higher order document, the NPS-UD should be considered as providing an 'opportunity' that would otherwise be precluded by the CRPS and other planning documents. This reflects the central government objectives to facilitate greater opportunities for urban growth and housing opportunities. However, in order to be given this opportunity the NPS-UD requires such out of sequence development to still "*contribute to well-functioning urban environment*", and must also be weighed against other applicable provisions to determine whether PC72 is the most appropriate way to achieve the purpose of the RMA. In short, the NPS-UD opens the door to overcome the prescriptive CRPS directions regarding growth only being located within greenfield priority areas. Such door opening is not however open-ended, with proposed new growth areas still needing to 'stack up' in terms of their alignment with the other outcomes sought in the CRPS.
189. In summary, and as identified in Appendix 13 in the application, the PC72 site:
- Does not exacerbate natural hazard risks;
  - Is not located in an area with identified high landscape, ecological, or cultural values;
  - The majority of the site is not located on versatile soils;
  - Is not located such that it would result in reverse sensitivity effects or otherwise affect the functioning of strategic infrastructure;
  - Is able to be connected to reticulated infrastructure networks for which there is sufficient existing or programmed capacity;
  - Is located in a manner that results in good urban form, is able to provide a clear edge to the township, and at a site-level is able to be well-connected and integrated into the wider street and pedestrian/ cycle network;
  - Will be developed in accordance with an ODP that shows the requisite matters set out in Policy 6.3.3;
  - Will result in a yield of at least 10 households/ hectare, as required in Policy 6.3.7.

#### **Summary – CRPS regarding Living Z zoning**

190. Clearly PC72 conflicts with the directive outcomes sought in regard to **Objective 6.2.1(3)** and **Policy 6.3.1(4)** of the CRPS. Were this application to have been considered prior to the NPS-UD being gazetted, then such a policy conflict would have presented an extremely high hurdle.
191. The NPS-UD has changed the policy basis. **Policy 8** of the NPS-UD opens the door to consider the merit of blocks of land that have not been previously identified in strategic planning documents such as the District Plan or the CRPS. The above assessment, and that provided in Appendix 13 of the application, demonstrate that location aside, the PC72 block is compatible with the other outcomes sought in the CRPS for new growth areas.

## CRPS – Rural Residential Development

192. In addition to providing direction regarding more urban (or suburban) forms of growth, the CRPS also provides direction regarding rural residential development. **Policy 6.3.9** provides for this form of housing at a density of 1-2 households per hectare, where the location for such is identified in a RRS, and meets various qualifying criteria set out in the policy. The application site is identified in the RRS, and this identification can be taken to mean that it also therefore meets the qualifying criteria, as the RRS-14 was based upon this criteria.
193. Whilst PC72 therefore conflicts with the CRPS direction regarding greenfield priority areas, it fully aligns with the direction regarding rural residential development. The option to rezone the entire site to Living 3 therefore presents no conflict with the CRPS. It also means that the tests set in Policy 8 to the NPS-UD are not relevant, as rural residential growth in this location is not ‘unanticipated’.

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

194. Under s75(4)(b) of the RMA, the District Plan cannot be inconsistent with a regional plan, which in respect to this application include the LWRP and CARP. Appendix 14 of the application includes an assessment against the LWRP. The establishment of activities within the plan change site will either need to meet the permitted activity conditions of these plans or be required to obtain a resource consent.
195. In broad terms I consider that the effects associated with requirements under these regional plans can be considered at the time of detailed development and the necessary consents obtained.

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

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

Given the absence of waterways and wetlands within the site, a change in zoning does not threaten the values that the NPS-FM seeks to protect.

