

**BEFORE THE SELWYN DISTRICT COUNCIL**

**UNDER** the Resource Management Act 1991

**IN THE MATTER** of Proposed Plan Change 78: East Rolleston

**APPLICANT** Urban Estates Limited

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**STATEMENT OF EVIDENCE OF PATRICIA HARTE**

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**Christchurch**

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A handwritten signature in dark green ink that reads "Anthony Harper". The signature is written in a cursive, flowing style.

## **1 INTRODUCTION**

- 1.1 My name is Patricia Harte. I am a Consultant Planner with Davie Lovell-Smith, Planners, Engineers and Surveyors of Christchurch.
- 1.2 I have a Bachelor of Laws (Hons) and Master of Science in Resource Management and am a full Member of the New Zealand Planning Institute.
- 1.3 I have thirty years' experience in planning and resource management. Throughout this period I have been involved in the preparation of seven district plans and numerous plan changes. I have assisted Councils in processing private plan changes and resource consents for large projects. This has included providing evidence at Council level and at extended Environment Court hearings.
- 1.4 I confirm that I have read and am familiar with the Code of Conduct for Expert Witnesses in the Environment Court Consolidated Practice Note (2006). I agree to comply with that Code. Other than where I state that I am relying on the evidence of another person, my evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

## **2 PLAN CHANGE 78 – SELWYN DISTRICT PLAN**

- 2.1 Urban Estates initiated the possibility of rezoning land on corner of Lincoln Rolleston Road and Selwyn Road with the landowners in early 2020. The rezoning proposed was from the current Rural Inner Plains Zone to the Living Z Zone in order to provide for the unmet demand for residential sections. This demand was obvious to the Applicants as they have been involved in consenting and developing land within Rolleston for several years.
- 2.2 The Applicants were able to enter into contractual agreements with all but one landowner within the block. These agreements enable each landowner to contribute to costs associated with preparation of rezoning documents including expert reports and the costs of managing the rezoning process. While there were discussions with the owners of 23.45ha block on the corner of Selwyn and Lincoln Rolleston Road (which appears to have no address), in the end agreement was not achieved. This block of land is currently used for horticulture and cropping whereas the other properties are generally used for rural lifestyle purposes with low-key farming operations.
- 2.3 Plan Change 78 requests the following changes to the Operative Selwyn District Plan:
  - That 63.35ha of land (comprising 15 properties) on the eastern edge of Rolleston be rezoned from Rural Inner Plains to Living Z
  - That an "East Rolleston Outline Development Plan" (ODP) with a text addressing urban design, density, the movement network, the green

(reserves) and blue (stormwater) networks. Of note this ODP also illustrates the adjoining Proposed Plan Change 75 Outline Development Plan to the west and connections between the two areas.

- The ODP identifies collector and major roads, low and medium density areas, public space, external road connection and cycle/pedestrian routes.
- The ODP text commits to achieving a minimum of 12 households per hectare. It also commits to additional medium density developments being provided for through the subdivision consent process.
- The majority of the ODP area is allocated for low density (average of 650m<sup>2</sup>, minimum lot of 550m<sup>2</sup>) residential sections. Two medium-density residential development areas are identified in proximity to reserve areas. These can be achieved either as small site developments (average lot of 500m<sup>2</sup> and a minimum of 400m<sup>2</sup>) or as a comprehensive developments which involves a joint consent for buildings and subdivision.
- No other changes are proposed.

### **3 PLAN CHANGE SITE AND SURROUNDINGS**

3.1 The PC78 site itself is L-shaped and made up of 15 properties with a total area of 63.35ha. The lots range from 0.45 to 12.4ha with the majority being in the 4ha scale. It borders Lincoln Rolleston Road to the north-west and Selwyn Road to the south east. To the west is the Acland Park residential development which extends through to Springston Rolleston Road. The land to the northwest is also proposed for residential rezoning (Plan Change 75). This land adjoins land further northwest, containing the recent Falcons Landing residential development. There is a 23.45ha property on the eastern corner of Lincoln Rolleston Road and Selwyn Road which adjoins the Plan Change 78 area. Opposite this property on the south side of Selwyn Road is a poultry farm with the remainder of the south side of Selwyn Road used for general farming. Across Lincoln Rolleston Road is mixture of farming and rural lifestyle blocks.

3.2 The Plan Change site is therefore a logical extension the south eastern residential area of Rolleston.

### **4 PLANNING CONTEXT**

4.1 Plan Change 78 falls within numerous "planning" areas which identify land suitable for the growth of Rolleston and Greater Christchurch. These, and other relevant documents, are addressed in detail in the Plan Change Request document. They are also discussed in the section 42A report. The table below summarises the purpose of these documents and the significance of them in relation to the proposed rezoning of the PC78 site.

