



**aston**  
CONSULTANTS

---

*resource management & planning*

## Request to Selwyn District Council for Private Plan Change

West Melton Holdings Limited

15 June 2022

# REQUEST TO CHANGE THE SELWYN DISTRICT PLAN UNDER CLAUSE 21 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991

**Request by:** West Melton Holdings Limited  
C/- Aston Consultants Ltd  
PO Box 1435  
Christchurch 8140, Attn Fiona Aston

**To:** The Selwyn District Council

**Involving the:** Operative Selwyn District Plan

**The location** to which this application relates is:

A 12.55 ha site located on the western edge of West Melton with frontage to SH 73.

**The legal descriptions and addresses** of the land to which this application relates is 1234 West Coast Road, legally described as RS 6619 and Lot 283 DP 458646 located at 44 Shepherd Avenue.

**The Proposed Plan Change** seeks to amend the Operative Selwyn District Plan (OSDP) to enable medium density housing or a retirement village to be developed on the 12.55 ha site (the Site), incorporating ancillary support services some of which will be open to the public on a membership basis. The proposed activity is consistent with “Retirement Village” as defined in the OSDP<sup>1</sup>.

The Plan change proposes the following changes to the rules in the OSDP and associated Planning Maps and Appendices as set out below.

Amend OSDP Planning Maps by rezoning the land identified above and legally described as RS 6619 from Rural Inner Plains to Living Z; and

Insert the Outline Development Plan and Narrative including Landscape Strategy, attached in **Appendix 1, as Appendix E52 to the OSDP: West Melton West Outline Development Plan**; and

Amendment to Rule 4.6 Buildings and Building Density Table C4.1 as below; and

Zone		Coverage
Living Z	Including garage	40%
	Excluding garage	40% minus 36m <sup>2</sup>
	Medium Density	Including garage 40% Excluding garage 40% minus 18m <sup>2</sup>

<sup>1</sup> Part D Definitions

	Comprehensive Medium Density <b><u>and Retirement Village as identified on the West Melton West ODP at Appendix E52.</u></b>	50% and shall be calculated across the area of the entire comprehensive residential development <b><u>or retirement village.</u></b> excluding any undeveloped balance lot.
--	--	---

Amend Rule 4.6.3 Buildings and Building Density as below

4.6.4A Within the L1 Zone at Darfield **and LZ Zone at West Melton** a retirement village shall be a restricted discretionary activity where, **in the case of Darfield,** it is located as shown on the Outline Development Plan at Appendix E41B **(Darfield) or in the case of West Melton, it is located as shown on the Outline Development Plan at Appendix E52 (West Melton West).**

Amendment to Rule 4.8 Building Height as below

4.8.1 The erection of any building which has a height of not more than 8 metres shall be a permitted activity, **except that the maximum height of buildings within the West Melton West ODP area at Appendix E52 shall be 7m where sited less than 20m from the LWM (North) Zone.**

Retain the LWM (North) Zone on the land shown as the proposed road connecting to Shepherd Drive on the West Melton West ODP (Appendix E52); and

Any consequential, further or alternative amendments to the Operative Selwyn District Plan to be consistent with and give effect to the intent of this application and the interests of the Applicant.

It is considered that there are no grounds under Clause 25(4) of the First Schedule to reject the request. The proponent seeks that the Council accept the Request pursuant to Clause 25(2)(b) and proceed to notify it.

**Signed:** .....



Fiona Aston, for and on behalf of West Melton Holdings Ltd

Dated: 15 June 2022

*Address for Service:*

Aston Consultants

PO Box 1435

Christchurch 8140, Attn Fiona Aston

P 03 3322618/0275 332213 E [info@astonconsultants.co.nz](mailto:info@astonconsultants.co.nz)

*Address for Billing:*

West Melton Holdings Ltd  
c/- Levin de Costa

E Levin@ultimategroup.co.nz

P +64 (0)21 299 7809

## Table of Contents

1	INFORMATION SUPPORTING REQUEST.....	7
2	PURPOSE OF THE PLAN CHANGE REQUEST .....	7
3	REASONS FOR REQUEST .....	7
4	SITE DESCRIPTION.....	8
5	EXISTING ENVIROMENT.....	9
6	KEY FEATURES OF PLAN CHANGE.....	11
7	STATUTORY CONSIDERATIONS .....	13
	Resource Management Act .....	13
	Section 74 and 75 .....	14
	National Policy Statement on Urban Development 2020 .....	15
	Chapter 6 of the Canterbury Regional Policy Statement.....	16
	Operative Selwyn District Plan Zoning.....	18
	Proposed Selwyn District Plan.....	19
	Other Statutory Documents .....	19
8	ASSESSMENT OF PLAN CHANGE AGAINST STATUTORY FRAMEWORK .....	20
	National Policy Statement on Urban Development Capacity (NPS-UD).....	20
	Development Capacity .....	22
	Draft National Policy Statement for Highly Productive Land (NPS-HPL) .....	23
	National Planning Standards .....	23
	Canterbury Regional Policy Statement 2013 .....	23
	Land and Water Regional Plan.....	27
	Operative Selwyn District Plan (OSDP) .....	27
	Proposed Selwyn District Plan (PSDP).....	28
9	ASSESSMENT AGAINST OTHER PLANNING DOCUMENTS .....	30
	Our Space 2018-2048 Greater Christchurch Settlement Update (2019) .....	30
	District Development Strategy 2031 (DDS).....	30
	Mahaanui Iwi Management Plan.....	31
10	ASSESSMENT OF ENVIRONMENTAL EFFECTS .....	32
	Neighbourhood and wider community effects .....	32
	Landscape and visual effects .....	32
	Effects on ecosystems and habitats .....	33
	Effects on natural and physical resources .....	33
	Effects on tangata whenua values .....	34
	Geotechnical assessment.....	35
	Contaminated land .....	36
	Economic effects .....	36
	Climate change effects .....	37

	Positive effects .....	38
11	INFRASTRUCTURE ASSESSMENT .....	38
	Wastewater .....	38
	Roading .....	38
	Stormwater servicing .....	39
	Water supply .....	39
	Electricity/Telecommunications reticulation .....	39
12	SECTION 32 .....	39
13	PART 2 .....	40
14	CONSULTATION .....	40
15	CONCLUSION .....	41

## **Appendices:**

Appendix 1: Outline Development Plan and Landscape Strategy  
 Appendix 2: Urban Design Report.  
 Appendix 2A ODP Narrative  
 Appendix 2D (to UD Report) Visual Assessment  
 Appendix 3: Proposed Amendments to the Selwyn District Plan.  
 Appendix 4: Assessment Against National Policy Statement on Urban Development  
 Appendix 5: Assessment Against Canterbury Regional Policy Statement Objectives and Policies  
 Appendix 6: Assessment Against Operative District Plan Objectives and Policies  
 Appendix 7: Assessment Against Proposed District Plan Objectives and Policies  
 Appendix 8: Section 32 Assessment  
 Appendix 9 Servicing Report  
 Appendix 10 Geotech Report  
 Appendix 11: Integrated Transport Assessment  
 Appendix 12: Economic Assessment  
 Appendix 13: Market Assessment.  
 Appendix 14: Preliminary Site Investigation.  
 Appendix 15: Assessment Against Canterbury Land and Water Regional Plan.  
 Appendix 16: Matters to consider pursuant to Schedule 4.  
 Appendix 17: Mana Whenua Statement

## **Figures:**

Figure 1: The Site  
 Figure 2: Current or recent Plan Change requests at West Melton  
 Figure 3: Proposed West Melton Plan Change Site Superimposed on Map A Planning Map  
 Figure 4: Operative Selwyn Plan:  
 Figure 5: Proposed District Plan  
 Figure 6 Updated Map A (PC1) CRPS  
 Figure 7 Soil Quality

## 1 INFORMATION SUPPORTING REQUEST

1. Appendix 14 in the Operative Selwyn District Plan (SDP) sets out the information to be supplied by applicants when submitting a request for a plan change.
2. These requirements are set out in Clause 22 of the First Schedule to the Act. Clause 22 states:
  - (i) A request made under Clause 21 shall be made to the appropriate local authority in writing and shall explain the purpose of, and reasons for, the proposed plan or change to a policy statement or plan.
  - (ii) Where environmental results are anticipated, the request shall describe those effects, taking into account the provisions of the Fourth Schedule, in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change, policy statement or plan. These requirements are set out in **Appendix 16** for reference.
3. Appendix 14 notes that the information points listed should be treated as a guide; and in no way a further interpretation of Clause 22 of the First Schedule to the Act. This Request broadly adopts the headings in Appendix 14 but does not entirely rely on it.

## 2 PURPOSE OF THE PLAN CHANGE REQUEST

4. This is a privately requested plan change to the Operative Selwyn District Plan pursuant to Section 73(2) and Clause 21 (First Schedule) of the Resource Management Act 1991. The purpose of the proposed Plan Change is to re-zone approximately 12.55 ha of Inner Plains land to Living Z, on the north western edge of West Melton adjoining the existing urban area, to enable a retirement village to be established.
5. Development will be in accordance with an Outline Development Plan (ODP) shown at **Appendix 1** of this Request. The purpose of the ODP is to ensure that an integrated approach is applied to the proposed development including provision of appropriate road linkages to the existing urban area and possible future urban areas to the north, west and south of the Site.

## 3 REASONS FOR REQUEST

6. The reasons for the Request are outlined below are:
  - a) The proposed rezoning will provide for a housing segment not currently available in West Melton. This goes to the heart of the purpose of the Act which (relevantly) is to enable people in West Melton to provide for their social, economic, and cultural well-being and for their health and safety.



