

**BEFORE AN INDEPENDENT HEARINGS COMMISSIONER AT
SELWYN**

IN THE MATTER OF

Clause 21 of the First Schedule of
the Resource Management Act 1991
(Plan Change 75)

AND

IN THE MATTER OF

YOURSECTION LIMITED
(Applicant)

**STATEMENT OF EVIDENCE OF KIM MARIE SEATON ON BEHALF OF
YOURSECTION LIMITED**

PLANNING

Dated: 18 October 2021

INTRODUCTION:

- 1 My name is Kim Marie Seaton. I am a principal planner practicing with Novo Group Limited in Christchurch. Novo Group is a resource management planning and traffic engineering consulting company that provides resource management related advice to local authorities and private clients.
- 2 I hold the qualifications of a Bachelor of Arts and a Master of Regional and Resource Planning from the University of Otago. I am a full member of the New Zealand Planning Institute. I have held accreditation as a Hearings Commissioner under the MfE Making Good Decisions programme since 2011 and have held endorsement as a Chair since 2014.
- 3 I have 25 years of experience as a resource management planner, working for central government, a university and as a consultant, in New Zealand, Canada and the United Kingdom, with the last 18 years working as a consultant in Christchurch and more recently also in Queenstown Lakes District. I have particular experience in land use development planning, as a consultant to property owners, investors, developers and community organisations, and through processing resource consents for district councils.
- 4 My specific experience relevant to this evidence includes the preparation of the subdivision and land use resource consents for the adjoining Falcon's Landing development in Rolleston. I also prepared the resource consents for Levi Park in Rolleston (225 Lots). The planning services I provided for those developments are complemented by the plan change and resource consent applications I have prepared for other greenfield residential and business developments across Selwyn, Christchurch and Waimakariri Districts (and wider South Island locations), recently including Plan Changes 59, 66, 67 and 80 in Selwyn.
- 5 I am familiar with the plan change application by Yoursection Limited (the *Applicant*) to rezone Rural Inner Plains land to Living Z Zone at 153 Lincoln Rolleston Road, Rolleston (the *Site*). I prepared the

Section 32 Report (Section 32) for the plan change application, with support from technical experts.

CODE OF CONDUCT

- 6 I have read and am familiar with the Environment Court's Code of Conduct for Expert Witnesses, contained in the Environment Court Practice Note 2014, and agree to comply with it. My qualifications as an expert are set out above. Other than where I state that I am relying on the advice of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

SCOPE OF EVIDENCE

- 7 My evidence is presented on behalf of Yoursection Limited, the Applicant in these proceedings.
- 8 In preparing my evidence I have reviewed the evidence of:
- (a) Mr Andrew Metherell – transport;
 - (b) Mr David Compton-Moen – landscape and visual, urban design;
 - (c) Mr Fraser Colegrave – economics;
 - (d) Mr John Bannock – infrastructure;
 - (e) Ms Kerry Watson – company evidence; and
 - (f) Mr Victor Mthamo – versatile soils.
- 9 I have also considered:
- (a) The Section 42A Report prepared by the Council (the *Officer's Report*);
 - (b) Other statutory documents as listed in my evidence, including the National Policy Statement on Urban Development 2020 (*NPS UD*), and non-statutory documents including the Rolleston Structure Plan and "Our Space

2018-2048: Greater Christchurch Settlement Pattern" (*Our Space*).

- 10 My evidence is structured as follows:
- (a) The proposal and site description;
 - (b) Submissions;
 - (c) Assessment of issues raised by submitters and the Officer's Report;
 - (d) Statutory analysis, including of the National Policy Statement on Urban Development 2020 (NPS UD); and
 - (e) Consideration of alternatives, costs and benefits.

SUMMARY

- 11 Matters raised in submissions have been adequately addressed, including through the introduction of further amendments to the ODP.
- 12 The evidence of Mr Metherell, Ms Watson and Mr Compton-Moen confirm that the site will be well-connected to adjoining developed and developing areas in Rolleston.
- 13 The presence of versatile soils on the site is acknowledged, but Mr Mthamo has confirmed the loss is not considered to be significant. As such, I do not consider the adverse effects of the versatile soil loss should prevail over the potential benefits of the Proposal.
- 14 I consider the Proposal will provide for and support a consolidated and appropriate urban form for Rolleston, including an appropriate density of housing.
- 15 The Proposal gives effect to the NPS UD, including because it will provide significant development capacity, will contribute to a well-functioning urban environment and can be serviced without undermining other areas.
- 16 Mr Friedel and myself are in agreement that, subject to ODP modifications, it is appropriate to grant the rezoning request.

PART 1: THE PROPOSAL AND SITE DESCRIPTION

Site and Surrounding Environment

- 17 A description of the site and surrounding environment is provided in the Officer's Report (paragraphs 3.1-3.9), and I concur with that description.
- 18 In summary, the site sits to the immediate southeast of the existing Rolleston township boundary, adjoining the existing residential development known as Falcon's Landing and Lincoln Rolleston Road.

