

15 February 2021

Urban Estates Limited
621 Robinsons Road
RD 6
CHRISTCHURCH 7676

Attention: Justin McDonald

Sent by email to: justin@quehomes.co.nz, office@rgmc.co.nz and brad@urbanestates.nz

Dear Kim,

PC2000078: Private Plan Change Request to the Operative District Plan from Urban Estates Limited in South-East Rolleston - Request for further information

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

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

1. This Plan Change is heavily reliant on the National Policy Statement on Urban Development (the 'NPS-UD' to address the conflict with the Canterbury Regional Policy Statement (the 'CRPS'), particularly CRPS Objectives 6.2.1 and 6.2.2.5, and their associated policies. The assessment of the criteria in Policy 1 of the NPS-UD for 'well-functioning urban environments' provided in Section 6 of the request only considers this in relation to the plan change area. The 'urban environment' is considered to encompass all of Greater Christchurch. Therefore, please provide an assessment of how the request would contribute to the function of the wider urban environments of the Rolleston township, the surrounding district, and the Greater Christchurch area.
2. The request relies on Policy 8 of the NPS-UD as it asserts that it would add significantly to development capacity and is supported by an expert economic assessment that evaluates housing sufficiency in Rolleston. At its meeting on 9 December 2020, Council adopted an update to its Housing and Business Development Capacity Assessment for short-, medium-, and long-term housing sufficiency¹. There are also several plan change requests currently lodged with Council that are also proposing additional housing capacity. In the absence of clear direction in the CRPS at this point in time, please assess this request against the Ministry for the Environment guidance² that identifies that the following factors can help to determine 'significant development capacity' in the context of the NPS-UD:
 - significance of scale and location.
 - fulfilling identified demand.

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

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

- timing of development.
 - infrastructure provision (development infrastructure and additional infrastructure).
3. Please provide further analysis of the request against Policy 8 that considers the:
 - a. capacity proposed to be provided against the Council's updated capacity assessments over the short-term timeframes considered by the NPS-UD. The capacity proposed within the other plan change requests should be considered alongside the capacity that could be enabled through this request.
 - b. contribution that the proposed plan changes may make to development capacity against the other factors outlined in the Ministry for the Environment guidance.

Proposed Change 1 to Chapter 6 of the Canterbury Regional Policy Statement

Note: Proposed Change 1 to Chapter 6 of the CRPS is following a 'streamlined' process' and was publicly notified for submission on 16 January 2021³. Section 7.2 of PC78 does not include any reference to reflect the status of Proposed Change 1 or how the request satisfies the zoning pre-requisites listed in proposed Policy 6.3.12 Future Development Areas. It is acknowledged that this is due to the timing of when Change 1 was publicly notified and when PC78 was lodged with SDC. However, Change 1 may become a relevant consideration for this request depending upon how advanced the 'streamlined' process is when a decision is required to be made on PC78.

Proposed Selwyn District Plan

4. Council notified its Proposed District Plan on 5th October 2020. While the list of statutory documents to be considered when changing a district plan, as prescribed in s74 and s75 of the RMA, does not include a Proposed District Plan, case law⁴ suggests that s74 is not an exhaustive list and that scope exists to consider the provisions of the Proposed District Plan. As such, please provide a more detailed assessment of the request against the relevant objectives and policies of the Proposed District Plan, and in particular those provisions that have immediate effect.

Support for Plan Change and Consultation Outcomes

5. Please provide evidence that the owners of the properties subject to the plan change are party to, or supportive of, the request.
6. Please also document any consultation the applicant may have undertaken with Selwyn District Council, Environment Canterbury, NZTA or Nga Runanga via Mahaanui Kurataiao Limited.

Integration with other Plan Changes

7. There are a significant number of plan change requests currently lodged with Council, with PC75 adjacent to the area of this plan change request. Please advise what, if any, consideration has been given to the positioning of key movement linkages and reserves between this plan change and PC75. Details of PC75, along with all other plan changes, can be found on Council's website⁵. Please also confirm that the movement linkages and reserves identified in the adjoining Acland Park subdivision are being provided to demonstrate integrated development outcomes can be achieved.

³ <https://www.ecan.govt.nz/get-involved/have-your-say/public-notice/>

⁴ Kennedys Bush Road Neighbourhood Association v Christchurch City Council (W063/97, at page 20) and Canterbury Regional Council v Waimakariri District Council (C94/99, at page 15)

⁵ <https://www.selwyn.govt.nz/property-and-building/planning/strategies-and-plans/selwyn-district-plan/plan-changes>

Infrastructure

Transport

8. The Integrated Transport Assessment provided with the plan change request is being reviewed by Council's Asset Manager – Transportation. Any additional information requirements will be circulated once these comments are received.