- b) The Site is an appropriate location to provide such a development and will assist in achieving the objective of a compact, and efficient, urban form. It will contribute to a well-functioning urban environment, meeting the NPS-UD 2020 Objective 6 c) and Policy 8 criteria for 'unanticipated' (in an RMA document) plan changes. The rezoning will provide a firm urban edge to the western flank of West Melton while not foreclosing on the future possibility of any future expansion to the west, south and north.
- c) Adverse effects on the environment arising from the rezoning are not considered significant and can largely be managed through the ODP.
- d) The rezoning is consistent with the objectives and policies of the SDP taken as a whole. The exception is those provision that give effect to Policy 6.3.1 of the Canterbury Regional Policy Statement concerning greenfield priority areas. These provisions have been overtaken by higher order RMA statutory documents i.e. the National Policy Statement on Urban Development 2020, and in any event are overdue for a comprehensive review.
- e) The alternative zoning of Inner Plains (Rural) Zone is not an efficient use of this block in the context of housing demand in the Greater Christchurch Urban Area, Selwyn District, and for this specialised nature of the housing.
- f) Overall the proposed rezoning is consistent with and the most appropriate, efficient and effective means of achieving the purpose of the Resource Management Act 1991.

#### 4 SITE DESCRIPTION

- 7. The Site is a 12.55 ha block of land fronting West Coast Road SH 73), West Melton (**Figure 1**). The Site boundaries are defined by SH 73) to the south, the existing Preston Downs subdivision to the east, and rural land to the north which has lifestyle blocks similar in character to those on the western boundary . The neighbouring Preston Downs is a residential area with a mix of residential lots ranging from standard urban through to large lots along Shepherd Avenue. The Site has a generally flat topography and there are no significant features on the Site other than existing dwellings and shelter planting.
- 8. The West Melton school and shops on the north side of the SH on West Melton Road are within walking /cycling distance (appx 800m – 1.2km), using routes through Preston Downs. There are additional public facilities on the south side of the SH, including the Domain and community centre and the West Melton Tavern at the intersection.
- 9. As demonstrated in the technical reports attached to the Request, the Site does not contain any matters or features that need to be recognised and provided for under Section 6 of the Act. The Request has been prepared having particular regard to Section 7 of the Act and these matters are described in Section 11 of the Application below.



Figure 1 Site Location

## 5 EXISTING ENVIROMENT<sup>2</sup>

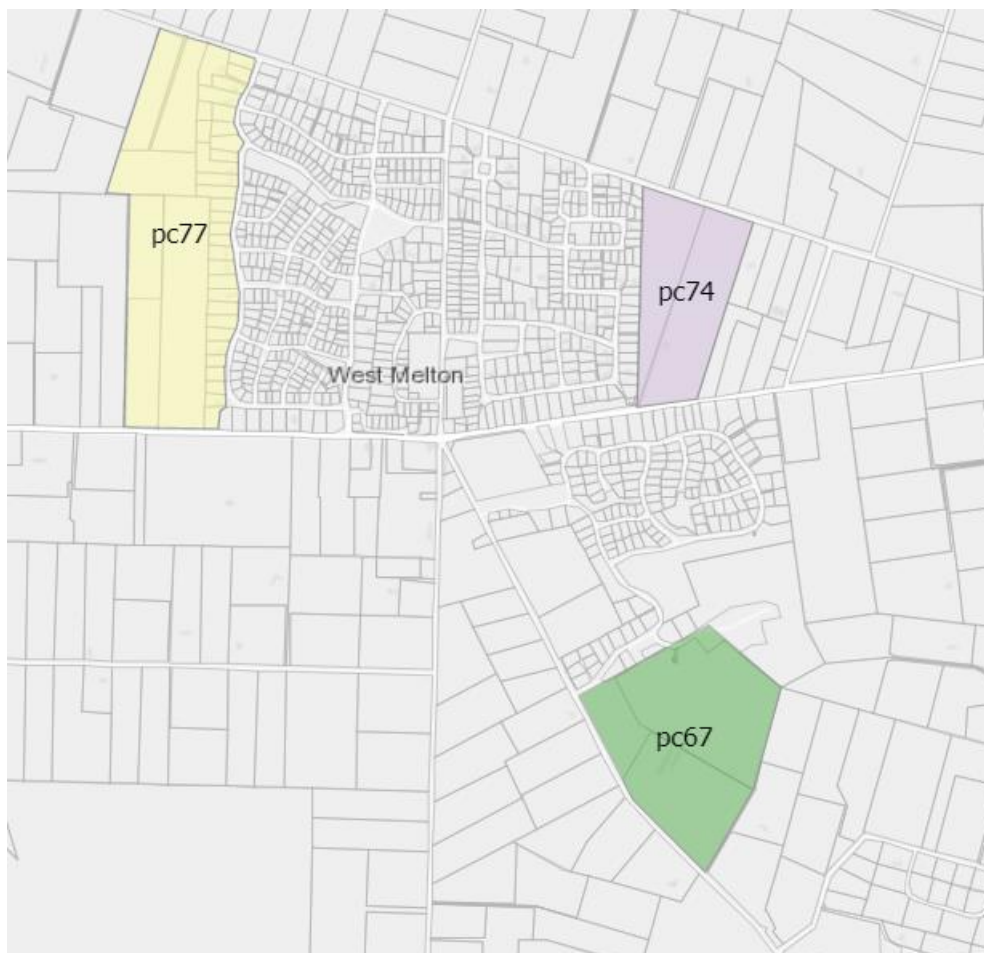
10. The Site is situated approximately 850 metres from the central point of West Melton, approximately 16 km from the western edge of Christchurch City and 8 km from Rolleston. It is part of Greater Christchurch as defined in the Greater Christchurch Urban Development Strategy and subsequent planning documents<sup>3</sup>. The town is centred on the intersection of (SH) 73 and Weedons Ross Road and its form currently comprises three quadrants based around that intersection as shown below in Figure 2. The built up area comprises mainly large residential sections (by usual urban standards) and a small commercial centre. Local amenities include a school, domain community centre and hotel. The population in 2020 was estimated at 2420 and projected to grow to 4500 by 2051<sup>4</sup>. The immediate surrounding rural area comprises mainly intensively subdivided lifestyle blocks.

<sup>2</sup> A detailed analysis of the site context is provided in the Urban Design Statement appended to this Request.

<sup>3</sup> CRPS, Our Space

<sup>4</sup> Selwyn District Growth and Demand, Appendix 1, 2021

11. As well as the existing environment it is relevant particularly in terms of Section 31 of the Act to acknowledge that there are other previous or current rezoning proposals at West Melton that have or will contribute to the population, land supply and future growth of West Melton. These proposals are shown in Figure 2 and described in Table 1. These plan changes are all for larger average lot sizes than the Living Z and Living 1 Zone West Melton. Two are proposed by the same developer (Wilfield Developments Ltd). They markedly contrast with the type of development being offered through this request. There are also submissions to the proposed Selwyn District Plan seeking rezonings which may or may not be accepted.



**Figure 2: Current live Plan Change Proposals West Melton**

12. Two significant points emerge from Table 1. Firstly, they are providing generally for larger lots and secondly, two of the developments are by the same developer. In contrast, the proposed retirement village offers a form of development not currently provided for in West Melton and by a new entrant into the West Melton residential market.

Plan Change & applicant	Area(ha)	Lot size range	Yield (number of lots)
PC59 (Wilfield Developments Ltd) (Approved)	73.5	1100m <sup>2</sup> – 3000m <sup>2</sup> , 3000-5000m <sup>2</sup> along eastern periphery	Not specified (currently there are 191 residential sites, proposal is for residential intensification). Current zoning is for minimum average 5000m <sup>2</sup> lots, with L2A minimum 1 ha
PC 67 Approved (Subject to Appeal) (Wilfield Developments Ltd)	33.44	1100m <sup>2</sup> – 3000m <sup>2</sup> , 3000-5000m <sup>2</sup> along eastern periphery	Not specified. Greenfield site.
PC 74 (Hughes Developments Ltd)	20.69	500m <sup>2</sup> – 3000m <sup>2</sup>	130
<b>Total</b>	127.63		

**Table 1: Current and recent residential development proposals.**

## 6 KEY FEATURES OF PLAN CHANGE

13. The proposal is to rezone the Site (12.55ha) to Living Z with a Retirement Village/Medium Density Housing Overlay. The proposal is for the entire site to be comprehensively developed for a retirement village with a minimum lot size of 150m<sup>2</sup>, ranging up to around 500m<sup>2</sup> and a larger lot containing the existing dwelling and garden area. The overall concept is illustrated in **Appendix 2A** and highlights the architectural form of proposed buildings, internal layout and landscape features. The distribution of section sizes and housing typologies is shown in Table 2a and 2b with the larger lots located at the periphery of the Site.
14. The projected overall yield is 218 homes, plus caretaker's residence, plus clubhouse facilities

Lot size (m <sup>2</sup> )		No. of Lots
from	Up to	
0	175	<b>33</b>
176	275	<b>77</b>
276	350	<b>82</b>
351	500	<b>26</b>
<b>TOTAL</b>		<b>218</b>

**Table 2a : Lot Sizes**

Unit Type	No. of Units	Dwelling Size (approx)	Bedrooms	Description
1A	27	100	2	Single garage, 2 bed, 2 bath
1B	32	100	2	Single garage, 2 bed, 2 bath
1D	15	100	2	Single garage, 2 bed, 2 bath
2A	57	125	2	Double garage, 2 bed, 2 bath
3A	26	70	1	Single garage, 1 bed, 1 bath
4A	4	125	2	Double garage, 2 bed, 2 bath
5A	45	135	3	Double garage, 3 bed, 2 bath
6A	12	85	1	Single garage, 1 bed, 1 bath (TERRACE / ZERO LOT)
<b>TOTAL</b>	<b>218</b>			

**Table 2 b:** Dwelling size and housing mix.

15. An ODP and Landscape Plan is attached as **Appendix 1**. These instruments will ensure the development, including through bespoke rules contained in the Narrative, provides internal servicing and amenity in a manner that manages effects on the surrounding environment in an integrated manner and incorporates quality urban design and landscape features. The ODP takes into account a strategic urban analysis of development and growth patterns in West Melton,<sup>5</sup> and sets the platform for an overall urban design concept that focuses on movement, connectivity, and residential amenity to achieve a cohesive future urban form.
16. The ODP's purpose is to guide the development and ensure the denser nature of the retirement village integrates well into the immediate surroundings and a potential wider development pattern of West Melton. It is accompanied by strategic landscape measures and specific edge treatments to integrate the proposed urban intensification visually and physically into the locality and to mitigate potential effects on immediate neighbours. Details of the urban design principles incorporated into the proposal can be found in the Urban Design Report attached as **Appendix 2**.
17. In terms of connectivity, there are two components: internal and external. The internal connectivity is pedestrian orientated in keeping with the site's function as a retirement village. A north-south internal road is designed to slow vehicle traffic and provide access to the units. All the environmental effects are internalized with safety and amenity the priorities.
18. The external connectivity for vehicles is via Shepherd Place, using that route to connect with SH 1 some 500 metres east of the Site. This link will also provide an alternative high amenity route to the centre, local domain, and community facilities once the southern quadrant is developed. A 40-metre housing setback has been provided along the SH 73 frontages in accordance with District Plan Rule 4.9.3 which will be used for landscape purposes until such time the speed limit along this section of SH 73 is reduced to below 70km/hr, and presumably the setback removed.
19. The Urban Design Report provides a strategic context within which the proposed development can integrate with in the future. It provides an indication of how the proposed

<sup>5</sup> Contained in the Urban Design Report

development could gain indirect access to SH 73 in the future should adjoining rural land to the west be zoned. This is not part of the current Request, and nor does the Request depend on this indirect access. It has been provided for context only and is purely indicative.

