

BEFORE THE SELWYN DISTRICT COUNCIL

Under	the Resource Management Act 1991
In the matter of	Proposed Plan Change 72 to the Operative Selwyn District Plan: Prebbleton
And	Trices Road Rezoning Group (the Applicant)

BRIEF OF EVIDENCE OF PAULINE FIONA ASTON (PLANNING)

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QUALIFICATIONS AND EXPERIENCE

1. My name is Pauline Fiona Aston (MA Cambridge University, England; M.Phil Town Planning, University College London; MNZPI; MRMLA). I have 37 years resource management and planning experience. I am Principal of Aston Consultants Resource Management and Planning, and have operated my own consultancy practice, based in Christchurch, since 1995.
2. Aston works extensively in the Selwyn and wider Canterbury area, with numerous clients with interests in land development, subdivision and land use planning matters. I am very familiar with the Operative and Proposed Selwyn District Plans. Aston has been engaged to provide planning services to the Trices Road Re-zoning Group (TRRG), specifically to prepare private plan change 72 and the TRRG rezoning submission on the Proposed Selwyn District Plan.
3. I confirm that I have prepared this evidence in accordance with the Code of Conduct for Expert Witnesses. Code of Conduct for Expert Witnesses contained in Part 7 of the Environment Court Practice Note 2014. The issues addressed in this statement of evidence are within my area of expertise except where I state that I am relying on the evidence or advice of another person. The data, information, facts and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. I have not omitted to consider material facts known to me that might alter or detract from the opinions I have expressed.
4. In preparing my evidence I have reviewed the evidence of:
 - a) Ms Nicole Lauenstein – urban design;
 - b) Mr Fraser Colegrave– economics;
 - c) Mr Gary Sellars – valuer;
 - d) Mr Chris Jones – market demand/ real estate;
 - e) Ms Lisa Williams – transport;
 - f) Mr Carl Fox – servicing;
 - g) Mr Lindsay Blakie – flooding/stormwater; and
 - h) Mr Sean Finnigan – contaminated land
5. The key documents which I have relied upon in preparing my evidence are the following:
 - a) the Canterbury Regional Policy Statement (CRPS);
 - b) the Operative and Proposed Selwyn District Plans (OSDP, PSDP);
 - c) the Resource Management Act 1991 (RMA);
 - d) Selwyn 2031: District Development Strategy 2014;
 - e) Rural Residential Strategy 2014 (RRS);
 - f) Our Space 2018-2048 (Our Space); and
 - g) National Policy Statement on Urban Development 2020 (NPS-UD).

6. I have read the section 42A Report, and appendices ("**s42A Report**"), prepared by the Selwyn District Council ("**the Council**") and refer to and comment on it through my evidence.

SCOPE OF EVIDENCE

7. My evidence addresses the following:
- a) Executive summary;
 - b) The key features of the rezoning proposal;
 - c) Assessment of proposal;
 - a. Suitability of the site for its re-zoned purpose;
 - b. The planning merits of the re-zoning;
 - c. The key resource management issues of the proposal; and
 - d. The statutory planning documents, including the NPS-UD, CRPS and the OSDP and PSDP;
 - d) Issues raised in the s42A Report;
 - e) Resource Management (Enabling Housing Supply and other Matters) Amendment Act 2021;
 - f) Other matters raised in submissions not otherwise addressed;
 - g) Consideration of alternatives, costs and benefits; and
 - h) Conclusion.

EXECUTIVE SUMMARY OF EVIDENCE

8. Private Plan Change 72 (PC72) seeks to rezone approximately 28.7 hectares of land ("**the Site**") in Prebbleton to accommodate around 295 dwellings (320+ dwellings if the entire Site is zoned Living Z as recommended in the s42A Report).
9. I consider the Site is suitable for its re-zoned purpose as it has the necessary physical and locational qualities and attributes that will support a high-quality residential development.
10. In my view PC72 has significant planning merit. The application and supporting technical reports address the important planning considerations relating to urban form and function, urban design, transport network connectivity and multi-modal choices. All subdivision, development and activity standards for the Site will adopt the standards for the relevant zone – Living Z (LZ) or Living 3 (L3) in the OSDP which helps maintain the integrity and simplicity of that document.
11. A distinguishing factor of PC72 is that the Site was identified as Area 8 of the Rural Residential Strategy 2014 but is now on the township side of Birchs Road Park. This is a large recreation reserve, now under development, and adjoining the south boundary of the Site (across Hamptons Road), which was not proposed at the time of the RRS. As explained in the urban design

evidence, the Birchs Road Park has changed the 'urban suitability' for the Site. It has now become the most suitable location for Prebbleton to grow into, in order to close the gap between the township and the new park.

12. The Site is not located within an FDA (Future Development Area) confirmed by Change 1 to Chapter 6 CRPS. There are no FDAs at Prebbleton, for Selwyn District just one FDA at South Rolleston.
13. These elements, I believe, mean that from a site suitability viewpoint and in terms of planning merit, PC72 is an ideal and logical location for further urban growth of Prebbleton. Development of the Site will achieve a compact, and efficient, urban form with excellent connectivity by multiple transport modes as well as bridging the existing urban area to Birchs Road Park to the south. It will also support a competitive land and development market as directed by Objective 2 of the NPS-UD .
14. PC72 sits amidst a fluid statutory planning environment where a mix of old and outdated documents must be assessed against the new national directions of the NPS-UD. My conclusion is that the greatest weight goes to the newest and higher order planning document, the NPS-UD, when assessing the merits of PC72.
15. Policy 8 of the NPS-UD 'opens the door' to overcome the prescriptive CRPS directions regarding growth only being located in greenfield priority areas (and FDAs). In my opinion, the proposal meets both NPS-UD Policy 8 requirements for unanticipated (in RMA documents) development. It will add significantly to additional development capacity at a Prebbleton and Selwyn District scale; and will contribute to well-functioning urban environments. I agree with Mr Cleese, the section 42A Reporting Officer that it is not appropriate to consider PC72's contribution to additional development capacity at a Greater Christchurch scale because this *"would create a bar that is implausibly high, such that the pathway provided by Policy could never be used, which is clearly not the intent of the national direction"*¹
16. In my opinion PC72:
 - a) Will efficiently and effectively support the growth of Prebbleton;
 - b) Supports a consolidated and compact urban form to Prebbleton;
 - c) Promotes the social economic and cultural well-being of current and future residents of Prebbleton;

¹ 42A Report at [163]

- d) Meets the objectives and policies of the relevant planning documents (except where they are 'out of step' with and do not give effect to the NPS-UD);
- e) Is the most appropriate planning outcome for using the land in a manner that promotes the purpose and principles of the RMA; and
- f) Supports the Council in carrying out its functions under Section 31 of the RMA.

THE KEY FEATURES OF PC72

- 17. The Site is a 28.7 ha block of land bounded by Trices, Birchs and Hamptons Roads, Prebbleton (**Figure 1**), owned by the members of the Trices Road Rezoning Group, Gina and Timothy Cridge (2.4 ha) and Lee Robinson (1279m²).
- 18. Whilst the Cridges are not part of the Rezoning Group, they are aware of and are generally in support of, the proposed rezoning. Neither the Cridges' or Mr Robinson have lodged a submission in opposition to PC72.
- 19. The Site boundaries are clearly defined by Trices, Birchs and Hamptons Roads. To the south of the Hamptons Road boundary is the newly designated Birchs Road Park. Development of this public space is underway.
- 20. Prebbleton Town Centre is located about 1km to the north-west. Land adjoining on the north side of Trices Road is existing fully developed urban residential development including the Living 1A zone Outline Development Plan to the north-east. Directly east are rural lifestyle blocks extending to Tosswill Road. Land on the west side of Birchs Road is zoned L3.
- 21. The Site has flat topography that falls in a NW-SE direction. There are no significant features on the Site other than a notable stand of trees to be the feature of a small reserve, and some buildings with well planted curtilage, and shelterbelts. The Site has been used as lifestyle blocks and the pastoral ecosystem is highly modified. Given the size of the existing blocks and the potential for reverse sensitivity effects with neighbouring residential areas established to the north and west of the Site, conversion to primary production is unlikely..

Zoning – Notified PC72

- 22. PC72 as notified proposed LZ zoning for all of the Site except the Tuffs block (42 Hamptons Road, 2.78 ha), located in the south west portion of the Site, with frontage to Hamptons and Birchs Road. L3 (Hamptons/Birchs Road) zoning was proposed for the Tuffs block.

23. PC72 as notified also included some alternative 'less preferred reliefs' – L3 zoning of the entire block, at either average 5000m² densities (L3 (Hamptons/Birchs Rd)); or average 2000m² densities (L3A (Hamptons/Birchs Rd). These options still remain the less preferred alternatives, with L3A preferred over L3 zoning.
24. PC72 as notified included an Outline Development Plan (ODP) with narrative for the Site as below.



Figure 1: Outline Development Plan for Prebbleton Area 5 (PC72 as notified)

25. I note that the above ODP plan above is different to the version included in the s42A Report (at paragraph 17). The Council Reporting Officer's version does not show the proposed medium density housing areas. These were added as part of the Request for Information (RFI) response, at the suggestion of the Council Reporting Officer. My understanding is that the Council's preference (as adopted in the PSDP) is now not to include medium density areas on the ODP,

but rather reference potential suitable locations and/or criteria for same in the ODP narrative. The amended ODP (**Appendix A**) adopts this approach.

26. The residential rezoning sought by PC72 is also the subject of a submission on the PSDP. The TRRG has presented evidence at the Strategic Directions, Definitions and Urban Growth hearings. A decision is not expected on the PSDP until late 2022.
27. PC72 as notified will yield at full development a minimum of approximately 290+ standard residential density lots (including some medium density lots), five L3 lots and several reserves. If the entire area is zoned Living Z (28.7ha) as recommended by the Council Reporting Officer it will yield a minimum of 320+ lots (including some medium density lots), based on a minimum density of 12 hh/ha.

Revised Zoning and ODP

28. In response to the s42A Report, the Tuff block (2.78 ha) in the southwest Trices/Hamptons Road portion of the Site is now proposed to be rezoned LZ. This was a less preferred option in PC72 as notified. Under this option, the Site will yield a minimum of 320+ lots (including some medium density lots), based on a minimum density of 12 hh/ha.
29. The Council Reporting Officer does not favour a mixed zoning for the Site (*"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"*²) and Mr Nicholson (urban design) does not support densities of less than 12 hh/ha because in his opinion *"they would have adverse effects on the provision of active transport options and reductions in greenhouse gas emissions, as well as the efficient use of land and infrastructure"*³. The difference in yield between LZ and L3 zoning of the Site is an additional appx 28 houses, which is unlikely to have a significant impact on active transport options or greenhouse emissions. However, the TRRG acknowledge that LZ zoning is overall a more efficient use of the land and accept rezoning of the entire Site if this is the Commissioner's preference.
30. It is not feasible to retain the existing mature planting strip along the western boundary of the Tuff property under LZ zoning due to likely shading effects for future potential LZ sites. As explained by Ms Lauenstein, the southernmost part is of greatest value as a green gateway feature. Planting on the Birchs Road Park adjoining to the south can over time serve this function, and in reality

² s42A report paragraph 233

³ S42A report paragraph 5.8

given the quality of the Tuff's existing home, it is unlikely to be removed in the short/medium term, in which case this planting will remain.

31. Some changes to the ODP have been recommended in the s42A Report, primarily relating to rezoning the entire Site LZ, connectivity (including cycling and pedestrian) and roading. Not all of the amendments to the roading layout are supported by Ms Williams (traffic) and Ms Lauenstein (urban design).
32. The ODP including narrative has been amended to address Council recommended changes (see **Appendix A**). These include roading upgrades along Trices Road and Hamptons Road (including provision for pedestrians and cyclists) and appropriate treatment at the interface with the Rail Trail and Birchs Road.