<b>Document</b>	<b>Purpose</b>	<b>Relevance to PC78</b>
<b>Rolleston Structure Plan 2009 (RSP)</b> Referred to in the Proposed Selwyn District Plan as a "Development Plan"	To achieve a sustainable, well-designed, realistic and attainable Rolleston. Includes strategic location of town centres, neighbourhood and local centres, land use patterns and community facilities	RSP boundary informed the subsequent PC1 to the CRPS which is also the basis of Future Development Areas. Set extent for short to medium term growth
<b>Projected Infrastructure Boundary</b> Canterbury Regional Policy Statement	To limit the location and extent of new greenfield areas within Greater Christchurch based on growth estimates using information from Statistics New Zealand	PC78 area falls within the Projected Infrastructure Boundary
<b>Future Development Areas</b> - Change 1 (2021) to the Canterbury Regional Policy Statement	To control the location and extent of new greenfield areas within Greater Christchurch based on updated growth estimates.	PC78 area falls within the eastern Future Development Area identified in PC1 to the CRPS. Its status as an FDA was confirmed on 38 July 2021.
<b>Urban Growth Overlay,</b> Proposed Selwyn District Plan 2020	Land identified in Development Plans to achieve outcomes for each urban area that provide for growth while retaining compact character and amenity of areas, enables coordination of infrastructure and integrates well with the existing town.	PC78 area falls with the eastern Urban Growth Overlay for Rolleston in the Proposed Selwyn District Plan
Master Planning <b>"Future Growth Staging for Rolleston"</b> . SDC Long Term Plan	Plan depicting management of infrastructure staging and extensions to support growth in Rolleston.  Contained in Appendix G of PC78 Request.	Indicates that the eastern area including PC78 likely to be serviced following the south east and south west areas. Half of these areas have recently been granted subdivision and land use consent for residential

		development and are now being constructed bringing forward this infrastructure staging.
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4.2 All these documents over time have directed that the growth of Rolleston should be provided for in a planned manner, and that this should follow a logical boundary which is clearly defined, which creates a relatively compact town and which does not expand along the State Highway. Importantly, the Town has had a large area devoted to industrial and commercial activity providing business and employment opportunities for the residents of Rolleston, Selwyn District and beyond.

4.3 All of these documents and their associated policy approaches support the growth of Rolleston in the south eastern corner, which includes the PC78 area. There can, in my opinion, therefore be no doubt that the proposal is consistent with all relevant spatial planning documents.

## **5 RESIDENTIAL ENVIRONMENT COMPONENTS AND CHARACTER**

5.1 The following summary draws on the specialist transportation, visual/urban design and infrastructure assessments and evidence and describes the elements making up the residential development of the Plan Change area and its intended character.

5.2 Roading and access

- Road access to and from the site in relation to existing frontage roads will be one secondary road and one primary road (an extension of Lady Isaac Drive from Acland Park) onto Lincoln Rolleston Road and two secondary roads onto Selwyn Road;
- Key cycle routes associated with the primary road and the eastern north-south road;
- Additional connection to Acland Park south of Lady Isaac Drive;
- Two connections to the west providing access to and through the Plan Change 75 area; and
- Walking and cycling connections through to Clement Avenue in Acland Park where the new primary school (Te Rōhutu Whio) is currently being built and also further south. These cycle/walkaways will provide for further connections including to the west to a new pre-school and a commercial development on Kate Sheppard Drive, through to Faringdon and through to Springston Rolleston Road east to the town centre.

### 5.3 Urban Design

- Provision for a diversity of house and lot sizes to provide choice with higher density close to open spaces;
- Locate higher density towards the centre of the development buffered by lower density along the edges of the plan change area;
- Streets with a high level of amenity providing for different transport modes
- Walking and cycle network links both internally and to adjoining existing and future residential areas and community facilities; and
- Green space and facilities to serve the future population.

### 5.4 Infrastructure

- The PC78 site is within the Rolleston Projected Infrastructure Boundary and so has been provided for in Council's recently updated short, medium and long term planning for the area;
- Stormwater from hard-surfaces is discharged by direct soakage to ground and so there is no requirement for above ground stormwater treatment and retention areas;
- The general location for required wastewater pump stations has already be determined one of which will be on Selwyn Road frontage of the site; and
- The PC78 site is included in the Council's strategy for the supply of potable water to the future development areas in Rolleston. The water is abstracted from aquifers below the town. Should Selwyn District Council require a new well within the PC78 area, then that can be accommodated.

## 6 AMENDMENTS TO PLAN CHANGE AND ODP IN RESPONSE TO S.42A REPORT

6.1 The Applicants have considered the changes proposed in the Section 42A report of Craig Friedel, as supported by urban design, growth planning and transportation reports. On the basis of this consideration an amended ODP has been developed, to include the following features:

- **Item i** – Inclusion in the ODP of a "frontage upgrade" notation along the Lincoln-Rolleston and Selwyn Road frontages, together with statement in

the accompany text referring to: *"Upgrade of Lincoln-Rolleston Road and Selwyn Road frontages incorporating direct access from properties onto these roads as well as walking and cycling paths providing connections between Rolleston and Lincoln."*;

- **Items ii & iii**– Replacement of roading references in the ODP from roading collector to primary route, and major intermediate to secondary route;
- **Item iv** – Maintenance of the east west secondary route;
- **Item v** – Double arrows added to future links;
- **Item vi –and vii** - Walking and cycling routes made clearer and key cycle routes added for north south and east-west link; and
- **Item viii** – PC75 and land on corner of Lincoln Rolleston and Selwyn Roads removed from ODP
- **Item ix** – There are two specific reserve links from the PC78 area through to Acland Park both connecting to other linkages and green/open space areas. The northern link identified in the ODP is very close to Te Rōhutu Whio Primary School. This is shown in Photos 1 and 2 in my assessment of the submission of the Ministry of Education in paragraph 69, and in pages 3 and 4 of Mr. Compton-Moen's graphics. This link is also through to the Kate Sheppard Drive, a primary route through Acland Park.

