

**Private Plan Change Request to the  
Selwyn District Plan – Proposed Rural  
Residential Living 3 Zone – PC090008**

**Holmes Block – Intersection of Dunns  
Crossing Road and Main South Road,  
Rolleston**

**Selwyn Plantation Board Limited**

**Report ref:**  
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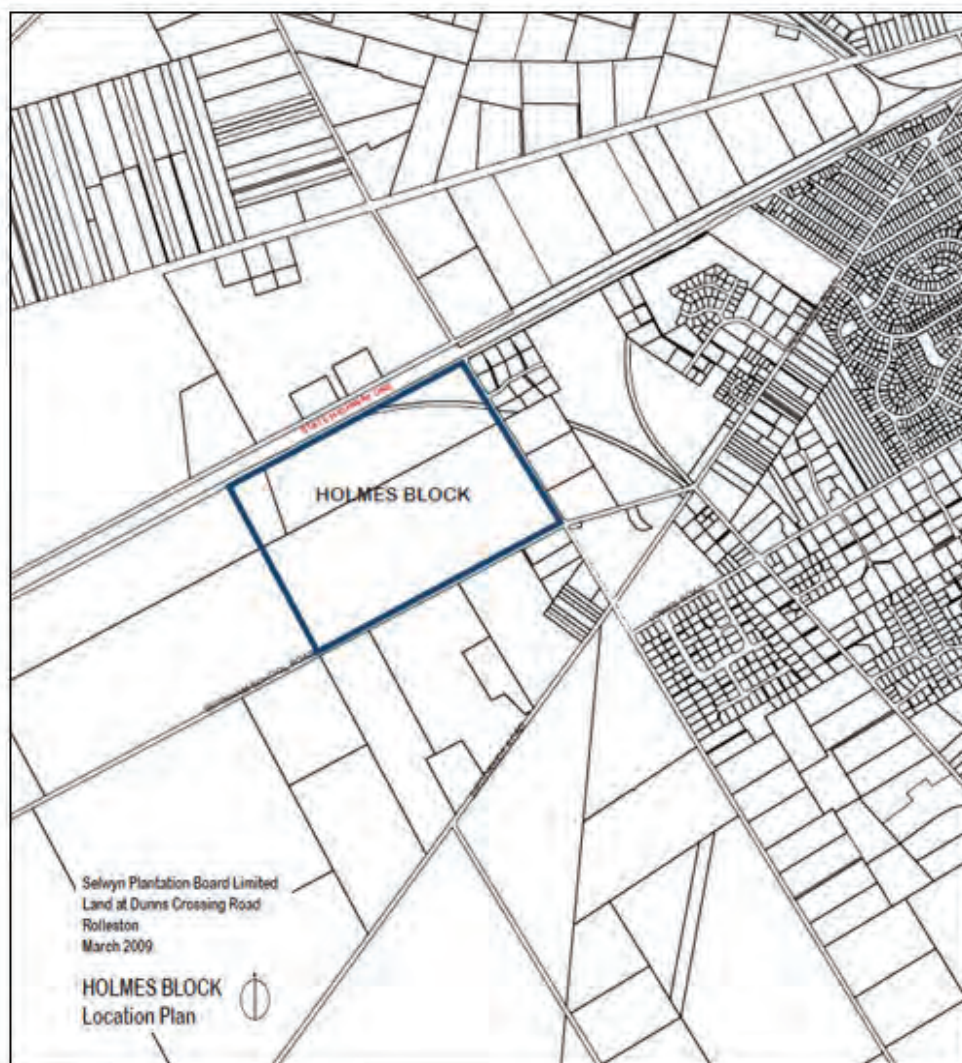


# 1. Proposed Plan Change Request

## Overview

- 1.1 Selwyn Plantation Board Limited (SPBL) requests the Selwyn District Council (“the Council”) change the Selwyn District Plan (“the District Plan”) by rezoning the applicant’s property at the intersection of Dunns Crossing Road and Main South Road (State Highway 1) (“the Site”) from Rural – Outer Plains (OP) to Living 3 over the entire site.
- 1.2 In addition to the existing controls on development within the Living 3 Zone, the request incorporates a requirement for all redevelopment of the Site to be in accordance with a specific Outline Development Plan to be included as Appendix 37 to the District Plan as well as other zone specific controls.
- 1.3 The abovementioned Outline Development Plan, together with a suite of proposed new provisions to be implemented as rules within the District Plan, will control the establishment of buildings and the nature of the development within the Living 3 Zone.
- 1.4 The bulk of the Site is known locally as the ‘Holmes Block’ and is identified on the following Figure 1.

Figure 1: Site



- 1.5 Section 74 of the RMA requires that the Council, when changing its Plan, have regard to, among other things, the provisions of Part II of the RMA, its functions under Section 31 and its duties under Section 32. Accordingly, an assessment of the potential effects on the environment and a Section 32 assessment have been completed as part of this Plan Change Request, as detailed in Sections 4 and 5 of this document.

## Purpose of the Request

- 1.6 The purpose of the plan change is to rezone rural zoned land to allow for the future development of the site for rural residential living purposes.

## Reasons for the Request

- 1.7 The principal reason for seeking the plan change is to provide for rural residential zoning that is capable of meeting existing and future needs of the residents of the greater Christchurch sub-region and in particular in and around the Township of Rolleston. In light of Proposed Change 1 to the Regional Policy Statement (PC1), which was publicly notified on 28 July 2007, there are limited locations of land that are able to meet both the provisions outlined by PC1 and to provide for the demand for rural residential allotments within the Selwyn District that are in close proximity to Christchurch City. The areas where possible rural residential development within the Selwyn District might be an option are discussed in detail in Section 5.24 of this report.

- 1.8 A major factor in the demand for additional rural residential allotments is the anticipated population growth within this region. On this matter the following is recorded in PC1:

*It is anticipated that the population of Greater Christchurch will increase by 135,020 from a 2006 base of 413,500 to 548,520 by 2041. It is assumed that the number of new households will increase by 74,810 from a 2006 base of 164,100 to total 238,910 by 2041. It is expected that the existing labour force will increase by 47,500 from a base of 221,900 to total 269,400 in 2041.*

- 1.9 Given the anticipated population growth, it is necessary to provide a variety of living choices for residents within the greater Christchurch sub-region to accommodate this level of future change.
- 1.10 The level of demand for rural residential living is also discussed in detail in the Valuer's Report attached as **Appendix A** of this request. Based on the Valuer's research and expertise, it is envisaged that the likely demand for rural residential allotments within the Selwyn District is in the vicinity of 149 allotments annually with approximately 54 of those allotments to be sought in the Rolleston area.
- 1.11 Under the current rural zoning of the site, any proposed subdivision or rural residential development on the resultant allotments would require a non-complying resource consent. To achieve a comprehensive rural residential development in the manner proposed by non-complying resource consents is likely to be inefficient and unlikely to secure the outcomes sought in terms of rural residential form.
- 1.12 Amendments to the District Plan by way of a private plan change are considered to be the most appropriate method by which to provide for the proposed development of the site, and to adequately provide for rural residential living in this location. The suitability, sustainability and appropriateness of the land for rural residential development are assessed further below within this report.