Key Features of the ODP

33. The urban design principals and concept underlying the ODP, and key features, are addressed by Ms Lauenstein. In summary, they include:
 - a) A hierarchy of movement corridors and the prioritisation of walking and cycling.
 - b) Integrating the movement network including roads, cycle facilities and walking corridors into the neighbourhood and wider street environment noting that the existing movement network has the capacity to accommodate the development. This includes a key walking and roading link between developed residential areas to north of the Site (including Prebbleton Domain) and Birchs Road Park, making it easily and safely accessible to the community including by walking and cycling.
 - c) A north-south alignment of street blocks to maximize solar access and provide for efficient use of lots.
 - d) Block perimeters being kept as small as practicable to aid permeability and higher public amenity.
 - e) Creating additional amenity and open space by a number of reserves, including the Stormwater Management Areas.
 - f) Providing for lifestyle choice and well-being through a range of lot sizes and housing typologies in various locations throughout the Site with appropriate interfaces with roads, reserves and rural environments.
 - g) Enabling integration of existing dwellings with their larger domestic curtilage into the character of the proposed development enabling their established gardens to enhance the amenity and character of the surrounding streets and adjacent sites.
 - h) Achieving a minimum of 12 hh/ha and a consolidated urban form.

Proposed Selwyn District Plan

34. As noted by the Council Reporting Officer, there is no requirement for the Council to consider a plan change against the provisions of the PSDP, which are not yet settled and subject to change. Despite this, I have included an assessment in my evidence as I consider this assists to provide further context for the proposal and demonstrates the compatibility of PC72 with the proposed objective and policy direction (except where the latter is inconsistent with the higher order direction of the NPS-UD 2020 as discussed under 'Consistency between NPS-UD and CRPS' below).
35. The Site is zoned General Rural Zone Special Control Area RD1 (SCA-RD1) with an Urban Growth Overlay (UGO) (**Figure 2**). The minimum lot size for subdivision and a dwelling in SCA-RD1 is 4 ha. The UGO apply to areas identified for urban growth in an existing Development Plan defined as '*Spatial plans that have been adopted by Council where urban growth areas have been identified.*' In accordance with UG-P13, the land is within an UGO because it is a preferred rural residential area in the Council's Rural Residential Strategy 2014, and the maximum density must be 1-2 hh/ha. I also note my understanding that there is an error in the wording of the policy whereby 'minimum' should read 'maximum'.
36. Parts of the Site are within the Plains Flood Management Overlay. This shows land subject to flooding in a 1 in 200-year return flood event. New residential units must have an appropriate floor level above the 200 year Average Return Interval (ARI) design flood level (Policy NH-P10). An additional rule is proposed for PC72 implementing this requirement. The flood mapping information upon which this requirement is based was only recently produced with the assistance of ECAN (see <https://apps.canterburymaps.govt.nz/SelwynNaturalHazards/>), well after notification of the OSDP.

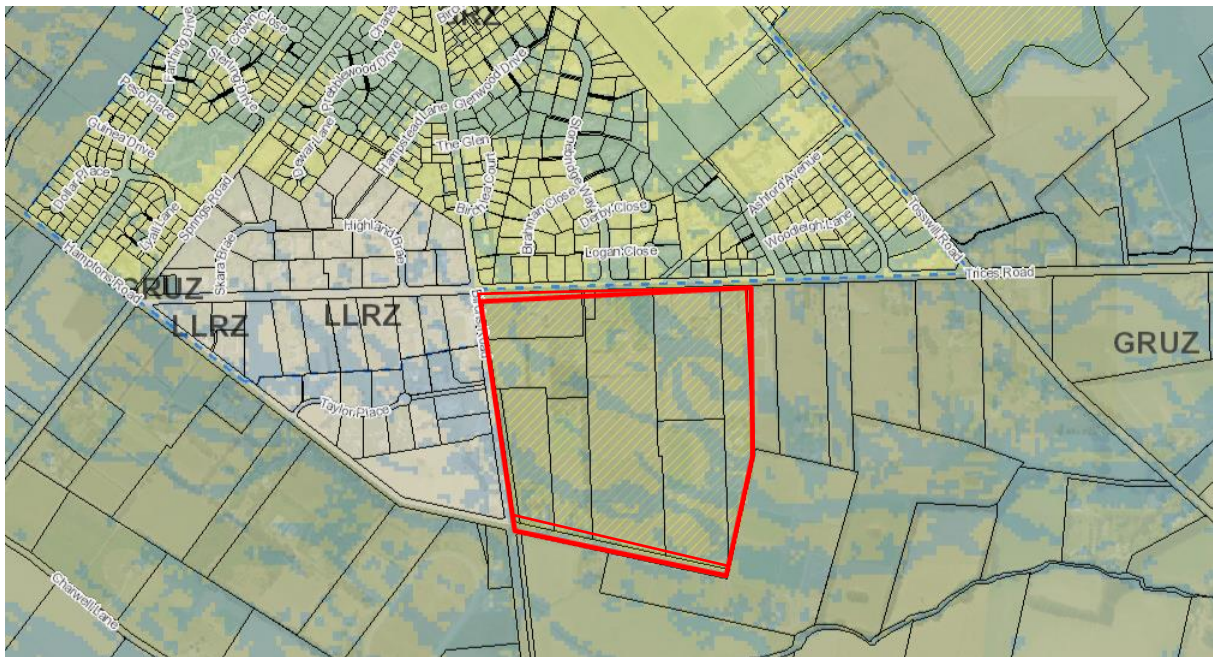


Figure 2: Proposed District Plan Zoning: the Site (outlined in red). Yellow hatched denotes the proposed Urban Growth Overlay; blue shading denotes Plains Flood Management Area.

37. There are a total of three UGOs at Prebbleton in the PSDP as illustrated below, relating to remaining unzoned preferred rural residential sites in the RRS.

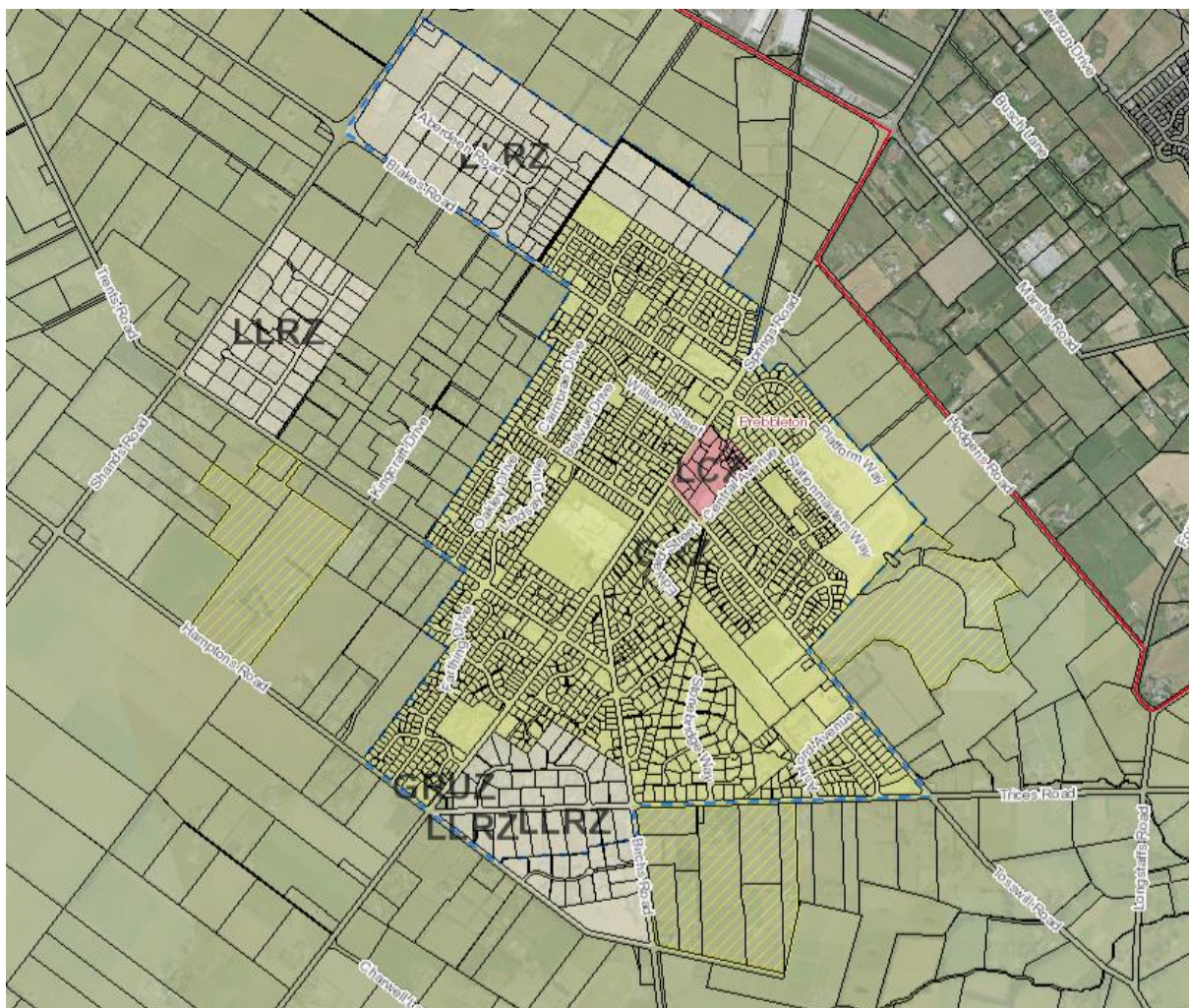


Figure 3: Prebbleton Urban Growth Overlays (hatched yellow), SPDP.

ASSESSMENT OF PROPOSAL

SITE SUITABILITY FOR RE-ZONE PURPOSE

38. My assessment of the suitability of the Site for urban residential zoning relies on the thorough assessment completed in the expert reports supporting PC72, and the evidence presented in support of PC72. The analysis of the attributes and qualities of the Site identify no significant issues that cannot be addressed by the ODP, subdivision design, conditions of consent or standard engineering solutions.

Urban Form, Urban Design and Visual/Landscape Effects

39. The Site adjoins the southern side of Prebbleton with existing residential areas on two sides to the north above Trices Road, and to the west across Birchs Road. It is ideally positioned to

contribute to a consolidated urban form. Its proximity to local employment, commercial and community services and open space within Prebbleton and nearby in south Christchurch makes the Site well located for urban residential development. It is also well located for access to the public transport route on Birchs Road. The proposed linkages provided for in the Outline Development Plan will provide access to these opportunities.

40. Ms Lauenstein has addressed these matters in detail in her evidence and the notified PC72 urban design and visual assessments, as referenced below under 'Key Resource Management Issues – Urban Form, Function and Character'. The ODP will ensure creation of a high amenity residential environment which respects and connects well with and will not adversely affect the amenity of the surrounding areas.

Versatile Soils

41. The southern and eastern parts of the Site contain Land Use Classification (LUC) class 1 and 2 (versatile) soils. They represent less than half the Site. The potential loss of about 10-12ha of such land is insignificant when measured against the area of such land within Selwyn District (6,522 hectares of Class 1 land and 46,111 hectares of Class 2)⁴ and the region as a whole (293,700ha)⁵. The Council Reporting Officer appears to agree, describing it as a minimal loss, and that any loss 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."* He notes that there is a trade-off between protecting highly productive soils for primary production while providing for greater urban capacity - the latter, I add, in the current context of a national housing affordability crisis created in part by a shortage of greenfield land for development.
42. In the case of the PC72, whilst a portion of the Site contains versatile soils, the actual and potential productive use is minimal due to the existing fragmentation into multiple lifestyle blocks and the reverse sensitivity effects likely to arise with more intensive farming at this urban edge location, and next to the Birchs Road Park. Current and feasible primary production is limited to low level grazing. In any case, the Site has already been identified in the Selwyn Rural Residential Strategy 2014 as a preferred site for rural residential development, at an average density of 5000m² lots, which is too small for any viable productive farming activity.