20. The Integrated Transport Assessment at **Appendix 11** provides the technical details on how environmental and other effects of transport will be avoided, mitigated and minimized.

## 7 STATUTORY CONSIDERATIONS

### Resource Management Act

#### Requests for Changes to Plans

21. Under Clause 22(1) of the First Schedule, a plan change request shall explain the purpose of, and reasons for, the change to a plan, and contain an evaluation report prepared in accordance with section 32 for the proposed change (**Appendix 8**). The purpose of and reasons for are covered in the earlier sections of this Request.
22. Under Clause 22(2) where environmental effects are anticipated, the request shall describe those effects, taking into account clauses 6 and 7 of Schedule 4, in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change. Where relevant, these matters are addressed in later sections of this Request, however no significant adverse effects are anticipated as a result of the plan change. In any event any development or subdivision associated with the retirement village (i.e. implementation of the plan change) of the Site, once rezoned, will require consent under the Selwyn District Plan as a Restricted Discretionary Activity with Matters of Discretion sufficiently broad to manage to enable any further potential environmental effects to be addressed in full at this time.
23. It is considered that there is no reason(s) to reject the request in whole or part under Clause 25(4) of the First Schedule. The grounds for rejection are:
  - a) the request or part of the request is not frivolous or vexatious; and*
  - b) within the last 2 years, the substance of the request or part of the request—*
    - (i) has not been considered and given effect to, or rejected by, the local authority or the Environment Court; and*
    - (ii) has not been given effect to by regulations made under section 360A; and*
  - c) the request or part of the request is in accordance with sound resource management practice; and*
  - d) the request or part of the request would not make the policy statement or plan inconsistent with Part 5; and*



*e) the request is not to change a plan that has been operative for less than two years.*

Because the request does not give effect to Objective 6.2.1 and Policy 6.3.1 of the CRPS Objective B4.3.3: and Policy B4.3.1: (relevantly) this might be considered as grounds to reject the plan change under (d) above. However this has not prevented a number of other privately requested plan changes in Selwyn District being notified in recent years. Moreover, the regional and local policy framework has been somewhat overtaken by National Policy Statement on Urban Development 2020 and the Enabling Housing Supply and Other Matters Amendment Act 2021.

## **Section 74 and 75**

24. Sections 74 and 75 (2)(3) and (4) of the RMA set out the matters to be considered by a territorial authority in deciding to change its plan, including changing its plan through a Plan Change request. The Environment Court has provided a comprehensive summary of the mandatory requirements in its decisions in Long Bay<sup>6</sup> and Colonial Vineyards<sup>7</sup>.
25. The general requirements are:
  - a) The proposed change should assist the local authority to carry out its functions under s31 and to achieve the purpose of the RMA;
  - b) When preparing change the requester must give effect to any National Policy Statement, a National Planning Standard, ... and the operative Regional Policy Statement;
  - c) The district plan (change) must not be inconsistent with an operative Regional Plan for any matter specified in s30(1) or a Water Conservation Order, and must have regard to any proposed Regional Plan on any matter of regional significance;
  - d) The territorial authority must also have regard to any relevant management plans and strategies under other Acts and must take into account any relevant planning document recognised by an iwi authority.
  - e) The plan change shall have regard to the actual or potential effects on the environment of activities including, in particular, any adverse effects.
  - f) The plan change must be prepared in accordance with Section 32.

Section 32 requires that evaluation be undertaken of costs and benefits. A full description of the Section 32 obligations is contained in **Appendix 8**

---

<sup>6</sup> Long Bay – Okura Great Park Society Inc v North Shore City Council A078/08

<sup>7</sup> Colonial Vineyards Limited v Marlborough District Council [2014] NZEnvC 55

## National Policy Statement on Urban Development 2020

26. The NPS–UD 2020 applies to this plan change as it is directed at Tier 1 urban environments, and Tier 1 local authorities which includes Selwyn District as part of the Christchurch urban environment. This is defined in Table 1 of the NPS-UD 2020, and additionally defined as:

*any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that: is, or is intended to be, predominantly urban in character; and is, or is intended to be, part of a housing and labour market of at least 10,000 people.*

27. The NPS-UD 2020 recognises in particular the national significance of:
- a) Having 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; and
  - b) Providing sufficient development capacity to meet the different needs of people and communities.
28. This outcome is to be achieved through objectives that address:
- a) Planning decisions improving housing affordability by supporting competitive land and development markets
  - b) Regional policy statements and district plans enabling more people to live in areas of urban environments near centres or areas with employment opportunities, area well serviced by public transport or a high demand for housing in the area.
  - c) Urban environments developing and changing over time in response to diverse and changing needs of people, communities and future generations
  - d) Local authority decisions on urban development being integrated with infrastructure planning and are strategic over the medium term and long term
29. The key objectives, policies and other matters within the NPS-UD in relation to this particular issue are:
- a) Objective 2: Planning decisions improve housing affordability by supporting competitive land and development markets.
  - b) 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.
  - c) Objective 6: Local authority decisions on urban development that affect urban environments are:
    - i. integrated with infrastructure planning and funding decisions; and
    - ii. strategic over the medium term and long term; and



- iii. responsive, particularly in relation to proposals that would supply significant development capacity.
- (d) Policy 8: Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:
  - i. unanticipated by RMA planning documents; or
  - ii. out-of-sequence with planned land release.
- (e) Subpart 2 – Responsive planning of the NPS-UD provides (3.8):

#### Unanticipated or out-of-sequence developments

This clause applies to a plan change that provides significant development capacity that is not otherwise enabled in a plan or is not in sequence with planned land release.

30. Every local authority must have particular regard to the development capacity provided by the plan change if that development capacity:

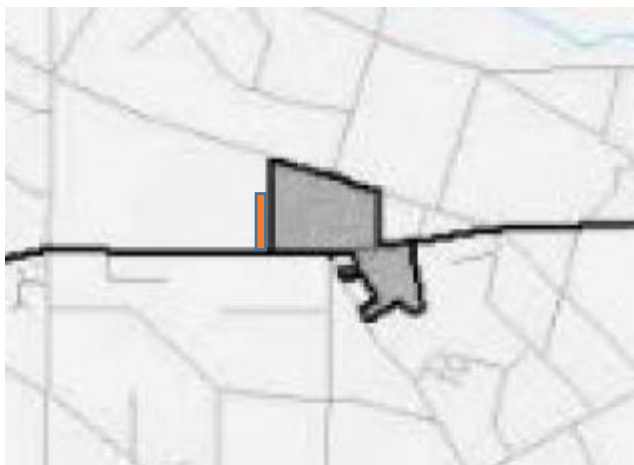
- (a) would contribute to a well-functioning urban environment; and
- (b) is well-connected along transport corridors; and
- (c) meets the criteria set under subclause (3); and

Every regional council must include criteria in its regional policy statement for determining what plan changes will be treated, for the purpose of implementing Policy 8, as adding significantly to development capacity.

- 32. An assessment against these provisions is contained in Section 8 below and summarised in **Appendix 4**.

### **Chapter 6 of the Canterbury Regional Policy Statement**

- 33. The Site is not located within a Greenfield Priority Area – Residential as indicated on Map A Greenfield Priority Areas in Chapter 6 of the Canterbury Regional Policy Statement (RPS). **(Figure 3)**.



**Figure 3:** Map A Chapter 6 Regional Policy Statement Greenfield Priority areas (green)  
Site indicated (approximate) in orange. Existing urban areas – grey.

34. The key objectives and policies of the CRPS in relation to this particular issue are:

*Objective 6.2.1: Recovery framework Recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that:*

*identifies priority areas for urban development within Greater Christchurch;*

*avoids urban development outside of existing urban areas or greenfield priority areas for development, unless expressly provided for in the CRPS; ...*

*Policy 6.3.1: Development within the Greater Christchurch Area In relation to recovery and rebuilding for Greater Christchurch:*