## The Subject Site and Surrounding Area

- 1.13 The Holmes Block consists of five parcels of land held in four Certificates of Title:

Legal Description	Title	Registered Owner	Valuation No	Area (ha)
Part Section 1 Reserve 309	CB206/66	Selwyn Plantation Board Limited	24052-10100	4.0469
Part Reserve 302	CB383/123	Selwyn Plantation Board Limited	24052-10100	1.1129
Part Reserve 1759	CB383/123	Selwyn Plantation Board Limited	24052-10100	24.5846
Rural Section 32956	CB256/155	Selwyn Plantation Board Limited	24052-10100	58.0370
Part of Part Lot 1 Deposited Plan 61557	CB36D/1239	Selwyn Plantation Board Limited	24052-10100	4.2186 (approx.)
Total				92 ha

- 1.14 Certificates of Title for these parcels of land are attached as **Appendix B**. These parcels of land comprise the subject site as can be seen on the 'Site Plan' attached as **Appendix C**. It is also highlighted that the Holmes Block only comprises part of 'Part Lot 1 Deposited Plan 61557' (CT 36D/1239), comprising approximately 4.2 ha of the 60 ha title. The Holmes Block has been made by 'squaring off' the western boundary between other SPBL owned land, by continuing the boundary line between land parcels Part Rural Section 33357 and Rural Section 32956 on the same orientation until it dissects the boundary to the north with State Highway 1.
- 1.15 The site is approximately 92 hectares in area and is relatively rectangular in shape. The shortest end of the site runs along Dunns Crossing Road between Main South Road (State Highway 1) and Burnham School Road and is approximately 800 metres in length. The longest side, which shares its boundaries with both Main South Road (State Highway 1) to the north and Burnham School Road to the south, is approximately 1160 metres in length.
- 1.16 The site has historically been planted in pine trees for forestry purposes by the Selwyn Plantation Board. The pine trees have been cleared from the site in the recent past with the forestry use ceasing to exist. Since the departure of the forestry, the site has been left vacant (i.e. no buildings with immature shelter belt plantings present (approximately 2 – 3 m in height)). Pasture has been sown and the site is currently used for grazing stock.
- 1.17 The landscape and land use character which exists within the immediate vicinity of the application site is typical of that of the Canterbury Plains being flat in topography with few views of the site from the surrounding district. The surrounding landscape character to the west, north and south is largely rural in nature but does contain the Rolleston Resource Recovery Park and the Rolleston Wastewater Treatment plant. A small number of rural residential/lifestyle land holdings are also interspersed within this setting with dominant land use that of arable farming and dry land grazing purposes. To the east, on the opposite side of Dunns Crossing Road, sits the township of Rolleston. The interface with the township boundary along Dunns Crossing Road comprises residential living with a varying degree of densities currently established. It is envisaged that new developments and or 'infill' of existing lots will increase the density along this boundary to be inline with current planning documents, namely PC1, to an average of approximately 700m<sup>2</sup> in area. A full description of the landscape characteristics' of the area can be found in the Visual & Landscape Assessments attached as **Appendix D**.



## 2. Schedule of Proposed Amendments

- 2.1 It is considered that the most appropriate means to achieve the proposed plan change is to largely adopt the existing provisions of the Living 2 zoning of the Selwyn District Plan. It is considered the existing objectives and policies of the Living 2 zone are largely appropriate as the Living 2 zones have replaced rural-residential zones in the Transitional District Plan, where these zones adjoin townships. Average section sizes in these zones vary from 0.5 to 1 hectare. Roads and other utilities have been designed for a population of that density to reflect the sense of open space and 'spaciousness' anticipated by persons wishing to live in a low density residential environment<sup>1</sup>.
- 2.2 It is considered that the proposed rezoning is consistent with the existing objectives and policies for the Living 2 zone, which is expected given the origins of the Living 2 zone as discussed above. Notwithstanding the existing objectives and policies of the Living 2 zone, it is proposed to introduce a new Living 3 zone purely due to site specific controls / rules required to enable the proposed zoning to meet the provisions as outlined in PC1. It is considered the introduction of the Living 3 zone will avoid potential problems for the Council in administering the proposed new provisions that could arise if the Living 2 zone was adopted.
- 2.3 For the purposes of this Plan Change Request, any existing text from the District Plan is shown in *italics*, any text proposed to be added by this Plan Change Request is shown as **bold underlined and in italics** and text to be deleted as ~~*strikethrough in italics*~~. Please note that only the proposed new and amended provisions to the District Plan are shown in this section and therefore should be read in conjunction with the full text of the District Plan. The provisions proposed below may require some existing provisions to be renumbered / amended accordingly.
- 2.4 The following specific changes are sought to the District Plan to enable the rezoning to proceed:

**Amendment 1** Amend Planning Maps 13, 102 and 105 (Sheets 1 and 2) to identify the zoning of the site as Living 3.

**Amendment 2** Insert Living 3 Zone and description into Table A4.4 – Description of Township Zones (page A4-011) as follows:

<i>Zone</i>	<i>Description</i>
<b><u>Living 3</u></b>	<b><u>As for Living 2 Zone, but with specific controls and design elements incorporated to ensure development of the land is reflective of and retains elements of rural character expected of the Living 3 zone, which in essence is a rural residential zone, so as to visually set the development apart from the neighbouring urban area. Similar to the Living 2 zone, larger sections (with a lower building density than Living 2), more space between dwellings, panoramic views and rural outlook are characteristic of the Living 3 Zone.</u></b>

**Amendment 3** Insert new paragraph 7 in Use of Zones (page A4-012) as follows:

**As with higher density residential areas, rural residential development is provided for through Change 1 to the Regional Policy Statement. Accordingly the District Plan specifically provides for rural residential opportunities as has long been the case in Selwyn District.**

**Amendment 4** Amend Policy B1.2.3 for Water Supplies to include (Page B1-017) as follows:

<sup>1</sup> Selwyn District Plan - Township Volume | PART B - Growth of Townships; Explanation and Reasons - Policy B4.1.2. pp B4-004

*Require the water supply to any allotment or building in any township, **and the Living 3 Zone**, to comply with the current New Zealand Drinking Water Standards and to be reticulated in all townships, except for sites in the existing Living 1 Zone at Doyleston.*

- Amendment 5** Insert new paragraph 3 in Explanation and Reasons for Objective B3.4.3 Reverse sensitivity (Page B3-036) as follows:

**In the case of rural residential development there is the potential for reverse sensitivity effects to arise from the proximity to rural activities. This issue is addressed through Objective B3.4.3 and B4.1.2.**

- Amendment 6** Amend point 6 on discussion on Residential Density – Strategy (page B4-002) as follows:

*Density in Living 2 **and 3** Zones is kept low thus reflecting the rural character by maintaining a sense of open space, panoramic views and rural outlook.*