⁴ https://www.selwyn.govt.nz/__data/assets/pdf_file/0006/288312/Versatile-Soils-Baseline-Report.pdf

⁵; LR Lilburne, IH Lynn & TH Webb (2016) *Issues in using Land Use Capability class to set nitrogen leaching limits in moisture-deficient areas—a South Island case study*, *New Zealand Journal of Agricultural Research*, 59:1, 1-17, DOI: [10.1080/00288233.2015.1092996](https://doi.org/10.1080/00288233.2015.1092996)
<https://www.tandfonline.com/doi/full/10.1080/00288233.2015.1092996>

43. I agree with the Reporting Officers assessment of the status and relevance of the draft National Policy Statement – Highly Productive Soils⁶ (NPS-HPL). It carries no statutory weight at this time, and there appears to be an unresolved issue regarding the potential conflict between the NPS-UD directive to provide greater urban capacity and the draft NPS-HPL focus on protecting highly productive land for primary production.
44. Importantly Objective 3 of the draft NPS-HPL specifically refers to highly productive soils being protected by avoiding “*uncoordinated urban expansion on highly productive land that has not been subject to a strategic planning process*”. The Site has been identified through a coordinated strategic planning process (RRS) as a preferred site for rural residential development – an ‘urban use’. PC72 is in my opinion, consistent with the draft NPS-HPL.
45. I further note that members of the TRRG submitted on the draft NPS-HPL, raising concerns that it should not apply to small land holdings in peri-urban environments, which have no realistic productive farming potential, other than for very low intensive uses that do not give rise to reverse sensitivity concerns. They also raised concerns with the proposed methodology for defining highly productive land, and the proposed interim definition.

Natural Hazards

46. Parts of the site are within the predicated 200 year return flood event. There are no high flood hazard areas within the Site. Constructing preferential flood flow paths through the Site (likely to be within road reserves) will allow the onsite flood hazard to be managed. The ODP roading layout facilitates this. Any flood hazard can be fully mitigated during the detailed design and subdivision process to allow residential development to proceed.
47. The geotech advice is that the Site can be deemed suitable for Technical Category 1 (TC1) foundations and is unlikely to be subject to liquefaction induced ground deformation in response to a large earthquake event.

Transport, Infrastructure and Servicing

48. These matters are discussed under ‘Key Issues’ below. The evidence is that all matters arising can be adequately addressed and resolved.

⁶ s42A report, paras 68-75

Natural and Cultural Values

49. The Site contains no areas of indigenous vegetation, nor any watercourses, natural springs or riparian features to be protected. As a result, there will be no net loss of biodiversity as a result of this development.
50. There are no heritage items nor features or values of significance to Rūnanga, MKT have provided feedback on PC72, attached as **Appendix B**. They have made a number of recommendations which are more appropriately addressed at subdivision/earthworks consent stage. They relate to:
- a) application of Ngai Tahu Subdivision and Development Guidelines, in particular for stormwater management areas, water supply (improved efficiency of use and green technology) and use of locally sourced indigenous planning;
 - b) management of earthworks with an Erosion and Sediment Plan;
 - c) contaminated land remediation.
51. With respect to indigenous planting, the stormwater management areas will be planted with indigenous planting. Street tree planting will be determined in consultation with the Council and may include a mix of native and exotic species, appropriate to the residential setting.

Site Contamination

52. Dr Finnigan prepared a Preliminary Site Investigation that does not reveal any insurmountable issues in relation to HAIL activities. Mr Finnigan's recommendation is for further detailed work be done at the subdivision resource consent stage.⁷

NPS-UD Directives – Well Functioning Urban Environments and Effects of Climate Change

53. These matters are addressed in detail further on in my evidence under 'NPS-UD'. PC72 meets all the relevant NPS-UD criteria for proposals which will contribute to well-functioning urban environments; it supports (relative to other potential urban growth locations) reductions in greenhouse emissions; and its inland location and the requirement for minimum floor heights ensures enabled development will be resilient to the effects of climate changes.

Conclusion

⁷ Evidence of Dr Finnigan at [7.g]

54. I consider the Site is suitable for its re-zoned purpose as it has the necessary qualities and attributes that will support a high-quality residential development in an appropriate location.

KEY RESOURCE MANAGEMENT ISSUES

55. In my opinion, the key resource management issues for this proposed development are:
- a) Urban form, function and character;
 - b) Transportation and traffic effects;
 - c) Provision of services (3 waters); and
 - d) I also consider the relationship with the NPS-UD and CRPS to be a key issue but address it under the heading 'Statutory Documents'.

Urban Form, Function and Character

56. Ms Lauenstein has prepared expert urban design evidence on the proposal supported by a visual assessment. That assessment has a focus on the visual changes likely to be experienced by the surrounding residential and rural areas, along with possible future public spaces, including street environments and public reserves as a result of the proposed development.
57. Ms Lauenstein's report concludes that PC72 will modify the character of the landscape from rural lifestyle blocks to a suburban character where buildings, infrastructure, and amenities are more concentrated and visible. This is, in her opinion, in keeping with the residential development on the opposite sides of Trices Road and Birchs Road.⁸
58. The proposed LZ density will be an increase but within the surrounding context but this zone will provide a similar residential character with regard to dwelling typology, roading standards and general residential amenity of the development.
59. In terms of urban form and function Ms Lauenstein states that:⁹

"30. Due to the introduction of the new Birchs Road Park to the south of Hamptons Road, it is appropriate that the urban boundary of Prebbleton shift to Hamptons Road. The new park will contribute to a more discernible and defensible boundary in the form of a green edge to the south providing a physical and visual buffer to the rural land. For the new park to be a

⁸ Evidence of Ms Lauenstein at [17]

⁹ Evidence of Ms Lauenstein at [30]

successful community facility it needs to be well integrated and linked to the urban fabric of Prebbleton. It is therefore paramount that the PC72 Site is developed as a residential environment to ensure good connectivity between the township and the new park. “

60. A number of submitters are concerned that the proposed rezoning and increased population will result in a loss of the ‘village’ feel or small-town character, together with suggestions that Prebbleton might become part of Christchurch. These concerns have been addressed by Ms Lauenstein in her evidence.

Transportation and traffic effects

61. In relation to transportation requirements, Ms Williams evidence concludes:¹⁰

“There is sufficient capacity within the existing and planned road network to accommodate the traffic associated with the rezoning sought in the submission. The site is well located to provide access to the wider strategic road network. There are also a variety of destinations within walking and cycling distance of the site and access to an existing public transport route.

Overall, the location provides access to existing public transport route servicing Prebbleton and provides options for any future public transport routes to operate through the area. The proposed ODP includes pedestrian and cycle connections to existing facilities enabling access to a variety of destinations within walking and cycling distance of the site. The location is also well connected with the existing and planned transport network including access to the strategic road network.”

62. The Council Reporting Officer discusses potential cumulative traffic effects of PC72 in combination with other proposed plan changes, some of which have been heard but no decisions issued to date. These include PC69 for South Lincoln (appx 2000 additional households) and various plan changes at south Rolleston. If approved, future residents at south Rolleston may choose to use Shands Road via Prebbleton as a preferred/alternative route to SH1 for travel to and from Christchurch City. I agree with the Council Reporting Officer that any such potential cumulative effects are speculative at this stage, as no decisions have been made on these plan changes. As acknowledged by the Council Reporting Officer, this is a Selwyn wide issue, which

¹⁰ Evidence of Lisa Williams at [53]-[54]

can be addressed at the appropriate time by remodelling work and programming of any required upgrades to the roading network. Ms Williams evidence confirms that PC72 can be accommodated without affecting the safety or efficiency of the immediate road connections and intersections with Trices, Hamptons and Birchs Roads.

63. The Council Reporting Officer notes that there is a need for further modelling of the effects of PC72 on the functioning and level of service of the Birchs/ Springs Road intersection. Ms Williams has responded to this at paragraphs 25-33 of her evidence and provides a SIDRA analysis as Attachment A to her Evidence. Ms Williams concludes that:

*"I consider it is unlikely that there would be 20% general growth in traffic volumes on Birchs Road in this location noting the variety of more favourable routes available for traffic from Rolleston and Lincoln. However, for completeness, a test of the model with this extra growth did indicate that the Birchs Road, right turn movement could approach LOS F however could be significantly improved by widening of the Birchs Road approach to provide separate left and right turning lanes. Such an upgrade, if required in the future, could be reasonably easily achieved noting there is ample width available within the road reserve to accommodate this. For the reasons above, I don't however consider such an upgrade, if needed, would necessarily be a direct consequence of PC72 traffic."*¹¹

64. Both Mr Collins (traffic engineer) and Mr Nicholson (urban designer) have recommended some amendments to the ODP roading layout and additional provision for cycling and pedestrian access within and through the Site. These matters are discussed by Ms Lauenstein and Ms Williams.¹²

Provision of Services (3 Waters)

65. Mr Fox has prepared expert evidence on the servicing of the Site from a 3 waters perspective. He has assessed the present services available in the area, proposals for future servicing and how the effective and efficient provision of 3 waters services can be provided for the proposed residential development.
66. Mr Fox's conclusion is that there are no physical or capacity constraints to the provision of 3 waters infrastructure to the PC72 site¹³.

¹¹ Ibid at [33]

¹² Ibid at [40]-[45]; Evidence of Ms Lauenstein at [71-77]

¹³ Evidence of Mr Fox at [50]

67. Mr Blakie provides expert evidence relating specifically to stormwater. The natural fall of the land is to the SE. Mr Blakie considers that discharging or soaking large volumes of stormwater runoff to land within the proposed stormwater management area is not feasible. He recommends a discharge to surface water at this site.¹⁵ This will necessitate an outfall and stormwater drainage over third party land.
68. His calculations show that it is feasible to attenuate stormwater runoff within the proposed stormwater management area so that the proposed discharge is equal to or less than pre-development discharge rates.¹⁶
69. Mr Blakie advises that the proposed roading realignments (in response to the Reporting Officers recommendations, and as shown on the revised ODP), and inclusion of the Tuff land under the now preferred full Living Z rezoning option will not alter his earlier assessments with respect to drainage to the stormwater management area.¹⁷
70. The Evidence of Mr Fox and Mr Blakie demonstrate that there are services either readily available to service this development (wastewater and domestic water), or that there are feasible solutions available to ensure that pre-development and post development flows can be maintained (stormwater).

Conclusion

71. In my view, based on all of the above, all resource management issues arising with PC72 that have been adequately addressed and resolved. The proposal has significant planning merit and I fully support it.

RELEVANT STATUTORY DOCUMENTS

72. The third element of assessing the merits of the proposal is to consider the relevant planning documents. It is important, in my opinion as a planner, that proper weight be given to these for two reasons:
- a) This plan change process sits amidst a fluid statutory planning environment where a mix of old and outdated documents must be assessed against the new national directions of the NPS-UD 2020.

¹⁵ Evidence of Mr Blakie at [9](d)

¹⁶ Evidence of Mr Blakie at [11](c) and (d)

¹⁷ Evidence of Mr Blakie at [18](a)

- b) The decisions on this plan change will enable or disenable growth in a location where the adverse effects of a severe shortage of residential land are clearly evident, namely substantial price escalation and reduced housing affordability. Decisions need to be driven off current national directions that have fundamentally changed the planning approach to providing for a community's future needs and well-being based on the most up-to-date data and trend information possible.

Consistency between NPS-UD and CRPS

- 73. The CRPS was prepared and made operative (2013) prior to the NPS-UD 2020 and is largely based on urban growth investigations undertaken prior to 2007 which was when the current CRPS was notified. The NPS-UD takes a responsive planning policy approach that stands in stark contrast to the CRPS's target driven, hard urban boundary approach as identified in Map A in Chapter 6 of the CRPS. It is a fact that the work that has been identified as necessary to implement the NPS-UD has not been completed, with the exception of Change 1, the CRPS is yet to be reviewed, and the OSDP (and PSDP) is based on the CRPS as it is now.
- 74. Change 1 to the CRPS includes a FDA at South Rolleston, which equates to the Map A Projected Infrastructure Boundary (PIB). The PIB was introduced by a much earlier Change 1 to the CRPS, introduced in 2007 and confirmed in decisions issued in 2009. All appeals were extinguished under subsequent streamlined planning processes in response to the Canterbury Earthquakes in 2010 and 2011. This included the Land Use Recovery Plan (LURP) which added additional greenfield priority areas in Christchurch City (Highfields, which has not eventuated, and Prestons in north east Christchurch) but otherwise retained the 2009 CRPS priority greenfield areas, but removed development staging.
- 75. The Our Space 2019 Greater Christchurch Settlement Update (produced to meet the requirements of the previous NPS – Urban Development Capacity 2016, replaced by the NPS-UD) recommended the south Rolleston FDA (and FDAs at Rangiora and Kaiapoi). However, they were identified as 'indicative only' on Figure 16. The wording is:

Figure 16: Proposed locations of future development areas in Greater Christchurch. While it is intended Our Space provides some direction to inform future RMA processes, Figure 16 is indicative only

- 76. The Map A FDAs follow the PIB boundary and on this basis are based on work undertaken prior to 2007 and do not take into account the huge changes to the planning environment that have occurred since then – including the Canterbury earthquakes and the substantial growth of the

western and north western parts of Greater Christchurch, away from the more earthquake prone areas to the east; completion of major motorway projects including the Southern Motorway extension and Northern Arterial which have substantially reduced travel times to Selwyn and Waimakariri Greater Christchurch townships; and the increased concerns with the impacts of climate change and sea level rise affecting coastal and low lying areas.