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

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

### **Mahaanui Iwi Management Plan (IMP)**

202. The Mahaanui Iwi Management Plan (IMP) is a planning document recognised by an iwi authority and lodged with the council, which includes content that relates to the district's resource management issues. Under s74(2A) of the RMA, the Council, in considering this plan change, must take into account the IMP. The application includes an assessment of IMP<sup>21</sup>. The application notes that there are no cultural sites identified in the District Plan applicable to the site, and neither are there any known archaeological sites. As noted above there are no waterways or wetlands on the site, and no mahinga kai areas.
203. Sewage resulting from the development will be reticulated and treated in the Council's Pines plant. The design and operation of stormwater collection and treatment systems will be subject to obtain the necessary regional consents and provide a process whereby water quality outcomes can be assessed.
204. The applicant has advised that prior to lodgement they provided a draft copy of the application to Mahaanui Kurataiao Limited who represent Tangata Whenua interests. No pre-lodgement feedback was received. As part of the public notification process, as standard practice the Council directly notified Mahaanui Kurataiao Limited in order to provide an opportunity for mana whenua to submit, with no submission having been received. The applicant may be able to advise the Commissioner if any further consultation or feedback has been received from mana whenua over the intervening time period.

### **Consistency with the plans of adjacent territorial authorities**

205. Matters of cross-boundary interest are outlined in the District Plan (in Section A1.5 of the Township Volume). I do not consider there to be any directly relevant provisions in the District Plans of neighbouring territorial authorities that are affected by PC72. The most applicable matters to PC72 include:
- a) Effects on the strategic and arterial road network from people commuting between Selwyn and Christchurch.

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<sup>21</sup> Paragraphs 163-170

- b) Development on or near the boundary of Selwyn District and Christchurch City Council that may influence housing sufficiency and the coordination of infrastructure services.
206. These cross-boundary interests have primarily been addressed and managed through the sub-regional approach of managing growth across Greater Christchurch through the Greater Christchurch partnership forum and resultant Our Space document. Notwithstanding, matters relating to urban form, transport infrastructure, and housing capacity have been discussed above, noting the NPS-UD framework provides an opportunity for unanticipated and out of sequence development to be considered.

## Consideration of alternatives, benefits and costs

207. Section 32 requires the consideration and evaluation of the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the Act (s32(1)(a)); as well as an assessment of whether the provisions in the proposal are the most appropriate way to achieve the objectives (of both the proposal and the existing District Plan objectives), having regard to the efficiency and effectiveness of the provisions and having considered other reasonably practicable options (s32(1)(b)).

### Extent to which the Objectives of the Plan Change are the Most Appropriate Way to Achieve the Purpose of the Act

208. The plan change proposal does not involve any new objectives or changes to the existing objectives and policies within the District Plan. The assessment required under s32(1)(a) is therefore the extent to which the plan change is the most appropriate way to achieve the purpose of the RMA. The stated general purpose of the PC72 is *“to change the zoning of the application site in the Operative District Plan from Rural Inner Plains to Living Z and Living 3 residential zones in a controlled and managed way through a development Plan (Prebbleton Outline Development Plan 5) and by adopting, as far as possible, the Operative District Plan planning zones and subdivision, activity, and development standards”*<sup>22</sup>.
209. In considering the appropriateness of the proposal in achieving the purpose of the RMA, I consider that there are no section 6 matters in play. The location of the site outside areas identified for urban development in the CRPS and Our Space is relevant to the consideration of whether the proposal results in an efficient use of natural and physical resources (s7(b)). Physical resources include various infrastructure, such as transport networks and the alternative option of developing the entire site to rural residential densities through a change to a Living 3 zone.
210. I am satisfied that the provision of servicing for this site can be achieved without compromising the ability for other sites, where the Council has anticipated development, to also be appropriately serviced (namely by water and wastewater).
211. In order to achieve the maintenance and enhancement of amenity values (s7(c)) and the maintenance and enhancement of the quality of the environment (s7(f)), I consider that the connectivity issues raised by Mr Nicholson need to be addressed through amendments to the ODP.

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<sup>22</sup> PC72 application Appendix 11, s32 assessment, paragraph 5.