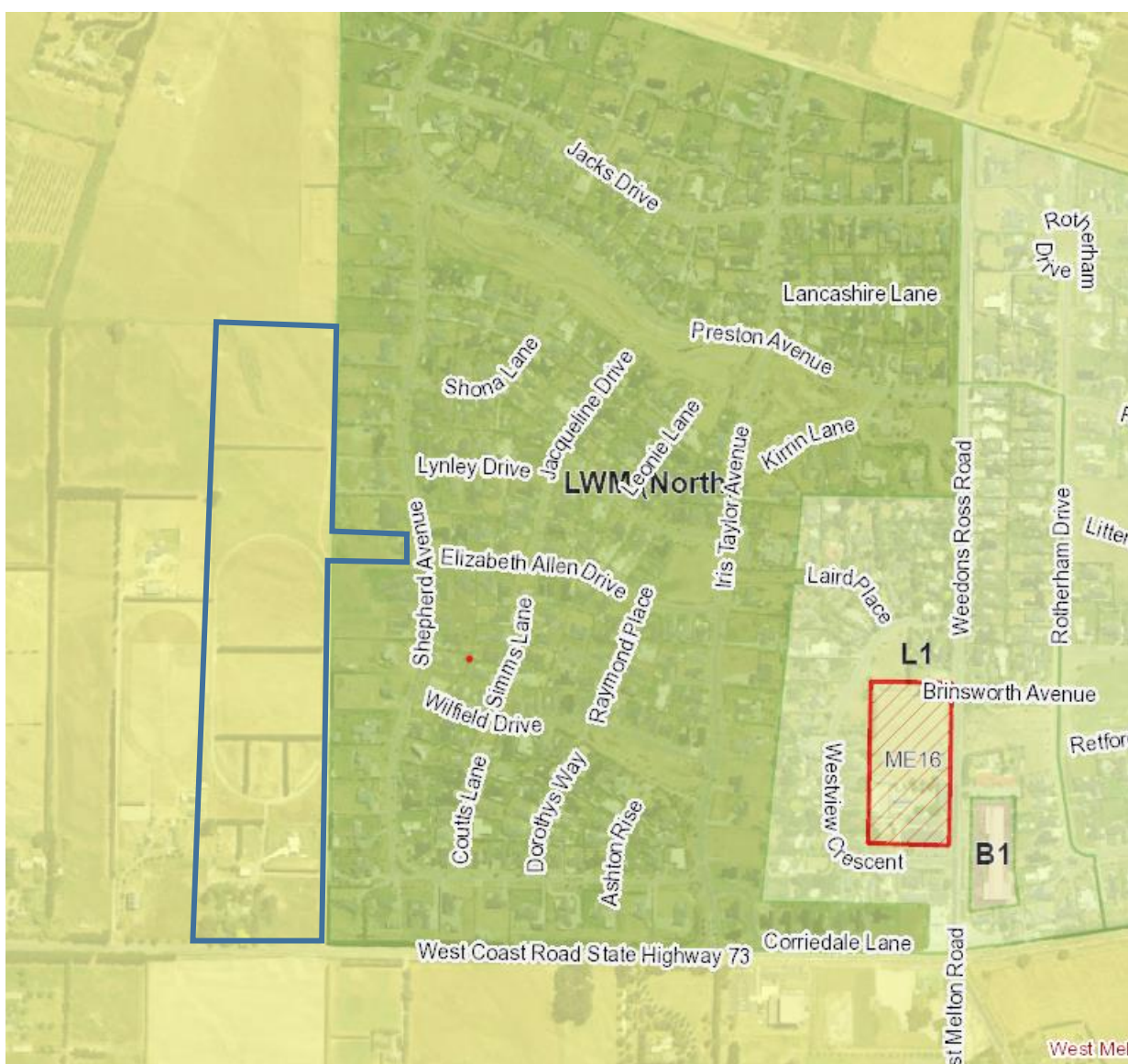
- 1. give effect to the urban form identified in Map A, which identifies the location and extent of urban development that will support recovery, rebuilding and planning for future growth and infrastructure delivery; ...*
- 3. enable development of existing urban areas and greenfield priority areas, including intensification in appropriate locations, where it supports the recovery of Greater Christchurch;*
- 4. ensure new urban activities only occur within existing urban areas or identified greenfield priority areas as shown on Map A unless they are otherwise expressly provided for in the CRPS; ...*

35. A summary assessment of the request in terms of the CRPS is contained in **Appendix 5** attached.
36. Several recent previous plan change requests involving the Selwyn District Plan<sup>8</sup> have concerned land outside the areas identified on Map A. In most case decisions have found that the avoidance policies, particularly 6.31. are not consistent with the overall intent of the NPS-2020.

<sup>8</sup> For example Plan Changes 67 and 72.

### Operative Selwyn District Plan Zoning

37. The Site is zoned Rural Inner Plains (RIP) in the Operative District Plan. The minimum lot size for subdivision and a dwelling is 4 ha in the RIP zone. The adjoining (west Shepherd Avenue) sites are zoned Living West Melton which covers all of Preston Downs (dark green on **Figure 4**).



**Figure 4:** Location of Site on Operative District Planning Map

38. The relevant objectives and policies in the SDP on this issue are contained in **Appendix 6**. Those that are likely to be most at issue are:

Objective B4.3.3: For townships within the Greater Christchurch a, new residential or business development is to be provided within existing zoned land, or priority areas identified in the Regional Policy Statement and such development is to occur in general accordance with an operative Outline Development Plan.

Policy B4.3.1

Ensure new residential, rural residential or business development either:

- Complies with the Plan policies for the Rural Zone; or...
- The land is rezoned to an appropriate Living or Business zone and, where within the Greater Christchurch area, is contained within existing zoned land and greenfield priority areas identified in the Regional Policy Statement and developed in accordance with an Outline Development Plan incorporated into the District Plan.

### **Proposed Selwyn District Plan**

39. Consideration has been given to certain aspects of the Proposed Plan, particularly provisions for retirement villages. It is also noted that the Site is zoned General Rural Zone Special Control Area RD1 Inner Plains (GRUZ SCA-RD1). The minimum lot size for subdivision and a dwelling is 4 ha. Parts of the Site are within the Plains Flood Management Overlay (**Figure 5**). This shows land subject to flooding in a 1 in 200 year return flood event. Retirement Villages are a Restricted Discretionary Activity in the Proposed Plan. A summary assessment is contained in **Appendix 7**. The south part of the Site is within the Noise Control Overlay for State Highway 73.

### **Other Statutory Documents**

40. Other statutory documents considered in preparing this plan change request are:
- Canterbury Land and Water Regional Plan
  - Mahaanui Iwi Management Plan
  - District Development Strategy 2031 (DDS)

These are considered in Section 8 below.



## ASSESSMENT OF PLAN CHANGE AGAINST STATUTORY FRAMEWORK

41. This part of the Request contains an assessment of the proposal against the relevant statutory documents in 74 and 75 (3) and (4). A summary assessment against key national, regional and district resource management documents are attached in the Appendices.

42. The National Policy Statement on Urban Development (NPS-UD) was gazetted on 20 July 2020 and came into effect on 20 August 2020. Its purpose is to ensure regional policy statements and regional and district plans enable adequate opportunity for land development for housing and business to meet short, medium and long term housing needs. The NPS-UD is directed towards improving the responsiveness and competitiveness of land and development markets to support well-functioning urban environments. A summary assessment against the relevant objectives and policies of the NPS-UD is contained in **Appendix 4**.

20

*Planning decisions improve housing affordability by supporting competitive land and development markets.*

44. It is necessary that land rezoned at West Melton is held by a mix of developers. Otherwise Objective 2 will not be met as the market will not function in a competitive manner. This proposal for rezoning this Site will contribute to ensuring some competition in the West Melton market, with the other plan change proposals involving just two developers. This assessment confirms the re-zone proposal achieves those policy outcomes. The absence of operative criteria in the RPS for determining what constitutes “adding significantly to development capacity” is not a bar to considering this submission on its merits. The Council can and must apply Policy 8 as from the date the NPS-UD 2020 came into effect on the basis that the purpose of Policy 8 is to facilitate rezoning to meet known housing needs.
45. The requested rezoning with an accompanying retirement village outline development plan provides the Selwyn District Council with a mechanism to add to the range of housing between Halkett Road and the State Highway (Refer to the Economic Assessment (**Appendix 12**) and Market Assessment (**Appendix 13**))
46. The plan change request supports reduced greenhouse gas emissions by providing these support services thereby minimising trip generation. A car-pooling / car sharing service using electric vehicles will be available to residents and infrastructure will be installed within the development to promote the uptake of EV's - e.g. units pre-wired for fast charger connections, EV charging stations on-site.
47. A fuller assessment of greenhouse gas emissions and transport is undertaken in paragraphs 132 et seq.
48. The assessment of the criteria in the NPS-UD 2020 for determining a well-functioning urban environment below and in the Economic Assessment shows that the proposal will deliver urban, housing and residential outcomes that meet those criteria. The Site is well-positioned, building as it does on an existing township well-served by public transport and cycling options, to provide good accessibility to jobs, community services, and open spaces, as well as mitigating climate change impacts and future natural hazards by being not near the coast and well removed from major rivers.
49. The Urban Design Report considers that as a result of piecemeal development, the urban form of West Melton is currently still underdeveloped and lacking cohesion and connectivity. However, a strong structure of four clearly identifiable quadrants is emerging around a central commercial / community area. Each quadrant is still ‘in development’ with the northern quadrants most advanced, the south-eastern quadrant shows some residential development that has the ability to infill and naturally grow to its full size and a south-west quadrant that is lacking development.

50. The proposed rezoning allows for an appropriate extension of the North West Quadrant which essentially 'mirrors' in form (but with better connectivity to the existing township) the proposed extension of the North East Quadrant (Plan Change 73). The township currently extends a similar distance in both of these directions (approximately 850m).
51. The proposed rezoning offers a number of urban form benefits for the township. It:
  - a) assists in the completion of an interconnected and cohesive urban form
  - b) provides a gateway into West Melton Town along SH73
  - c) provides for integration with anticipated future developments to the south
  - d) provide access to the town centre, community services and recreation including a possible alternative route via south west quadrant
  - e) Introduces a new residential/lot typologies to promote a mixed community and a variety of price points within the township
52. In summary, the proposal gives effect to the objectives and policies of the NPS-UD through contributing towards maintaining and promoting a functional urban environment at the localised and sub-regional level.

### **Development Capacity**

53. Objective 6c) and Policy 8) of the NPS-UD require Councils to be 'responsive' to plan changes that add significantly to development capacity as well as contributing to well-functioning urban environments even if the development capacity is unanticipated by RMA documents.
54. The proposed rezoning is expected to provide for somewhere in the order 218 retirement units over the next 3-5 years. A development of this size is considered to be a significant addition to the medium density housing stock and could free up some existing housing if local residents decide to downsize.
55. Data published by the Council projects a medium shortfall in household capacity for Prebbleton and West Melton of 1678 and 5349 in the long term<sup>9</sup>. With several plan changes either approved or in progress in both West Melton and Prebbleton since these figures were published, the current situation is unclear for either Prebbleton or West Melton. What is evident however is that a relatively small amount of the potential capacity increase is medium density / retirement village developments.
56. A more detailed analysis is provided in the Economic Assessment which concludes that the proposed development enabled by the Request constitutes a significant boost in dwelling capacity, which will help keep pace with demand while also helping to meet NPSUD requirements<sup>10</sup>.