6.2 An updated ODP is **attached** to this evidence - refer Annexure B, as is draft text for inclusion in Policy B4.3.77 of the Operative Plan –refer Annexure A. The latter has been requested by Mr. Friedel at, amongst others, his paragraph 8.62.

6.3 The following comments respond to the remaining matters referred to by Mr. Friedel in his paragraph 8.62.

- Most households in the PC78 are within 500m of the reserves in the ODP. The households in the western corner of the site however are over 700m from the internal reserves but they are within the 500m of the reserve in the neighbouring PC75 area.
- The applicants have not included reference to the potential for reverse sensitivity in the ODP for reasons that I address later in this evidence.
- I have read Policy B4.3.9 and it refers to the number of Living Z ODPs in Rolleston. As there are a number of current proposed plan changes the final number of ODPs cannot be known until decisions have been made on all of them. The Council will then need to amend this policy

accordingly. In the meantime the applicants confirm that they want their (PC78) ODP included in this policy.

## **STATUTORY ASSESSMENT OF PLAN CHANGE 78**

- 6.4 The following assessment is largely based on the assessment contained in the formal Plan Change Request document for PC78.

### ***Section 74 RMA***

- 6.5 Proposed plan changes, both Council and privately initiated are subject to a series of considerations and requirement listed in section 74 (1) and (2) of the RMA. These matters are relevant to preparation and/or decisions on plan changes. I comment on these considerations and requirements below:

#### *i. In accordance with territorial authority functions under s31 RMA*

- 6.6 s.33(1)(aa) lists "methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demand of the district". The requested rezoning of land for residential purposes to meet known short-medium term demand falls exactly within this function.

#### *iii In accordance with the provision of Part 2*

- 6.7 The purpose of the Act is promoting the sustainable development of natural and physical resources. This includes development at a rate which enables people and communities to provide for their social, economic and cultural wellbeing while meeting a number of bottom lines including meeting the reasonable foreseeable needs of future generations. The requested Plan Change is providing for development at a rate which enables people and the communities of Rolleston and greater Christchurch to provide for the wellbeing. In particular it will assist in providing for one of basic needs of people, namely provision of homes to live in.

### ***Section 75 RMA***

- 6.8 Section 75 (1) and (2) set out what district plans must and may contain. The components that are required are objectives, policies and rules (if any) to implement the policies. In the case of the proposed rezoning there is reliance on the existing objectives, policies and rules within the operative Selwyn District Plan, as is usual.
- 6.9 Section 75(3) requires district plans to give effect to any national policy statement, national planning standard and any regional policy statement. Section 74 (2) also requires that regard is had to management plans or strategies prepared under other Acts. These matters are addressed below.



### **National Policy Statement for Urban Development 2020**

- 6.10 The most relevant national policy statement is the National Policy Statement on Urban Development 2020. This NPS has a number of very significant objectives, the most relevant of which is Objective 2:

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

- 6.11 The Economic assessment undertaken by Mr. Ballingall of Sense Partners, and the valuation evidence of Mr. Sellars of Colliers, analyses the current and predicted future market forces operating in the housing market and in particular the housing market in Rolleston. These markets have been reacting in a classic way with section prices rising in direct response to limited supply of sections.

- 6.12 Mr. Sellars' evidence demonstrates that section prices in Rolleston have been relatively stable in the years 2012- 2018, with only small increases in prices over this period. His evidence also confirms that there has been a significant increase in section prices in Rolleston over the last 18 months.

- 6.13 Objective 2 of the NPS-UD states very clearly that planning decisions made on plan changes and the like need to fully acknowledge and address the affordability issue which is causing significant economic and personal stress for many households. From my working relationship with developers, I am aware that is also of great concern to them. While they might, most recently, be getting increased prices for individual sections due to running out of residentially zoned land, they would much prefer a situation where they can supply sections and houses to meet demand. I address housing demand and capacity in more detail later in this evidence.

- 6.14 Also of significance are NPS-UD Objectives 3 and 6, namely

**Objective 3:** *Regional policy statements and district plans enable more people to live in, and more businesses and community services to locate in, areas of urban environment in which one or more of the following apply:*

- 6.15 The area is in or near a centre zone other area with many employment opportunities
- 6.16 The area is well-served by existing or planned public transport
- 6.17 There is a high demand for housing or business land in the area relative to other areas within the urban environment

**Objective 6:** *Local authority decisions on urban development that affect urban environments are:*

*a) Integrated with infrastructure planning and funding decisions; and*

*b) Strategic over the medium term and long term;*

*c) Responsive, particularly in relation to proposal that would supply significant development capacity*