## Operative Selwyn District Plan

212. Section 32(1)(b) requires examination of whether the proposed plan change provisions i.e. a change to the zone, are the most appropriate way of achieving the District Plan objectives. There are several objectives and policies specific to the form and development of Prebbleton township itself. There are also objectives and policies addressing urban form and residential amenity generally.
213. I also consider that the existing direction in the Selwyn District Plan should be considered in assessing the appropriateness of the proposal at achieving the purpose of the RMA, given that the Plan has been prepared to give effect to the purpose of the RMA.
214. **Objective B4.3.3** and **Policy B4.3.1** seek that within the Greater Christchurch area, new residential development is contained within existing zoned areas or priority areas identified within the CRPS. In essence these provisions give effect to the CRPS direction regarding growth areas, and are therefore subject to the same need to consider unanticipated proposals under the NPS-UD where proposals are in locations where development is not anticipated.
215. The applicant has undertaken an assessment of the proposal against the District Plan's objectives and policies<sup>23</sup>. I generally agree with this assessment and in summary note the following:
- **Objective B4.3.6** seeks to ensure that Living Z areas achieve an average net density of at least 10 households per hectare;
  - **Objective B3.4.4** and **Policy B4.3.6** seek that the growth of townships achieves a compact urban form where practical;
  - **Policies B4.3.7** and **B4.3.8** require the provision of an ODP and the identification (as appropriate) of principal roads, stormwater and parks, integration or upgrades with infrastructure, and any other methods necessary to protect important features;
  - **Objective B.3.4.5** seeks that urban growth provide a high level of connectivity within the development and with adjoining land areas and will provide suitable access to a variety of forms of transport.
216. In addition to broad direction regarding the above matters and the need for urban growth areas to align with those shown in the CRPS, the District Plan also contains two specific policies that guide the direction of growth in Prebbleton. These two policies are as follows:
217. **Policy B4.3.64** seeks to *"encourage land located to the east and west of the existing Living and Business zones, being those Living and Business zones that adjoin Springs Road, which is located as close as possible to the existing township centre as the first preferred areas to be rezoned for new residential development at Prebbleton, provided sites are available and appropriate for the proposed activity"*.
218. **Policy B4.3.65** seeks to *"discourage further expansion of Prebbleton township north or south of the existing Living zone boundaries adjoining Springs Road"*.
219. The PC72 aligns with both these policies. It does not result in a north or southward expansion along Springs Road. It is located to the east of the existing Living 3 zone to the west of Birchs

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<sup>23</sup> PC72 application, Appendix 15



Road and is located as close as possible to existing suburban areas i.e. it does not result in an intervening area of rural land being land locked.

### **Proposed Selwyn District Plan**

220. As noted earlier, my understanding is that there is no specific requirement to consider a plan change against the pSDP. The provisions are currently being heard and are subject to change. Notwithstanding, the application<sup>24</sup> includes an assessment against the provisions and I note that various submitters have also referred to the 'Urban Growth' chapter therein.
221. The Urban Growth chapter is intended to assist in meeting demands for housing and business opportunities to support growing community needs. New urban areas have an underlying General Rural zoning, but are identified within an 'Urban Growth Overlay' (UGO). **UG-P2** directs that the rezoning of land to establish new urban areas within the UGO is provided for; while **UG-P3** directs the avoidance of zoning of land to establish new urban areas/township extensions outside this UGO. My understanding is that the UGO is intended to generally identify areas for future growth, while still requiring these areas go through more specific rezoning process before they can be developed for urban purposes. The site IS identified as a UGO (albeit for rural residential purposes) and therefore is consistent with the CRPS and Our Space already discussed above insofar as they relate to very low density housing typologies.

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

222. A Ministry for the Environment (MfE) guide to section 32 notes that case law has interpreted 'most appropriate' to mean *"suitable, but not necessarily superior"*.
223. Unlike with most plan changes where there are simply two options in play, namely to grant the change in zone as sought by the applicant or decline the application and retain the existing (typically rural) zone, in this case the applicant has put forward a preferred option, followed by three alternative (and less preferred) options. In addition to the four options put forward by the applicant, a fifth option is to retain the site's existing Rural Zoning, with this outcome sought by a number of submitters. A sixth option is sought by the CCC whereby in the event that the site is rezoned, the CCC seek that subsequent development should achieve a minimum density of at least 15 hh/ha.
224. It is necessary to consider which of these six options provides the best fit with both the District Plan policy framework, and the higher order direction provided by both the CRPS and more recently the NPS-UD. I consider each of these six options in order of increasing density.