---

<sup>9</sup> Section 42A Report Re-Zoning Framework Ben Baird 24 September 2021

<sup>10</sup> Economic Assessment at [7.3]

### **Draft National Policy Statement for Highly Productive Land (NPS-HPL)**

56. The Government proposed in 2019 a NPS-HPL to prevent the loss of productive land and promote its sustainable management. The overall purpose of the proposed NPS-HPL is to improve the way highly-productive land is managed under the RMA to:
- a) Recognise the full range of values and benefits associated with its use for primary production;
  - b) Maintain its availability for primary production for future generations; and
  - c) Protect it from inappropriate subdivision, use, and development.
57. The Proposed NPS-HPL interim definition of highly productive land is land defined as Land Use Capability Class 1-3 soils. The Site contains Class 3 soils and a small area of Class 2 soils. Objective 3 of the Proposed NPS-HPL 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 not been identified through a strategic planning process (Our Space, RPS) as a preferred site for residential development
58. At the time this plan change was lodged the NPS had no effect and no assessment of it is required for the purposes of this application.

### **National Planning Standards**

59. The National Planning standards prescribe various matters under the RMA so that there is consistency among planning documents most relevantly here in terms of appellations for zones, and the standards applying to these zones.
60. The plan change here adopts the existing Operative District Plan zone and rules framework for consistency.

### **Canterbury Regional Policy Statement 2013**

61. Chapter 6 of the CRPS *“provides a resource management framework for the recovery of Greater Christchurch, to enable and support recovery and rebuilding, including restoration and enhancement, for the area through to 2028. Recovery in Greater Christchurch is also supported by the provisions in Chapter 5 notated as ‘Entire Region’.* The provisions in the remainder of the RPS also apply.<sup>11</sup> “ An assessment against the provisions of the CRPS is attached as **Appendix 5**.
62. Chapter 6 was amended in 2019 with the insertion of housing capacity targets for the period 2018-2048 (Table 6.1). The Table 6.1 targets were based on work undertaken for Our Space

---

<sup>11</sup> RPS Introduction



and were updated in 2021 (Table 3 below). A critique of this Assessment is contained in the Economic Assessment at **Appendix 12**.

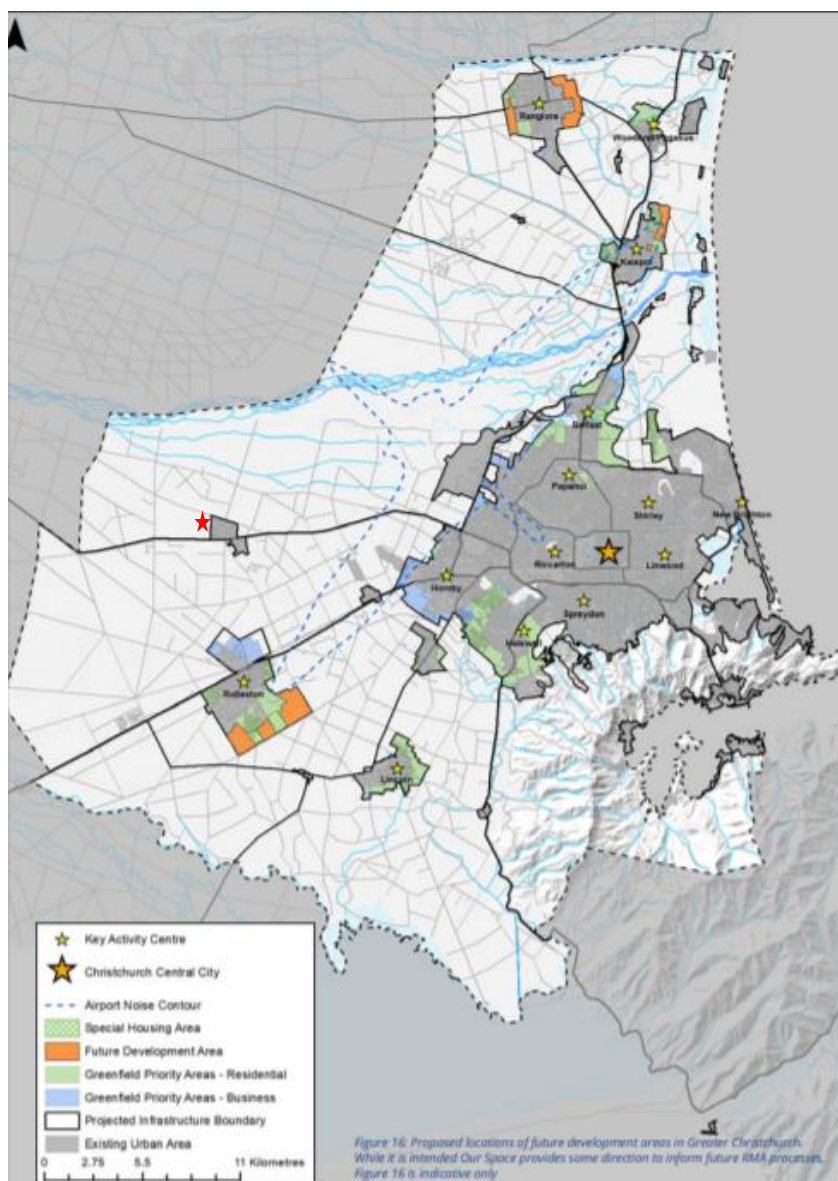
63. The NPS-UDC targets were intended to be ‘minimums’ not ‘maximums’. They were added under s55 of the RMA without any opportunity for challenge through the normal RMA submissions, hearing and appeals process. The overall intent of the NPS-UDC was to ensure planning decisions actively enabled urban development in a way that maximized wellbeing now and in the future. This included by providing plenty of opportunities for development, and thus contributing to a competitive land and development market and lower house prices<sup>12</sup>.

<b>Table 3: Adjusted Urban Housing Sufficiency within Greater Christchurch in the Medium Term 2021 – 2031 including Selwyn and Waimakariri Future Urban Development Areas at 15hh/ha.</b>					
<b>Area</b>	<b>Feasible Capacity + FUDA 12/12.5hh/ha</b>	<b>Feasible Capacity + FUDA 15hh/ha</b>	<b>Medium term demand + 20% medium term margin</b>	<b>Medium term Surplus / Shortfall @ 15hh/ha</b>	<b>Medium term Surplus / Shortfall @ 12/12.5hh/ha</b>
<b>Waimakariri</b>	7,673	9,123	5,410	3,713	2,263
<b>Christchurch</b>	101,994	101,994	18,215	83,779	83,779
<b>Selwyn</b>	12,208	13,502	8,541	4,961	3,667
<b>Total</b>	121,875	124,619	32,166	92,453	89,709

Source: Greater Christchurch Housing Capacity Assessment 30 July 2021

---

<sup>12</sup> NPS-UDC Introduction



**Figure 6:** Figure 16 Our Space Proposed Development Areas (Orange). Site location marked with red star

64. The current CRPS is not consistent with the NPS-UDC, or its replacement, the NPS-UD 2020. It retains a 'hard and fast' urban/rural boundary line which predates both NPSs and there is no ability to rezone land outside the Map A greenfield priority or existing urban areas.<sup>13</sup> Even if parts of the FDA areas are added to meet minimum targets for medium term needs, this does not enable Councils to consider proposals which contribute further capacity above those 'minimums'.
65. With respect to Selwyn, the FDA land is at Rolleston only. Highly desirable locations such as

<sup>13</sup> CRPS Policy 6.3.1.4 is "ensure urban activities only occur within existing urban areas or identified greenfield priority areas on Map A, unless they are otherwise expressly provided for in the CRPS."

West Melton, where there is strong demand for further housing, is unable to contribute to meeting that demand due to restrictive provisions of the CRPS.

66. One of the key changes in the NPS-UD 2020 is that local authority decisions on urban development that affects urban environments are responsive, particularly to proposals that would supply significant additional capacity.<sup>14</sup> It also amends the required methodology for housing and business capacity assessments.
67. The current CRPS does not meet the new NPS-UD 2020 requirement in relation to proposals for significant additional capacity. Regional councils are required to include criteria in the CRPS to determine what plan changes will be treated for the purposes of Policy 8 as adding significantly to development capacity<sup>15</sup> as soon as practicable.<sup>16</sup> ECAN has yet to respond to this requirement.
68. The NPS-UD 2020 has immediate effect, so in the meantime, proposals (such as this plan change) must interpret 'significant development capacity' in the context of the overall intent and purpose of the NPS-UD 2020 as articulated in the NPS-UD 2020 objectives and policies.
69. The NPS-UD 2020 is the higher order document and its requirements override those of lower order documents where there is a conflict, including regional and district RMA plans.
70. An assessment of this plan change against the relevant CRPS Objectives and Policies is set out in **Appendix 5**. This should be read in the context of the above assessment of the current 'weight' to be afforded to the CRPS. That assessment shows that:
  - a) The development proposal achieves the objectives for the location, design and function of new developments
  - b) There is a fundamental inconsistency with Map A of Chapter 6 but the proposal is consistent with the approach of the NPS-UD 2020 for significant development capacity.
  - c) The environmental effects assessment included in this application establish that the proposed development is consistent and will not give rise to any concerns with respect to all the matters listed in Policy 6.2.1 clauses 4. to 11. These matters are:

## **RECOVERY AND REBUILDING OF GREATER CHRISTCHURCH**

### **6.2 OBJECTIVES**

#### **6.2.1 Recovery framework**

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

- 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;*

---

<sup>14</sup> NPS-UD Objective 6c) and Policy 8

<sup>15</sup> NPS-UD Clause 3.8(3)

<sup>16</sup> NPS-UD Clause 4.1(4)

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*

71. The plan change achieves policies relating to
- a) Urban form and settlement patterns
  - b) Sustainability
  - c) Integration of transport infrastructure and land use
  - d) Development within Greater Christchurch
  - e) Urban design
  - f) Residential location and yield
  - g) Biodiversity, natural hazards, landscape, soils, contaminated land

### **Land and Water Regional Plan**

72. An assessment of this plan change against the relevant Regional Plan Objectives and Policies is set out in **Appendix 15**.
73. That assessment shows that the plan change is entirely consistent with the relevant objectives and policies. The plan change achieves objectives relating to land uses responding to socio-economic and community demand (in this case for more housing), sustainability of ground water resources, minimising contamination of soils, and protecting the region's fresh water resources. The plan change is consistent with policies seeking:
- a) No direct discharges to water; stormwater is to ground
  - b) Sewage will be collected and managed in a reticulated system built to Council specifications.
  - c) The site will be developed subject to subdivision consent(s) that will impose necessary conditions about earthworks during construction including sediment control plans.
  - d) A geotechnical assessment concluded the Site is suitable for intended residential use.