- 6.18 **Objective 3** makes specific reference to a high demand for housing in an area relative to other areas within the urban environment. This is the case with Rolleston where due to factors such as land type and land being rezoned promptly after the earthquakes many sections became available at affordable prices, and importantly prices were lower than elsewhere in the Greater Christchurch Area. This has largely remained the case since that time and resulted in a high level of demand for sections and houses in Rolleston.
- 6.19 The evidence of Mr Ballingall and Mr Sellars concludes, through analysis of residential land sales and building consent statistics and other sources, that the demand for housing in Rolleston in recent years has outstripped the neighbouring Christchurch City. From this I consider that Rolleston is a special case as referred to in Objective 3(c). Accordingly it is my opinion that the decisions on this Plan Change should be based on “enabling more people to live in” Rolleston. I also note that Rolleston has a town centre and a significant area of industrial zoning thereby providing employment opportunities. This satisfies point (a) in Objective 3.
- 6.20 **Objective 6** is also very relevant to consideration of this plan change and number of other proposed plan changes as it sets down the basis for making decisions on urban development.
- 6.21 The first requirement is the urban development decisions need to be integrated with decisions on infrastructure planning and funding. Due to the ongoing growth of Rolleston the District Council have a number of mechanisms to “plan” for future infrastructure as detailed in the Evidence of Andrew Hall.
- 6.22 The first mechanism is the Long Term Plan under the Local Government Act 2002, which contains budgets for periods up to 10 years in the future. These budgets include costing of the actions and physical works needed to efficiently service the townships in the District in relation to wastewater reticulation, pumping, treatment and disposal, stormwater treatment and disposal, water supply and roading. These projects are implemented “on the ground” through the three yearly budgets and the Annual Plan process, ensuring money is rated and available for designated purposes. At a more informal level, the Council infrastructure staff are in regular contact with developers and their advisors discussing local and district wide infrastructure for current and future developments. This creates a good working basis for implementing infrastructure planning.

- 6.23 Further analysis of PC78 in relation to the NPS-UD is contained in the Plan Change Request report assessing Policy 1 – *Planning decisions*, Policy 2 – *Sufficient Development Capacity* and Policy 8 *Responsiveness* to plan changes.
- 6.24 I provide below a summary of the main conclusions of the Application's analysis on the above provisions.

**Policy 1:-** Planning decisions to contribute to a well-functioning urban environments

- The location of PC78 will enable easy access to jobs, community services and open space and routes for public and active transport.
- There is some potential for reduced greenhouse emission through a compact urban form. The site is relatively close to some community facilities (Foster Park and the Aquatic Centre) and is expected to be able to connect to new public transport services both within Rolleston and between Rolleston and Christchurch City.

**Policy 2:-** Sufficient development capacity

- The economic analyses accompanying PC78 (and other plan changes) all conclude that there is shortage of residential capacity and that this appears to be getting more severe in recent times indicating significant issues of supply and affordability both now and in the medium and possibly long term
- PC78 is expected to provide a minimum of 756 houses over the period 2022 to 2029 and so will assist in meeting the housing needs of many households in the short to medium term.

**Policy 8: –** Responsiveness to plan changes

- There are differing opinions as to what constitutes adding significantly to development capacity. PC78 is expected to provide a minimum of 756 houses over the period 2022 to 2029 and I understand that in the context of Greater Christchurch this is considered to be at least a medium sized development. Realistically, PC78 will be developed alongside the PC 75 sitting between Falcons Landing and Acland Park. Together this will result in an almost complete take up of the eastern corner of Rolleston which is significant.
- In my opinion the Council's decision on this plan change should be "responsive" because it will add significantly to development capacity and will contribute to the well-functioning urban environment of Rolleston.

- 6.25 In addition to the above summary, I consider it worthwhile reproducing Policy 8 in full given its particular relevance to PC78 at the time it was lodged:

## *Subpart 2 – Responsive planning*

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

- (1) 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.*
- (2) Every local authority must have particular regard to the development capacity provided by the plan change if that development capacity:*
  - (i) would contribute to a well-functioning urban environment; and*
  - (ii) is well-connected along transport corridors;*
  - (iii) and meets the criteria set under subclause (3); and*
- (3) 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.*

6.28 Policy 8 refers to a requirement for local authorities (including both district and regional councils) to be responsive to *"unanticipated or out-of-sequence developments"*, a term which included the land subject to the Plan Change Request. Subsequently, on 28 July 2021, a change to the RPS became operative which had the effect of confirming a number of residential and industrial Future Development Areas (FDA) as being suitable for urban development, subject to meeting the specific requirements of a new Policy 6.3.12, which are discussed in more detail below. As outlined above, the PC78 Site is within the eastern Rolleston residential FDA.

6.29 A particular consequence of the recent amendment to the RPS is that the PC78 Site should no longer be regarded as an unanticipated or out of sequence development. In particular, its identification as an FDA confirms that this is within an anticipated location for residential development. The Plan Change is also not out of sequence, as it is to be developed within the medium term timeframe contemplated by the RPS.

6.30 Overall therefore, Policy 8 is assessed as being of reduced relevance to the Plan Change Request given the change to the RPS.