- Amendment 7** Insert new paragraph 6 of Explanation and Reasons for Objective B4.1.2 for Residential Density (Page B4-003) as follows:

**Any Living 3 Zone being a rural residential zone shall be located beyond the ‘urban limits’ but where it can be economically provided with reticulated sewer and water supply, and appropriate stormwater treatment and disposal. The Living 3 Zone will have regard to providing a visual transition area between the ‘urban area’ and the rural area which exists beyond townships by incorporating certain design elements of rural character, which are common in rural settings so the land is visually set apart from the neighbouring urban area.**

- Amendment 8** Amend existing paragraph 7 of Explanation and Reasons for Objective B4.1.2 for Residential Density (Page B4-003) as follows:

*New residential areas should be attractively laid out, with allotments of an appropriate shape to build a house, and with access to sunlight. As well as functional utilities, new residential areas need some open space, plantings and landscaping to make them aesthetically pleasing. Objective B4.1.2 is to ensure future residential areas maintain the current attractive layout of Selwyn’s townships. For low density Living 2 **and 3** Zones, the careful consideration and application of design treatment to such matters as road formation, kerbs, letterboxes, power supply, entry treatment, fencing, landscaping, lighting and the like will ensure the retention of open, spacious rural character. The market can be relied on to achieve this to a certain extent – many people won’t buy sections in an unattractive area. However, not all people have the money to choose allotments in more attractive subdivisions. The District Plan provisions set some “bottom lines” to ensure all new residential areas achieve a standard of aesthetic appeal.*

- Amendment 9** Amend Policy B4.1.2 for Residential Density (Page B4-004) as follows:

*Maintain Living 2 **and 3** Zones as areas with residential density which is considerably lower than that in Living 1 Zones.*

- Amendment 10** Amend paragraph 2 of Explanation and Reasons for Policy B4.1.2 for Residential Density (Page B4-004) as follows:

*Policy B4.1.2 retains Living 2 **and 3** Zones areas with lower residential density than Living 1 Zones. The policy refers to ‘considerably lower’ which acknowledges that low density living zones be spacious and reflect something of the rural characteristics in which they are located. Currently they are from 6 to 12 times lower. The Council suggests average section sizes would need to remain between 3 and 6 times lower **in the Living 2 Zone and***



***between 6 and 10 times lower in the Living 3 Zone** than that of Living 1 Zones, to have a visually discernible difference in residential density. If more intensive residential density than this is desired in Living 2 **or 3** Zones, the area should be rezoned to another Living zone.*

**Amendment 11** Amend Policy B4.1.7 for Residential Density (Page B4-007) as follows:

*Maintain the area of sites covered with buildings in Living 2 Zones, at the lesser of 20% or 500m<sup>2</sup> **and in the Living 3 Zone at the lesser of 10% or 500m<sup>2</sup>**, unless any adverse effects on the spacious character of the area will be minor.*

**Amendment 12** Amend paragraph 4 of Explanation and Reasons of Policy B4.1.7 for Residential Density (Page B4-008) as follows:

*Policy B4.1.7 maintains low site coverage in Living 2 **and 3** Zones. The very rationale for Living 2 **and 3** Zones is to provide a low density, residential area. The policy does include some flexibility to accommodate small increases in site coverage. Any effects on the 'spacious' look of the area should be minor. There are no limits on site coverage in Business zones.*

**Amendment 13** Amend Policy B4.1.9 for Residential Density (Page B4-008) as follows:

*Avoid erecting more than one dwelling per site in low density living (Living 2 **and 3**) Zones.*

**Amendment 14** Amend paragraph 4 of Explanation and Reasons for Policy B4.1.9 for Residential Density (Page B4-008) as follows:

*Policy B4.1.9 is to avoid multiple dwellings in low density living (Living 2 **and 3**) Zones. The rationale for these zones is to provide a low density, residential area. There is no restriction on the number of dwellings per site in Business 1 Zones.*

**Amendment 15** Insert new point 6 on Residential Density – Anticipated Environmental Results (Page B4-011) as follows:

***Living 3 Zones are low density rural residential areas.***

**Amendment 16** Insert new Objective B4.3.7 of Residential and Business Development – Objectives (Page B4-030) as follows:

***Objective B4.3.7***

***Ensure that any rural residential development occurs outside the urban limits identified in the Regional Policy Statement and such development occurs in general accordance with an operative Outline Development Plan, supports the timely, efficient and integrated provision of infrastructure, and provides for the long-term maintenance of rural residential character.***

**Amendment 17** Insert new paragraph 7 of Explanation and Reasons for Objective B4.3.7 for Residential and Business Development (Page B4-031) as follows:

***Objective B4.3.7 seeks to ensure that rural residential development occurs outside the urban limits in a manner that accords with the Regional Policy Statement. Given the nature of rural-residential development, Objectives B4.1.1, B4.1.2 and B4.1.3 of the Rural Volume of the District Plan are also relevant when assessing the sustainability of rural land for rural residential purposes.***

**Amendment 18** Amend Policy B4.3.1 of Residential and Business Development – Town Form Policies (Page B4-033) as follows:

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 Zone that provides for rural-residential development (as defined within the Regional Policy Statement) in accordance with an Outline Development Plan incorporated into the District Plan; or**
- The land is rezoned to an appropriate Living or Business zone and, where within the Greater Christchurch area, is contained within the Urban Limit identified in the Regional Policy Statement and developed in accordance with an Outline Development Plan incorporated into the District Plan.

**Amendment 19** Amend paragraph 1 of Explanation and Reasons for Policy B4.3.1 (Page B4-033) as follows:

*Zoning is an integral part of the approach the District Plan uses to promote sustainable management of natural and physical resources. New residential, **rural residential** or business activities need to occur on land which is appropriately zoned, to ensure the most appropriate policies and rules in the Plan apply to the activity. Additional requirements apply to those townships within the Greater Christchurch area, whereby new residential or business development within Greenfield areas is to be contained within the Urban Limits identified in the Regional Policy Statement and such development is to be carried out in accordance with an approved ODP that has been inserted into the District Plan. The purpose of these provisions is to consolidate and manage the rate of growth within these townships to ensure the integration of development with the appropriate provision of infrastructure, transport linkages, reserves and other community facilities.*

**Amendment 20** Amend Rule 4.2.1 for Buildings and Landscaping (Page C4-001) as follows:

**Except for the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 37, any principal building shall be a permitted activity if the area between the road boundary and the principal building is landscaped with shrubs and:**

- Planted in lawn, and/or
- Paved or sealed, and/or
- Dressed with bark chips or similar material.