### **Operative Selwyn District Plan (OSDP)**

74. An assessment of this plan change against the relevant Operative District Plan Objectives and Policies is set out in **Appendix 6**.

75. That assessment shows that the plan change is consistent with the relevant objectives and policies except for Objective B4.3.3 which gives effect to the CRPS urban limits restrictions which are now out of line with the NPS-UD 2020.
76. The plan change achieves policies relating to natural resources, transport, community infrastructure and reserves, natural hazards, townships and township growth. This includes policies seeking:
  - a) Compact and sustainable towns;
  - b) Integration of land use and infrastructure; and
  - c) Consolidated and compact urban forms
77. Objective B4.3.3 requires new residential development to be within existing urban areas and priority greenfield areas identified in the CRPS<sup>17</sup>. The Site is outside these areas. However as noted above, the CRPS has not been revised to give effect to the NPS-UD 2020, which takes priority, and requires regional policy statements to include criteria for assessing plan changes for the purpose of implementing Policy 8 (of the NPS-UD).
78. However the proposal is consistent with and actively promotes the key policies, B41.1 and B4.1.13

#### **Proposed Selwyn District Plan (PSDP)**

79. Although the PSDP carries little weight in assessing this proposal for notification, an assessment against the relevant Proposed District Plan Objectives and Policies has been undertaken (**Appendix 6**). This is to provide some confidence to decision makers that the proposal will not thwart potential future options for the Township.
80. Retirement Villages are a Restricted Discretionary Activity in General Residential Zone. One of the matters for discretion (relevantly) is whether the development is located within walkable distance of any of Centre Zone, community facility, or any arterial or collector road as set out in APP2-Roading Hierarchy<sup>18</sup>.
81. The Proposed District Plan does not include any Development Areas at West Melton. The existing township is fully developed, and further development is reliant on private plan changes and submissions on the PSDP for rezoning.
82. The assessment shows that the proposal is consistent with the relevant objectives and policies, except those relating to urban growth, which are 'out of line with' and do not give effect to the NPS-UD 2020 .

---

<sup>17</sup> The Operative Plan has not been updated to reflect Change 1 to the CRPS.

<sup>18</sup> ResZ MAT 13

83. The proposal is consistent with key policies relating to:
- a) Strategic directions with respect to
    - Compact and sustainable towns
    - Urban growth and development
    - Integration of land use and infrastructure
  - b) Contaminated land and natural hazards
  - c) Subdivision outcomes
  - d) Urban growth with respect to
    - Achieving attractive, pleasant, high quality, and resilient urban environments
    - Consolidated and compact urban forms
    - Sufficiency of feasible housing capacity
  - e) Development being supported by a development plan
  - f) Urban form and scale outcomes
  - g) Integration with existing urban environments, and optimise the efficient and cost-effective provision of infrastructure
  - h) The Site, except for very small area, does not include comprise versatile soils.
84. Importantly the proposal meets the objectives of UG-01 relating to the qualities and characteristics of urban growth identified in clauses 1 – 8, these being:
1. Achieves attractive, pleasant, high quality, and resilient urban environments;
  2. Maintains and enhances the amenity values and character anticipated within each residential, kainga nohoanga, or business area;
  3. Recognises and protects identified Heritage Sites, Heritage Settings, and Notable Trees;
  4. Protects the health and well-being of water bodies, freshwater ecosystems, and receiving environments;
  5. Provides for the intensification and redevelopment of existing urban sites;
  6. Integrates with existing residential neighbourhoods, commercial centres, industrial hubs, inland ports, or knowledge areas;
  7. Is coordinated with available infrastructure and utilities, including land transport infrastructure; and
  8. Enables people and communities, now and future, to provide for their wellbeing, and their health and safety.

Policy UG-P2.2 requires townships “to maintain a consolidated and compact urban form to support:...the role and function of each urban area within the District’s Township Network and the economic and social prosperity of the District’s commercial centres;”

West Melton is defined as a Service Township:

Service Townships - West Melton, Prebbleton, Darfield and Leeston

Function is based on providing a high amenity residential environment and primary services to Rural Townships and surrounding rural area. Darfield and Leeston act as Key Activity Centres for the wider district.

## 9 ASSESSMENT AGAINST OTHER PLANNING DOCUMENTS

### Our Space 2018-2048 Greater Christchurch Settlement Update (2019)

85. Our Space is a non-statutory document prepared under the Local Government Act. It *“responds to the new Government Policy Statement on Land Transport, which has increased funding for mass public transit schemes, and meets the requirement of the National Policy Statement on Urban Development Capacity (NPS-UDC) 2016 to prepare future development strategy.... Specifically, it:*
- *sets out how targets for housing for the next 30 years will be met, accommodating an additional 150,000 people;*
  - *identifies locations for housing growth, encouraging Central City and suburban centre living while providing for township growth in West Melton, Rangiora and Kaiapoi;...*
  - *promotes a compact urban form, which provides for efficient transport and locates development in a manner that takes into account climate change and sea level rise.<sup>19</sup>*
- ...Underpinning this settlement pattern approach is the vision for a transformation of the transport network that fosters much greater public and active transport usage, and reduced reliance on the private vehicle.*
86. This Plan Change proposal places little weight on Our Space partly because its housing capacity assessments are now out of date, and partly because the document has been overtaken by the NPS-UD 2020.

### District Development Strategy 2031 (DDS)

87. West Melton was identified in the DDS within the township network as being a Service Township
- a) Estimated population range: 1500 – 6000 (2031)
  - b) Function is based on providing a high amenity residential environment and primary services to Rural Townships and surrounding rural area.
88. The DDS explains the purpose of the Township Network in these terms:
- ...(it) provides the framework for managing the scale, character and intensity of urban growth across the whole district.*
- This will enable investment decisions by the Council to be made within an appropriate context and ensure that the infrastructure provided supports the population base of the township, having regard to its scale and relationship to the wider area. It will also present residents and businesses with an opportunity to achieve better living environments and greater economic growth by focusing on those investment decisions that will be of most benefit to each individual community.*
- Each township has therefore been categorised to reflect its projected population in 2031 and its anticipated role in relation to surrounding townships and the district as a whole.*
89. The planning assumptions underpinning growth strategies such as the DDS have not anticipated the rate of growth and are now out of step with actual growth.

---

<sup>19</sup> Our Space Executive Summary

## Mahaanui Iwi Management Plan

90. The Mahaanui Iwi Management Plan (MIMP) 2013 was released on 1 March 2013. It was prepared by the six Papatipu Rūnanga of the takiwā that extends from the from the Hurunui River in the north, to the Hakatere/Ashburton River in the south, inland to Kā Tiritiri o Te Moana (the Southern Alps) and including Te Pātaka o Rākaihautū (Banks Peninsula), and the coast.
91. The MIMP is a tool for tangata whenua to express their identity as manawhenua and their objectives as kaitiaki, to protect their taonga and resources, and their relationships with these. The MIMP seeks to ensure that these taonga and resources are recognised and protected in the decision-making of agencies with statutory responsibilities to tangata whenua. Importantly it is also a tool that assists Papatipu Rūnanga representatives to articulate their values, issues and policy into statutory processes.
92. The MIMP includes both general objectives and policies about the management of land, air, and water, and also includes region specific objectives and policies. Under section 74(2A) of the RMA, the Council must take into account any such plan to the extent that it has a bearing on the resource management issues of the District.
93. A Mana Whenua Statement regarding the proposed change is attached at **Appendix 17**. The Statement contains relevant policies of the MIMP and recommendations, including those pertaining to the Ngai Tahu Subdivision Guidelines that are attached to the Statement.
94. With respect to general objectives and policies the plan change and application site will not affect landscapes, or sites of cultural heritage or significance (Chapter 5.8). The Site does not contain any areas of significant biodiversity, and the plan change seeks to include landscaping within the reserves, and in road corridors adding to the overall biodiversity of the Canterbury Plains consistent with Chapter 5.5 of the MIMP.
95. The plan change provides for full urban reticulation of the three waters and is consistent with the objectives and policies contained in Chapters 5.3 and 5.4 of the MIMP. The plan change does not preclude individual land owners from installing rainwater collection and use from roof areas at the time of building development.
96. Chapter 6.11 is the area specific section for the Te Waihora area and has a key theme of Ki Uta Ki Tai (from the mountains to the sea) with respect to effects on Te Waihora/ Lake Ellesmere. The plan change has been designed taking into consideration the potential effect of resultant subdivision and development on the rivers and streams that flow into Te Waihora/Lake Ellesmere.
97. There are no identified sites of significance within the Site, nor are there any known areas of mahinga kai. The Site has a long history of use for lifestyle, and grazing purposes.



98. Overall it is considered that the plan change will not have adverse impact on the cultural values of iwi as set out within the MIMP.

## **10 ASSESSMENT OF ENVIRONMENTAL EFFECTS**

99. It is not considered that this proposal will have significant adverse effects on the environment and therefore a description of any possible alternative locations or methods for undertaking the activity is not considered necessary<sup>20</sup>.