### ***Draft National Policy Statement for Highly Productive Land***

6.31 A discussion document on proposed National Policy Statement on Highly Productive Land was released in August 2019. Its purpose is to:

- Recognise the full range of values and benefits associated with the use of highly productive land for primary production;

- Maintain the availability of highly productive land for primary production for future generations; and
  - *Protect highly productive land from inappropriate subdivision, use and development*
- 6.32 Regional councils are to identify areas of highly productive land based on criteria such as:
- *The capability and versatility of the land to support primary production based on the Land Use Capability classification system;*
  - *The suitability of the climate for primary production, particularly crop production; and*
  - *the size and cohesiveness of the area of land to support primary production.*
- 6.33 At its most basic level, it appears that Land Use Capability Classes 1, 2 and 3 will be included.
- 6.34 Regarding the very relevant issue of urban expansion onto highly productive land, Objective 3 of the draft NPS states:

***Objective 3: Protecting Productive Land from inappropriate subdivision, use and development***

- To protect highly productive land from inappropriate subdivision, use and development, including by:
  - *avoiding subdivision and land fragmentation that compromises the use of highly productive land for primary production;*
  - ***avoiding uncoordinated urban expansion on highly productive land that has not been subject to a strategic planning process; and***
  - *avoiding and mitigating reverse sensitivity effects from sensitive and incompatible activities within and adjacent to highly productive land.*
- 6.35 The eastern half of the block is Land Use Class 2s2, which contains soils of medium to low fertility in seasonally moisture deficient districts which this area would be. The eastern half has more limited fertility being class 3s5. These soils have limited ability to retain moisture and are considered to have limitations for food production even with irrigation. However it is accepted that there are different methods of classification and that the soils do have reasonable productive potential as is obvious from the current use of the corner property that adjoins the PC78 area.
- 6.36 Objective 3 specifically provides for situations such as this where strategic planning processes have been undertaken to determine the most appropriate

sites to accommodate extension of urban areas. As discussed above in my evidence on Planning Context, this block of land has been identified through regional and district spatial planning processes and found to be suitable for new greenfield residential development. Its rezoning therefore does not conflict with the proposed National Policy Statement for Highly Productive Land.

- 6.37 The submission by the Canterbury Regional Council on PC78 essentially confirms the above:

*[20] The potential effects of rezoning land within the FDAs, in terms of the loss of highly productive land / versatile soils, was considered when these areas were identified through Our Space 2018-2048 and Proposed Change 1 to Chapter 6 of the CRPS. The FDAs align with existing growth strategies and have been subject to spatial planning exercises by the Selwyn and Waimakariri District Councils as part of considering future development within the Projected Infrastructure Boundary over many years. In this context, the potential loss of versatile soils to new residential development within the FDAs has been considered as part of multi-criteria analysis in previous processes.*

- 6.38 A further submission by Sam Carrick supporting Environment Canterbury's submission on PC78 raises the issue of versatile soils, but it is not clear what relief is being sought by Mr. Carrick.

#### **Canterbury Regional Policy Statement (CRPS)**

- 6.39 The Plan Change Request contains a thorough assessment of the relevant objectives and policies in the CRPS. In summary the proposed rezoning of the PC78 is fully in accord with the requirements contained Chapter 5 – Land use and Infrastructure Objectives 5.2.1 Location, design and function of development and 5.3.7 Strategic land network and arterial roads.
- 6.40 With regard to Chapter 6 of the CRPS, this chapter is focused on responding to the anticipated demand for business and residential activities which need to be replaced or relocated as a result of the earthquakes. As noted in the PC78 Request this recovery has largely occurred in relation to the provision and uptake of identified (and now zoned) land for business and residential activities impacted by the earthquakes.
- 6.41 There is now a strong and ongoing demand for housing, particularly in Rolleston where lower cost housing has been readily available. As detailed by Mr. Sellars and Mr. Ballingall (and supported by many other experts and developers), much of the greenfield land in Rolleston has been developed or is sold pending development creating a significant excess of demand over supply with consequential increases in section and house prices.

- 6.42 Some of this demand has been recognised in the recent update of the Urban Development Strategy which in turn has led to a Change 1 to Chapter 6 providing for additional FDA's in Rolleston and Rangiora. As described above, the PC78 area falls within the new south-eastern FDA in Rolleston and so is fully in accord with the spatial growth policy contained in the CRPS. Based on recent assessments of demand and supply of land for residential development in Selwyn District, and in particular Rolleston, it is clear that even with the new FDAs fully developed, there is insufficient supply to meet short-medium demand in Rolleston and that further provision will be required to meet this.
- 6.43 Again, as described above, the effect of Change 1 to the RPS was to include a specific and enabling Policy 6.3.12:

### **6.3.12 Future Development Areas**

*Enable urban development in the Future Development Areas identified on Map A, in the following circumstances:*

- 1. It is demonstrated, through monitoring of housing and business development capacity and sufficiency carried out collaboratively by the Greater Christchurch Partnership or relevant local authorities, that there is a need to provide further feasible development capacity through the zoning of additional land in a district plan to address a shortfall in the sufficiency of feasible residential development capacity to meet the medium term targets set out in Table 6.1, Objective 6.2.1a; and*
- 2. The development would promote the efficient use of urban land and support the pattern of settlement and principles for future urban growth set out in Objectives 6.2.1 and 6.2.2 and related policies including by:*
  - a. Providing opportunities for higher density living environments, including appropriate mixed use development, and housing choices that meet the needs of people and communities for a range of dwelling types; and*
  - b. Enabling the efficient provision and use of network infrastructure; and*
- 3. The timing and sequencing of development is appropriately aligned with the provision and protection of infrastructure, in accordance with Objective 6.2.4 and Policies 6.3.4 and 6.3.5; and*
- 4. The development would occur in accordance with an outline development plan and the requirements of Policy 6.3.3; and 5. The circumstances set out in Policy 6.3.11(5) are met; and 6. The effects of natural hazards are avoided or appropriately mitigated in accordance with the objectives and policies set out in Chapter 11.*