Description of the Proposal

- 19 A full description of the proposal is provided in the Application document, and is summarised in the Officer's Report. I will not repeat those descriptions, referring the Commissioner instead to those documents. To summarise however, the proposal to date provides for:
 - (a) The rezoning of 24.7ha of land from Rural Inner Plains to Living Z Zone;
 - (b) Provision for an Outline Development Plan (ODP), inclusive of primary and secondary roading routes, a medium density housing area, reserve and pedestrian/cycle connections;
 - (c) Adopting existing Living Z zone rules without amendment.
- 20 In response to matters raised in the Officer's Report, amendments are now made to the Proposal. I will address those amendments and the reasons for them below, but in summary they are:
 - (a) Amendments to Policy B4.3.77 – Mr Friedel has recommended in Appendix 1 of the Officer's Report, two bullet points to be added to this policy, addressing ODP requirements. The amendments (additional text) made in response to Mr Friedel's recommendations are:
 - *Provision for a future roundabout at the intersection of Lincoln Rolleston Road and Ed Hillary Drive;*

- *Provision of frontage upgrades along Lincoln Rolleston Road to encourage sections to front the road.*

- (b) Amendments to the proposed ODP plan, to provide for key cycle routes, amended secondary road locations, a possible future roundabout and an expanded area of medium density development. A copy of the amended ODP (plan and text) is contained in Attachment 1 to my evidence;
- (c) Amendments to the ODP text, to specify the requirements for frontage upgrades on Lincoln Rolleston Road, the requirement for a future roundabout and the need to make allowance for land to be vested as road for that roundabout.

PART 2: SUBMISSIONS

- 21 The Officer's Report confirms in paragraph 5.1-5.2 that 6 submissions and no further submissions were received. I will respond to submission points raised in further detail below.
- 22 In paragraphs 5.3 to 5.10, Mr Friedel discusses the MON Group submission (PC75-0007). I agree that there is scope to evaluate the merits of the relief sought, as others have had the opportunity to consider the relief sought, through the further submission process. I also agree with Mr Friedel's comments in Paragraph 5.9 of his report, where he states that further detail is required on the associated changes to the ODP and District Plan provisions, to properly assess the merits of the proposal.
- 23 Ms Watson has confirmed that the applicant's corporate position on the MON Group submission is neutral. Mr Metherell and Mr Compton-Moen have confirmed in their evidence that the proposed neighbourhood centre is acceptable from their respective technical positions. I also agree that the Rolleston Structure Plan has previously signaled the intention for a "local centre" to be located within the PC75 area. On the basis of the applicant's technical evidence, and that of the Council, I consider the submitter's proposal, in broad principle, is acceptable. In the absence of further detail from the submitter regarding District Plan provisions, I am unable to comment further.

PART 3: ASSESSMENT OF ISSUES RAISED BY SUBMITTERS

- 24 For ease of cross reference, my assessment will adopt the sub-headings set out in the Officer's Report.

Urban Form, Density and Character

- 25 In regard to the summary of submission points on urban form, density and character in the Officer's Report, I agree with the summary. I also agree with the Officer's comments in regard urban form, which are consistent with the evidence of Mr Compton-Moen.
- 26 In regard density, I agree with the Officer's conclusion that a minimum density of 12hh/ha will enable PC75 to give effect to the CRPS, although I do additionally note that the requirement for a minimum net density of 10hh/ha specified in Policy 6.3.7.3a of the CRPS only technically applies to greenfield priority areas, of which this is not one. Nevertheless, my experience is that the minimum 10hh/ha requirement has guided greenfield residential development more generally in Rolleston. Mr Compton-Moen addresses the proposed density of PC75 in his evidence, noting it is generally consistent with the density of other recent greenfield residential developments in Rolleston, and an increase on the 10hh/ha provided for in adjoining Falcon's Landing. He concludes the proposed density of a minimum of 12hh/ha is appropriate for Rolleston. I accept and agree with his conclusion. I also note that it is a minimum requirement, and there is the potential for some additional density to be introduced, albeit I understand from my discussions with Ms Watson that it is unlikely the density of the PC75 area will approach 15hh/ha. I note also that the area of medium density development identified on the ODP has been extended in the updated version of the ODP in Attachment 1 of my evidence, supporting the provision of either some extra density in the PC75 area, or a greater range of dwelling typologies.
- 27 In regard amenity and character, I agree with Mr Friedel's analysis, including that it would be unreasonable to expect the amenity and character of the site will remain unchanged, or to decline the PC75 request on that basis. Mr Compton-Moen has concluded that overall, the scale, bulk and location of the proposal would allow it to appear as

a natural extension of existing development within Rolleston. I accept and agree with Mr Compton-Moen's conclusion.

- 28 In regard the ODP, and as set out in paragraph 19 above and Attachment A, several changes have been made to the proposed ODP, including in response to recommendations made by Ms Wolfer. This includes additional text specifying the requirement for road frontage upgrades on Lincoln Rolleston Road. I do not consider it is necessary to additionally specify this on the ODP plan itself as I consider the road this applies to is self-evident from the text.
- 29 Secondary road connections have been further specified or realigned to coordinate with adjoining areas and proposed PC78 in particular. The pedestrian/cycle link from the CRETS Collector Road/Primary Road to Saker Place to the north is also further specified. It was always intended that that link would be provided, but the amendment now makes clearer that the link needs to be a reasonably direct one. That may in due course take the form of either a tertiary/local road connection, a separate path or a mix of both, to be determined at the time of subdivision.
- 30 In regard the existing water race, I agree with Mr Compton-Moen where he states in paragraph 40 of his evidence that the water race can be evaluated at the time of subdivision, and that it is not an element that is of importance or worthy of protection in its current state. In my experience, it is common for water races to be addressed by piping, as occurred through Falcon's Landing, but occasionally also by naturalisation, as has occurred on the Wilfield frontage at West Melton. In any case, the most appropriate option is best addressed at the time of subdivision and for this reason I have recommended against referencing the water race on the ODP.
- 31 In conclusion, I agree with the conclusion of Mr Friedel in relation to urban form, density and character, and consider that the proposal, inclusive of the proposed changes to the ODP, will provide for a high quality and well-functioning urban environment.

