

27 January 2021

Yoursection Limited
c/- Novo Group Ltd
PO Box 365
CHRISTCHURCH 8140

Attention: Kim Seaton

Sent by email to: kim@novogroup.co.nz

Dear Kim,

PC200075: Private Plan Change Request to the Operative Selwyn District Plan from Yoursection Limited in Rolleston – Request for further information

Thank you for your application lodged on behalf of Yoursection Limited requesting a change to the Operative Selwyn District Plan. In accordance with Clause 23 of Schedule 1 of the Resource Management Act 1991, the following information is requested to enable Council to better evaluate the potential effects of the proposal, the ways in which adverse effects may be mitigated and the nature of consultation undertaken.

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

1. This Plan Change is heavily reliant on the NPS-UD to address the conflict with the Regional Policy Statement, particularly CRPS Objectives 6.2.1 and 6.2.2.5, and their associated policies.
2. The request relies on Policy 8 of the NPS-UD as it asserts that it would add significantly to development capacity. In this regard, the plan change request notes that *“the current supply of land for residential growth at Rolleston is understood to be largely developed already. Therefore, even the proposal to provide for an additional 280 households is considered to add significantly to residential development capacity for Rolleston township.”*
3. At its meeting on 9 December 2020, Council adopted an update its Housing and Business Development Capacity Assessment for the short, medium and long term¹. There are a significant number of plan change requests currently lodged with Council, most of which propose to provide significantly more capacity than this plan change request. However, in the absence of criteria at this time in the Canterbury Regional Policy Statement, guidance² from the Ministry for the Environment suggest that factors that can help to determine significant development capacity include significance of scale and location; fulfilling identified demand; timing of development and infrastructure provision (development infrastructure and additional infrastructure).
4. To address the provisions of Policy 8, please provide further analysis that:

¹ https://www.selwyn.govt.nz/_data/assets/pdf_file/0006/360735/PUBLIC-AGENDA-Council-Meeting-9-December-2020.pdf pages 39-54

² <https://www.mfe.govt.nz/sites/default/files/media/Towns%20and%20cities/Understanding-and-implementing-responsive-planning-policies.pdf>

- a. considers the capacity proposed to be provided against the Council's updated capacity assessments over the short/medium/long term timeframes considered by the NPS-UD. The capacity proposed within the other plan change requests should be considered in regards to the above request; and
 - b. considers the contribution that the proposed plan changes may make to development capacity against the other factors suggested by Ministry for the Environment.
5. The assessment of the criteria in Policy 1 of the NPS-UD for 'well-functioning urban environments' provided with the request only considers this in relation to the plan change area. The urban environment is considered to encompass all of Greater Christchurch. Therefore, please provide an assessment of how the request would contribute to the function of the wider urban environments of the Rolleston township, the surrounding district and the Greater Christchurch area.

Support for Plan Change

6. Please provide evidence that the owners of the properties subject to the plan change are party to, or supportive of, the request.

Integration with other Plan Changes

7. There are a significant number of plan change requests currently lodged with Council, with PC78 immediately adjacent to the area of this plan change request. Please advise what, if any, consideration has been given the position of key movement linkages and reserves between this plan change and PC78. Details of this plan change, along with all other plan changes, can be found on Council's website³.

Infrastructure

8. Please advise if staging of development is proposed and if so how will this proceed? This will help Council understand timing for delivery and funding of infrastructure.

Transport

9. The Integrated Transport Assessment provided with the plan change request was reviewed by Council's Asset Manager – Transportation, who has advised that, overall, there are no specific issues of concern and the plan change request is supported from a transport perspective due to it adjoining an existing urban area and that it will essentially complete the CRETS Collector Road.
10. However, both the plan change request and the accompanying ITA incorrectly state and show in part that Talon Drive is the extension of the CRETS Collector Road to Lincoln Rolleston Road. Ed Hillary Drive is the extension of the CRETS Collector Road to Lincoln Rolleston Road. Talon Drive is further north. Please amend all documentation, including illustrations, appropriately.

Note:

- i. *The ITA also states in general terms that this plan change will complete the CRETS Collector Road in the area. This is not quite correct as there is still two small lengths that needs to be completed.*

³ <https://www.selwyn.govt.nz/property-And-building/planning/strategies-and-plans/selwyn-district-plan/plan-changes>

11. Please amend the ODP to indicate provision for another future southern roading connection, as indicated below, rather than just a walking and cycling one. Please have regard to PC78, as discussed above.