Water, Wastewater, Stormwater and Services

9. The Infrastructure Report provided with the plan change request has been reviewed by Council's Asset Manager – Water Services, who has advised the following.
10. As identified in the Infrastructure Assessment, the Rolleston water master plan provides the framework for the ultimate development of the network in the township, and this continues to be refined. To service this development at the densities proposed, trunk water mains are required along Lincoln Rolleston Road. The availability of water to service this proposed plan change is contingent on these trunk water mains being installed ahead of current proposed timeframes. As such, developer lead infrastructure may be required under an Infrastructure cost share agreement. Please confirm that this is a viable option should it be required.
11. With reference to the wastewater masterplan (refer to **Attachment 1**), please confirm options to reticulate wastewater to the proposed Southeast Pump Station, as opposed to the Southern Rolleston Pump Station, as identified in the plan change request.

Open space reserves

12. The plan change request has been reviewed by Council's Asset Manager – Open Space, who has advised the following.
13. There are two recreation reserves shown on the ODP and these are sited adjacent to main routes and medium density areas which is supported. The proposed reserves appear to be around 600m apart from other planned reserves (including those identified in PC75) and the distribution appears to be generally in accordance with Council levels of service (from a cursory measure). However, the Design Statement mentions the two reserves will provide access to a reserve for all residents in the subdivision within an 800m radius. The guideline in Council's policy is between 500m to 600m. Please provide confirmation of the design rationale for the open space reserves and the extent to which the locations are consistent with SDC's guidance.
14. The request details two recreation reserves that "*provide the quantity of greenspace and facilities appropriate to the population*". However, there is no further assessment of the size or quantity of greenspace to be provided that makes it difficult to assess whether the reserve/open space proposed is adequate. The application also talks about green linkages, but these are not indicated on the ODP. Please provide further detail on the size of the proposed reserves and how the green space linkages are to be achieved.

Urban Design/Planning

15. The Design Statement and Outline Development Plan (the 'ODP') provided with the plan change request has been reviewed by Council's Senior Urban Designer and my planning related comments are also outlined below.

Outline Development Plan

16. The Design Statement in Appendix E evaluates the plan change request against the New Zealand Urban Design protocol and relevant landscape and visual criteria. However, there does not appear to be an assessment of the ODP against CRPS Chapter 6 Policy 6.3.3, which is the basis of the Living Z Zone objectives, policies, and rules. Please update Appendix E with an

urban design assessment of the proposed ODP against the pre-requisites listed in Policy 6.3.3 and submit any amendments. This should also address the following urban design matters and inform the preparation of the text that accompanies the ODP plan in Appendix E38 of the District Plan⁶:

- a. a contextual analysis of the site and its surrounds to support the Design Statement, including any constraints and opportunities present in the wider area (such as zoning, existing environment, natural or heritage features, integration of water races into the design, built form or site features).
 - b. in respect to the assessment of effects on Visually Sensitive Receptors contained in the Design Statement, please justify how the magnitude of change can be determined as being 'low' where the overall character will change from open and rural to suburban and dense?
 - c. in respect to Viewpoint 6, specifically, what measures have been undertaken to retain some of the views to Alps and Port Hills?
 - d. what interface treatments that are proposed to integrate the site with the adjoining Acland park subdivision and PC75 land?
 - e. what boundary treatments are proposed along the frontages of the residential properties with Lincoln-Rolleston Road and Selwyn Road?
17. The ODP references the flood plains relative to the road corridor alignments. Although this is useful context to illustrate an aspect of the rationale that has been applied to establish the alignment of the roading network, this level of detail is not typically illustrated on an ODP. As a result, it may create confusion with how Policy 6.3.3.3(f) and (h) of the CRPS is applied. This includes whether this land is susceptible to flood hazard risk and is being excluded from residential development, which I understand is not the intention in this case. Please review the ODP, confirm the rationale for why the "Selwyn Flood Routes to be Redirected to Roads" has been referenced in the context of CRPS Chapter 6 Policy 6.6.3, and submit any amendments.
- Note:** Council is seeking to establish a consistent ODP design through the Proposed District Plan process to minimise features on an ODP and utilise assessment considerations in supporting text. While this is a request to change the Operative District Plan, please be aware that alignment of the ODP design may be sought as this request progresses.
18. The request does not include all of the properties that are comprised with the south-eastern corner of Rolleston's Future Development Area, where rural parcel at the corner of Lincoln-Rolleston Road and Selwyn Road has been excluded from the request. Please provide the rationale for excluding this land holding, including in respect to how infrastructure in this area will be coordinated and what boundary interface treatments are proposed to manage amenity, outlook, and reverse sensitivity effects (refer to Point 24 below).