77. In my view, the suitability of the Map PIB as the sole determinate of future growth areas is not soundly based because it is so out of date. I acknowledge that it is of assistance in directing Council investment in public services and facilities towards Key Activity Centres within the FDA growth townships (in the SDC case, Rolleston), but in my opinion, a more nuanced and relevant urban growth management approach is well overdue. The NPS-UD now provides the opportunity for the merits of areas outside the FDAs to be considered, including PC72.
78. I am aware of the commentary in the Ministry for the Environments documents supporting the development of the NPS-UD about a change to responsive, outcomes based planning regardless of whether they are planned for or anticipated in existing planning documents.¹⁸
79. The s42A Report addresses the relationship between the NPS-UD 2020 and CRPS and the extent to which the NPS-UD applies to the Selwyn District. The Council Reporting Officer considers that the relevant urban environment is Greater Christchurch and that the NPS-UD applies to Prebbleton because it is part of the Greater Christchurch urban environment which has a population greater than 10,000. Heh considers that Policy 8 of the NPS-UD 'opens the door' to overcome the prescriptive provisions of the CRPS where Policy 8 criteria are met; and as the higher order document, provides an 'opportunity' which would otherwise be precluded by the CRPS. I agree. The Council Reporting Officer agrees with the PC72 assessment that location aside, the Site is compatible with the other outcomes sought in the CRPS for new growth areas. I agree and refer to my evidence below under 'Canterbury Regional Policy Statement'.
80. In my opinion, greatest weight when assessing the merits of PC72 goes to the newest and higher order planning document, the NPS-UD 2020 and its direction for flexibility, providing at least sufficient development capacity for the short, medium and long term is achieved, and responsiveness to unanticipated proposals which add significant development capacity, and contribute to well functioning environments, as is the case with PC72.

NPS-UD

¹⁸ July 2020 Fact sheet - [Responsive-Planning-Factsheet.pdf \(environment.govt.nz\)](#) under heading 'purpose' – when discussing Objective 6(c) and Policy 8 subpart 2 or Part 3.

81. The NPS-UD 2020 was approved on 20 July 2020. It contains a mix of policies, some of which are of general application for addressing urban growth and development, and some that require work by relevant Councils for expression in relevant planning documents. The 'lower order' planning documents, including Our Space, the CRPS and OSDP and PSDP have yet to fully give effect to this new national planning direction. The aforementioned planning documents retain a restrictive, direct and allocative model to urban growth. The PSDP was finalised ahead of the NPS-UD 2020 coming into force and notified soon after. Not surprisingly, it is subject to numerous submissions (including from the TRRG – submission 298) seeking to re-set the Urban Growth Chapter policy framework to be consistent with the NPS-UD; and to rezone additional land in all four of the Selwyn Greater Christchurch major townships to meet housing needs.
82. Some submitters on PC72 (16, 48) consider the Council should be given time to prepare a Future Development Strategy and respond to the other requirements of the NPS-UD, including intensification. In the interim they should take a cautious approach or simply decline private proposals such as PC72.
83. The NPS-UD includes some specific implementation timeframes, but otherwise requires implementation 'as soon as practicable'. Whilst there are clearly benefits in taking a holistic comprehensive and strategic approach to urban growth, this must be balanced against the need for an urgent planning response to the current New Zealand housing crisis, which is clearly apparent in the Selwyn District. Here, Mr Colegrave and Mr Sellars report an acute land and housing supply shortage, very high demand and recent extreme price escalation, (Mr Sellar's evidence demonstrates price escalation in the order of 100% in Prebbleton over the last year¹⁹).
84. Policy 8 of the NPS-UD is specifically designed to provide an immediate and significant response to land supply constraints, where certain criteria are met. As explained in the Ministry for Environment fact sheet 'Responsive Planning', this *"increases the responsiveness of the planning system to significant opportunities and removes constraints to urban development"*.²⁰ In my opinion (and Mr Cleese agrees), PC72 meets the Policy 8 criteria which I discuss below. The RMA specifically provides for private plan change proposals. In my experience, private proposals are able to respond in a faster manner and better reflect and respond to market needs than Council driven proposals which are tied to Council processes and timelines. There is definitely a role for both – but in the current circumstances the need for a rapid but nevertheless well considered response is of the essence.

¹⁹ Evidence of Mr Sellars at [6.30]

²⁰ MfE Factsheet 'Responsive Planning – Purpose'

85. The tenor of the NPS-UD is for Councils to ensure there are well-functioning urban environments, and minimum impediments to the urban development market functioning competitively. This means, providing there are no significant adverse effects, erring on the side of oversupply rather than undersupply, enabling development in a range of appropriate locations, and providing opportunities for different housing typologies. In my opinion this proposal sits square with the intent and purpose of the NPS-UD.
86. In my opinion the planning principles contained in the NPS-UD 2020 are sound resource management principles of widespread application. They include important responses to the current New Zealand housing crisis and climate change concerns.
87. I prepared a full assessment of the re-zone proposal against the objectives and policies of the NPS-UD that accompanied the PC72 application at Appendix 12. I have updated this and included it as **Appendix C** to this evidence. The update incorporates the expert economic and valuation evidence of Mr Colegrave and Mr Sellars, and also takes into account the evolving interpretation of the NPS-UD provisions as reflected in the evidence and s42A reports for other Selwyn rezoning plan changes heard to date (PCs 73, 69, 78, 76 and 75) and the PSDP Urban Growth and Strategic Directions chapters. I discuss below what I consider to be the key issues to be addressed with respect to the NPS-UD i.e. whether PC72:-
- a) meets the NPS-UD Policy 8 criteria;
 - b) adds significantly to development capacity;
 - c) helps improve housing affordability by contributing to a more competitive land and housing market;
 - d) is integrated with infrastructure and planning decisions, strategic over the medium and long term, and responsive, particularly as a proposal which supplies significant development capacity;
 - e) supports reductions in greenhouse gas emissions and is resilient to current and future effects of climate change; and
 - f) is the Council meeting its obligations under the NPS-UD 2020 to, at all times, provide at least sufficient development capacity; and is it's assessment based on adequate information and assumptions?

Are the NPS-UD Policy 8 criteria for unanticipated plan changes met?

88. Policy 8 applies to plan changes which are unanticipated by RMA planning documents or out of sequence with planned land release where certain criteria are met. PC72 in its preferred form i.e. LZ zoning, is unanticipated by the CRPS or the Operative or Proposed Selwyn District Plan,

It is within an Urban Growth Overlay in the PSDP but UG-P13 limits its development to rural residential densities (1-2 hh/ha). Each of the criteria to be met are discussed below.

Will PC72 add significantly to development capacity?

89. NPS-UD 3.8(3) requires every regional authority to 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. This provision must be implemented 'as soon as practicable' (Clause 4.1(1)). Canterbury Regional Council has yet to implement this requirement. In the absence of regional council direction, the question of what constitutes significant development capacity is to be assessed on a case-by-case basis, on the evidence.
90. Significant is defined as '*important, noteworthy*'²¹ Importance needs to be assessed in the context of the overall purpose and intent of the NPS-UD. As explained above, this is for Councils to ensure there are well-functioning urban environments, minimum impediments to the urban development market functioning competitively and thus improved housing affordability, and that planning decisions address the effects of climate change. The evidence is that PC72 will achieve all of these purposes; and that it will make an important contribution to increasing land supply at both the district and local level in the context of a severe shortage of land for housing.
91. The notified PC72 assessments of District and Prebbleton development capacity predate the latest Greater Christchurch Housing and Business Capacity Assessment (HBA), issued in July 2021. Mr Colegrave's evidence provides an updated assessment of development capacity, referencing this latest HBA; and both Mr Colegrave and Mr Sellars provide additional assessment at the local (Prebbleton) and subdistrict (Prebbleton/West Melton) levels.
92. Mr Colegrave is critical of the July 2021 HBA as significantly underestimating demand and overestimating feasible supply for a variety of reasons. His assessment is that there will be a significant shortage of supply in the Greater Christchurch portion of the District across all three timeframes set by the NPS-UD – 1,432 households (short term); 7,496 (medium term) and 19,857 – 25,251 (long term, with the range depending on whether the Rolleston FDA are counted as contributing to development capacity, and the development density (12.5 or 15 hh/ha) in the FDA).²²

²¹ Oxford English Dictionary

²² Evidence of F Colegrave at [59], Table 3

93. The FDAs cannot technically be included as the NPS-UD development capacity because they must be 'plan enabled' i.e. in the short term on land zoned for housing in an Operative District Plan; and in the medium term on land zoned for housing in a Proposed District Plan. The only land in the South Rolleston FDA that is currently zoned for housing is the PC64 land which recently obtained fast tracked zoning and subdivision consent approval under the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020. It can deliver approximately 969 sections but is held by a single developer, who could choose to drip feed the market to maintain a limited supply and elevated prices.
94. Mr Colegrave has also assessed the situation at a sub-district level, and has grouped West Melton and Prebbleton as a smaller submarket (but acknowledging also that there are differences between the two townships in terms of the character of their housing market). There are medium and long term shortfalls in housing capacity of 1,678 and 5,349 households respectively.²³
95. Mr Sellars has specifically assessed the Prebbleton market and concluded "*The situation is desperate in Prebbleton where there are only 3 sections available, and no further sections are planned in the short term until plan changes occur.*"²⁴ He estimates infill development capacity contributing a potential 44 additional lots.²⁵
96. PC72 enabled development (320+ new lots) will increase likely short-term District supply by 13%, and medium term supply by 7%.²⁶ Mr Colegrave considers this a material contribution, especially from just one development, and a highly significant boost to supply. He further notes that at page 10 of the HBA, under a discussion of consultation with the development community (during the course of writing the HBA), the HBA describes landowners that could develop 20 or more dwellings as being significant.²⁷
97. At the local Prebbleton level the contribution is hugely significant, as there is essentially no remaining greenfield supply, and very limited infill capacity in the face of very high demand, and a housing market exhibiting dysfunction with extreme price escalation. Mr Sellars reports that in the last year, section prices at Prebbleton have doubled.

²³ Ibid at [64], Table 5

²⁴ Mr Sellars evidence para 7.16

²⁵ Ibid at 7.14

²⁶ Evidence of F Colegrave at [82]

²⁷ Ibid at [80]

98. The Council Reporting Officer agrees that PC72 will add significant additional development capacity. He notes that an additional 300 houses equates to 25% of the Inner Plains area (which largely equates with the Greater Christchurch area of the District) annual household growth. It is a 20% increase in the size of Prebbleton, which comprises approximately 1,500 households.
99. Christchurch City Council (CCC) (submission 43) considers that development capacity should be considered in the context of the Greater Christchurch 86,800 dwellings long term target required under the NPS-UD to meet demand. 320+ dwellings is less than 0.5% of the housing market. I agree with the Reporting Officer that it is not appropriate to quantify significance at the Greater Christchurch level because this *“would create a bar that is implausibly high, such that the pathway provided by Policy could never be used, which is clearly not the intent of the national direction”*.²⁸
100. The CCC submission is that PC72 is not needed to address a capacity shortfall (the Map A greenfield priority areas and FDAs provide sufficient capacity); and therefore development here could delay growth and urban regeneration in other areas identified by Our Space for urban development. Mr Colegrave’s evidence is that with respect to Selwyn District at least, the greenfield priority area and FDAs will not provide sufficient capacity in the short, medium and long term. Even based on the now outdated Our Space capacity figures²⁹, neighbouring Waimakariri District was identified as having a significant capacity shortfall in both the medium and medium and long term combined (-1,600, -7,675). Most of the existing capacity was in Christchurch City (+ 38,875 medium term, + 4,000 medium and long term). My understanding is that much of this comprises theoretical potential ‘infill’ rather than greenfield capacity. This will be higher density housing and quite a different housing typology and market to that enabled by PC72 (or other Selwyn greenfield development). Mr Sellar’s and Mr Jones’ evidence is that the shortage of sections in Inner Selwyn has resulted in buyers looking further afield where there is both availability and cheaper section prices in the likes of Darfield, Kirwee, Leeston and even Rakaia.³⁰
101. The July 2021 HCA acknowledges the complexity of the housing market (see Section 5.5 extracts below) and confirms that most older Christchurch suburbs and the central city are rejuvenating despite strong greenfield growth and that most new homes now being built in Christchurch are from redevelopment rather than greenfield growth. As I understand it, there is now a shortage of greenfield land in the City as well as at Selwyn and Waimakariri Districts.