12. It is noted that the ITA provides an assessment of the Selwyn Road / Weedons Road intersection, which is of primary concern to Council in terms of the extra traffic through it from Lincoln Rolleston Road. The applicant is advised that the upgrade of this intersection to a roundabout is currently in Council's draft Long Term Plan for 2028/29. This aligns well to the ITA assessment where Level of Service start to drop off in some areas at the existing intersection. However, it is requested that further assessment be undertaken of the Lincoln Rolleston Road / Selwyn Road intersection, due to some expected safety issues related to increasing turning and through traffic along Lincoln Rolleston Road.

Notes:

- ii. *It is also noted that the ITA identifies a future roundabout at the intersection of Ed Hillary Drive and Lincoln Rolleston Road, "which would be subject assessment at the time of subdivision". Council anticipates that some agreement would be reached between the relevant parties as to the timing and staging of this and the level of contribution by each party. In this regard, it is considered there is opportunity to provide the ultimate intersection design from the start rather than progressive upgrades, for example developers and Council could share the cost, with Council recovering its share from development contributions over time.*
- iii. *It is also expected that the Lincoln Rolleston Road frontage will be upgraded to the urban standard, as has occurred for the current Falcons Landing subdivision to the north.*
- iv. *The Lincoln to Rolleston cycleway is extends across the Lincoln Rolleston Road frontage of the site and this is to be retained.*
- v. *It is planned to drop the existing 100km/hr speed limit to 80km/hr where it is not 60km/hr already. This lower speed limit can be expected to be extended across the frontage of this area, if the plan change is approved.*

- vi. *There is an existing point strip/agreement along Saker Place and Flight Close boundaries to the site.*

Water

13. The Infrastructure Assessment provided with the application was reviewed by Council's Asset Manager – Water Services.

Note:

- vii. *As identified in the Infrastructure Assessment, the Rolleston water master plan provides the framework for the ultimate development of the network in the township, and this continues to be refined. To service this development at the densities proposed, trunk water mains are required along Lincoln Rolleston Road. The availability of water to service this proposed plan change is contingent on these trunk water mains being installed ahead of current proposed timeframes. As such, developer lead infrastructure may be required under an Infrastructure cost share agreement. Please confirm that this is a viable option should it be required.*
14. The Infrastructure Assessment identifies that there are portions of an irrigation water race that lie on the western and southern boundaries of the plan change area and the Soil Contamination report states that a water race runs along the southern boundary of 153 Lincoln Rolleston Road and a small pond is also located along the southern boundary of the same property. However, at paragraph 145, the plan change request states that there are no water races within the site. Please clarify which report is correct and, if required, identify the location of these water races and advise how it is intended that they be acknowledged within the plan change and any subsequent development of the area.

Wastewater

15. With reference to the wastewater masterplan (attached), please confirm options to reticulate wastewater to the proposed Southeast Pump Station, as opposed to the Southern Rolleston Pump Station, as identified in the plan change request.

Urban Design

16. At paragraph 66 mention is made of mitigation measure that include the location of different zones, however only one zone is sought by the plan change request, being the Living Z zone. Please amend accordingly.
17. In Section 1 of the Urban Design, Landscape and Visual Impact Assessment, please correct the reference to the location of the plan change area from Rolleston South West to Rolleston South East.
18. In Section 3.1 of the above assessment, and in other parts of the plan change request reference is made to "rural residential" dwellings⁴. As rural residential activities are defined by the Canterbury Regional Policy Statement as residential units at an average density of between 1 and 2 households per hectare, it is incorrect to identify activities both within the plan change area and surrounding the area as such. Please amend such references to refer to rural.

⁴ Paragraphs 13, 23 and 133 of the plan change request, as well as in several places in the PSI Report.

19. In Section 3.2, it states that “*aspects of rural character will be maintained through the mitigation of fencing and landscape planting*” and in Section 3.5 it is states that fencing along Lincoln Rolleston Road will be managed to maintain aspects of openness. Please advise what, if any, measures need to be included within the Operative District Plan to deliver on these outcomes.
20. The concluding sentence in paragraph 2 of Section 3.2 states that the “*character of existing housing is typically single storey detached dwellings, which the proposal intends to continue*”. The provisions of the Operative District Plan do allow for two storey residential development in the Living Z zone. Please advise if it is intended that specific measures be included within the Operative District Plan that would prevent this outcome.
21. In Section 3.3, on page 14, in responding to Policy B4.3.3, the assessment states that “*the proposed plan change adjoins existing Living and Business Zones to the north west*”. The area of the plan change request does not adjoin any Business zoned land. Please correct the assessment accordingly.
22. It is considered that the description of the proposed density associated with the Living Z zone shown on the proposed outline development plan included in Appendix One (page 3) includes reference to terms used in the Proposed District Plan (General Residential and Medium Residential) which may create confusion. Please consider amending this. Further, the District Plan Zoning map included on page 4 incorrectly shows the district plan zoning as GRZ, whereas it should be LZ. Please amend. Please also amend the legends on pages 4 and 5 which reflect the zoning proposed under the PDP, rather than the zoning shown on the adjacent image.