Housing densities

19. The request uses the Special Housing Policy and Our SPACE Action 9 as the rationale for the proposed 12hh/ha densities. Please provide an evaluation of these proposed housing densities against other relevant aspects of Our Space including Action 2 in respect to improving housing affordability and Actions 3 in respect to the appropriateness of increasing the minimum densities on the Future Development Areas from 12hh/ha. These Actions signal workstreams to align residential 'greenfield' housing densities to respond to the housing demand profile of Greater Christchurch, which are also supported by the RSP that indicates Medium Density Residential at 20hh/ha around local centres and across a relatively large proportion of the PC78 site (**Figure 1**). Please provide an evaluation of the housing densities against the identified Our SPACE Actions and the RSP.

⁶ Each ODP in Appendix E38 includes text covering an Introduction, Urban Design Statement, Density Plan and Movement/Green/Blue Networks with corresponding ODP.

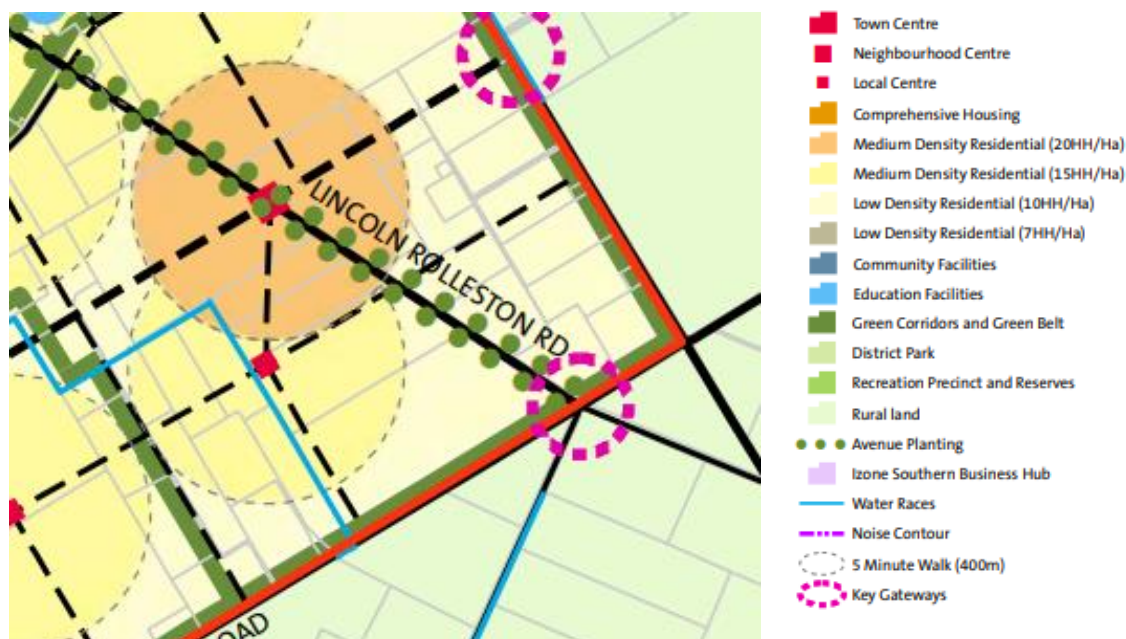


Figure 1: Rolleston Structure Plan, September 2009⁷

20. PC78 requests that a Living Z Zone is applied to the site, which is supported by an Outline Development Plan that illustrates the following lot size standards:

- Medium Density Residential 400m² - 499m².
- General Residential Minimum 500m².

These site sizes and naming conventions (which appear to be based on the terms referenced in the Proposed District Plan) used are not consistent with the existing Living Z (Rolleston) sizes set out in Table C12.1 Allotment Sizes in the Operative District Plan. Given this, please either:

- a. provide an assessment of these variances in terms of its effect on plan integrity, and spatial effects from different lot sizes; or
 - b. amend the application and the ODP to be consistent with the Operative District Plan site sizes and naming conventions.
21. While the densities included in the request are consistent with the Proposed District Plan, these are some way from being formalised and this request needs to be evaluated against the Operative District Plan at this point in time. As a result, please provide additional information on the densities that are being proposed, including:
- a. the rationale for placing medium density along the main spine as to being clustered or distributed throughout the site.
 - b. clarifying whether the medium density housing on the ODP is for small lots or includes comprehensive lots. In this context, please elaborate how a mixture of housing typologies and section sizes can be provided. A draft subdivision plan would assist in illustrating how the densities and layouts have been determined and to measure the legibility and walkability of the road network.