²⁸S42A report para 163

²⁹ Our Space 2019 Table 3 page 15 – see <https://www.greaterchristchurch.org.nz/assets/Documents/greaterchristchurch/Our-Space-final/Our-Space-2018-2048-WEB-FINAL.pdf>

³⁰ Evidence of Mr Sellars at [6.15] and [10.1]; Evidence of Mr Jones at [18]

'The dynamics of the housing market are complex, and there are many factors that contribute to why any particular area experiences strong or weak demand and consequently growth. Locational preference may be driven by many reasons, including the availability of sections and houses, lifestyle, job, education, family, financial circumstances, and at least in part, to where people want to go, and how often these trips need to be taken.'

Many suburbs in Christchurch's older areas are rejuvenating despite strong greenfields growth in recent years, while some are not. Most of the inner city suburbs, and the Central City appear to be functioning well at the present time through providing residential medium density well above the minimum permitted levels, while others have historically struggled, for example Linwood and New Brighton. These patterns are apparent in the HDCA which notes that 'Building consent data continues to show a strong uptake of redevelopment capacity in the Christchurch zones that enable intensification. This is particularly evident in the inner-suburbs, close to the Central City. The Central City has also seen development activity increase in the last two years. Consequently, the majority of new homes supply in Christchurch is now from redevelopment rather than greenfield'. This is occurring in the context of rapid greenfield development across Greater Christchurch.

102. In CCC's submission, Chapter 6 of the CRPS provides the appropriate direction as to where development is best located and at what density and its underlying rationale should be applied when assessing significance. I disagree that Chapter 6 identifies where development is best located. As explained above, the FDAs are based on a PIB which is now very outdated (by 13 years!). I accept that the overall Chapter 6 urban growth policy framework provides useful general criteria which can help guide urban growth decisions, and note that apart from the very restrictive 'direct and allocate' provisions, PC72 is largely in line with it (as discussed below under 'Canterbury Regional Policy Statement').
103. To conclude, in my opinion, PC72 clearly provides significant additional development capacity at the District, subdistrict (Prebbleton/West Melton) and local (Prebbleton) level.

Will PC72 contribute to well-functioning urban environments?

104. Policy 1 of the NPS-UD sets out the minimum criteria that urban environments must achieve to be well functioning. I have included a detailed assessment against each of these criteria in **Appendix C**. I address a) to c) below as d) to f) are matters also covered under other key questions below.

- a) *have or enable a variety of homes which meet needs, in terms of type, price, and location, of different households*

PC72 will enable a variety of homes (from a density, price bracket, and size perspective) that will help meet the needs of different households, including medium and low density residential living options as enabled under the Living Z rules. A possible subdivision concept has been produced, and an earlier version of the ODP included medium density areas clustered around the stormwater management areas and principal roads. The medium density areas have been removed from the latest ODP to align with the Council's current preferred approach of identifying locations for medium density in the ODP narrative.

105. The form of medium density housing envisaged is 'small lot medium density', i.e. stand alone homes on sites in the 400-550m² size range. It is unlikely that high rise, high density housing will eventuate as this is more appropriate at larger Key Activity Centres or in support of City Centre rejuvenation. I note also that the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 does not apply to Prebbleton, as at the 2018 census the population of Prebbleton fall short of the 5,000 threshold identified in the definition of 'relevant residential zone'.
106. PC72 will add to the range of living options at Prebbleton where the existing housing market is 'skewed' towards larger homes and larger sections – Mr Colegrave's evidence is that in the PSDP General Residential Zone (equivalent of the Operative Plan LZ zone) the average house size is 240m², average section size 1040m², average market price \$725 000, and that 90% of houses are relatively new (built post 2000)³¹. The evidence of both Mr Colegrave and Mr Sellars is that there is an acute shortage of housing at Prebbleton in particular, but also across the Selwyn District, which has resulted in recent extreme price escalation and a dysfunctional housing market. PC72 will assist in helping address these issues.
107. Mr Jones' evidence is that the greatest need in Prebbleton is for sections in the 400-700m² size range, which provide both choice and affordability to those purchasers looking to reside in the Selwyn District.³²

³¹ Evidence of Mr Colegrave at [26]

³² Evidence of Mr Jones at [9]

108. Policy 1 of the NPS-UD requires enabling a variety of homes in different locations to meet housing needs. Submitter 16 (Heenan) considers that Prebbleton needs ‘constrained growth’ if it is to retain its classic country town character and rural feel. This submitter goes on to say that:
- a) improved affordability should not be a factor in favour of further growth at Prebbleton – there is nothing wrong with some towns being wealthier than others ;
 - b) to allow significant further growth will require additional services to support a growing population and will duplicate the services of Lincoln and Rolleston and be a waste of ratepayers money;
 - c) Prebbleton should complement rather than compete with Rolleston and Lincoln; and
 - d) as per the current CRPS, further growth should be at Rolleston, not Prebbleton.
109. I understand Mr Heenan’s sentiments which are, in essence a request to retain the status quo. However, the NPS-UD 2020 gives clear direction as to the preferred locations for urban growth i.e. growth which supports well-functioning urban environments: and where there is high demand for housing relative to other areas (or the area is near a centre zone or area with many employment opportunities; or is well serviced with public transport). PC72 easily meets them all. It is highly accessible by multiple transport modes to neighbouring Key Activity Centres and employment areas in Selwyn and Christchurch City (Rolleston, Hornby, Halswell, Lincoln, Christchurch airport, including the central city); and within cycling and walkable distance (in part) of the currently expanding local Prebbleton commercial centre.
110. The NPS-UD is also clear that New Zealand’s urban environments, including amenity values, can be expected to change over time in response to *“the diverse and changing needs of people, communities and future generations”* (Objective 4). Changing needs include the need to urgently address climate change effects – highly accessible locations which require shorter travel distances and thus support reductions in greenhouse emissions compared to more distant locations are likely to be preferred. There is also now a critical need to urgently prioritise measures to improve housing affordability due to New Zealand’s current housing crisis. Urgently addressing land supply constraints is an important measure in the ‘tool box’ for addressing this.
111. PC72 will not result in ‘unconstrained growth’ of Prebbleton. It is relatively modest (but highly significant) in scale compared with some of the larger recent Selwyn plan change proposals e.g. PC73 and PC69, each for around 2000 additional households at Rolleston and Lincoln respectively. It is filling a gap in the current urban form of Prebbleton between the existing urban boundary and Birchs Road Park. It will maintain a compact and consolidated urban form, consistent with the OSDP urban growth policies (as discussed further below under ‘Operative Selwyn District Plan’).

b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size.

112. Given the relatively small scale of the development enabled by PC72, and the location of the Site with ready accessibility to the town centre, a local commercial centre within the Site is not proposed. Additional commercial development is currently under construction on Springs Road, and another proposed commercial development at the corner of Springs Road and Tosswill Road (Prebbleton Village Square) will provide healthcare facilities, doctors, chemist, gym, retail shops, cafes and restaurants.

c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport

113. PC72's excellent accessibility by multiple transport modes at the local, district and Greater Christchurch scale is set out in **Appendix C** under Policy 1. The town centre is just 1km to the north of the site - educational, community, and commercial facilities catering for day-to-day needs are accessible, within easy cycling distance and still acceptable walking distance. It is closer to the local town centre than other plan change proposals at Lincoln and Rolleston are to their respective town centres. The Site is on the Lincoln- Prebbleton-Christchurch bus route which provides a regular (half hourly) service and an express service at peak times and takes appx 30 minutes from Prebbleton to the central city bus exchange (including the no. 81 express). This is a shorter trip than the half hourly service from Rolleston centre which takes appx 50 minutes (just over 40 minutes for no. 85 express, during peak times). There is a school bus service to Lincoln High School. The primary routes within the PC72 Site are designed to accommodate public transport services, enabling future extension of existing services as appropriate.

Is PC72 well connected along transport corridors?

114. Yes – it is located in close proximity to the Southern Motorway extension (just under 3.5km away) which provides direct and fast links to Rolleston and Christchurch City; and is on the bus route between Prebbleton and Lincoln (Birchs Road).

Will approval of PC72 help improve housing affordability by supporting competitive land and development markets? (Objective 2, Policy 1d)

115. Yes. The proposal provides for much needed supply and more choice within the Prebbleton housing market, and in doing so, should help support housing affordability. Mr Colegrave advises that housing in the District has become increasingly unaffordable with significant recent price

increases in the order of 30% over the 2021 year³³. There have been much higher increases at Prebbleton with sections doubling in price³⁴. The median house price is now 7.3 times the median income, compared with the affordability benchmark ratio of 3³⁵.

116. Mr Colegrave and Mr Sellar's analysis is that currently the housing market at Prebbleton is 'skewed' towards larger higher priced properties, with very limited smaller medium housing development (other than two retirement villages). Only 5.9% of existing properties are medium density – under 500m2 size properties³⁶. PC72 is for a minimum housing density of 12 households per ha, and will include more affordable, medium density housing options. This is a higher density than the existing development density (which is 10 households per ha or less) and is consistent with the density required under the PSDP as notified for the LZ zone equivalent (Residential General Zone) and the density recommended for new greenfield areas in Selwyn (and Waimakariri) in Our Space.
117. The TRRG have no other proposals in and around Prebbleton. Currently, the land and development market in Prebbleton is dominated by one major developer (Suburban Estates, who are also the proponents of the much larger PC68 at west Prebbleton (appx 820 lots), along with Urban Holdings Ltd and Cairnbrae Developments Ltd. The PC72 Site is in multiple ownership and will provide an opportunity for other developers to enter the local market (some of the landowners intend to develop themselves and some will sell if the land is rezoned).
118. Mr Colegrave and Mr Sellar's analysis is that the current land market in Prebbleton exhibits a dysfunctional market where there is virtually no current supply or choice with uncompetitive market practices being adopted by vendors and extreme price escalation (in the order of 100% in the last year). PC72 will assist in addressing the current land supply constraints.

Can a decision on PC72 be integrated with infrastructure and planning decisions, strategic over the medium and long term, and responsive, particularly to proposals which supply significant development capacity? (Objective 6)

119. Yes. The infrastructure evidence for the PC72 proponents³⁷ and the Council confirms that the PC72 can be effectively integrated with the planning and funding of existing water, wastewater,

³³ Evidence of F Colegrave [76]

³⁴ Evidence of G Sellars [6.30-6.37]

³⁵ Evidence of F Colegrave [77]

³⁶ Evidence of F Colegrave [26]

³⁷ Evidence of Mr Fpx and Mr Blakie

reserves and other infrastructure (power and phone). There is sufficient existing capacity for the enabled development and no upgrades are required. No further reserves are required. Stormwater management will be managed on site, such that no extra loading to the surrounding environment will be required i.e. post development flows will not exceed the pre development situation.