*Note: Except that fences on boundaries adjoining reserve areas, cycleways or pedestrian accessways identified in the Outline Development Plan for Lincoln in Appendix 18 shall not exceed 1.2m in height.*

**Amendment 21** Insert new Rules 4.2.2, 4.2.3 & 4.2.4 for Buildings and Landscaping (Page C4-001 & 002) as follows:

**For the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 37 the following shall apply:**

**4.2.2 Any principal building shall be a permitted activity if:**

- i) The area between all road boundaries (other than with State Highway 1) and a line parallel to and 15m back from the road boundary is landscaped with shrubs and specimen trees covering as a minimum the lesser of 30% of the area or 250m<sup>2</sup>; and**
- ii) The number of specimen trees in this area is not less than 1 per 10m of road frontage or part thereof; and**
- iii) The trees are selected from the list below planted at a grade of not less than Pb95; and**

- iv) Shrubs are planted at 'aa' grade of not less than PB3 and a spacing of not less than 1 per square metre, typically located within a garden area dressed with bark chips or similar material; and
- v) Any paved surface area within the area does not exceed 100m<sup>2</sup> in area.
- vi) The list of suitable specimen trees for the purpose of this rule is: Maple, Silk Tree, Alder, Birch, River She Oak, Leyland Cypress, Monterey Cypress, Lacebark, American sweet gum, Magnolia, Pohutukawa, weeping Kowhai, Common Olive, Pine, Lemonwood, Kohuhu, Ribbonwood, Plane, Totara, Poplar, Oak, Elm, Michelia
- vii) The Council will require a planting plan to be submitted at building consent stage, prepared by a suitably qualified landscape professional, identifying compliance with the above control.
- viii) The landscaping shall be maintained and if dead, diseased or damaged, shall be removed and replaced.

**4.2.3** All fencing or walls on a road or Rural zoned boundary or in the area between the road boundary and the line of the front of the principal building or in the area between the Rural Zone boundary and the line of the rear of the principal building;

- i) Shall be limited to a maximum height of 1.2m, be at least 50% open, and be post and rail or post and wire only; and
- ii) Shall be of a length equal to or greater than 80% of the length of the front boundary, of a minimum height of 0.6m and be at least 50% open.

**4.2.4** Within the State Highway Buffer Area (refer Outline Development Plan in Appendix 37) planting and fencing of the area of land along the common boundary of the Living 3 zone and State Highway 1 shall be established and maintained in accordance with the detail shown in Appendix 37; and

The landscaping shall be maintained and if dead, diseased or damaged, shall be removed and replaced.

**Amendment 22** Amend existing Rule 4.2.2 for Buildings and Landscaping (Page C4-002) as follows:

**4.2.25** Any activity which does not comply with Rule 4.2.1, **4.2.2, 4.2.3 or 4.2.4** shall be a discretionary activity.

**Amendment 23** Amend Rule 4.6.6 for Buildings and Building Density (Page C4-005) as follows:

The erection on an allotment of any building (other than an accessory building) which does not comply with Rule 4.6.1 shall be a non-complying activity in the Living Z, 1A, 1A2, 1A3, 1A4 zones and the Living XA Deferred Zone at Prebbleton and all Living 2, and 2A zones and Living 3 Zones.

**Amendment 24** Amend 'Table C4.1 Site Coverage Allowances' (Page C4-005 & 006) as follows:

Zone	Coverage
<b><u>Living 3</u></b>	<b><u>Lesser of 10% or 500m<sup>2</sup></u></b>

**Amendment 25** Amend Rule 4.9.2 for Buildings and Building Position (Page C4-008) as follows:

Except as provided in Rules 4.9.3 to 4.9.25**28**, any building which complies with the setback distances from internal boundaries and road boundaries, as set out in Table C4.2 below.



**Amendment 26** Amend Rule 4.9.25 for Buildings and Building Position (Page C4-011) as follows:

**Except for the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 37, Any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes shall be located...**

**Amendment 27** Insert new Rule 4.9.26 for Buildings and Building Position (Page C4-011) as follows:

**Any building in the Living 3 Zone at Rolleston (as shown on the Outline Development Plan in Appendix 37) shall be set back at least:**

- i) 15 metres from any road boundary except that on corner lots a minimum setback of 10m applies to one road boundary**
- ii) 5 metres from any other boundary**

**Amendment 28** Insert new Rule 4.9.27 for Buildings and Building Position (Page C4-011) as follows:

**Any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes in the Living 3 Zone at Rolleston (as shown on the Outline Development in Appendix 37) shall be setback at least 80m from State Highway 1.**

**Amendment 29** Insert new Rule 4.9.28 for Buildings and Building Position (Page C4-011) as follows:

**Any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes in the Living 3 Zone at Rolleston (as shown on the Outline Development in Appendix 37) shall not be located within the 'Odour Constrained Area' as shown in Appendix 37 (Holmes Block).**

**Amendment 30** Amend existing Rule 4.9.30 for Buildings and Building Position (Page C4-012) as follows:

**4.9.3033** Any activity which does not comply with Rule 4.9.2 and Rules 4.9.4 to 4.9.14 and 4.9.25 **to 4.9.27** shall be a restricted discretionary activity

**Amendment 31** Insert new matter of discretion as 4.9.34.4 for Buildings and Building Position (Page C4-012) as follows:

**4.9.34.4** **In the Living 3 Zone at Rolleston as shown in Appendix 37, whether the building development ensures habitable rooms meet "satisfactory" internal sound levels as recommended in AS/NZS 2107:2000 Acoustics – Recommended Design Sound Levels and Reverberation Times for Building Interiors**

**Amendment 32** Amend existing Rule 4.9.34 for Buildings and Building Position (Page C4-013) as follows:

**4.9.3437** Any activity which does not comply with Rule 4.9.3 **or Rule 4.9.28** shall be a discretionary activity

**Amendment 33** Insert new Rule 4.9.39 for Non-Complying Activities (Page C4-0013) as follows:

**Erecting any new dwelling in the Countryside Area identified on the Outline Development Plan in Appendix 37.**

**Amendment 34** Insert new paragraph 6 within 'Reasons for Rules – Building Position' (Page C4-024) as follows:

**Controls on side and front yard spaces applies to sites in the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 37 in order to retain views between residences and to assist in retaining elements of rural character and provide visual integration and visual attractiveness.**

**Amendment 35** Insert new paragraph 7 (immediately after new paragraph 6 as sought through Amendment 34) within 'Reasons for Rules – Building Position' (Page C4-024) as follows:

**Building within the Countryside Area identified on the Outline Development Plan in Appendix 37 is a non-complying activity. The purpose of the Countryside Areas is to provide open space and a visual link to the surrounding rural landscape. These corridors bisect the residential activity and are to be managed in productive rural use.**

**Amendment 36** Insert new final paragraph within 'Reasons for Rules – Building Position' (Page C4-024) as follows:

**In the case of Rolleston Sewage Treatment Plant an "Odour Control Setback Area" has been imposed. Building within this area is a Discretionary activity as reverse sensitivity issues may arise if this setback area is not applied.**

**Amendment 37** Insert new Rule 5.1.1.6 for Roading and Engineering Standards (Page C5-001) as follows:

**For the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 37, the road shall include the cross sectional treatment as shown in Appendix 37.**

**Amendment 38** Amend Rule 5.2.1.6 for Roading and Engineering Standards (Page C5-002) as follows:

**The vehicular accessway is formed to the relevant standards in Appendix 13 and in addition for the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 37, private vehicular accessways serving less than three sites shall have a maximum formed width of 3.5m at the road boundary and within 10m of the road boundary;** and

