

**9000BEFORE HEARING COMMISSIONER
FOR SELWYN DISTRICT COUNCIL**

UNDER the Resource Management Act
1991

AND

IN THE MATTER of Private Plan Change
72 at Prebbleton

Summary of Section 42A Report of Jonathan Clease (Planning)

Dated: 1 February 2022

Introduction

1. My full name is Jonathan Guy Cleese. I am a Consultant Planner at Planz Consultants Ltd in Christchurch and my qualifications and experience are set out in my original section 42A report.
2. This statement summarises my s42a report. It also responds to the matters raised in evidence by the applicant's team, and by Mr Marcus Langman on behalf of CCC and CRC and Mr Fletcher on behalf of the Drinnans.

Summary

3. Consideration of this plan change takes place in a context of there being a relatively complex overlapping series of strategies, CRPS, NPS, and legislative changes.
4. The starting point is that the site has long been identified as being suitable for rural residential development/ Living 3 zone at a density of 1-2 HH/HA. Such an outcome is wholly consistent with the CRPS and the Operative District Plan. It is likewise not affected by the Housing Supply Amendment Act as it is a 'large lot' zone. There appears to be no argument among planning experts that this option aligns comfortably with the policy framework.
5. When identified for Living 3, it was intended that this block would form the southern edge of the township, with a low density transition to rural zone/ 4ha lifestyle blocks. Similar L3 zoning outcomes are in place on the western side of Birchs Road opposite the site.
6. SDC has recently acquired 22ha for Birchs Park, immediately south of the plan change site. In my view this materially changes the site context in terms of township form. The park now forms the southern edge through providing a green open landscape, with secure tenure, and therefore provides an effective long-term edge solution.
7. PC72 in essence looks to reassess how best to fill in the gap created by the park i.e. with the park now forming the town edge, is very low density L3 still the best use of this gap or is a higher yielding suburban outcome more appropriate?
8. In answering this question it is necessary to assess both the on-the-ground effects of the different densities, and the alignment of these options against the wider policy framework.
9. The CRPS is directive and clear – urban outcomes outside the area shown on Map A are to be avoided. If the NPS-UD did not exist, then I would agree with Mr Langman that there is a significant policy hurdle to be overcome.
10. In my view the NPS-UD does change things – that is the purpose of a NPS i.e to direct a change in practice and outcome. The NPS-UD reflects Parliament's concern with housing supply and is directive in the steps necessary to help resolve some of the perceived barriers to the timely provision of new dwellings. Policy 8 in my view opens the door to consider proposals not otherwise anticipated in District/ Regional Plans.
11. Whilst the CRPS has been updated through Change 1, as identified by Ms Aston for the plan change proponents, the scope of this change was narrow and did not materially address the Chapter 6 policy framework. The 'avoid' policy direction in my view self-evidently does not give effect to the responsive framework sought by the NPS-UD and is exactly the sort of policy outcome that MfE guidance identifies as needing to be amended in order to align district and regional plans with the NPS. I therefore consider that it is appropriate to look through the CRPS to the more recent, and higher order, direction.