120. Some submitters are concerned that parts of the local Prebbleton road network are already at capacity and cannot accommodate traffic arising from further township growth, these matters are addressed by Ms Williams. PC72 frontage roads (Birchs, Trices and Hamptons Road) will be upgraded in accordance with the PC72 ODP narrative. Other roading intersections upgrades are already funded and timed to occur in the near future (Hamptons Road / Springs Road and Hamptons / Shands Road upgrades). Ms Williams agrees with the Reporting Officer (Mr Collins) that the planning and co-ordination of the road network improvements to ³⁹accommodate the cumulative growth is a matter to be addressed at District and Regional level.
121. Objective 6 requires a balance between strategic medium/long term decision making and being responsive to proposals, particularly those that supply significant development capacity. The NPS-UD requires the Council to be responsive to all proposals, not just those that supply significant capacity. To be responsive is to '*react quickly and in a positive way*'.⁴¹ PC72 will help address both short and medium term capacity land supply constraints and will not, in my opinion, compromise potential outcomes from the Greater Christchurch Spatial Plan 2050 process which will be implemented through the CRPS review in 2024. This is because the NPS-UD tests for PC72 and other private proposals require that they contribute to well functioning urban environments. The severity of the current housing crisis is such that in my opinion the scales must weight in favour in responding quickly and positively to development proposals which meet the NPS-UD tests.

Is the Council meeting its obligations under the NPS-UD 2020 to, at all times, provide at least sufficient development capacity to meet expected demand for housing over the short, medium and long term. Is its assessment of demand based on robust and frequently updated information which is adequate for the purposes of informing planning decisions? (Objective 7, Policy 2, Policy 7)

122. No on both accounts. This is the clear and unequivocal conclusion of Mr Colegrave. The most recent Greater Christchurch Housing and Business Capacity Assessment was issued in July

³⁹ Evidence of Ms Williams at [39]

⁴¹ Oxford Dictionary

2021. Mr Colegrave considers that it substantially underestimates demand for additional dwellings, while its estimates of likely capacity to meet that demand are overstated.⁴² It cannot be relied upon to inform planning decisions, including on PC72. Mr Colegrave and Mr Sellar's assessment of supply and demand is ground-truthed, based on more realistic assumptions (whilst still being conservative) and must be preferred. Both Prebbleton and the wider Selwyn District face significant supply shortfalls under the short, medium, and longer terms. Accordingly, additional land needs to be identified and rezoned as soon as possible to meet NPSUD 2020 obligations, and to enable the efficient operation of the local land market.

Will the PC72 enabled development support reductions in greenhouse gas emissions and be resilient to current and future effects of climate change? (Objective 8, Policy 1 e) and f), Policy 6 e)

123. Yes. New emissions will arise from the construction and operation of dwellings, and from travel undertaken by residents. However, these emissions would likely occur elsewhere in the District or New Zealand if this proposal does not proceed, due to the need to build more houses to accommodate a growing population. As noted by the Council Reporting Officer, relative to other Selwyn growth areas, Prebbleton's proximity to Christchurch City and Key Activity Centres at Rolleston and Lincoln reduces the potential for greenhouse gas emissions.
124. Mr Sellars notes that there is market evidence that the shortage of available residential sections in Prebbleton, Lincoln and Rolleston coupled with the increased prices is resulting in buyers looking further afield where there is both availability and cheaper section prices in the likes of Darfield, Kirwee and Leeston.⁴³ These more remote locations require longer travel distances to work and higher order urban services, and have a proportionally greater potential impact in terms of generating greenhouse emissions.
125. The greenhouse gas emission impact of commuting and other car based trips is also expected to reduce over time as uptake of electric vehicles increases. Evidence by Mr Paul Farrell for PC73 was that "the uptake of electric vehicles is likely to be much faster in "commuter-belt" areas such as Rolleston (and Prebbleton), where the daily commute distance is such that there is a strong economic incentive, via fuel cost savings, to choose an EV instead of a traditional internal combustion engine (ICE) vehicle, and the round trip distance is not so long that range anxiety becomes an issue. Furthermore, the uptake of EVs is likely to be much greater in properties with

⁴² Evidence of Mr Colegrave at Appendix – Critique of Feasible Capacity Assumptions [120] - [143]

⁴³ Evidence of Mr Sellars at [10.1] – [10.2]

a garage (as opposed to residences located in a denser urban area, where vehicles may be parked on the street).”⁴⁴

126. The Site is inland and the enabled residential development will not subject to natural hazard risks associated with sea level rise or more frequent and severe storm events arising from climate change. The ODP roading layout follows secondary flow paths associated with SDC modelled 200 year Average Recurrence Interval (ARI) flood hazard event flood events which take account of the effects of climate change. All dwellings will be required to have a minimum building finished floor level 300mm above the 200 year return flood event.

NPS-UD Conclusion

127. My conclusion, based on all of the above, is that PC72 is entirely consistent with and gives effect to the NPS-UD 2020.

Canterbury Regional Policy Statement (CRPS)

128. Notified PC72 contains a full assessment of the re-zone proposal against the policies of the CRPS at Appendix 13. I adopt that assessment for this evidence.
129. My conclusions arising from that assessment were set out at paragraph 162 of the private plan change request:
- a) The development proposal achieves the CRPS objectives for the location, design and function of new developments.
 - b) The traffic effects of the proposal do not give rise to adverse effects and so achieves CRPS objectives for the strategic land transport network.
 - c) There is a fundamental inconsistency with Map A of Chapter 6, but PC72 is consistent with the approach of the NPS-UD 2020 for providing for significant development capacity which contribute to well-functioning urban environments.
 - d) The environmental effects assessment included within PC72 establish that the proposed development is consistent and will not give rise to any concerns with respect to the matters listed in Objective 6.2.1, clauses 4 to 11. These matters being:

6.2.1 Recovery framework

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

⁴⁴ Evidence of Mr Farrell PC73 at [24] - [Link to Mr Farrell's Evidence on PC73](#)

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

e) The proposal achieves policies relating to:

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

130. PC72 is not consistent with Objective 6.2.1.3 because it proposes urban development outside of existing urban areas or greenfield areas in a location not otherwise expressly provided for in the CRPS. Policy 6.3.12 FDAs (introduced by Change 1) enables urban development in FDAs to meet a shortfall in the sufficiency of feasible development to meet the CRPS medium term capacity targets, where specified criteria are met, and the shortfall is identified by monitoring undertaking by Council(s). The Site is not a FDA.
131. The objective is to 'avoid' urban development outside the areas provided for on Map A or the CRPS. In this case I do not consider this is fatal to PC72. Far from it. I consider very little if

any weight can be given to this part of Objective 6.2.1 as it is totally at odds with the higher order direction of the NPS-UD for all the reasons outlined above. Both the NPS-UD and the CRPS require development to contribute to well-functioning urban environments (the CRPS criteria to be met address similar matters as the NPS-UD criteria for well-functioning environments). The NPS-UD has the additional purpose of enabling increased land and housing supply to support a competitive land and housing market and improve housing affordability. Providing for unanticipated or out of sequence development which contributes significant additional capacity will assist.

132. I have reviewed the Adderley Head legal opinion on this matter, a copy of which can be located on the Council website as an appendix to the s42A Rezoning Framework Report prepared for the PSDP hearings. . Adderley Head conclude (para 165) that the *“NPS-UD specifically recognises and provides for an exception or legitimate departure from restrictive Objectives such as CRPS Objective 6.2.1.”* I agree.

133. The CRPS is clearly outdated, as its policy approach is at odds with the NPS-UD (the policies and Map A are directive and allocative compared to being enabling and responsive). I also agree with Mr Baird's view in his s42A report on the Urban Growth Chapter of the PSDP noted at para 9.6 that:

“The CRPS directs the way development should occur. In summary, the objectives and policies in the CRPS are directive, stating that urban development should not occur outside of Map A, effectively an urban limit. The NPS-UD seeks that councils should review these type of policies relating to unplanned development and a hard urban limit without the ability to consider changes does not meet the requirements of the NPS-UD”

134. The CRPS is not informed by a current Future Development Strategy, nor any spatial plan reflective of the NPS-UD nor is it based on up-to-date data and trends of urban development over the last few years.

135. Change 1 to the CRPS acknowledges it does not fully give effect to the NPS-UD. The Section 32 Assessment states:⁴⁶

“This is a targeted change to Chapter 6 to enable the Greater Christchurch councils to give effect to the direction in the NPS-UD to provide sufficient development capacity to meet expected demand and to implement the growth strategy set out in Our Space. A

⁴⁶ Plan Change 1, Section 32 Report, at p.9

more comprehensive review of Chapter 6 is due to commence in 2021 as part of the full review of the CRPS. Environment Canterbury, in collaboration with Greater Christchurch Partnership organisations, is also preparing a responsive planning policy (to be advanced through a separate RMA process) to implement Part 3, subpart 2, clause 3.8(3) of the NPS-UD. This will insert criteria into the CRPS for determining what plan changes will be treated, for the purpose of implementing NPS-UD Policy 8, as adding significantly to development capacity.”

136. My understanding is that since the Section 32 report was released (early 2021), Canterbury Regional Council has changed its approach and is now not proceeding to prepare a responsive planning policy separate from, and ahead of, the full CRPS review in 2024.
137. The CRPS FDAs are based on the CRPS Map A (PIB). As noted above, this been in place for 13 years, and predate the Canterbury 2010/11 earthquakes and the significant shift of the Greater Christchurch area westwards onto land less at risk of natural hazards (including earthquake events and sea level rise). It has not been subject to rigorous testing as the LURP (Land Use Recovery Plan) processes ‘replaced’ the normal RMA processes post the Canterbury earthquakes, with no appeal rights other than on points of law.

The Operative Selwyn District Plan

138. Notified PC72 includes a full assessment of the proposal against the OSDP objectives and policies in Appendix 15. I adopt that assessment for the purposes of this evidence.
139. That assessment shows that the proposal is entirely consistent with the relevant objectives and policies, except Objective B4.3.3. The Council Reporting Officer agrees. It includes policies relating to natural resources, transport, community infrastructure and reserves, natural hazards, townships and township growth. This includes objectives and/or policies seeking:
- a) A compact urban form where practicable which provides a diversity of living environments and choice for residents including medium density housing typologies (Objective B3.4.4 and Policy B4.3.6) with a minimum density of 10 hh/ha (Objective B4.3.6); and
 - b) Integration of land use and infrastructure (Objectives B2.1.2 and B4.3.4); and
 - c) A high level of connectivity both within the development and with adjoining land areas and suitable access to a variety of forms of transport (Objective B3.4.5); and
 - d) To avoid rezoning land which contains versatile soils if the land is appropriate for other activities; and there are other appropriate areas adjoining the township which do not contain versatile soils (Policy B.1.8); and

- e) Specific growth policies for Prebbleton – encourage land east and west of the existing Living zones that adjoining Springs Road as the first preferred areas to be rezoned, provided sites are available; and discourage expansion north or south along Springs Road (Policies B4.3.64 and B4.3.65).
140. Objective B4.3.3 requires new residential development to be within existing urban areas and priority greenfield areas identified in the CRPS. The Site is outside these areas. However as noted above, the CRPS has not been revised to give full effect to the NPS-UD 2020, which takes priority, and provides for unanticipated plan changes which supply significant additional development capacity, as is the case with the proposed rezoning.
141. Several submitters (24, 25, 40, 41 and 48) have included a detailed assessment of the proposal against the OSDP objectives and policies. Their focus is on those objectives and policies relating to urban form, integration between land use and infrastructure, in particular transport infrastructure, traffic safety including for active transport modes, and the character and amenity of townships. Transport and traffic safety matters are addressed by Ms Williams. With respect to character and amenity matters, the urban design evidence for the proponents and Council establishes that a high quality residential environment will be delivered, based on the LZ standards, and ODP requirements, which will not adversely affect the amenity the surrounding area.
142. These submitters consider that existing low density residential areas at Prebbleton e.g. Conifer Grove L3 zone opposite (west side of Birchs Road) and the Aberdeen subdivisions and land further west along Trices Road) should be 'upzoned' rather than extending the current township boundaries. This they say is consistent with the direction of Objectives B4.3.3 and B4.3.5 which require new residential or business development is to be provided within existing zoned land and by consolidation within existing townships (and within existing greenfield areas). Objective B4.3.3 in particular is not consistent with the NSP-UD which now requires a responsive approach to unanticipated rezoning proposals.
143. Relying entirely on urban 'infill' to address Prebbleton's acute housing supply shortage will not meet the Council's obligations under the NPS-UD to provide at all times at least sufficient development capacity for short, medium and long term expected housing demand. Infill is organic, piecemeal and occurs very gradually over an extended period, depending on the aspirations and timelines of individual landowners. It is constrained by the location of existing houses and access, and cannot realistically achieve anywhere near the densities feasible with greenfield development. Mr Sellars estimates a potential infill capacity for Prebbleton of 44 additional houses.