### **Neighbourhood and wider community effects**

100. Reverse sensitivity effects are not anticipated land uses in the immediate vicinity of the Site. The ODP has taken into account the western edge with rural lifestyle blocks. Larger lots are not proposed in recognition that there might be further urban growth westwards in time. Lot configuration can be considered at subdivision stage, with a focus on ensuring properties are deep enough to set new dwellings back from the rural boundary to allow space for strategic on site planting. This strategic use of landscaping will screen the more built-up environment and soften the views from the rural land into the site whilst still allowing views from the Site to the west maximising the high amenity and rural outlook.
101. A building setback, landscape strip and building height limits are proposed on the eastern to mitigate the loss of rural outlook for existing residential properties.

### **Landscape and visual effects**

102. The proposal will lead to a change in the landscape of the Site from rural lifestyle/ rural residential blocks with generous sized dwellings and gardens, to an urban environment dominated by residential building that will, in time, get the benefit of street tree and reserve plantings and landscape treatments around the houses.
103. The visual effects will arise from a change in the number of vegetative and built elements in the landscape and those effects are unavoidable if the Site is to contribute to the on-going growth of West Melton. It will be just a different amenity and quality of environment but one that will be entirely consistent with and supportive of the urban development that has proceeded to the east and is contained by strong road boundaries to the north and south.
104. The Outline Development Plan and urban design concept for the Site includes appropriate boundary treatments with are explained in the Narrative.

---

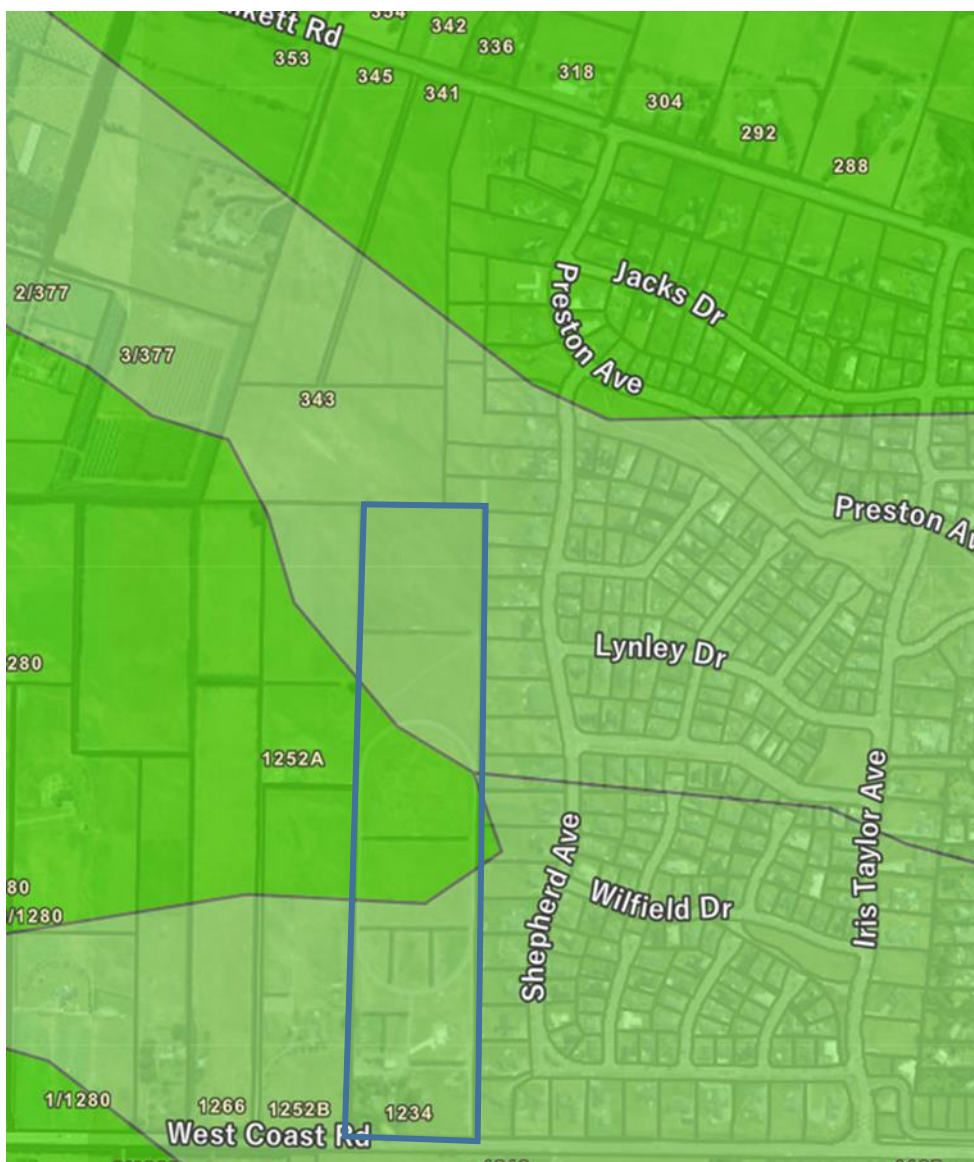
<sup>20</sup> Schedule 4.6(1)(a)

### **Effects on ecosystems and habitats**

105. The Site supports no significant ecosystems or habitats. None have been identified in the Proposed District Plan.
106. Surface water bodies within site and surrounding areas comprise water races, private ponds, and stormwater management areas. There are two local/lateral water races in the north of the site that are part of the Paparua Water Race Scheme. One of the private ponds is located in the mid-portion of the rural land area (adjacent to one of the water race laterals), while three other ponds are located in the existing residential properties to the east.

### **Effects on natural and physical resources**

107. The Site contains predominantly Land Use Capability Class 3 soils with a small area of Class 2 soils (**Figure 6**). The existing lot sizes for the rural lifestyle lots preclude farming other than on a very much part-time basis. Given the small size of the existing parcels and current layout with significant garden areas and buildings, it does not have any realistic productive potential.
108. There will be a degree of site disturbance as part of creating the roading network, and reserves, and as part of curtilage development on each lot.



**Figure 7: Soil quality. Bright green – Class 2; dark green – Class 1; grey/green – Class 3. Site outlined in blue**

### **Effects on tangata whenua values**

109. The Proposed District Plan does not identify any resources or sites of significance to tangata whenua on or in close proximity to the Site.
110. The site is not listed as an archaeological site on the NZ Archaeological Site database.
111. An assessment of the Mahaanui Iwi Management Plan is included from paragraph 91 above and consultation with Mahaanui Kurataiao is described below.

### **Transport-related Effects**

112. An assessment of the effects of the proposal and associated transport related activities is included as **Appendix 11**. There is also additional information provided on transport integration under Services below and in the ODP.
113. Possible road and cycle connections (3) are also shown along the western boundary, to allow for potential further future growth westwards, in time. For this reason, lower density lots are not proposed at the urban/rural interface.
114. Further connectivity within the Site, is provided through additional local roads (to be confirmed at detail subdivision stage) and pedestrian / cycle ways, providing linkage to all desirable destinations such as the neighbourhood parks and the large utility reserves.
115. Safe pedestrian and cycle connections to the town centre, the school, and the domain are easily accessible via the three eastern connections into the existing road network of Preston Downs, leading directly to the central hub.

### **Risks from natural hazards or hazardous installations:**

116. The Infrastructure Report in Appendix 9 includes a section on flooding and sets out the details on proposed surface water management treatment. Figure 5 of that Report shows the area of the site affected by the modelled 0.2% AEP flood event
117. The Site is not mapped in the Proposed District Plan as having any significant natural hazards, other than being located within the Plains Flood Management Area. Proposed Rule NHR2 requires a minimum building finished floor level 300mm above a 200 year Average Recurrence Interval (ARI) flood hazard event. All future dwellings will meet this requirement.
118. Flood and storm waters can be appropriately managed by
  - a) Any future subdivision being designed to current SDC subdivision standards
  - b) The roading network becoming the secondary flow path for flood waters to drain away from the site and connect to reticulated or other public systems.
119. There will be no hazardous installations.

### **Geotechnical assessment**

120. A geotechnical investigation is attached as **Appendix 10**.

#### Key findings:

1. The soil typically consists of 200 to 300 mm of topsoil overlaying silt and sand. Gravel was found at 0.5m below ground (mid-point of the site) to 1 m depth (south of the site).
2. Soil bearing capacity is generally 'good' in terms of the NZS3604 definition.
3. The liquefaction vulnerability is very low for the site when subjected to a significant earthquake event. There is also a very low risk of liquefaction-induced ground damage following a significant seismic event.
4. The ground soakage rate in the gravel strata at 2.5 m depth varies between 0.2 m/hr near West Coast Road and 4.2 m/hr near the site mid-point. Further investigation is required to understand the variability.

#### Contaminated land

121. A Preliminary Site Investigation is attached (**Appendix 14**).

#### Key findings:

- 'The investigations undertaken have indicated two risk area on the subject site, both within 1234 West Coast Road (RS 6619). There is a risk of contamination by heavy metals from current and historical activities including:
  - I. Old buildings potentially painted with lead-based paints
  - II. A burn area
- 'The rest of the subject site has been used for general pasture for its known history or until being recently developed for rural residential or residential use. These uses are highly unlikely to have caused a risk to human health or the environment. There is no evidence of HAIL activities or industries having occurred on the rest of the subject site, now or in the past. The rest of the subject site is considered suitable for residential use with no further investigations required.'

#### Economic effects

122. The Site will yield approximately 218 retirement units. The development will generate local benefits to West Melton, in terms of jobs and expenditure directly associated with the construction and operation of the Village. Insight Economics have undertaken an assessment of the Proposed Private Plan Change which is attached as **Appendix 12**.

The report concludes that the proposal will provide 'strong economic benefits', including<sup>21</sup>:

- a) Providing a substantial, direct boost in market supply to meet current and future shortfalls;

---

<sup>21</sup> Pages 1 and 2

- b) Bolstering land market competition, which helps deliver new sections to the market quicker and at better average prices;
  - c) Providing a variety of housing options/typologies to meet the needs and preferences of a growing demographic of active older people;
  - d) Freeing up existing housing for more suitable uses, such as larger families or first home buyers;
  - e) Contributing to achieving critical mass to support greater local retail/service provision; and
  - f) The one-off economic stimulus of developing the land and constructing the dwellings, plus ongoing employment sustained on the site.
123. Section 5 of the report examines the benefits of the proposal in terms of the NPS-UD from an economic perspective and emphasises the significant development capacity that will be provided.