Servicing and Infrastructure

- 32 I agree with the Officer's Report's analysis of infrastructure and servicing issues.
- 33 Both Mr England and Mr Bannock have provided evidence confirming that feasible servicing options are available and that appropriate funding arrangements are in place to ensure the site can be efficiently and effectively integrated into the public reticulated water and wastewater networks. I therefore agree with Mr Friedel that there are no infrastructure network constraints or concerns that prevent the request from being granted¹.

Transportation Network

- 34 I agree with the Officer's summary of submission points. Both Mr Collins for the Council and Mr Metherell for the applicant have addressed the outstanding traffic issues at the time the Officer's Report was written. All of those matters are relatively minor, pertaining to amendments to the ODP, and are readily resolved. I agree with Mr Friedel's comment in paragraph 7.34 of the Officer's Report, that broader recommendations not central to the consideration of the appropriateness of PC75 are best addressed through other Council work streams.
- 35 As Mr Metherell addresses in his evidence², and as I indicate in paragraph 19 above, the following amendments have been made to the ODP in response to matters raised by the Officers:
- a. A realignment of the north-south secondary road to continue the road from PC78 through to the CRETS Collector Road;
 - b. An extension of the east-west secondary road to Lincoln Rolleston Road. The specific position it joins with Lincoln Rolleston Road is to ensure adequate separation from the existing dwelling access on the opposite side of Lincoln Rolleston Road just to the south.

¹ Paragraph 7.30 of the Officer's Report.

² Paragraphs 83-84.

- c. Inclusion of a cycle connection alongside parts of the secondary road network to support integration with the Lincoln Rolleston Road cycleway, CRETS Collector Road and PC78. These do not reference pedestrian provision as that is a standard District Plan requirement for a secondary road. I additionally note that cyclists are not precluded from other roads within the PC75 network, all legal roads being available to cycle on.
 - d. An extension of the pedestrian cycle accessway connection at the Saker Place boundary to ensure connectivity between Saker Place/Flight Close and the CRETS Collector Road. Whilst detailed alignments and the form of connection can be addressed at the time of subdivision, the principle of the level of connectivity is provided.
- 36 Mr Metherell's evidence further explains why some ODP amendments requested by the Officer's have not been provided, including:
- a. A "cycle route" is not specified on the CRETS Collector Road/ Primary Road as sections of the road that have been constructed to the west do not have a specific provision for cyclists and it would be inconsistent to provide a partial cycle network at this location. The cycle route to the west is instead through the parallel route via the PC78 land and the east-west Secondary Road. Again, this does not preclude cyclists utilising the Primary Road.
 - b. The cycle connection on the western section of the east-west secondary road is not provided. The Officer recommendation for PC78 includes a link through to the Acland Park pedestrian / cycle accessway immediately south of the proposed school. The form of connections proposed by the revised PC75 ODP will support local cycle movement to the school. The western end of the secondary road will still include a pedestrian connection as a standard road provision, and will still enable cyclist use.
 - c. The road frontage upgrade annotation of the ODP is not included in plan form, but is specified in the ODP text.

- d. The Lincoln Rolleston Road / CRETS Collector Road intersection will retain the words "Possible Future Roundabout", but remove reference to land development to the east.

- 37 I agree with Mr Metherell that the proposed ODP changes, and those that are not to be made, further strengthen PC75's integration with adjacent development. I also accept and agree with Mr Metherell's opinion that it would be unrealistic to provide a public transport service before residential development can occur on the site, but that the development layout can be responsive to enable residents to access future bus routes through or near the site. I note that that opinion is consistent with those expressed by Mr Collins and Mr Friedel on that issue.
- 38 Overall, with the exception of some minor Officer's requests relating to the ODP, I agree with the Officer's comments on traffic effects, and accept and adopt Mr Metherell's advice that the transport effects of the proposed Plan Change are acceptable.

Impacts on Versatile Soils

- 39 I agree with the Officer's Report statement in paragraph 7.49 of that report, that the proposed National Policy Statement on Highly Productive Soils (pNPS HPL) has no statutory weight. As such I consider no weight should be afforded to that document. Nonetheless, as the Officer and Environment Canterbury have noted, the District Plan does contain policy specifically addressing versatile soils (Policy B1.1.8) and the CRPS similarly contains policy 5.3.12 addressing the loss of versatile soil resource. The site contains Land Use Capability (LUC) Class II and III soils and thus contains some versatile or potentially highly productive soils. For this reason, the applicant has sought further specialist advice on the versatile soils issue, provided by Mr Victor Mthamo in his evidence.
- 40 In summary, Mr Mthamo considers that a review of site specific factors relevant to the productivity of the site soils indicates that intensive crop production would be severely constrained on the site by the availability of water for irrigation, limitations on nutrient application.