**Amendment 39** Insert new paragraph 3 within 'Reasons for Rules – Living Zone Rules – Roading' (Page C5-005) as follows:

**A maximum width applies to accessways within the front 10m of sites in the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 37 in order to avoid dominance of landscaped front yard areas by wide paved accessway surfaces, which could compromise the rural character the zone is expected to create.**

**Amendment 40** Amend Rule 10.3.2 for Activities and the Keeping of Animals (Page C10-003) as follows:

**The keeping of animals other than domestic pets except as provided under Rules 10.3.3 to 10.3.5 shall be a discretionary activity (except within the Living 3 Zone Countryside Areas identified on the Outline Development Plan at Appendix 37 provided that such activities are identified by and undertaken consistent with the Countryside Area Management Plan required by Rule 12.1.3.40).**

**Amendment 41** Insert new Rule 10.15 Countryside Areas – Living 3 Zone, Rolleston (Page C10-011) as follows:

**Permitted Activities – Countryside Areas – Living 3 Zone, Rolleston**

**10.15.1 Rural activities (excluding forestry, intensive livestock production and dwellings) within the Living 3 Zone Countryside Areas identified on the Outline Development Plan at Appendix 37 shall be a permitted activity provided that such rural activities are identified by and undertaken consistent with the Countryside Area Management Plan required by Rule 12.1.3.40.**

**Restricted Discretionary Activities – Countryside Areas – Living 3 Zone, Rolleston**

**10.15.2 Rural activities (excluding forestry, intensive livestock production and dwellings) within the Living 3 Zone Countryside Areas identified on the Outline Development Plan at Appendix 37 shall be a discretionary activity except where such rural activities are identified by and undertaken consistent with the Countryside Area Management Plan required by Rule 12.1.3.40.**

**10.15.3 Under Rule 10.15.2, the Council shall restrict the exercise of its discretion to:**

**10.15.3.1 the degree to which the proposed rural activities maintain open space and/or rural character and rural amenity of the Countryside Area(s);**

**10.15.3.2 the extent to which potential adverse nuisance effects on occupiers of adjacent rural residential allotments will be internalised within the Countryside Areas.**

**Amendment 42** Amend paragraph 2 of 'Reasons for Rules – Keeping of Animals' (Page C10-012) as follows:

*Resource consent for a discretionary activity is required for: commercial rearing of animals for sale of progeny, meat, skins, wool or other products; the keeping of animals other than domestic pets **(except within the Living 3 Zone Countryside Areas identified on the Outline Development Plan at Appendix 37;** and for the keeping of more than 15 domestic pets (excluding progeny up to weaner stage). Those activities may be granted resource consent, depending on whether adverse effects can be adequately mitigated, and if there is consistency with the relevant objectives and policies of the plan. **The exception provided for the Living 3 Zone Countryside Areas regarding keeping of animals recognises that rural activities (subject to some specific exceptions) are anticipated and intended to occur within the designated Countryside Areas. The potential adverse effects associated with the keeping of animals other than domestic pets (e.g. horse grazing) within the Living 3 Zone is managed through the requirement for a management plan to be in place prior to such activities occurring, and as such, are deemed appropriate for the Zone.***

**Amendment 43** Insert new final paragraph within 'Reasons for Rules – Countryside Areas – Living 3 Zones' (Page C10-014) as follows:

**Countryside Areas – Living 3 Zone**

**Rule 10.15 provides for rural activities (subject to some specific exceptions) to occur within the designated Countryside Areas within the Living 3 Zone identified on the Outline Development Plan at Appendix 37 as a means of achieving and maintaining rural character within the Living 3 Zone. While such activities have the potential to create adverse environmental effects, the requirement for those activities to be identified by and undertaken consistent with the Countryside Area Management Plan required by Rule 12.1.3.40 will ensure that any adverse effects are appropriately managed over time.**

**Amendment 44** Insert new Rule 12.1.3.38 for Subdivision General Standard (Page C12-007) as follows:



### Rolleston

Any subdivision of land within the area shown in Appendix 37 (Living 3 Zone at Rolleston) complies with:

- i) the Countryside Area layout of the Outline Development Plan at Appendix 37;
- ii) the roading layout of the Outline Development Plan at Appendix 37; and
- iii) where any conflict occurs with Rule E13.3.1 the cross sections in Appendix 37 shall take precedence.

**Amendment 45** Insert new Rule 12.1.3.39 for Subdivision General Standard (Page C12-007) as follows:

Within the Living 3 Zone at Rolleston in respect of land lying west of Dunns Crossing Road:

- i) no more than 125 rural residential allotments shall be created by subdivision within the period ending 31 December 2016; and
- ii) no more than a further 125 rural residential allotments shall be created by subdivision within the period 1 January 2017 – 31 December 2026.

**Amendment 46** Insert new Rule 12.1.3.40 for Subdivision General Standard (Page C12-007) as follows:

Any subdivision application within the Living 3 Zone west of Dunns Crossing Road that includes any part of the Countryside Areas as identified on the Outline Development Plan included at Appendix 37 shall be accompanied by a Countryside Area Management Plan which addresses the following matters:

- (a) The ownership and management structure for the Countryside Area(s);
- (b) Mechanisms to ensure that the management plan applies to and binds future owners;
- (c) The objectives of the proposed rural use of the Countryside Area(s);
- (d) Identification of the rural activity or activities proposed for the Countryside Area, which meet the above objectives;
- (e) Measures to maintain and manage open space and/or rural character;
- (f) Measures to manage plant pests and risk of fire hazard;
- (g) Measures to internalise adverse effects including measures to avoid nuisance effects on occupiers of adjacent rural residential allotments; and
- (h) Measures to provide for public access within the Countryside Area(s) along Dunns Crossing Road.

**Amendment 47** Amend 'Table C12.1 – Allotment Sizes' (Page C12-012) as follows:

Township	Zone	Average Allotment Size Not Less Than
Rolleston	<u>Living 3 (Appendix 37)</u>	<u>5000 m<sup>2</sup> with a minimum allotment size of 4000 m<sup>2</sup></u>  <u>The maximum number of allotments within the area defined by the Outline Development Plan at Appendix 37 shall be 125.</u>

**Amendment 48** Insert new matter over which Council has restricted the exercise of its discretion at Clause 12.1.4.77 (Page C12-023) as follows:

In relation to the Living 3 Zone (Holmes) at Rolleston as shown in Appendix 37:

- (a) Whether the pattern of development and subdivision is consistent with the Outline Development Plan in Appendix 37;

- (b) Whether local roading, and trees and planting on roads and lots, are proposed in general accordance with the Outline Development Plan, road cross section(s) and associated planting schedules and requirements shown in Appendix 37;
- (c) Whether the roading and lot pattern follow a rectilinear pattern with orientations generally established by the surrounding road network, consistent with the typical subdivision patterns of the Rolleston rural area;
- (d) Whether the roading pattern and proposed hard and soft landscape treatments in the road reserve will create a rural character to the development and distinguish it from conventional suburban development;
- (e) Whether suburban road patterns and details such as cul de sac, arbitrary curves, and kerb and channels are avoided;
- (f) The extent to which the maximum of lots within the area defined by the Outline Development Plan at Appendix 37 is met.
- (g) Whether the creation of open space in rural production areas is consistent with the Countryside Areas identified on the Outline Development Plan in Appendix 37.
- (h) Whether the provision for public walkway is consistent with the Public Walkway identified on Outline Development Plan in Appendix 37.