6.44 Looking at each circumstance referred to in this Policy in turn:

**Circumstance 1** - I agree that the monitoring of housing demand and supply in the short, medium and long term is a very useful initial resource in planning for growth. However the approach by the Greater Christchurch Partnership and to a lesser extent the Selwyn District Council has proven to have underestimated demand over time as detailed in the evidence of John Ballingall (economist) and Gary Sellers (valuer). This underestimate over time has resulted in a current lack of land for residential development causing section prices to increase drastically. So there is an immediate issue of supply which puts all short, medium and long term demand and supply calculations out of sync. So while the identification of Future Development Areas (identified in the CRPS) provides a gateway for rezoning and then much needed development, the supply, as I understand, simply enables a short term catch up.

**Circumstance 2 and 3** - Development of the PC78 area is most definitely promoting efficient use of the land and supporting a settlement pattern that was well-established through the Rolleston Structure Plan. In addition it will provide for a range of housing types and choices. It also is located in a planned location in terms of servicing, and in particular the reticulation and necessary pumping of wastewater through to The Pines wastewater treatment facility.

**Circumstance 4** – The development will occur in accordance with an outline development plan which is the basis of this Plan Change. The section 42A Report and attached reports in general support the proposed ODP with minor amendments proposed which I have addressed in paragraph 16 and later in this evidence.

### **SECTION 32AA**

6.45 Section 32AA requires the decision maker to make a further evaluation of changes to a district plan. To assist with this evaluation the Plan Change (78) Request provides a comprehensive section 32A assessment. This assessment firstly notes that the rezoning does not alter or add to the objectives, policies or rules of the District Plan. Therefore there is no need to evaluate the extent to which objectives are the most appropriate way to achieve the purpose of the Act. The remainder of the assessment is of the relevant provisions of the operative Selwyn District Plan at 7.3 (pages 25-29). Further analysis focussing on s32 is contained in section 8, 8.1 and 8.2 of the Plan Change request.

6.46 The conclusion of this analysis is that the remaining options available to Council and/or the applicants, (leaving the area zoned Rural, waiting for the Council to rezone the land or developing the land by resource consent) will not address the purpose/objective of Plan Change 78 which is to provide additional house sites to meet the medium term housing demand in Rolleston. It could also, depending



on the wastewater infrastructure extensions, potentially address some short term demand.

## **7 DEMAND AND CAPACITY**

- 7.1 There have been numerous assessments undertaken in response to Our Space for the Greater Christchurch Partnership (GCP), NPS–Development Capacity, NPS-Urban Development. These have been undertaken by the GCP and by the Selwyn District Council. In addition a number of economists and property analysts have produced analyses of demand and supply for residential development for Rolleston, Selwyn District, Greater Christchurch and beyond. In many cases it appears that these estimates of demand and of available capacity in the short-medium terms have been conservative in the sense that they have underestimated demand which has increased despite the earthquake demand being largely fulfilled. This is acknowledged in the Memorandum of Ben Baird dated 1 October 2021 in Attachment G to the S42A Report.
- 7.2 The evidence of Mr Ballingall and the economic assessment in the Plan Change Request both conclude that there is already unmet demand in Rolleston meaning that all the sections within land that is zoned or otherwise authorised for residential development (i.e HASHA and Fast Track areas) has already been sold. This means that even short term demand (0-3 years) cannot be met let alone medium term (3-10 years). This shortfall has already resulted in significant price increases making sections and housing increasingly unaffordable for many people and households.
- 7.3 The increasing demand has to some extent taken the public and development community by surprise however developers have been prepared in the sense that they have been purchasing land for this purpose. They are now having to get this land rezoned/consented and developed at an earlier point in time than originally expected. The planning regime(s) however has been lagging to a significant extent and has taken no real initiative to address this issue with no new zonings proposed in the Selwyn Proposed District Plan.
- 7.4 The negative implications of having insufficient new housing is significant for the country as a whole as it results in housing, both home ownership and renting, being unaffordable for many people creating considerable distress. The most recent government response to this situation is the “Government Policy Statement on Housing and Urban Development” (September 2021) which contains Outcomes, Focus Areas and Ways of Working. The most relevant of these in relation to the economic considerations and responsive planning are listed below:

### ***Outcomes – An adaptive and responsive system***

*The system is integrated, self-adjusting and delivers in response to emerging challenges and opportunities. Land-use change, infrastructure and housing supply is responsive to demand, well planned and well regulated.*

**Focus Areas** – *Re-establish housing primary role as a home rather than a financial asset*

**Ways of Working** – *Effective relationships, and coordinated **planning**, investment and **decision-making** deliver outcomes and support capability and capacity building across the system*

- 7.5 It goes without saying then that all local authorities, Selwyn District Council included, have a responsibility to respond to the pressing need for more land to be rezoned or consented to enable new sections to be created in order to meet housing demand. In my opinion the amount of land being rezoned should build in a large surplus not only for the long term future but for underestimated demand in the short-medium term. In that way, should the recent surge in demand for Rolleston continue and/or be repeated in the future, there should be sufficient supply available to prevent a repeat of what Mr. Sellars describes as a "dysfunctional market".