The Proposed Selwyn District Plan

144. The PSDP policy framework as notified does not, in my opinion, sit square with the NPS-UD and appears to adopt quite a fundamentally different approach to the more enabling framework of the NPS-UD. The PSDP is premised on the basis of restrictive growth policies, does not seem to provide for any measure of oversupply of available land, and in any event largely did not re-zone any new land for urban purposes. Urban rezoning is anticipated but only within the UGO. The UGOs only relate to land identified for urban purposes (including rural residential development) in existing development plans, which are outdated. The development plans applicable to Prebbleton are the Prebbleton Structure Plan (PSP)⁴⁷ and the Rural Residential Strategy (RRS).⁴⁸
145. For these reasons I have not considered the PSDP provisions any further in my evidence. They have been the subject of numerous submissions, are subject to change and carry limited weight. An assessment is included in notified PC72 (see Appendix 15).

Prebbleton Structure Plan 2010

146. I agree with the Council Reporting Officer that because the PSP is now over a decade old, with the identified growth areas taken up, it is somewhat (I would say 'very') outdated in usefully informing how best to manage ongoing growth pressures in Prebbleton. As the Council Reporting Officer notes, nevertheless, PC72 is consistent with the preferred growth directions – which seek to maintain a clear separation between Prebbleton and Christchurch City; and avoid further ribbon development north or south along Springs Road.
147. The PSP also identifies elements of Prebbleton which contribute to its valued 'village character'. This issue is addressed by Ms Lauenstein's urban design report and evidence. She demonstrates how the PC72 design concept and ODP will integrate with the village character and not detract from or diminish it.⁴⁹

Selwyn Rural Residential Strategy 2014

148. The Site was identified as Area 8 in Rural Residential Strategy 2014. This signalled an urban future for the Site, at very low residential densities (1-2 hh/ha). Prebbleton has grown and

⁴⁷ The Future of Prebbleton, Prebbleton Structure Plan, February 2010; [PSP Version 9 FINAL \(selwyn.govt.nz\)](#)

⁴⁸ Selwyn District Council, Rural Residential Strategy, June 2014, figure 36 at p.64; [Microsoft Word - 01 RRS14 - Title.doc \(selwyn.govt.nz\)](#)

⁴⁹ Evidence of Ms Lauenstein at [34-44] and [88-93]

developed since that Strategy was prepared, and importantly now that construction of the Birchs Road Park is underway I agree with Ms Lauenstein, that linkages to the reserve from the residential areas of Prebbleton to the north are an essential part of good urban design and will improve traffic safety for users by taking foot and cycle traffic off Birchs Road. Those linkages are enabled by LZ zoning and the ODP with its finer-grained road network contributing to a well-functioning urban area. In my opinion, taking into account the new Birchs Road Park, the acute shortage of land for housing at Prebbleton and the consequences of this for house and land prices, a more efficient and appropriate use of the PC72 is now LZ not L3 zoning.

SECTION 32 ASSESSMENT – BENEFITS AND COSTS OF ALTERNATIVES

149. Appendix 11 of notified PC72 contains a s32 assessment. It considers four possible options for the Site – status quo (rural zoning); mixed zoning (LZ and L3 (2.8ha)); L3 zoning; and non complying land use and subdivision consents for urban residential development. The Council Reporting Officer's assessment includes two additional options – L3A zoning (average densities of 2000m², minimum 1000m²); and higher density LZ zoning i.e. 15 hh/ha (as sought by CCC and ECAN) rather than 12 hh/ha. L3A zoning is one of the alternative relief options included in the PC72 application, so it is appropriate that it be included as one of the zoning options for the Site.
150. The Council Reporting Officer's preferred option is LZ zoning at 12 hh/ha for the entire Site. He considers that is a more efficient use of the Site than the alternatives, including the mixed zoning which is the TRRG preferred option under the notified PC72. An additional 2.8 ha of LZ land will yield appx 30 more sections than L3 zoning. This is a significant increase in capacity, based on the July 2021 HBA commentary that landowners that could develop 20 or more dwellings as being significant, as referred to by Mr Colegrave.
151. A 'cost' of rezoning the Tuff land to LZ densities is that it will not be feasible to retain the existing mature landscape trip along the Birchs Road Site frontage as this will create potential shading issues for LZ sections. As I have noted earlier in my evidence, Ms Lauenstein advises that the southernmost part is of greatest value as a green gateway feature. Planting on the Birchs Road Park adjoining to the south can over time serve this function (although is unlikely to reach the height and stature of the landmark substantial gum on the corner). In reality given the quality of the Tuff existing home and garden (a very superior property), it is unlikely to be removed in the short/medium term, in which case this planting will remain. This will also mean that the potential LZ section yield for the Tuff land will not be realised immediately. However, it will be feasible to subdivide off some LZ sites at the northern end with minimal if any impact on the amenity of the Tuff dwelling and curtilage. My understanding that such partial LZ subdivision is feasible, provided the subdivision application identifies the remaining larger site with the existing home as a future development site, and includes a potential subdivision layout which shows how it can be

subdivided in the future to achieve the minimum LZ residential density. A consent notice is then imposed on the future development site, requiring any future further subdivision to achieve the specified number of sites required to meet the LZ density standard. It would be helpful if the Council Reporting Officer can confirm that this will be the Council's approach.

152. On balance, I consider that full LZ zoning is the preferred option. The notified PC72 mixed zoning has the advantage of enabling retention of existing mature planting along the Birchs Road frontage, but LZ zoning is a more efficient use of the land.
153. The Council Reporting Officer does not support L3A zoning, describing it as *"the worst of all worlds"*. There is no policy support for this option in the CRPS or the OSDP, and he does not support perpetuation of very low densities in locations which can support full urban residential development. He also questions whether the yield of appx. 130 sections will meet the Policy 8 test for significant development capacity.
154. In my opinion, L3A zoning is preferable to L3 zoning, in terms of being a more efficient use of the land (with a yield more than double that of LZ zoning) which would better meet market demand. Mr Jones' evidence is that in his experience smaller very low-density residential lots are preferred – 2000m²/ 3000m² rather than 5000m²/ 1 ha. These are more affordable and manageable than larger sites.⁵⁰ In the Prebbleton context, I acknowledge that there are already several very low density areas, including in the 2000m² – 5000m² + range. But of the two, the average 2000m² lots are a more efficient use of the land and in my opinion, is preferable.
155. I accept that there is no policy support for L3A zoning – but Policy 8 is designed to provide for developments that are not anticipated by existing RMA documents where the specified criteria are met. This can be both in terms of location and type of zoning. As with the PIB boundary, the mix of residential densities required under the CRPS has not been reviewed since the CRPS was prepared in 2007. It is well overdue for review.
156. The Council Reporting Officer questions whether a yield of 130 lots will achieve the significant development capacity threshold. Context is important. There is no existing provision for lots in this size range, and no realistic scope for further rural residential development at Prebbleton. The Rural Residential Strategy 2014 included six preferred rural residential sites at Prebbleton (see Figure 7, s42A report, page 26). Three of these (Areas 4, 5 and 6) are now developed, and two (Areas 7 and 8) are the subject to current plan changes for full urban residential zoning and the other remaining area (Area 9) is subject PSDP submission for full urban zoning. The same is the

⁵⁰ Evidence of Mr Jones [9]-[10]

case with all the other remaining preferred rural residential sites in Selwyn Greater Christchurch, except Lincoln Area 13 (south Lincoln) which can deliver just one LLR section. In the context of no remaining provision, a potential of yield of 130 sections is very significant.

157. For completeness, I note that although PC72 clearly meets the Policy 8 criteria for favourable consideration of unanticipated rezoning, it is not reliant on this. Proposals need to be assessed against the NPS-UD 2020 as a whole, not just Policy 8. Objective 6 requires a responsive approach towards suitable urban development proposals, which particularly but not exclusively, supply significant development capacity.

MATTERS RAISED IN THE SECTION 42A REPORT

158. I have covered most of the substantive matters raised in the Section 42A Framework report, including the relevant statutory planning framework, and the relationship between the NPS-UD 2020 and CRPS in my evidence above.

RESOURCE MANAGEMENT (ENABLING HOUSING SUPPLY AND OTHER MATTERS) AMENDMENT ACT 2021

159. The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (the RMA Enabling Act) received royal assent on 20 December 2021 and came into force on 21 December 2021. There were no changes from the revised Amendment Bill referred to by the Reporting Officer.⁵¹ I agree with him that the medium density housing provisions (which are referred by Mr Sellars⁵²) do not apply to Prebbleton, including PC72, because in the 2018 census the population of Prebbleton was under 5000. Mr Sellars, Mr Fox⁵³ and Ms Lauenstein⁵⁴ do not consider that the higher density housing is likely or appropriate for the PC72 site, or wider Prebbleton township.
160. The TRRG lodged a joint submission on the RMA Enabling Bill with other affected plan change proponents, which principally focussed on and sought removal of the original requirement for all plan changes that were currently in process to have their hearings concluded by 20th February 2022. The submission was successful and this provision has been removed from the RMA

⁵¹ s42A report at [38] to [42]

⁵² Evidence of Mr Sellars at [9.1] to [9.8]

⁵³ Evidence of Mr Fox at [16] to [26]

⁵⁴ Evidence of Ms Lauenstein at [101] to [102]

Enabling Act. However, it has driven the need for an urgent hearing date for PC72, ahead of the February 'cut off' date.

SUBMISSIONS

161. Submissions on PC 72 relate to a number of matters as itemised below. While I have itemised some submissions below for particular comment, I confirm that I have read all submissions received and consider that the body of my evidence addresses the key themes raised by submitters.
158. The Reporting Officer records that 50 submissions were lodged on PC72⁵⁵. 16 appear to be from 7 families who lodged duplicate submissions and in some cases three submissions per family. On this basis the number of submissions appears to be overstated.

Christchurch City Council and Environment Canterbury

162. CCC opposes PC72 unless a number of matters raised in the submission are addressed. These are:
- a) Sites being outside Map A Chapter 6 CRPS.
 - b) The sufficiency of land identified in Greenfield Priority Areas and FDAs in the CRPS to meet demand for the next 30 years.
 - c) Additional urban growth does not support reductions in greenhouse gas emissions.
 - d) Increased transport effects on Christchurch City arising from commuting.
 - e) Densities not achieving 15hh/ha.
 - f) Loss of highly productive land.
163. All these matters raised by CCC are addressed in my evidence and that of others – dwelling densities (Mr Fox and Ms Lauenstein), transport effects (Ms Williams).

G and J Drinnan

164. The Drinnan's own a neighbouring property. They are generally supportive of the PC72 subject to the issue of stormwater runoff from the PC72 development being suitably addressed; and a portion of the Drinnan property being rezoned as part of the plan change.

⁵⁵ s42A report at [44]

165. The stormwater matter concerns the proposal for the proposed stormwater management areas to discharge to private drains and farm channels on the Drinan's land adjoining the east, which is downgradient. This has been addressed in the evidence of Mr Blakie and by Mr England, the Council's Asset Manager. The stormwater management system has been designed to ensure that post development discharges are no more than current discharges and will be subject to a regional council discharge consent application.
166. The Council Reporting Officer considers that the additional rezoning sought (land on the south side of the Hamptons Road between the PC72 site and Birch Road Park) is likely to be within scope for the reasons outlined in his report. The additional land is shown on the plan below.



Figure 5: Location plan showing PC72 site (outlined in red), Birchs Road Park (outlined in green), Drinnans land sought to be rezoned (outlined in orange), Drinnans balance land (outlined in dark blue).