**Amendment 49** Insert new matter over which Council has restricted the exercise of its discretion at Clause 12.1.4.78 (Page C12-023) as follows:

**In relation to the Countryside Area Management Plan required for the Living 3 Zone west of Dunns Crossing Road, Rolleston as shown in Appendix 37:**

- (a) The adequacy of the management plan to achieve open space and/or rural character across the Countryside Area(s) in a manner that is compatible with the surrounding rural residential environment;
- (b) The adequacy of proposed mechanisms to maintain and manage the Countryside Area(s) long term in a consistent manner;
- (c) Whether rural landscape, visual and amenity value characteristics of the Countryside Areas are maintained;
- (d) The extent to which potential adverse nuisance effects on occupiers of adjacent rural residential allotments will be internalised within the Countryside Areas;
- (e) The extent to which adverse effects of plant pests and fire hazard risks will be avoided or remedied; and
- (f) The suitability of proposed access within the Countryside Area(s) along Dunns Crossing Road.

**Amendment 50** Insert new Rule 12.1.7.8 (page C12-025) as follows:

**Any subdivision that does not comply with Rule 12.1.3.39**

**Amendment 51** Insert new paragraph 6 in 'Reasons for Rules' (Page C12-031) as follows:

**Rule 12.1.3.39 has been incorporated to give effect to Chapter 12A of the Regional Policy Statement in as far as it relates to the allocation of rural residential households to the Selwyn District Council within the first and second sequence periods shown on Table 1 of Chapter 12A of the Regional Policy Statement.**

**Amendment 52** Amend Appendix 13 – Transport 'Table E13.9 – Roading Standards' (Page E13-009) as follows:

Type of Road	Legal Width (m)		Carriageway Width (m)		Kerb and Channel	Footpath(s)
	Min	Max	Min	Max		
<u><b>Local Roads – Living 3 Zone at Rolleston (as shown</b></u>						

<u>within the Outline Development Plan at Appendix 37)</u>	<u>18m</u>	<u>20m</u>	<u>6m</u>	<u>8m</u>	<u>nil</u>	<u>One side only</u>
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**Amendment 53** Insert new Standard E13.3.1.5 for Appendix 13 – Transport; Roading Standards (Page E13-009) as follows:

**Any local road in the Living 3 Zone at Rolleston shall be constructed in substantial accordance with the recommended road cross section shown in the Outline Development Plan in Appendix 37.**

**Amendment 54** Include the Outline Development Plan attached at **Appendix E** to this document as a new **Appendix 37** to the District Plan.

**Amendment 55** Any consequential amendments and renumbering of provisions as required to give effect to the plan change request.



### 3. Statutory Framework

- 3.1 The Resource Management Act 1991 ("the RMA") provides the legislative framework that defines the responsibilities of territorial local authorities for managing natural and physical resources.

#### Framework for Plan Change Requests

- 3.2 The Section 73(2) of the RMA provides that:

*Any person may request a territorial authority to change a District Plan, and the Plan may be changed in the manner set out in the First Schedule.*

- 3.3 Clause 21 of the First Schedule to the RMA effectively repeats that such an opportunity exists.

- 3.4 Under Clause 22 of the First Schedule, a plan change request must:

- Explain the purpose and reasons for the request;
- Assess environmental effects, taking into account the provisions of the Fourth Schedule of the Act, in such detail as corresponds with the scale and significance of actual or potential environmental effects anticipated from implementation of the requested plan change; and
- Contain an evaluation under Section 32 of the Act for any objectives, policies, rules or other methods proposed.

- 3.5 The purpose and reasons for this request have been outlined in Part 1 of the Request above. These are further supported by the accompanying Assessment of Effects and Section 32 evaluation.

- 3.6 Regard must also be given to the matters set out in sections 74 and 75 of the RMA in relation to decision making by territorial authorities. Matters raised in these sections that are relevant to the present proposal are as follows:

*Section 74 - Matters to be considered by territorial authority*

- (1) *A territorial authority shall prepare and change its district plan in accordance with its functions under section 31, the provisions of Part 2, a direction given under section 25A(2), its duty under section 32, and any regulations.*
- (2) *In addition to the requirements of section 75(3) and (4), when preparing or changing a district plan, a territorial authority shall have regard to—*
  - (a) *Any—*
    - (i) *Proposed regional policy statement; or*
    - (ii) *Proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4; and*
  - (b) *Any—*
    - (i) *Management plans and strategies prepared under other Acts; and*
    - ...
    - (iia) *Relevant entry in the Historic Places Register; ...*
    - ...
  - (c) *The extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.*
- (2A) *A territorial authority, when preparing or changing a district plan, must—*
  - (a) *take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on resource management issues of the district*
- (3) *In preparing or changing district plan, a territorial authority must not have regard to trade competition or the effects of trade competition.*

*Section 75 - Contents of district plans*

- (3) *A district plan must give effect to—*  
...

- (c) any regional policy statement.
- (4) A district plan must not be inconsistent with—  
...  
(b) a regional plan for any matter specified in section 30(1).
- (5) A district plan may incorporate material by reference under Part 3 of Schedule 1.

- 3.7 The relevant regional planning documents are the Regional Policy Statement, Proposed Change 1 to the Regional Policy Statement (PC1) and the Proposed Natural Resource Regional Plan (NRRP).
- 3.8 The following planning documents, The Greater Christchurch Urban Development Strategy, the Christchurch, Rolleston & Environs Transport Strategy (CRETS) and the Regional Land Transport Strategy are also of relevance and the proposal has been assessed against the same with less weight being afforded to these documents than the provisions of PC1 and the NRRP.
- 3.9 There are no relevant management plans or strategies and there are no entries in the Historic Places Register which are impacted on by the current proposal.