He concludes³ that in the context of Selwyn and Canterbury, any loss of highly productive soils resulting from this plan change would be very small, and that no significant cumulative loss of versatile soils is anticipated. I accept and adopt Mr Mthamo's opinion.

- 41 In specific regard to Policy B1.1.8 of the Operative District Plan, that policy seeks to avoid rezoning land which contains versatile soils for new residential development if the land is appropriate for other activities; and there are other areas adjoining the township which are appropriate for new residential development which do not contain versatile soils.
- 42 As has been addressed in recent Selwyn Plan Change hearings, in regard the first arm of the policy, I accept that there is nothing to indicate the PC75 land is unsuitable for ongoing rural use. However, the explanation to Policy B1.1.8 indicates the policy is intended to be interpreted more subtly than plain reading might at first suggest. Whether or not land is appropriate for other activities is stated in the explanation as depending on factors such as *'soil types on the site, and several other factors such as distance to markets; climate; water resources and activities on surrounding sites'*. Mr Mthamo addresses many of these factors in his evidence, noting the site constraints which are likely to prevent more intensive productive uses of the site. While I consider that the site can be used for other activities, my understanding is that those activities are likely to be of a nature that are not necessarily dependent on the presence of versatile soils, e.g. pastoral grazing.
- 43 In regard to whether there are other areas adjoining Rolleston that are appropriate for new residential development and which do not contain versatile soils, there are alternative locations for residential development at Rolleston, being generally to the southwest/west of the township. However, taking into consideration Mr Mthamo's opinion that the soils are not in fact as versatile as the LUC categories would suggest, I consider the proposal is nonetheless acceptable from the perspective of the loss of versatile soils. Overall then, while I consider

³ Paragraph 10 of Mr Mthamo's evidence.

the proposal has some tension with this policy B1.1.8, I do not consider the proposal is contrary to it.

- 44 In conclusion, I also note that in balancing the value of protecting versatile soils, against the most appropriate growth direction of the township, the PC75 site has been identified in multiple strategic planning exercises as an appropriate direction for growth, and its development, at least in part, is critical to the completion of the CRETS Collector Road, a key transport initiative. I consider the value of providing for residential development in this location outweighs the potential adverse effects of the loss of versatile soils.

Land Suitability and Geotechnical Risk

- 45 I concur with the Officer's Report that the site is not known to contain any notable geotechnical or soil contamination constraints, beyond what is commonly encountered and remedied at the time of subdivision and land development of greenfield sites. Though site contamination has been identified, it is expected that it can be remedied and mitigated through the development process, such that any risks to people's health or wellbeing can be effectively managed. I therefore agree with the Officer's conclusion that there are no land suitability constraints or natural hazard risks that preclude the granting of the plan change request.

Other Matters

- 46 In regard sustainability initiatives, Mr Freidel has stated, in response to a submitter's request for sustainability initiatives to be required, that he does not consider it appropriate to include such measures at plan change level. I do not agree, particularly as I have offered a similar rule for PC67. However in the circumstance of PC67, where the West Melton township is currently somewhat limited for active and public transport opportunities, a rule addressing sustainability initiatives was in my opinion warranted to directly support reductions in greenhouse gas emissions. Those same circumstances do not apply to Rolleston, which already has a greater level of public transport opportunities and a larger amount of employment and community facilities. I therefore do not consider such a rule is warranted for PC75, but agree with the Officer that there remain opportunities to consider sustainability

measures in the design and layout of future homes as part of the subdivision or processes outside the RMA (e.g. property covenants).

- 47 In regard cultural values, I concur with the analysis and conclusions of Mr Friedel.

PART 4: STATUTORY ANALYSIS

Part 2 Matters

- 48 My analysis of Part 2 is contained in the Section 32 report lodged with the application. The Officer's Report and myself are in agreement that there are no matters of national importance (Section 6) relevant to PC67. In regard Section 7, for the reasons outlined in my assessment above, including an appropriate density of development, upgrades of the Lincoln Rolleston Road frontage, and integration of the site with adjoining greenfield residential developments, I consider the proposal provides for the matters set out in that Section.

Functions of Territorial Authorities

- 49 The Officer's Report sets out the statutory functions of Council. In paragraph 8.5 of that report, Mr Friedel states that PC75 will enable Council to continue to carry out its functions under the Act, including ensuring that there is sufficient plan enabled development capacity to meet the expected demands of the District.

National Policy Statement on Urban Development 2020

- 50 Mr Friedel begins his analysis of the NPS UD with reference to the Council's Technical Memo on Growth Planning. That Memo sets out various strategic planning exercises, several of which have identified the PC75 site as a suitable area for future development, including the Rolleston Structure Plan, the CRPS (Map A) and Our Space.
- 51 The Memo also references housing demand and housing capacity within Selwyn District. I note that Mr Colegrave has presented evidence for the applicant, detailing the inaccuracies of the Greater Christchurch Partnership's housing capacity assessment models and concluding the housing shortfall in Selwyn will be considerably larger than Council and the Greater Christchurch Partnership currently

estimate. In my view, the housing capacity shortfalls identified by Mr Colegrave simply further underline why the additional housing to be made available via PC75 is significant.