167. I agree with Mr Nicholson that from an urban form and connectivity perspective there is logic in the Drinnan land being rezoned Living Z. It will otherwise remain as five small rural paddocks surrounded by urban areas and parkland. LZ development will potentially improve passive surveillance of Birchs Road Park and there is potential to provide additional pedestrian and cycle connectivity through the PC72 site into the park (via the PC72 stormwater management area). There is also the risk of potential reverse sensitivity effects, such as dogs disturbing stock, if the land is farmed.
168. The Drinnans have also submitted on the PSDP seeking urban zoning for this land (submission 174), so there is an alternative planning pathway in the near future for its rezoning to be considered.
169. Obviously, the Drinnans will need to establish that the additional land can be appropriately serviced and the ODP extended to include this land. The TRRG further submission on the Drinnans PSDP submission (FS 298) supports in part the rezoning of the land subject to:
 - 1) The submitter providing a robust assessment of the effects of the rezoning sought, including on the surrounding area and the TRRG land;
 - 2) The submitter addressing how the rezoning will be integrated with the TRRG land, including but not limited to an integrated approach to services and infrastructure; and
 - 3) The submitter providing a planning assessment which establishes that the rezoning is consistent with the direction of the NPS-UD, and the RMA.
170. Ms Lauenstein has addressed 'future proofing' of the PC72 ODP, so that it can provide appropriate linkages to facilitate possible future zoning of the land to the east and south, including the Drinnan land, and Birchs Road Park. The revised ODP makes provision for two road linkages to the east.

Ministry of Education

171. The Ministry of Education (MoE) is concerned that the cumulative effect of the proposed Prebbleton plan changes on the existing primary school where capacity constraints on role growth has not factored in the extra demand arising as a result of the plan changes. This is due to the fact that these plan changes are outside the existing Map A PIB. MoE say it is likely a further

primary school will be required at Prebbleton to accommodate growth generated by the proposed plan changes.

172. Following receipt of the MoE submission, I have engaged further with the MoE planning consultants who have advised that the current Prebbleton Primary School site is sufficient to accommodate all enabled development, with a Master Plan Capacity of 700 student places. PC72 is likely increase demand by 94 students – which would result in an exceedance in the overall capacity of 700 student places taking into account the existing demand and demand from enabled development. MoE has not provided any information on how these numbers have been calculated. Enabled development may well overstate likely demand as Mr Sellars evidence is that infill development potential is minimal, and there is essentially no remaining greenfield capacity.⁵⁶ It is also uncertain whether existing capacity will be released in the short term (and thereby increasing demand on local schools). Mr Colegrave identifies a 60% presumption when estimating how many undeveloped zoned sections may come available in the short term.⁵⁷ MoE have not advised the amount of remaining capacity at the existing school and there is very little capacity remaining to increase demand on the existing school facilities. MoE have advised that Prebbleton is also within the Ladbrooks Primary School catchment but do not advise on what additional capacity exists at Ladbrooks.
173. I agree with the Council Reporting Officer's comments that *"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 matter that can be explored as a part of the much larger PC68 application"* (at West Prebbleton). PC72 is a relatively small site on the south eastern edge of Prebbleton. It is in multiple landownership and would not appear to be a suitable location for a new primary school. MoE have not elaborated on their locational and other criteria for a new school site, or whether the PC72 site would be considered suitable. The relative size of the two plan changes areas and their position in relation to the existing township is illustrated below.

⁵⁶ Mr Sellars at [7.14]

⁵⁷ Evidence of F Colegrave at [58.6]

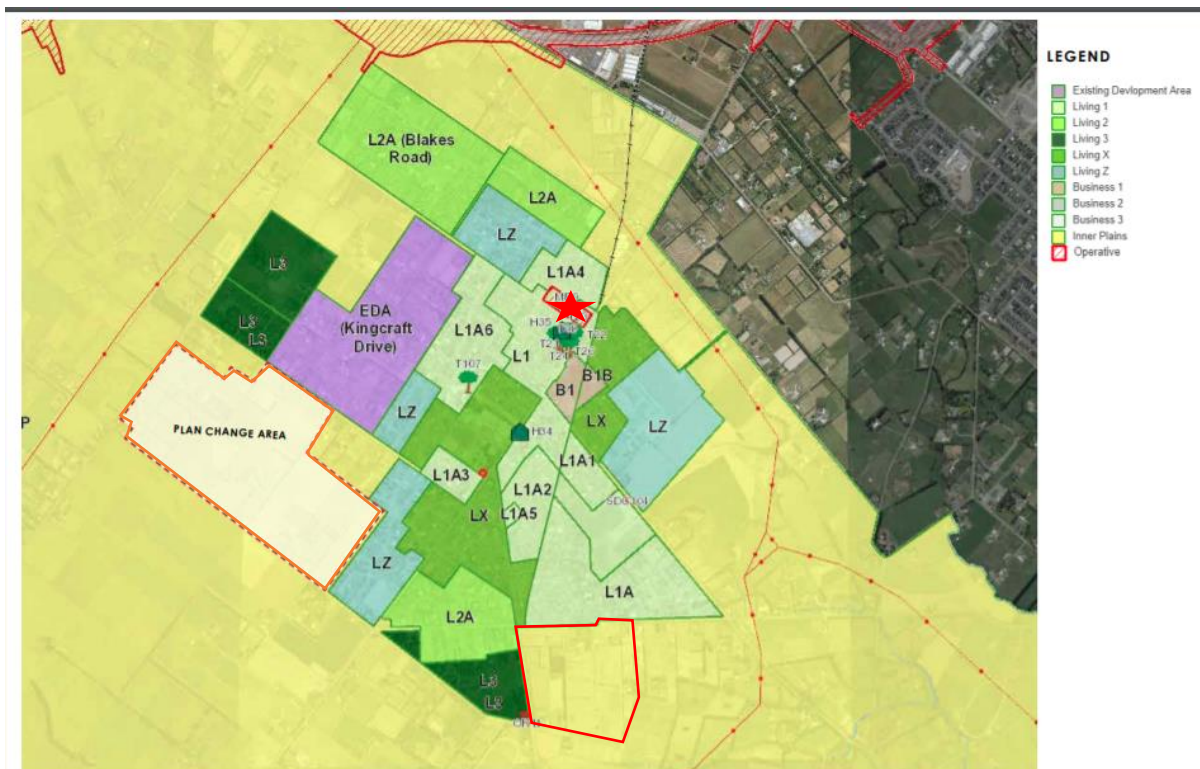


Figure 6: Prebbleton OSDP zoning map - location of PC 68 site (outlined in orange), PC 72 site (outlined in red), location of Prebbleton School marked with red star

174. MoE are concerned that if PC72 is approved, it may set a precedent of development outside of existing planned areas in the Selwyn District and Canterbury, which makes planning for school capacity and networks increasingly difficult. Precedent issues do not arise with plan change proposals. Each is considered on its merits. If considered necessary by the Commissioner, the ODP narrative could be amended by adding the following under 'Land Use':

At the time of subdivision, consultation with Ministry for the Education will consider whether it is appropriate and necessary for any land to be provided for education purposes within Prebbleton ODP Area 5, and the appropriateness of any amendments to the ODP to accommodate this.

175. Subdivision not in general compliance with the ODP will require a non complying resource consent (OSDP Rule 12.1.7.10). However, the ODP narrative above establishes that amendments arising from the possible need for a future school site are anticipated.
176. MoE have also requested additional wording within Policy B4.3.68 to refer to the potential provisions for educational facilities within the ODP area and an additional subdivision assessment relating to this matter. I do not consider this is necessary as this duplicates the wording in the

ODP itself; and there is already policy support for provision for community facilities, including educational facilities, in the OSDP, including as below.

Objective B2.3.1

Residents have access to adequate community facilities.

Objective B2.3.2

Community facilities do not adversely affect residential amenity values or other parts of the environment.

Policy B2.3.1

Encourage co-ordination between the provision of community facilities, and new residential and business development

Policy B2.3.2

Encourage community facilities to be located in areas where they are easily accessible to residents, including in Living zones, provided any adverse effects on the environment can be avoided, remedied or mitigated.

177. I note the MoE have adopted the same approach for PC69 for appx 2000 additional households at south Lincoln. PC72 and PC69 are not at all comparable in terms of the level of likely demand they will generate for school(s).
178. MoE are also concerned regarding the impacts of the proposed PC72 development on traffic congestion and safety along Springs Road or past Prebbleton School. This has been addressed by Ms Williams. She notes that the school and Springs Road are not in close proximity to the PC72 Site. Increased traffic at these locations arises due to increases in traffic associated with growth in the District rather than specifically the PC72 proposal.
179. The main themes addressed in the other submissions relate to:
 - a) Traffic/ traffic safety/ public transport;
 - b) Loss of village feel and form (there should be large lots on periphery/the land should remain rural);
 - c) Consistency with NPS-UD and the CRPS ;
 - d) Consistency with direction set out in the RRS; and
 - e) Consistency with Operative and Proposed Selwyn District Plan Objectives and Policies and approach to urban growth for Prebbleton.

180. The traffic matters have all been addressed through the expert report and evidence by Ms Williams. She concludes that the proposal appropriately addresses these matters.⁵⁸
181. With respect to submission matters c) – e) above they are addressed in my evidence which confirms that the proposal is consistent with the NPS-UD and the relevant provisions of the CRPS, as well as the Objectives and Policies of the OSDP and PSDP, except where the latter are out of date because they do not take account of the requirements of the NPS-UD, including Policy 8. As I note earlier in my evidence, the PSDP was prepared ahead of the NPS-UD being notified so does not reflect the responsive planning approach to urban growth required under the NPS-UD.

Stormwater Quality - Contaminants

182. Matthew Crozier (PC72-007) raised concern at the stormwater egress to Crosslands drain will contain contaminants. The original PC72 application document states that there will no discharge of contaminants into the environment.⁵⁹ Having considered this submission and discussed with Mr Fox and Mr Blakie, I accept that there may be some discharge of contaminants, however any discharge can be adequately managed at the development stage so that any discharge will be no more than minor. Mr Fox⁶⁰ and Mr Blakie⁶¹ explain that mitigation measures can be utilised at the construction and development phase that ensure that potential adverse effects are managed. I support the production of an environmental and sediment control management plan at the development phase.

CONCLUSION

183. There is no sound resource management reason to postpone (indefinitely) land rezoning where, as in this case, planning studies and the evidence establish that the land is highly suited to residential development and environmental effects can be avoided or mitigated. The subject land has been favourably considered for development since 2014.
184. PC72 is consistent with the OSDP objectives and policies, including growth related ones for Selwyn townships generally, and Prebbleton specifically and those of the CRPS - except those which restrict urban development (other than rural residential development in locations identified

⁵⁸ Evidence of Ms Williams at [50]-[55]

⁵⁹ Application for Plan change – June 2021 at [57]

⁶⁰ Evidence of Mr Fox at [42](c)

⁶¹ Evidence of Mr Blackie at [15](c)

in the RRS) to Map A greenfield priority and FDAs. However, this restrictive, allocative approach is entirely at odds and inconsistent with the NPS-UD, the priority 'higher order' document.

185. The proposal gives effect to the NPS-UD. It will add significant additional development capacity, significantly increasing land and housing supply at the local, and district level, in the face of an acute shortage and rapidly escalating prices. It will contribute to well-functioning urban environments and support reductions in greenhouse emissions (relative to other potential growth areas) and be resilient to the effects of climate change.
186. In my opinion, the submission achieves the purpose of the Act and has properly addressed all the key policy matters and is consistent with them, except as noted above those urban growth provisions of the OSDP and CRPS which are inconsistent with the NPS-UD, the higher order priority document. I reach that view because
 - a) The re-zone will broaden the choice of housing in Prebbleton in a manner that is consistent with and gives effect to the NPS-UD and the enabling provisions of the Act.
 - b) The proposal is consistent with, and will promote the housing affordability aims of the Government.
 - c) The Site can be serviced for three waters.
 - d) Environmental effects of the development can be avoided or mitigated.
 - e) Through the ODP the proposal will provide the framework for a high amenity integrated residential development with appropriate internal and external road and active transport connections, and connections to possible future developments.
187. All matters raised in submissions have been addressed in evidence. There are no matters arising that would provide the basis for declining PC72. With respect to those submitters requesting much lower rural residential densities (or retention of rural zoning), the proposal and establishment of the Birchs Road Park is a significant change in circumstance since the RRS 2014. The Site is now in effect an 'infill' development between existing urban development and the new township boundary formed by the Park.
188. Rezoning the entire Site LZ is the most efficient use of the Site, including in comparison with the notified PC72 mixed zoning, and on balance, is preferable.
189. Given all of the above, I fully support PC72.

APPENDICES

Appendix A: Revised ODP and Narrative

Appendix B: Mahaanui Kurataiao Ltd (MKT) Feedback on PC72

Appendix C: Revised PC72 Assessment Against National Policy Statement – Urban Development
2020 (NPS-UD 2020)