Rolleston Structure Plan

22. The RSP illustrates several features that do not appear to have been factored into the ODP, including “*avenue planting*” along the Lincoln-Rolleston Road boundary and “*green corridors and green belt*” along the Selwyn Road interface (refer to **Figure 1**). Please provide an assessment of

⁷ Rolleston Structure Plan, September 2009.

how these design features have been factored into the ODP, including consideration of how other zoned changes and the Special Housing Areas have implemented these aspects of the RSP.

23. The RSP indicates that a Local Centre is anticipated in the SR13 area to support the future local retail needs of the community in this area (refer to **Figure 1**). The ODP does not make any provision for this Local Centre to compliment the commercial centre hierarchy in Selwyn 2031, the Operative District Plan and the CRPS. Commercial centres are also a focal point for higher density housing, as illustrated in the RSP. Please provide an assessment documenting the rationale for why provision has not been made for a Local Centre in the general location identified in the RSP and what implication this may have on housing densities and the ability for future residents to access their local retail and service needs.

Reverse Sensitivity effects

24. The effect of PC78, if approved, would be to leave the land holdings at the corner of Lincoln-Rolleston Road and Selwyn Road with a Rural (Inner Plains) Zone. The application states that *"There is no intensive animal or crop production on the vicinity of the Plan Change area..."*. However, it is understood that this land is currently utilised as an intensive agricultural operation that extends to the opposite side of Selwyn Road. The day-to-day operations of this market garden may use mechanical equipment, bird control devices, and application of fertilisers, compost or sprays on a regular basis that could conflict with the amenity expectations of the future residents of the PC78 land if the proposed zoning is formalised. Please provide the rationale for excluding this land from the plan change request and review the assessment detailing how the ODP responds to potentially adverse reverse sensitivity effects at the interface between this rural land and the proposed Living Z Zone.

Note: *There is also a poultry farm operating from the opposite side of Selwyn Road to the wider block that contains the application site. It is recognised that the 300m reverse sensitivity buffer associated with this intensive farming operation does not extend into the boundary of this request. If at some time in the future this land is included in the request, then an assessment of how the zoning could impact on the operation of this activity should be provided.*

Geotechnical Assessment

Note: *The Geotechnical Assessment provided with the plan change request has been peer reviewed on behalf of Council by Ian McCahon of Geotech Consulting Limited and this is attached for your information. This is included as **Attachment 2**.*

No further information is requested at this time as a result of this peer review.

Contaminated Land Assessment

25. The Preliminary Site Investigation (the 'PSI') provided with the plan change request has been peer reviewed on behalf of Council by Environment Canterbury's Contaminated Land Team. The peer review highlights that the PSI only covers 24.9 ha of the proposed 63.326 ha subdivision. There is a HAIL activity identified on LOT 2 DP 48064 which is not discussed in the application. 127 Lincoln Rolleston Road and 548-564 Selwyn Road have also not been investigated. Therefore, please provide an assessment outlining why these properties have not been investigated for potential HAIL activities.

Note: *The PSI mentions a shed with potential asbestos containing material, in addition to multiple burn pads and stockpiles, as HAIL activities which may have impacted underlying soils. The Officer agrees that a DSI should take place targeting the areas of concern to confirm that HAIL activities have not adversely impacted the soil. Confirmation is provided that this DSI should be prepared prior to any large-scale earthworks and housing construction, potentially following this plan change process. If the DSI identifies any contaminants that exceed the relevant soil contaminant*

standards, then a Remedial Action Plan, and Site Validation Report should be provided to the council detailing the results of any remedial works undertaken.

No further information is requested at this time as a result of this aspect of the peer review. This information is being brought to the applicant's attention to consider any risks, albeit small in nature, in proceeding without a DSI to establish any costs associated with any potential remedial works.

Process from here

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

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

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

Please contact me on (03) 421 6183 or c.friedel@harrisingrierson.com if you have any questions.

Yours faithfully

SELWYN DISTRICT COUNCIL

A handwritten signature in black ink, appearing to read 'Craig Friedel'.

Craig Friedel

Consultant Planner

Attachment 1: Proposed Rolleston Sewerage Master Plan

Attachment 2: Geotech Consulting Peer Review