## Planning Documents

### Canterbury Regional Policy Statement

- 3.10 The Canterbury Regional Policy Statement (RPS) has been operative since 26 June 1998. The RPS provides an overview of the resource management issues of the region and is a general guide as to how natural and physical resources are to be managed in an integrated way to promote sustainable management.
- 3.11 An issue requiring consideration is whether the inclusion of the Living 3 zone would make the District Plan inconsistent with the RPS. For the purposes of this assessment, it is assumed that the District Plan is currently consistent with the RPS.
- 3.12 The proposed plan change has been assessed, as undertaken in the Section 32 Assessment within Section 5 of this request, as being consistent with the relevant zone purpose, objectives, policies and performance standards of the District Plan. It is therefore considered that creating the Living 3 Zone by some 92 hectares, which will yield a maximum of 125 rural residential allotments, will not render the District Plan inconsistent with the RPS.
- 3.13 Another matter to consider is consistency of the proposal with the relevant objectives and policies of the RPS itself.
- 3.14 Chapter 9 of the RPS is concerned with water. Objectives and policies in this section relate to managing discharges and water quality. A Servicing Report has been compiled by Aurecon on the feasibility of providing for the appropriate level of servicing to any future rural residential development of the Holmes Block. The Servicing Report is attached as **Appendix F**. The Servicing Report concludes that the site is able to be adequately serviced by a reticulated sewerage and water supply albeit with upgrades to achieve the level of service required. In regard to stormwater management / disposal, the underlying soil characteristics of the site coupled with similar stormwater treatments as that proposed in the immediate vicinity, suggests that the discharge of stormwater to ground is feasible.
- 3.15 Chapter 12 of the RPS includes objectives and policies concerned with settlements and built environment in the context of managing effects of development on the environment and natural and physical resources. Objective 1 and Policy 2 of this chapter relate to managing effects of urban development and settlement expansion on amenity values. The AEE and other material that follows address how the proposal is consistent with such outcomes.

- 3.16 Policies 1 and 7 of Chapter 12 seek to promote urban development and the development of towns in a way that makes efficient and effective use of resources. Again, the AEE and other material that follows address how the proposal is consistent with such outcomes.
- 3.17 Objective 2 and Policy 3 of Chapter 12 seek to ensure adverse effects on the region's roading infrastructure arising from urban development are avoided. The Transportation Assessment compiled by Traffic Design Group (TDG) is attached as **Appendix G**. The assessment finds that the additional traffic expected to be generated by this request can be accommodated on both the local roading and State Highway networks without significant effect on the operation of the road network. It is also found that the location of the low density residential zone adjacent to the western boundary of the township will enable provisions for non-car modes of travel to be incorporated, especially for trips within Rolleston.
- 3.18 In summary, the present request is not considered to be contrary or inconsistent with any of the relevant objectives and policies of the RPS.

## Proposed Change 1 to the Canterbury Regional Policy Statement

- 3.19 Proposed Change 1 to the Regional Policy Statement (PC1) was publicly notified on 28 July 2007 and has been amended by decisions on submissions to the same released in December 2009. PC1 amends the Regional Policy Statement through the insertion of a new chapter – 'Chapter 12A Development of Greater Christchurch'. This chapter provides the sub regional policy framework to implement the Greater Christchurch Urban Development Strategy which has been adopted by the Selwyn District Council (among others). The purpose of Chapter 12A is to provide for development in a way which achieves quality outcomes and takes a sustainable development approach to managing growth.
- 3.20 PC1 recognises that "rural residential development, if unconstrained, has the potential to change the character of rural areas and to create adverse effects on established rural and farming activities and also through generating sporadic demands for services including water and sewerage"<sup>2</sup>. In terms of PC1, the following objectives and policies are deemed the most relevant and pertinent to the present proposal:

### *Objective 2: Character and Sustainability*

*To achieve built environments within Greater Christchurch that:*

- a) have a sense of character and identity,*
- b) retain heritage values and values of importance to tangata whenua,*
- c) protect areas of special amenity*
- d) provide a range of densities and uses, and*
- e) are healthy, environmentally sustainable, functionally efficient, and economically vibrant.*

### *Objective 3: Recognising Urban Growth Limitations*

*Provide for and manage urban growth within Greater Christchurch while protecting:*

- a) the natural and physical environment from adverse effects of overloaded strategic infrastructure,*
- b) the quantity and quality of water in groundwater aquifers and surface waterbodies,*
- c) outstanding natural features and landscapes including those within the Port Hills and Banks Peninsula,,*
- d) indigenous biodiversity,*
- e) The character and amenity of rural areas outside of areas of planned urban growth,*
- f) People and property from unacceptable risk from natural hazards.*

### *Objective 4: Integration of Land Use, Infrastructure and Funding*

<sup>2</sup> Chapter 12A Issue 7: Rural Residential Impacts. Proposed Change 1 to the Regional Policy Statement (PC1); Dec 2009. pp 6 (as amended by decisions)



*Long-term planning for land use change, which ensures that the rate and location of development is integrated with the provision of strategic and other infrastructure, the provision of services, and associated funding mechanisms.*

*Policy 14: Rural Residential Development*

*Rural Residential development further to areas already zoned in district plans as at 28 July 2007 may be provided or by territorial authorities, if it does not exceed the maximum quantities for the periods set out in Table 1, Policy 6, and if it accords with the methods under this policy.*

Methods

*Areas within which Rural Residential development may occur shall be defined by changes to the district plan by the territorial authorities subject to the following:*

- (i) The location must be outside the Urban Limits*
- (ii) All subdivision and development must be located so as to be able to be economically provided with reticulated sewer and water supply integrated with a publicly owned system, and appropriate stormwater treatment and disposal*
- (iii) Legal and physical access is provided to a sealed road, but not directly to a road defined in the relevant district plan as a Strategic or Arterial Road or as a State highway under the Transit New Zealand Act 1989*
- (iv) The location of any proposed Rural Residential development shall:*
  - Limit noise sensitive activities occurring within the 50 dBA Ldn air noise contour surrounding Christchurch International Airport so as not to compromise the future efficient operation of Christchurch International Airport or the health, well-being and amenity of people;*
  - avoid adversely affecting the groundwater recharge zone for Christchurch City's drinking water;*
  - avoid land between the primary and secondary stop banks south of the Waimakariri River;*
  - avoid land required to protect the landscape character of the Port Hills;*
  - not compromise the operational capacity of the Burnham Military Camp, West Melton Training Area and Rangiora Airfield;*
  - support existing or upgraded community infrastructure and provide for good access to emergency services;*
  - not give rise to significant reverse sensitivity effects with adjacent rural activities, including quarrying and agricultural research farms or strategic infrastructure;*
  - avoid significant natural hazard areas including steep or unstable land;*
  - avoid significant adverse ecological effects;*
  - Not adversely affect ancestral land, water sites, wahi tapu and wahi taonga of Ngai Tahu;*
  - where adjacent to or in close proximity to an existing urban or rural residential area, be able to be integrated into or consolidated with the existing settlement.*
  - avoid adverse effects on existing surface water quality.*
- (v) An Outline Development Plan is to be prepared which sets out an integrated design for subdivision and land use, which provides for long-term rural residential character, and which ensures that rural-residential development is maintained and the area shall not be regarded as transitional areas to full development.*

3.21 It is noted that the term 'Outline Development Plan' as described in this clause appears to encompass a different (and reduced) level of information requirement relative to the requirements listed for Outline Development Plans in Policy 8 (which relates to development of urban areas within the Greenfield areas defined in Map 1 to PC1).