### **Climate change effects**

124. New urban development can contribute to increased greenhouse gas emissions, particularly transport emissions. These emissions can be moderated or reduced in the long term through pursuing an urban form that is conducive to minimising private motor vehicle trips and employing new technologies that do not use fossil fuels. This is achieved through promoting new urban development close to and well connected to existing urban facilities and services (shops, community and recreational facilities etc.) including by public transport and active transport modes (eg walking and cycling).
125. As now recognised in both the NPS-UD and the Act itself, intensification, particularly in locations close to facilities and existing or proposed public transport routes can reduce reliance on private motor vehicles. This is particularly the case if residential areas have within them other uses such as community services, shops and education facilities.
126. The Site is suitably placed in this regard. It has convenient access to the existing West Melton shops and school on the north side of the West Coast Road; and to the community centre, Domain and West Melton Tavern. NZTA proposed upgrade at the West Melton Road/SH/Weedons Ross Road intersection will improve the efficiency and safety of this intersection, facilitating pedestrian movements across the SH and help resolving SH severance issues. There is currently a public bus service between West Melton, Darfield and central Christchurch with various bus stops at West Melton.
127. The Site layout can be designed to support future public transport, with the widths of primary and secondary roads wide enough for a bus stop. . There is also a private school bus service into Christchurch.

128. However, the activity itself will be largely self-contained to meet the day to day needs of the residents. Most private vehicle traffic will be generated by staff, visitors and service vehicles. Residents will be encouraged to car share electric vehicles for external trips (other than walking and cycling). Moreover, as stated in the following section the facility will provide new job opportunities for local people of all ages and skillsets.

### **Positive effects**

129. The provision of a substantial, standalone retirement village will add diversity to the housing stock and add to the opportunities for existing residents in northern Selwyn in particular to 'age in place'. The construction, servicing, staffing and maintenance of the facility will provide a range of permanent, casual and part time employment opportunities currently not available to West Melton residents.
130. Making provision for land to be rezoned by a variety of developers is pivotal to ensuring a competitive land and housing market at West Melton. The other plan changes proposals (3) involve land held by just two developers: Wilfield Developments and Hughes Developments.

## **11 INFRASTRUCTURE ASSESSMENT**

131. A Servicing Report is attached (**Appendix 9**).

### **Wastewater**

132. The main constraint for West Melton with respect to wastewater is the reticulation from West Melton to the Pines Wastewater Treatment Plant at Rolleston. The biggest bottleneck is the gravity main, which is currently near capacity, and is likely to be under capacity with peak flows from proposed developments in West Melton.
133. E2 Environmental have identified four feasible servicing options for addressing capacity constraints. All require a new pressure main along the West Coast Road to connect to the existing pressure main at the West Melton Road/West Coast Road intersection.

### **Roading**

134. The ODP (and future subdivision pattern) is anticipated to comply with the district plan rules and standards. Accordingly, the site layout (as illustrated on the ODP) can be supported from a transportation The Assessment concludes that overall, and subject to preceding comments, the plan change can be supported from a traffic and transportation perspective and it is considered that there are no traffic and transportation reasons why the plan change request could not be recommended for approval. It also concludes (8.16) that the ODP (and future subdivision pattern) is anticipated to comply with the district plan rules and standards.

### **Stormwater servicing**

135. The Site has been split into two catchments identified as the northern catchment and as the southern catchment. These have been identified based on a natural ridge that runs northwest/southeast connecting with Shepherd Avenue at its intersection with Wilfield Drive.
136. A stormwater management area (SMA) has been designed for each catchment. It will consist of:
  - a) A first flush/infiltration basin to capture and remove total suspended solids in the runoff generated by the first 20 mm of rainfall on the catchment (primary treatment)
  - b) A detention basin to provide water quantity attenuation in large rainfall events greater than the first flush event, but up to the 2% AEP in all durations. This basin will be connected to the first flush basin via an overflow weir.
  - c) A large rapid soakage chamber under the detention basin to discharge stormwater to ground and provide additional storage within the voids of the chamber.
137. The report confirms that there are no high flood hazards areas within the Site.

### **Water supply**

138. The Site will require an additional water source and treatment plant. Several possible scenarios have been identified for supplying future demand.
  - a) Connection to the Edendale scheme. The bulk pipeline has been installed but connection work and reticulation upgrades are yet to be completed.
  - b) Upgrade of the Wilfield bore. This work is complete.
  - c) Transfer water allocation to SDC from a consented bore(s). Council has indicated they would use this allocation to supplement existing well extractions or provide a new bore to service the Site.
139. There are two lateral/local water races within the Site. Approval to close these water races on 1234 West Coast was given by the Council on 9 February 2022. There is still potential to incorporate these features into the development as part of landscape and ecological treatment.

### **Electricity/Telecommunications reticulation**

140. Chorus Ltd and Orion NZL have confirmed that they are able to support the proposed development for telecommunications and electrical servicing respectively.

## **12 SECTION 32**

141. The Section 32 Evaluation (**Appendix 8**) concludes that, of the possible alternative methods for achieving residential development for this Site, and implementing the District Plan



objectives and policies, the plan change is the most appropriate or efficient and effective method.

142. Section 32 of the Resource Management Act 1991 requires an evaluation of the reasonably practicable options for achieving the objective (environmental outcome) of the proposal and assessing their comparative efficiency and effectiveness in achieving the objective. Effectiveness means how successful a particular option is in addressing the issues in terms of achieving the desired environmental outcome. Efficiency means the measuring by comparison of the benefits to costs (environmental benefits minus environmental costs compared to social and economic costs minus their benefits). Costs and benefits should include consideration of opportunities for economic growth and employment anticipated to be provided or reduced.

### 13 PART 2

154. In preparing this Request the approach to applying Part 2 in terms of reaching an overall conclusion has been the 'balancing approach'<sup>22</sup> rather than the bottom line approach adopted by King Salmon<sup>23</sup>. The latter, and subsequent Court decisions referencing that case, have been limited to considering resource consents and plan changes / reviews in the context of the NZ Coastal Policy Statement<sup>24</sup>.

155. Investigations undertaken in preparing the request has not identified any matters that need to be recognised and provided for under Section 6, Matters of National Importance. The Request has had particular regard to the following Section 7 Matters:

(b) the efficient use and development of natural and physical resources:

(ba) the efficiency of the end use of energy

:

(c) the maintenance and enhancement of amenity values:

(f) maintenance and enhancement of the quality of the environment:

(i) the effects of climate change

156. Account has been taken of Section 8 through consultation with Mahaanui Kurataiao.

### 14 CONSULTATION

156. A pre-submission meeting was held with the Council on 23 November 2020. At this stage rezoning was proposed for the southern two lots only (1234 and 1252 West Coast Rd) and intensification of residential zoning for west Shepherd Avenue. A preliminary ODP was supplied, with an estimated yield of 290 Living Z lots.

---

<sup>22</sup> New Zealand Rail Ltd v Marlborough District Council - [1994] NZRMA 70

<sup>23</sup> Environmental Defence Society Incorporated v The New Zealand King Salmon Company Limited & Ors - [2014] NZSC 38

<sup>24</sup> See for example Port Otago v Environmental Defence Society [2021] NZCA 683 decision

157. The Council's principal feedback was:

- a) Servicing – wastewater pipe from Rolleston to West Melton is nearly at capacity. Will need to model WW capacity and upgrade whole system. These capacity issues will also need to be addressed by PC74 (West Melton East). Will need own bore for water supply. Stormwater can be to ground. PC59 for additional residential development has been 'held up' by traffic issues relating to the SH. These are now able to be resolved with the proposed NZTA intersection upgrade.
- b) Noise mitigation with respect to the SH Noise Overlay will be required for land close to the SH
- c) The rezoning should consider Policy 8) of the NPS-UD. An extra 290 lots are likely to be considered significant additional capacity – an additional 10-15 %.
- d) Feasible connectivity via the existing Prestons Down subdivision will need to be shown. Ideally there should be 2 connections. Consultation with NZTA re the SH access will be required

154. There have been subsequent discussions and a meeting with the Council's Assets staff regarding specific servicing matters.

155. A Mana Whenua Statement was prepared by Mahaanui Kurataiao (MKT) in November 2021 as part of the original (larger) Plan Change 77. It has been attached to the request as **Appendix 17** and MKT has agreed that this Statement can be adopted for the current request.

## 15 CONCLUSION

156. The proposed Plan Change seeks to rezone appx 12.55 ha of land adjoining West Melton from Inner Plains Zone to Living Z with a Retirement Village/Medium Density Housing Overlay. This zoning will facilitate development of the retirement village proposed for the Site.

157. The plan change provides for a connected and high amenity residential living environment while avoiding and/or mitigating any potential adverse effects on the immediate and surrounding environment. It will provide for the growing demand for retirement villages in this location, where marketing assessments have identified a gap in the residential market.

158. The use of this Site for a retirement village has been demonstrated through this request to be a sustainable and efficient use of land and infrastructure. The rezoning better provides for the social, economic, environmental well-being of the West Melton community than continuation of the current low intensity lifestyle land use, or any form of large lot/low density residential use.

159. The potential adverse effects of the implementation of the proposed zoning have been described in this application. Capacity has been confirmed for infrastructure, power and road network. Any future subdivision of the Site will need to confirm water supply and wastewater treatment and disposal options, but feasible options are available.

160. Rezoning of the site to Living Z and accommodating a retirement village is consistent with the policies and objectives of the OSDP and the CRPS, except those relating to urban growth which are out of line with the NPS-UD 2020, in particular a restrictive urban growth approach based on meeting but not exceeding minimum anticipated housing land capacity targets and an 'immovable' urban/rural boundary line.
161. As the plan change promotes the purpose of the RMA and has been shown to be consistent with the relevant provisions of the NPS-UD 2020, and the relevant regional and district policies and plans, it can be accepted by Selwyn District Council in accordance with Clause 25(2) of the First Schedule of the RMA.



.....  
(Signature of applicant or person authorized to sign on behalf of the Requester)

Date: 15 June 15, 2022