- 52 There are a range of matters that need to be considered or had particular regard to, in order to determine if PC67 gives effect to the NPS UD. They include the following matters set out in the objectives and policies of the NPS:

<i>Provision</i>	<i>Comment</i>
Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.	I address well-functioning urban environment below.
Objective 2: Planning decisions improve housing affordability by supporting competitive land and development markets.	As evidenced by the statement of Mr Colegrave, the proposal will support a competitive land and development market and the provision of additional housing supply will assist to improve affordability overall.
Objective 3: Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply: (a) the area is in or near a centre zone or other area	The site is within an area that provides an increasing range of employment opportunities. Rolleston is serviced by public transport and further extensions of the bus network are anticipated as the township grows (per Mr Metherell's evidence). Per Mr Colegrave's evidence, there is high demand for new

<p>with many employment opportunities</p> <p>(b) the area is well-serviced by existing or planned public transport</p> <p>(c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.</p>	<p>housing land in Selwyn District and Rolleston itself.</p>
<p>Objective 5: Planning decisions relating to urban environments, and FDSs, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).</p>	<p>Consultation with runanga was undertaken in respect of other similar residential greenfield developments in Selwyn and Rolleston on sites that do not have identified notable cultural values. The outcomes of that consultation informed the development of PC75. No site specific cultural sensitivities arise.</p>
<p>Objective 6: Local authority decisions on urban development that affect urban environments are:</p> <p>(a) integrated with infrastructure planning and funding decisions; and</p> <p>(b) strategic over the medium term and long term; and</p> <p>(c) responsive, particularly in relation to proposals that would supply significant development capacity.</p>	<p>As per the evidence of Mr Bannock, infrastructure has been considered and confirmed as available to the site.</p> <p>Mr Compton Moen has confirmed that the site is an appropriate direction of growth and will support consolidation of the township. The site is identified in several strategic planning documents as a suitable site for residential growth in Rolleston.</p>

	The proposal will provide significant development capacity (addressed further below).
Objective 7: Local authorities have robust and frequently updated information about their urban environments and use it to inform planning decisions.	Mr Colegrave's analysis, presented in his evidence, calls into question the robustness of the information Council currently relies upon to determine housing capacity and provides an appropriate update.
Objective 8: New Zealand's urban environments: (a) support reductions in greenhouse gas emissions; and (b) are resilient to the current and future effects of climate change.	I address this below in relation to well-functioning urban environment.
Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum: ...	Addressed below.
Policy 2: Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.	Mr Colegrave has confirmed that there is not sufficient capacity to meet the demand for housing over all timeframes including in the short term. The proposal will assist in meeting demand.
Policy 3: In relation to tier 1 urban environments, regional	Clauses (a), (b) and (c) are not relevant to the PC75 site. Regarding clause (d), the site

<p>policy statements and district plans enable:</p> <p>(a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and</p> <p>(b) in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and</p> <p>(c) building heights of least 6 storeys within at least a walkable catchment of the following:</p> <p>(i) existing and planned rapid transit stops</p> <p>(ii) the edge of city centre zones</p> <p>(iii) the edge of metropolitan centre zones; and</p> <p>(d) in all other locations in the tier 1 urban environment, building heights and density of urban form commensurate with the greater of: (i) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or</p> <p>(ii) relative demand for housing and business use in that location.</p>	<p>is proposed to adopt existing built form and density rules applying to the Living Z Zone. Mr Compton-Moen and the Council Officer's have confirmed the proposed density is appropriate to the PC75 site.</p>
<p>Policy 6: When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:</p>	<p>The operative District Plan is not considered to have wholly given effect to this NPS. The proposed District Plan is not sufficiently progressed yet to</p>

<p>(a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement</p> <p>(b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:</p> <p>(i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and</p> <p>(ii) are not, of themselves, an adverse effect</p> <p>(c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)</p> <p>(d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity</p> <p>(e) the likely current and future effects of climate change.</p>	<p>confirm that it has appropriately given effect to the NPS.</p> <p>(b) the proposal will represent a change to the Rolleston township compared to that currently envisaged by the Operative District Plan, but is consistent with the changes envisaged by other planning documents, including the CRPS Map A.</p> <p>The question of a well-functioning urban environment is addressed below.</p> <p>In regard (d), the principal relevant contribution that the PC75 site will make to providing development capacity is in respect of providing additional residential development land where currently a shortage is identified.</p> <p>Climate change effects are able to be managed on the site, which will not be subject to any sea level rise hazard nor any significant flood hazard.</p>
<p>Policy 8: Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and</p>	<p>I agree with Mr Friedel that the development is anticipated (e.g. CRPS, Rolleston Structure Plan) and is in-sequence in so far as it is currently identified</p>

<p>contribute to well-functioning urban environments, even if the development capacity is:</p> <ul style="list-style-type: none"> (a) unanticipated by RMA planning documents; or (b) out-of-sequence with planned land release. 	<p>as a Future Development Area in the CRPS, and is also identified as a FUDA in the proposed district plan. Development capacity and the urban environment are addressed below.</p>
<p>Policy 9: Local authorities, in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in relation to urban environments, must:</p> <ul style="list-style-type: none"> (a) involve hapū and iwi in the preparation of RMA planning documents and any FDSs by undertaking effective consultation that is early, meaningful and, as far as practicable, in accordance with tikanga Māori; and (b) when preparing RMA planning documents and FDSs, take into account the values and aspirations of hapū and iwi for urban development; and (c) provide opportunities in appropriate circumstances for Māori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Māori and issues of cultural significance; and (d) operate in a way that is consistent with iwi participation legislation. 	<p>As above, consultation with runanga in respect of the development of greenfield residential sites in Selwyn for urban purposes was undertaken previously. Further opportunities for runanga involvement were afforded more generally through the public submission process. No further correspondence was received.</p>