12. The NPS-UD includes a requirement for Councils to ensure that sufficient development capacity is provided. SDC, as part of the Greater Christchurch Partnership has undertaken such an assessment.
13. I am cautious that the assessment understates demand, and concurrently overstates supply for similar reasons to those set out by Mr Colegrave. Importantly, the requirement to provide capacity is a minimum – there is no policy hurdle to providing more capacity than what is needed, provided the location of such capacity meets the other NPS-UD policy tests regarding urban form and matters such as integration with infrastructure. So if there are questions over the adequacy of capacity, in my view you should favour on the upside.
14. I understand that the alternative view put forward by Mr Langman is that sufficient capacity is available, at least in the short-medium term. This then provides the timing window necessary to undertake a strategic reassessment of growth direction for Greater Christchurch, and to follow that up with a comprehensive review of the CRPS. And that to grant ad hoc plan changes in the interim could result in a sub-optimal form and/or result in less demand for infill housing in more preferable central locations.
15. This position of course relies first on having a high degree of confidence that sufficient capacity is both plausible and available. It also relies on a confidence that infill housing and greenfield locations and typologies are readily interchangeable and are therefore able to be substituted whilst retaining a competitive housing market. I note the evidence of Mr Colgrave, Mr Jones, and Mr Sellars regarding the local housing market and the limitations on such substitution.
16. The risk of sub-optimal outcomes is likewise moderated by the parallel NPS-UD requirements to integrate and connect proposed sites into existing urban fabric – poor urban outcomes should not pass through to approval. Whilst plan changes might deliver growth in unanticipated locations, such growth should therefore still be appropriately designed, serviced, and integrated with adjacent urban areas such that the end outcomes will remain acceptable. Such outcomes are also necessarily placed in a wider context of a ‘housing emergency’ where Parliament expects to see a timely response.
17. In my view PC72 does provide significant capacity in the context of both Prebbleton, and also in terms of annual demand across the inner plains. It is therefore able to be considered under Policy 8. Whether a proposal meets the other Policy 8 (and wider NPS-UD) direction regarding the achievement of a well-functioning urban environment then turns on the merit of the proposal. In terms of form, the transition from rural to large lot has long been identified as appropriate. Given the park acquisition, in my view there is a material change to the site context, such that development to very low densities would represent a missed opportunity to provide additional housing in a location that is otherwise well located relative to the township form. The ability to reconsider what the most appropriate urban form outcome is given this material change in context is in my view exactly the sort of flexible planning response the NPS-UD is designed to facilitate.
18. In terms of the effects of an increase in density/ yield and general site suitability for a suburban level of density the evidence from both Council and the applicant is that it is able to be serviced, is largely free of natural hazards, largely avoids versatile soils, and does not contain any sites or features with significant cultural, heritage, landscape, or ecological value.

19. The ODP, subject to the amendments confirmed in the proponent's evidence, and subject to minor amendments to the narrative to address the matters raised by Mr Collins, provides an appropriate development framework. I note that no parties have provided technical expert evidence challenging the ability for the site to be serviced or identifying any site characteristics that would preclude it being developed to suburban densities.
20. In terms of forming a logical edge, I am comfortable with the inclusion of the Drinnan block, and that such can be serviced based on feedback from Mr England. The Plan amendments necessary to include the Drinnan block are limited to a simple change to the planning maps and an amendment to the ODP to include the site and show a north-south pedestrian link connecting the balance PC72 land through the Drinan block to the park.
21. A final note on the Housing Supply Amendment Act. In line with the direction given by the Commissioner on other recently heard plan changes (and referenced as Appendix B to the applicant's legal submissions), the expectation is that decisions will issue on the plan changes at densities consistent with what was notified. If accepted, then clause 34 requires that plan changes are later varied via the Intensification Planning Instrument process which Council is required to undertake and which will apply across townships. The IPI process will identify whether Prebbleton is in or out, along with the applicability of any other qualifying matters and infrastructure implications. Such considerations and the implications of enabling medium density outcomes are equally relevant across the existing operative residential zones.
22. **Conclusion.** In a nutshell, the site has long been identified as being suitable for a change from rural to a low density residential zone as a means to create an appropriate 'edge of town' boundary. The park acquisition has materially shifted the location of the edge of town boundary. It is therefore appropriate to reconsider (or respond) to how best to infill the resultant gap, with the primary options being a very low density rural residential outcome, or a more suburban outcome with a mix of typologies. The shift to increased yield with a range of typologies, in an appropriate location, in my view aligns comfortably with the need to be responsive regarding the housing supply outcomes sought in the NPS-UD. The site likewise sits comfortably with the wider urban growth policy direction provided in both the CRPS and the Operative District Plan apart from the directive urban edge policies which preceded the NPS-UD and have yet to be reviewed.
23. I therefore recommend that PC72 should be approved.



Jonathan Clease

Consultant Planner

1 February 2022