#### **Option 1: Retain a rural zone**

225. This is the option preferred by a number of submitters who enjoy the current rural outlook and who are likewise concerned about ongoing expansion of Prebbleton (in any direction) and the impacts such would have on the existing village character of the township and associated pressure on infrastructure and roading capacity. As set out above, the application site has been identified as a potential site for rural residential development since 2014. It is appropriately located in terms of being able to connect to reticulated services, and is in a location that is relatively free of natural hazards, versatile soils, and areas with high ecological, landscape, or cultural values. It is likewise sited in a location that aligns with the District Plan policy guidance

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<sup>24</sup> PC72 application, Appendix 16

concerning the preferred directions in which Prebbleton is to grow. Given the growth pressures faced by the District, the shortage of land available for housing in Prebbleton, and the inclusion of this block in the RRS-14, I do not consider that retention of this block as rural land is efficient or effective in meeting the housing needs of the community.

### **Option 2: Rezone the entire site to Living 3**

226. I consider that this option most readily aligns with the District Plan and CRPS policy frameworks. As set out above, both the District Plan and the CRPS anticipate that sites identified within a RRS-14 are suitable in principle for development to rural residential densities, pending site-specific confirmation of details such as ODP design and servicing via a plan change.
227. Such an outcome would provide for some 55 households at an average density of no less than 0.5ha. As identified by a number of submitters, it would also be in keeping with the current form of much of the current edge development around the periphery of Prebbleton, such as the recent development on the western side of Birchs Road, and areas further west of the township out towards Shands Road.
228. If the Commissioner is of the view that the 'gateway' tests of Policy 8 NPS-UD have not been met, then this option is able to be progressed as a form of development that is readily compatible with both the District Plan and CRPS policy frameworks.
229. In my view the RRS-14 identified this block at a time that both preceded the NPS-UD (and associated need to demonstrate adequate housing capacity), was at a time when there was a ready supply of housing land available in both Prebbleton and the other Inner Plains townships following the land released through the LURP, and preceded Council's acquisition of the large Birchs Park area.
230. The build-out of available land, combined with the directions in the NPS-UD and the park acquisition are all material changes in both the policy framework and the physical environment since the RRS-14 was developed. In my view a key driver of the RRS-14 was to locate very low density development in township edge locations where rural residential dwellings would form a transition or edge to the rural area. This edge outcome is now able to be better provided by the development of the new 22 hectare park which establishes a large and permanent edge to the southern side of Prebbleton. As such I consider that higher yielding forms of development are a more efficient use of the land resource. In short Living 3 is a missed opportunity to provide significantly more houses in an appropriate location that can be easily serviced.

### **Option 3: Rezone to Living 3A (and the Tuff block to Living 3)**

231. The application puts forward as an alternative a 'Living 3A' zoning across the majority of the site. This zone would provide for a minimum average lot size of 2,000m<sup>2</sup> and a minimum lot size of 1,000m<sup>2</sup>. In my view this is the worst of all worlds. It does not align with the RRS-14 and associated (pre-NPS-UD) policy direction regarding growth management and the provision of rural residential housing. It likewise does not contribute a particularly high yield in terms of housing capacity (approximately 130 households), to the point that I am cautious that it would pass the Policy 8 test of delivering significant capacity – and if it is not able to pass Policy 8 then the assessment simply reverts to the District Plan and CRPS policy frameworks where there is clear direction to avoid growth outside of greenfield priority areas. Even if the resultant capacity were to be considered sufficiently significant to pass the first test, I am cautious that a perpetuation of very low density suburban outcomes in locations that are suitable for supporting urban development is particularly sustainable or would cumulatively result in a well-

functioning urban environment. As such I find no policy support for this option in either the NPS-UD or the CRPS and District Plan.