- 53 In my view, the key considerations of the NPS UD in respect of Plan Change 75, as with other recent plan changes, are:
- i. Will the Proposal provide 'significant' development capacity (Objective 6, Clause 3.8);
 - ii. Will the Proposal contribute to a well-functioning urban environment (Objective 1, Policy 1, Policy 6, Clause 3.8, Clause 3.11);
 - iii. Is the site able to be adequately serviced with infrastructure (Objective 6, Policy 10, Clause 3.5); and
 - iv. Is it well-connected along transport corridors (Clause 3.8).
- 54 Additional to that is the question of whether the Proposal meets the CRPS criteria for determining what plan changes will be treated as adding significantly to development capacity. That criteria does not yet exist and so is not a consideration for this Proposal. The consideration of whether Rolleston forms part of the urban environment is not in question, as the population of Rolleston itself exceeds 10,000 persons⁴.

Significant Development Capacity

- 55 I consider the proposal will provide for significant development capacity for two reasons. Firstly, the proposal will provide for around 280 new residential units in a location with an identified shortfall of housing. Secondly, it will provide for the completion of the eastern extent of the CRETS Collector Road, an important piece of transport infrastructure within Rolleston.
- 56 In regard to the significance of the infrastructure link, I re-state the opinion I have put forth at recent plan change hearings, that significance cannot be assessed purely on the basis of "numbers" (Council housing or business development capacity assessments), that other criteria are also relevant to the assessment of significance, including whether there are any distinguishing characteristics about the site, distinguishing characteristics of the product, and existing

⁴ 17,532 as at the 2018 New Zealand census.

capacity and demand. In the case of PC75, the need for the CRETS Collector Road to be continued/completed affords significance to the PC75 site location.

- 57 I did not note an explicit acknowledgement in the Officer's Report that the proposal will provide significant development capacity, but I infer that from Mr Friedel's conclusion that PC75 is consistent with Policy 8 of the NPS UD⁵.

Well-Functioning Urban Environment

- 58 In regard whether the Proposal will contribute to a well-functioning urban environment, Policy 1 defines a well-functioning urban environment as one that, as a minimum:

- (a) have or enable a variety of homes that:
 - (i) meet the needs, in terms of type, price, and location, of different households; and
 - (ii) enable Māori to express their cultural traditions and norms; and;
- (b) Has or enables a variety of sites that are suitable for different business sectors in terms of location and site size; and
- (c) Has good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and;
- (d) Supports and limits as much as possible adverse impacts on the competitive operation of land and development markets; and
- (e) Supports reductions in greenhouse gas emissions; and
- (f) Is resilient to the likely current and future effects of climate change.

- 59 Regarding (a), PC75 will provide for a range of dwellings from low to medium density (in Rolleston terms), that overall contribute to a

⁵ Paragraph 8.13 of the Officer's Report.

density of at least 12hh/ha. The proposal is neutral in regard clause (a)(ii), being neither enabling or disabling of the expression of cultural traditions.

- 60 Clause (b) is not relevant to this proposal.
- 61 Regarding clause (c), the site is considered to have good accessibility. The site has good road access to an arterial route (Lincoln Rolleston Road) and provides for the completion of the eastern end of a CRETS Collector Road. Good pedestrian and cycle connections are provided for via the proposed ODP, including to adjoining developed and developing areas. Public transport links are anticipated to become increasingly available as the new neighbourhood areas develop, as noted by Mr Metherell in his evidence. In regard access to employment, Rolleston has an existing town centre and expanding business/industrial areas that provide employment opportunities.
- 62 Regarding clause (d), the evidence of Mr Colegrave clearly sets out the housing capacity shortfalls, and confirms that the proposal will support the competitive operation of the housing market.
- 63 Regarding clause (e), I agree with Mr Friedel⁶ that PC75 is unlikely to reduce greenhouse gas emissions, however its location proximate to Rolleston, the provision for good transport connectivity and the Council and sub-regional initiatives identified by Mr Friedel, ensure that the proposal can support a reduction in greenhouse gas emissions such that they may not necessarily be significant.
- 64 Overall, I consider the proposal will to contribute to a well-functioning urban environment and my conclusion accords with that of Mr Friedel in this regard⁷.

Infrastructure

- 65 As confirmed by Mr England and Mr Bannock and discussed above, the site is able to be adequately serviced, and is not subject to any servicing constraints.

⁶ Paragraph 8.16 of the Officer's Report.

⁷ Paragraph 8.14 of the Officer's Report.