## **8 DENSITY AND URBAN FORM**

- 8.1 PC78 ODP contains a minimum density requirement of 12 household per hectare. This density is not required by the current District Plan but has been part of the Greater Christchurch approach to new development and has now been adopted by the Selwyn District Council in the Urban Growth policies in the Proposed District Plan.

- 8.2 Environment Canterbury in their submission to PC78 state:

*Proposed Change 1 to Chapter 6, Policy 6.3.12.2(a) requires development within FDAs to provide opportunities for higher density living environments, including appropriate mixed-use development, and housing choices that meet the needs of people and communities for a range of dwelling types. Environment Canterbury believes that the proposed development could give greater attention to better aligning with these identified housing needs.*

*This is further supported by recent reports commissioned by the Greater Christchurch Partnership to review appropriate densities for new greenfield developments and advance mechanisms that support delivery of social and affordable housing. The densities report concluded that on a case-by-case basis 15 households per hectare is both desirable and feasible as the minimum net density in new greenfield areas*

- 8.3 Christchurch City Council simply state in their submission that they seek a minimum density requirement of 15hh/ha which is consistent with the Greater Christchurch's report on density. They consider this will achieve "efficiencies in

*coordination of land use and infrastructure, support mixed land use, multi-modal transport and protect the productive land resource”.*

- 8.4 My first response to this request is that the applicants intend to provide sections/housing that the public want and have no issues with higher density living environments and provisions for different housing typologies. PC78 has a minimum of 12hh/ha but this of course does not in any way prevent higher densities occurring. The only real limitation is within the current District Plan; namely the minimum lot size for dwellings. However the Plan provides for more intensive development through a consenting process which is now quite common with an increasing number of developments having multi-unit and small lot developments in response to demand.
- 8.5 Secondly, Policy 6.3.7 in the CRPS specifies that greenfield development in Selwyn District is to have a minimum density of 10hh/ha whereas PC78 proposed a higher density of 12hh/ha. So the development is committing to a density greater than required by the CRPS.
- 8.6 Thirdly, my understanding of the recent density study undertaken by Harrison Grierson for the Greater Christchurch Partnership is that setting a density of 15hh/ha will not necessarily achieve the desired outcomes sought for new urban areas and that a lot more thought and design needs to occur if poor outcomes are to be avoided. In particular there needs to be different ways of achieving housing and communities such as through building partnerships, investing in “places”, improving planning systems and establish funding arrangements. With regard to productive land the same area of land is likely to be lost from production regardless of the density as these plan change area based on land ownership not yield.
- 8.7 All these factors indicate to me that applying minimum densities over a full plan change area is a coarse control and that more sophisticated tools and incentives are required to achieve good housing and community outcomes. While the applicants are okay with increased densities, at this stage I consider it is sufficient that the minimum density of 12hh/ha be retained for this plan change under the Operative District Plan. I note the Council’s planning report agrees with this approach. There may be a different outcome when this (and other) rezoning submissions are considered under the Proposed District Plan.

## **9 TRANSPORTATION and INFRASTRUCTURE**

- 9.1 There are no issues raised in the Section 42A report regarding transportation or infrastructure. Several minor amendments are suggested to the ODP most of which are a matter of terminology.

## **10 REVERSE SENSITIVITY**

- 10.1 The section 42A report considers the matter of potential reverse sensitivity arising as a result of residential development occurring near the adjoining land which is the 23.45ha block on the corner of Selwyn Road and Lincoln Rolleston Road. Presently this land is leased for growing vegetables (currently bok choy) and is farmed in conjunction with land on the opposite corner.
- 10.2 The 42A report appears to consider that because of this use, the existence of a bird scarer and the potential for spray drift that the ODP should make provision for a potential reverse sensitivity response, presumably at the times of subdivision. In my opinion this is unnecessary and is likely to create an assumption that there is an issue.
- 10.3 I have checked all the existing Rolleston ODPs and only one has a notation relating to reverse sensitivity and it is only for a very small section of one boundary, yet most of the ODP areas will have had rural neighbours when they were created. Clearly this indicates that the potential for a reverse sensitive issue justifying some kind of restriction on development in an ODP is quite limited. This is not surprising as there are a number of factors that need to be present for there to be a problem.
- 10.4 Firstly, there needs to be an adverse effect generated by an activity on an adjoining property that is very annoying to a resident or residents. Secondly the resident/s needs to feel aggrieved about this to the point that they make a complaint to the Council. In most cases the person affected will firstly try to discuss the matter with the landowner to see if the situation can be improved. This communication often results in some agreement about what is to be done and creates a line of communication should there be further nuisance.
- 10.5 If this approach does not work or the resident is still aggrieved they are likely to contact the Council to get something to happen. This complaint will need to be of some significance such that the Council would be in a position that it felt it had no choice but to request that the activity be stopped. This is very unlikely to occur with outdoor horticultural activities such as spraying or harvesting as these only occur at specified times and are infrequent. With regard to noise it is difficult to imagine that growing vegetables would involve frequent nuisance noise. While vineyard bird scarers can be a nuisance due to their frequent use during some seasons, I am not aware of their being an issue with small scale horticulture.
- 10.6 I have recently received an email from Liz and Mike O'Connor who are the owners of 548 Selwyn Road which adjoins the market garden operation on the corner of Selwyn Road and Lincoln Rolleston Road. They comment as follows:

*We have resided at 548 Selwyn Road since April 2010 (11.5 years) in which time the bordering property has continuously conducted market garden operations.*

*There has been a few occasions where we have noticed spray odour particularly when they have been spraying under windy conditions. There is occasional noise from the tractor and spraying operations but it is neither excessive nor prolonged so would describe it as minimal effect.*

*The recently installed laser bird scarer is a light beam only with no noise associated with the device. We have no concerns during the daytime operation but laser at night does cause a random flash across the property and we have installed light blocking material to our bedroom shutters to mitigate this.*

*There is no effect at all- noise or odour from the poultry operation.*

- 10.7 These comments indicate that the effects from the neighbouring market garden are limited and of no particular concern, which is what I expected.
- 10.8 My concern is that if there is reference to reverse sensitivity in the ODP that an overzealous approach may result in a restriction that would significantly affect the layout design and yield of the development for what may be a temporary situation. In particular, as pointed out by Mr. Compton-Moen in his urban design evidence, in the past a response to the potential issue of residential development adjoining currently rural land has been to place larger lots along the current edge of settlements. This has resulted in a lack of connectivity between developed areas that is hard to overcome.
- 10.9 In my opinion this ODP should be treated the same as other ODPs adjoining currently farmed land (which could be used for a range of rural activities at any time). I therefore consider that the appropriate time to determine whether there is an issue at the subdivision stage rather than the reference in the ODP resulting in it being assumed that it is a problem.

## **SUBMISSIONS**

- 10.10 The main submissions points or comments of Environment Canterbury, Sam Carrick, Robin Shultz and Christchurch City Council have been addressed in this evidence or the evidence of the transportation, economic and infrastructure specialists.
- 10.11 The remaining matter to be addressed is the Christchurch City Council's request that the "*relevant recommendations of the Social and Affordable Action Plan be incorporated into the Plan Change*". The submission acknowledges that this Action Plan is still being worked on. I have not been able to obtain a copy of this (presumably draft) Action Plan and so cannot comment in detail on this request. However as a matter of legal certainty I doubt that it would be appropriate to require a zoned area with numerous owners to be subject to

recommendations in a report prepared under non-RMA legislation. I expect implementation of the Action Plan will lie elsewhere.

- 10.12 The Ministry of Education seek *"Direction/guidance within the ODP in relation to the cycle/pedestrian connections between Te Rōhutu Whio and the PC78 site"* and *"on-going liaison with the Ministry regarding the timeframes for realising development of the site"*.
- 10.13 The applicants are very happy to liaise with the Ministry regarding timeframes. With regard to connections the northern cycleway/walkway between PC78 and the school these have specifically located to connect to the two existing reserves created through the subdivision consent for Acland Park which granted under the Housing Accord and Special Housing Accord Act. These reserves are 8m wide. The northern reserve link connects PC78 through to Clement Avenue and then down a reserve area along the southern side of Lady Isaac Drive providing ready access to the school, a future preschool and commercial centre on the Kate Sheppard Drive near Broadway Parade. Photo 1 below shows the reserve link between two houses on Clemente Avenue and Photo 2 is taken from the School site looking across to the reserve link, showing how close the reserve link is to the school. The southern access is in an area currently under development.



**Photo 1**



**Photo 2**

## **11 SECTION 42 REPORT**

- 11.1 The s42A Report contains a thorough assessment of the Plan Change 78 and is supportive of it being approved. I largely agree with this assessment. The majority of the recommended amendments in the report are accepted by the applicants. The matters and the applicants' response are listed in paragraph 16 of my evidence. The one matter which I do not agree with is the matter of identifying reverse sensitivity in the ODP as a matter to be addressed.

## **12 CONCLUSION**

- 12.1 I conclude that Plan Change 78 is a logical planning response to the clear need to provide for the growth of Rolleston and in particular to provide for more housing. The Plan Change is consistent with all higher and lower level resource management policies and plans and will seamlessly extend the residential area in the south east of Rolleston.

Patricia Harte

20 October 2021

## **ANNEXURE A - Amendments to Selwyn District Plan Policy B4.3.77**

Add the following to Selwyn District Plan Policy B4.3.77

### **"Outline Development Plan Area 14 (Springston Rolleston Road)**

- ODP Area 14 to align with ODP Area 75 and Acland Park;
- Provision of an east-west primary route and secondary route connection from Acland Park through to Springston Rolleston Road;
- Provision of two north-south secondary roads from Selwyn Road to Plan Change 75 and Falcons Landing
- Provision of pedestrian and cycle links within and through the ODP area to connect to adjoining urban areas;
- Provision of reticulated water supply and wastewater systems that have sufficient capacity for the ODP area;
- Provision of a comprehensive stormwater system that has sufficient capacity for the ODP area;
- Provision of (at least two) neighbourhood parks; and two green links through to Acland Park and in particular to the Te Rōhutu Whio Primary School and greenway along Kate Sheppard Drive;
- Provision of a minimum net density of 12 households per hectare averaged over the ODP Area;"



**Annexure B : Revised ODP & Text**