#### **Option 4: Rezone to Living Z and Living 3 (the applicant's preferred option)**

#### **Option 5: Rezone the entire site to Living Z**

232. I discuss Options 4 and 5 together as they are substantively the same, with the only material difference being the zoning of the Tuff block. I consider that there has been a material change in both the policy framework and the physical environment since the RRS-14 was developed. The RRS-14 means that the site has long been identified as being suitable for housing, albeit at very low densities. The development of Birchs Park provides an alternative, and effective, urban edge to the township. The site can be serviced and is otherwise suitable for urban development. The NPS-UD has a strong focus on ensuring there is sufficient capacity to meet the communities' housing needs, provided such capacity is provided in suitable locations, and in a manner that will result in a well-functioning urban environment. In my view development to suburban densities is appropriate, and indeed constitutes a more efficient use of the site than the alternatives.
233. For the above reasons I likewise consider that the entire site should have a Living Z zoning. If the Tuffs wish to retain their current lifestyle block then they are free to do so. If in the future the Tuff block is to be further subdivided then there does not appear to be any compelling reason for a small pocket of very low density rural residential housing on the edge of the ODP area.

#### **Option 6: Rezone the entire site to Living Z with a minimum density of 15hh/ha**

234. Whilst the CCC as their primary relief seek that the plan change be declined, their submission also seeks that in the event that the plan change is approved a minimum density requirement of 15 households/hectare is applied to the plan change site in order to better achieve efficiencies in coordination of land use and infrastructure, support mixed land use activities and multi-modal transport systems and protect the productive rural land resource.
235. The PC72 request proposes a minimum net density of 12 households per hectare, and is therefore consistent with the CRPS, which only requires a minimum net density of 10 households units per hectare in greenfield areas in the Selwyn District. A density of 12 hh/ha is the standard minimum density that has been applied to recent Living Z greenfield areas in the District Plan and is likewise the density requirement in the proposed replacement District Plan (albeit that such direction is currently subject to submissions and hearings).
236. In essence there is a balance between the efficient use of land i.e. accommodating more people on any given block and thereby limiting the need for further greenfield expansion, and the provision of a level of amenity and character that is compatible with surrounding urban areas. Over time the density requirements (and therefore character) of the Inner Plains townships has been changing. Prebbleton has a diverse range of section sizes, albeit that these sections range from large to very large i.e. part of the character of Prebbleton is derived from the spacious size of existing lots. There is very little medium density housing options in Prebbleton, meaning that the housing typologies available are limited to 3-4 bedroom detached family homes with very few smaller, low maintenance housing options available.
237. A density of 12hh/ha does represent an increase in density relative to other recent housing developments in Prebbleton. The ODP likewise contemplates the provision of pockets of medium density housing to both enable the overall yield target to be met and to provide some

choice in housing typology. That said, Prebbleton township is still a modestly sized village with limited employment and services available. As such it is different in context to large greenfield areas that either have their own commercial centres and/or are located in close proximity to such centres. An increase in density and a high proportion of medium density housing becomes more appropriate for locations that are near Key Activity Centres.

238. A further increase to 15hh/ha will have benefits in terms of efficient use of the site, and will of necessity require the provision of more medium density house styles. These benefits need to be weighed against the delivery of a new area of housing that comfortably integrates with the existing township. In my view a requirement to deliver a yield of 15 hh/ha would be out of context for Prebbleton. I understand from the RFI response that the applicant has prepared a draft subdivision layout in order to be able to confirm that a yield of 12hh/ha is achievable. As such they may be able to provide the Commissioner with further insight as to whether an increased yield of 15hh/ha is realistic for the site and whether or not the resultant urban outcomes would be compatible with Prebbleton's character.

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

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

### **Part 2 Matters**

241. Under s74(1)(b), any changes to the District Plan must be in accordance with the provisions of Part 2 of the RMA. This sets out the purpose of the RMA (s5), matters of national importance that must be recognised and provided for (s6) and other matters that particular regard is to be had to (s7).
242. Notwithstanding that the Council has notified a proposed District Plan, I consider that the purpose of the Act is currently reflected in the objectives and policies of the operative District Plan, which PC72 does not seek to change. The appropriateness of the plan change in achieving the purpose of the RMA is also a requirement under s32, which has been considered above.
243. The nature of the PC72 area is such that there are no s6 matters in play.
244. In terms of other matters set out in s7 of the RMA, I consider that the efficient use and development of natural and physical resources (s7(b)), the efficiency of the end use of energy (s7(ba)), the maintenance and enhancement of amenity values (s7(c)), the maintenance and enhancement of the quality of the environment (s7(f)); and the effects of climate change (s7(i)) are relevant to the plan change.
245. As various submitters have noted, the creation of such a large residential development without a corresponding increase in local employment and access to services, will result in a further

increase in the existing pattern of commuter travel from Prebbleton to other centres of employment (primarily being either Rolleston, Lincoln, or Christchurch). Whilst the Key Activity Centres of Rolleston, Lincoln, and Hornby are all within cycling distance, it is accepted that the majority of trips are going to be car-based. This has impacts in terms of climate change, the efficiency and end use of energy in addition to the traditionally considered impacts on the road network in terms of both amenity values and traffic safety and efficiency related effects.