Transport Connections

- 66 As set out above, the site is well connected along transport corridors, being adjacent to Lincoln Rolleston Road and will adjoin the CRETS Collector Road. Public transport connections are present in the wider area and anticipated to expand. In regard non-vehicular and micro-mobility transport connections, the proposed ODP will ensure the site is well connected to adjacent existing or potential future residential areas, and ultimately to the town centre and to the wider movement network.
- 67 In summary, I consider the Proposal will give effect to the NPS UD. In my view, the site:
- i. can be adequately serviced;
 - ii. is appropriately located in relation to transport corridors and various transport modes;
 - iii. will provide significant development capacity, including by contributing towards meeting substantial identified housing capacity shortfalls and by providing for the completion of an important road transport link;
 - iv. will contribute to a well functioning environment, including by providing for a consolidated urban form within Rolleston; and
 - v. is suitable with regard to other RMA factors such as hazards, landscape, cultural and biodiversity impacts.
- 68 Based on the above, I consider the proposal gives effect to the NPS UD and that it is appropriate for Council to be responsive to this plan change application, per Objective 6 and Policy 8 of the NPS UD.

Canterbury Regional Policy Statement

- 69 The Officer's Report sets out an assessment of the Proposal against the relevant objectives and policies of the CRPS, referencing also the previously provided assessment contained in the PC75 Section 32 report. With the exception of the applicant's decision not to adopt some of the ODP amendments recommended by the Officers (and

addressed above), I agree with Mr Friedel's analysis. In particular, the key point that the site is identified as a Future Development Area on Map A of the CRPS. Mr Friedel sets out his analysis of Policy 6.3.12 (pertaining to Future Development Areas) and I also generally agree with that analysis albeit, for the reasons set out in Mr Colegrave's evidence, I consider the need for additional planned housing capacity is greater than stated by Mr Friedel.

- 70 Overall, I agree with Mr Friedel's conclusion⁸ that PC75 is consistent with the relevant objectives and policies of the CRPS. I reach that conclusion with due consideration of the modifications made to the proposed ODP (Attachment 1), but excluding the small number of Officer recommendations that have not been adopted and which myself, Mr Metherell, Mr Compton-Moen and Ms Watson have explained are not necessary.

Other Statutory Documents

- 71 The Officer's Report lists other statutory documents, including the Canterbury Land and Water Regional Plan, the Canterbury Air Regional Plan, the Mahaanui Iwi Management Plan and listed strategic planning documents. I concur with Mr Friedel's comments on those plans.

Consideration of Alternatives, Costs and Benefits

Extent to which the Objectives of the Proposal are the Most Appropriate Way to Achieve the Purpose of the Act

- 72 I concur with the Officer's Report that the objective of PC75, being to provide for an extension of the adjoining existing urban residential area of Rolleston in a manner that provides for part of a significant CRETS Collector Road and provides for increased competition and choice in residential land markers, will achieve the purpose of the RMA, for the reasons set out in paragraph 8.53 of the Officer's Report.
- 73 In reaching this conclusion, I refer also to the Ministry for Environment guide to Section 32 of the RMA, which references case law confirming

⁸ Paragraph 8.41 of the Officer's Report.

that “most appropriate” is interpreted by case law as meaning “suitable, but not necessarily superior”⁹.

Whether the Provisions are the Most Appropriate Way to Achieve the Objectives

- 74 I agree with Mr Friedel’s opinion¹⁰ that PC75 is consistent with the objectives and policies of the operative Selwyn District Plan (a detailed assessment of which is provided in the Section 32 report (Table 1)). I also agree that the proposal will effectively integrate with the operative Living Z Zone framework. The proposed PC75 provisions, inclusive of the ODP amendments detailed in my evidence, are the most appropriate way to achieve the objectives of the District Plan.

CONCLUSION

- 75 Overall, I consider that the Proposal is the most appropriate way of achieving the purpose of the Act, and that the purpose of the Act is achieved. I consider some modifications to the proposed ODP are warranted, but not all of those recommended by the Officers are necessary. I consider the proposal will provide for an appropriate urban form and a well-functioning urban environment, good connectivity and significant development capacity.
- 76 On the basis of the views expressed above, I consider the Plan Change should be approved.

Kim Seaton

18 October 2021

⁹ MfE, (2014), *A Guide to Section 32 of the Resource Management Act 1991*, page 15, referencing *Rational Transport Soc Inc v New Zealand Transport Agency* HC Wellington CIV-2011-485-2259, 15 December 2011.

¹⁰ Paragraph 8.57 of the Officer’s Report.

Attachment 1: Amended ODP

Deletions are ~~struck through~~, additions are in **bold and underlined**

OUTLINE DEVELOPMENT PLAN AREA 14

INTRODUCTION

This Outline Development Plan (ODP) is for Development Area 14. Area 14 comprises 24ha and is bound by Lincoln Rolleston Road to the east, and ODP Area 11 to the north.

The ODP embodies a development framework and utilises design concepts that are in accordance with:

- The Land Use Recovery Plan (LURP)
- Policy B4.3.7 and B4.3.77 of the District Plan
- The Rolleston Structure Plan
- The Greater Christchurch Urban Development Strategy (UDS)
- The Ministry for the Environment's Urban Design Protocol
- 2007 Christchurch, Rolleston and Environs Transportation Study (CRETS)
- 2009 Subdivision Design Guide

DENSITY **PLAN**

The ODP area shall achieve a minimum of 12 household lots per hectare. ODP Area 14 supports a variety of allotment sizes within the Living Z framework to achieve this minimum density requirement. Should this area be developed in stages, confirmation at the time of subdivision of each stage, and an assessment as to how the minimum density of 12hh/ha for the overall ODP can be achieved, will be required.