Geotechnical Assessment

23. The Geotechnical Assessment provided with the plan change request was peer reviewed on behalf of Council by Ian McCahon of Geotech Consulting Limited and this is attached for your information. No further information is requested at this time as a result of this peer review.

Preliminary Site Investigation (PSI) Report

24. The PSI report provided with the plan change request was peer reviewed on behalf of Council by Environment Canterbury. No further information is requested at this time as a result of this peer review.

Assessment of Efficiency and Effectiveness of the Plan Change

25. Please review the statement in paragraph 100 that for Options 3 and 4 the benefits are greater compared to the alternative option of obtaining resource consent, as Option 3 is to apply for resource consents.

Operative District Plan

26. It is noted, in paragraph 29, that the request is for a Living Z zone, with an average site size of 600m² and a minimum site size of 500m². These site sizes are not consistent with the existing Living Z (Rolleston) sizes set out in Table C12.1 in the Operative District Plan. Given this, please either:
 - a. provide an assessment of this variance in terms of its effect on plan integrity, and spatial effects from different lot sizes; or
 - b. amend the application to be consistent with the Operative District Plan site sizes.

27. In Table 1 Assessment of relevant plan provisions, page 23, there is a heading for Objective B2.1.5, but not text or analysis is provided. Please amend as appropriate.

Outline Development Plan (ODP)

28. The text accompanying the proposed ODPs should incorporate the urban design principles set out at paragraph 35 of the plan change request.
29. Please terminate the possible future connections as shown on the ODP at the boundary of the plan change area rather than extending them into adjacent sites.
30. Please update the ODP legend to identify the dashed circle shown at the proposed intersection of the primary road with Lincoln Rolleston Road.
31. The ODP should also be amended to reflect any matters raised in the points in this letter, particularly regarding roading, reserves and reverse sensitivity matters.
32. It is noted that through the Proposed District Plan process, Council is seeking to establish a consistent ODP design with an approach to minimise features on an ODP and utilise assessment considerations in supporting text. While this is a request to change the Operative District Plan, please be aware that alignment of the ODP design may be sought as this request progresses.

Proposed District Plan

33. Council notified its Proposed District Plan on 5th October 2020. While the list of statutory documents to be considered when changing a district plan, as prescribed in s74 and s75 of the RMA, does not include a Proposed District Plan, case law⁵ suggests that s74 is not an exhaustive list and that scope exists to consider the provisions of the Proposed District Plan. As such, please provide an assessment of the request against the relevant provisions of the Proposed District Plan, and in particular those provisions that have immediate effect.
34. Where new provisions are proposed to the Operative District Plan to respond to any of the matters raised above, it is recommended that consideration be given to the provisions included in the PDP, given to the need to align this plan change request with the PDP at some point in the future.

Consultation

35. It is noted that the plan change request has not been provided to Mahaanui Kurataiao Limited for their comment. However regard has been had to the outcomes of previous consultation with Rūnanga and others for other recent residential zoning proposal elsewhere in the District. Please advise of the specific outcomes to which regard has been had, and advise how these outcomes have been reflected in this plan change request.
36. The request also identifies that *“the provision of locally sourced indigenous vegetation within the plan change site as it develops is a matter that will be addressed at the time of subdivision and development and support cultural values associated with the site. It is expected that any*

⁵ *Kennedys Bush Road Neighbourhood Association v Christchurch City Council* (W063/97, at page 20) and *Canterbury Regional Council v Waimakariri District Council* (C94/99, at page 15)

subdivision consent for development of the zone can and will incorporate conditions of consent addressing these requirements⁶". This statement is not supported by the ODP text. Please identify if the existing framework within the Operative District Plan is sufficient to achieve the statement above.

Process from here

Once we have received a response to the above requests, it may be necessary to ask for further clarification of the extent to which this response addresses the above requests.

Whilst you may decline to provide the above information (Clause 23(6)), you need to be aware that the Council may reject the request on this basis.

Once the Council is satisfied that it has adequate information, a report will be finalised to consider and make a recommendation on how to deal with your request.

Please contact me on (03) 347 1809 or jocelyn.lewes@selwyn.govt.nz if you have any questions.

Yours faithfully
SELWYN DISTRICT COUNCIL

A handwritten signature in black ink, appearing to read 'J Lewes'.

Jocelyn Lewes
Strategy and Policy Planner

⁶ Paragraph 76 of plan change request