246. In considering this issue I have noted above that Prebbleton is located closer to Christchurch than any of the other Inner Plains townships and as such development in Prebbleton will result in fewer emissions relative to the alternative if that same growth was located in Lincoln or Rolleston (absent any high volume public transport system). Conversely it is likely to result in higher overall emissions than if that growth was accommodated via infill within Christchurch. I am not convinced that the townhouse infill market in inner Christchurch is readily interchangeable or able to be substituted for stand-alone family sized homes in townships such as Prebbleton. To me they appear to be largely separate markets, a point recognised in the Greater Christchurch Housing Capacity study. Should substitution occur through a lack of capacity within the Inner Plains townships, in my view it is more likely that future homeowners who are seeking a new detached family home are more likely to go further afield to take advantage of the zoned capacity in Outer Plains townships such as Leeston or Darfield as opposed to substituting for a townhouse in St Albans or Riccarton. This is reinforced by the capacity of these Outer Plains townships forming a key part of the overall capacity available in Selwyn in the Council's response to meeting NPS-UD obligations. As such I consider that the plan change represents a 'less bad' option in terms of climate change effects when compared with the readily substitutable alternatives. Over time these effects may recede in the event that increased population density helps to support improved public transport services, and uptake of electric vehicles increases.
247. Otherwise I consider the matters set out in sections 7 and 8 have been addressed in the effects assessment and consideration of submissions set out above and in the various reports from technical experts attached.

## Conclusions and Recommendation

248. The statutory matters that must be considered in relation to a plan change require the assessment of sections 31, 32, 74 and 75, and regard must be had to the overall purpose and principles set out in Part 2 of the Act.
249. Rezoning the entire site to Living 3 is consistent with the policy direction contained in both the District Plan and the CRPS, without recourse to the NPS-UD. I do not consider such a form of development to be particularly efficient or effective in delivering the housing needs of the community for a block that is otherwise well-located for delivering suburban densities.
250. In terms of the proposal's inconsistency with **Objective B4.3.3/Policy 4.3.1** of the District Plan and various provisions within the CRPS/Our Space that direct the location of growth, I am satisfied that this is outweighed by the significance of the development capacity provided by the proposal. While this capacity is less significant when considered in the context of Greater Christchurch as a whole, the proposal is still considered to add significantly to development capacity when considered against first Prebbleton capacity and secondly against annual housing uptake in Selwyn.



- 251. Before being able to rely on **Policy 8** of the NPS-UD, PC72 must also demonstrate that it *contributes to well-functioning urban environments* (as defined by **Policy 1** of the NPS-UD).
- 252. Based on the information included in the plan change request and the assessment provided in the various reviews by technical experts contained in the Appendices, I am satisfied that the PC72 will contribute to a well-functioning urban environment.
- 253. This conclusion is dependant on the applicant making the necessary amendments to eh ODP map and narrative recommended by Mr Nicholson on urban design matters and Mr Collins on transport matters.
- 254. Mr Collins has also identified the need for further modelling of the Birchs/ Springs Road intersection to confirm that the additional traffic generated by PC72 will not have an unacceptable effect on the safety and level of service experienced at this key intersection.
- 255. In terms of zoning, it is recommended that the entire PC72 site be rezoned to Living Z (including the Tuff block), with a minimum yield of 12 hh/ha stated in the ODP.
- 256. Provided scope is available, it is also recommended that the rural block located between Hamptons Road and the new District Park also be rezoned to Living Z. Inclusion of both this block and the Tuff block enables overall yield to be some 370 households.



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15 December 2021