ODP Area 14 predominantly provides for low density sections, although some medium density housing options have been supported along the Primary Road adjoining a reserve. Minor changes to the boundaries of the medium density area will remain in general accordance with the ODP provided such changes meet the criteria below and the Medium Density lots created have a consent notice registered on the title stating that they are subject to the medium density provisions:

- Ability to access future public transport provisions, such as bus routes;
- Access to community and neighbourhood facilities;
- Proximity to Neighbourhood Parks and/or green spaces;
- North-west orientation, where possible, for outdoor areas and access off southern and south-eastern boundaries is preferred;
- Distribution within blocks to achieve a mix of section sizes and housing typologies; and
- To meet the minimum 12hh/ha density requirement and development yield.

Existing dwellings and buildings will have to be taken into account when investigating subdivision layout and design.

Frontage upgrades are to be provided along Lincoln Rolleston Road to encourage properties to front this road.

MOVEMENT NETWORK

For the purposes of this ODP, it is anticipated that the built standard for a Primary Road will be the equivalent to the District Plan standards for a Collector Road or Local-Major Road standards, and a “Secondary Road” will be the equivalent to the District Plan standards for a Local-Major or Local-Intermediate Road.

The ODP provides for an integrated transport network incorporating:

- A primary road following an east-west alignment to form part of the Collector Road route specified in the 2007 Christchurch, Rolleston and Environs Transportation Study (CRETS);
- An internal secondary network with provision for connections to adjoining land;
- **A possible future roundabout at the intersection of Lincoln Rolleston Road and the primary road.**
- Pedestrian and cycle connections to adjoining land to encourage viable alternative modes of transport to private motor vehicles.

Roading connections have been designed to achieve permeability, whilst minimising the number of new intersections and maintaining appropriate intersection spacing. The proposed roading hierarchy will deliver an accessible and coherent neighbourhood that provides safe and efficient access to the new development.

The completion of the Primary Road/Collector Road, identified as part of the CRETS (2007 Christchurch, Rolleston and Environs Transportation Study) is proposed in the northern portion of the ODP area and further supports the integration of the site with the wider transport network. The Collector Road spans across several neighbourhoods and ODP areas on the southern boundary of the township. It is significant in supporting an east-west network function and it is part of an expanded ring road system for Rolleston.

Although the CRETS Collector Road is envisaged to cater for a large proportion of vehicle movements going through ODP Area 14, it is not a high-speed corridor and is intended foremost to provide direct access to adjoining sites. To this end, it is envisaged that the CRETS Collector Road will interact with the adjacent neighbourhoods, rather than creating severance between them. Its streetscape and speed environment is expected to be similar to that of Lowes Road, which serves an important transport function for the northern portion of Rolleston.

At the intersection of Lincoln Rolleston Road and the CRETS Collector Road (the primary road), subdivision and lot layout is to make allowance for land to be vested as road that will facilitate a possible future roundabout to be constructed to Council engineering standards, centred on Lincoln Rolleston Road.

The transport network for ODP Area 14 shall integrate into the pedestrian and cycle network established in adjoining neighbourhoods and the wider township. Secondary Roads will provide footpaths and cycle routes, including designated cycle lanes where appropriate. Adequate space must be provided within the tertiary road network for cyclists and to facilitate safe and convenient pedestrian movements. **Subdivision is to provide local connectivity for pedestrians and cyclists to provide permeability in the absence of a road connection across the boundary to Saker Place or Flight Close.**

The remaining roading layout must be able to respond to the possibility that this area may be developed progressively over time. Road alignments must be arranged in such a way that long term interconnectivity is achieved once the block is fully developed. An integrated network of tertiary roads must facilitate the internal distribution of traffic, and if necessary, provide additional property access. Any tertiary roads are to adopt a narrow carriageway width to encourage slow speeds and to achieve a residential streetscape.

GREEN NETWORK

The ODP reflects and adds to the green network anticipated in the Rolleston Structure Plan. A single central reserve/neighbourhood park is proposed centrally within the ODP area, adjacent the Primary Road. Medium Density Housing is to be located adjacent the reserve to promote a high level of amenity for that housing, and compensate for any reduced private open space available to individual allotments.

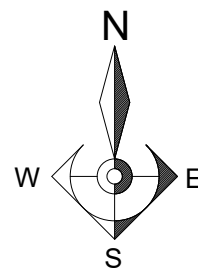
BLUE NETWORK

Stormwater - underlying soils are relatively free-draining and infiltration to ground is generally the most appropriate means of stormwater disposal. There are a range of options available for the collection, treatment and disposal of stormwater. Detailed stormwater solutions are to be determined by the developer in collaboration with Council at subdivision stage and in accordance with Environment Canterbury requirements. Systems will be designed to integrate into both the transport and reserve networks where practicable.

Sewer – A gravity sewer connection will be required which will feed a new pump station situated in the vicinity of the south eastern section of the site. The exact location will be determined as part of the detailed development design. The effluent ~~form~~ from this new pump station will then be pumped through to the Southern Rolleston Pump Station so it can be treated.

Water - The water reticulation will be an extension of the existing Rolleston water supply on Lincoln Rolleston Road and Raptor Street.

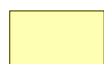
ODP - Falcons Landing



KEY



Medium Density



Low Density



Reserve



Site Boundary



Primary Road



Secondary Roads



Possible Future Roundabout



Possible Future Road Connection



Pedestrian / Cycle Connections



Key Cycle Connections