- 3.22 In addition to the relevant objectives and policies as provided above, PC1 also provides the following definition to assist with what is deemed a 'rural residential activity':

*Rural Residential Activities:*

*Residential units outside the Urban Limits at an average density of no less than one per hectare*

- 3.23 In addition to the above Policy 6 is relevant which prescribes the number of rural residential allotments that can be developed over different timeframes. This policy has undergone significant changes since first being notified through Variation 1 and more recently following decisions being made on submissions. In terms of allocation for rural residential the present allocation for Selwyn District is as follows:

Selwyn District	2007 – 16 Households	2017 – 26 Households	2027 – 41 Households	Total
Rural Residential Areas (outside Urban Limits)	200	200	200	600

- 3.24 The latest position in PC1 on rural residential numbers is a vast reduction to that notified which had an allocation of 2400 for Selwyn District. This is just one part of PC1 that is subject to appeal, however, we understand that no party is suggesting the allocation should be any lower than the 600 presently provided for.

## Sequencing

- 3.25 PC1 includes a very prescriptive sequencing regime that has been the subject of significant opposition. In the case of the present proposal no restriction on when development should be limited to is proposed as we do not understand there to be reason to do so. No major infrastructure upgrades are required to enable the development to proceed and in any event, the number of allotments proposed is not great. That said, demand for rural residential allotments will dictate that the development of the Selwyn Plantation Board land will take a number of years.
- 3.26 It is expected that the earliest any dwellings could be expected on site is late 2012 given the plan change, subdivision consent, building consent and construction phases that are associated with residential development. The first planning sequence specified for rural residential lots is 2007-2016, the second sequence is 2017-2026. The subject site may be developed wholly within this period or it may extend beyond it. In any event at 125 lots the present proposal is within the sequence limit presently set within PC1 for Selwyn District.

## Proposed Natural Resources Regional Plan

- 3.27 The proposed Canterbury Natural Resources Regional Plan (NRRP) addresses sustainable management of natural resources in the Canterbury Region.
- 3.28 Any activity over the site will need to be assessed against the provisions of the proposed NRRP before development can proceed. The sewerage effluent generated from the activity within the site will be directed to Council's existing reticulated network in the locality of the subject site. In the case of stormwater, resource consent will be required from Environment Canterbury (ECan) and this will be sought once detailed design is completed. In any event the consent will be considered against the proposed NRRP at the time it is sought which will be before development of the site can proceed.

- 3.29 The Servicing Report attached as **Appendix F** identifies that the area proposed for re-zoning is well suited to ground soakage as the primary method of stormwater removal and this method has been successfully implemented in Rolleston.
- 3.30 Given the above it is therefore considered that the plan change is consistent with the NRRP as subsequent stormwater consent will be assessed against those provisions before any development on the site can proceed.

## Other Planning Documents

- 3.31 The following planning documents, The Greater Christchurch Urban Development Strategy, the Christchurch, Rolleston & Environs Transport Strategy (CRETs), the Regional Land Transport Strategy, the Canterbury Transport Regional Implementation Plan and Council's Rural Residential Background Report are also of relevance and have been assessed.

## Greater Christchurch Urban Development Strategy

- 3.32 As touched on above, the Urban Development Strategy (UDS) is a collaborative study undertaken by Christchurch City Council (CCC), ECan, Selwyn District Council, Waimakariri District Council (WDC) and the New Zealand Transport Agency which provides a growth management framework for the Greater Christchurch area to the year 2041. The UDS is a non-statutory document which has been implemented through the RPS via PC1.

## Christchurch, Rolleston & Environs Transport Strategy (CRETs)

- 3.33 The Christchurch, Rolleston & Environs Transport Strategy (CRETs) identifies shortcomings in the strategic transport network to the southwest and south of Christchurch and developed various options to find a strategy to counter the shortcomings identified. The area of the study included Rolleston.
- 3.34 The impact of the proposed plan change on the transport network as identified within the CRETs study is discussed in detail with the Transportation Assessment compiled by Traffic Design Group (TDG) and attached as **Appendix G** to this application. The Transport Assessment concludes that the additional traffic expected to be generated by rezoning the land can be accommodated on both the local and State Highway roading networks without significant effect on the operation of the roading network as identified within the CRETs study.

## Regional Land Transport Strategy

- 3.35 The RLTS supports the greater use of walking (Policy 1.1) and cycling (Policy 1.2). Policy 4.1 seeks to promote the location of housing that supports sustainable transport choices and reduces the need to travel, especially by private motor vehicle. In this instance the proposed rural residential zone adjoins the current town boundary and can be considered entirely consistent with these provisions, as the plan change will facilitate a rural residential development which provides for the needs of the community and which will avoid people having to travel great distances for services which are generally associated with development of this nature.

## Canterbury Transport Regional Implementation Plan 2008-2038 (CTRIP)

- 3.36 The Canterbury Regional Land Transport Committee ("RLTC") resolved to oversee the development of the CTRIP in response to growing demands for regional coordination of transport activities. The CTRIP has been developed by the RLTC through the Technical Officers Group ("TOG") and three sub-regional oversight groups, representing:
- Northern Canterbury
  - Greater Christchurch
  - Southern Canterbury



3.37 The main objectives of this plan are as follows:

- Providing an implementation framework for transport in the region.
- Ensuring a 'regional' picture for transport and land use is obtained.
- Developing an advocacy and planning tool in order to progress key projects.
- Assisting with input into 'regional' funding allocation discussions.
- Informing the RLTS review by providing content for the implementation and funding chapters.

3.38 Transport packages have been developed for the Northern Canterbury, Greater Christchurch and Southern Canterbury sub-regions. These have been developed in order to respond to the issues and outcomes identified for each area. Each project has been assessed against the effectiveness of the response to the outcomes identified for each package. The packages were also assessed against the objectives of the NZTS and the LTMA 2003. Only activities that are considered to be of regional benefit have been included in this plan.

3.39 As a result, transport packages have been developed for the Greater Christchurch sub-region in order to respond to the issues and outcomes identified for this area.

3.40 The projects recommended by CRETS (Section 3.33) have generally been incorporated in the Canterbury Transport Regional Implementation Plan (CTRIP), with timeframes proposed based on regional funding prioritization to assist the ability of the Road Controlling Authorities to secure the necessary funds to implement the strategy. Most of the Rolleston projects are included within a ten year timeframe 2007-2016. Those that are programmed for beyond ten years are the Southern Motorway extension from Springs Road to Templeton, Rolleston Drive grade separated interchange, and four laning of SH1 between Templeton and Rolleston.

3.41 The Transport Assessment (**Appendix G**) undertaken for the Holmes Block confirms the timing of development of the Holmes block is consistent with the RPS land use provisions, and would not result in changes to the timing provisions made for projects in CTRIP including the widening of Dunns Crossing Road, which is envisaged to be included as part of the "Rolleston Arterial Roading and Intersection Upgrades" scheduled for construction within a 10 year timeframe.

## Selwyn District Council Rural Residential Background Report

3.42 In addition to the above there is one other 'planning document' that deserves recognition, that being the rural residential discussion document that has been released by the Council for comment. This document builds on PC1 but does not go as far as identifying particular changes to be made to the District Plan or the identification of particular sites which are considered suitable for rural residential development. The discussion document does set out a series of draft criteria that future rural residential proposal might be assessed against if they are incorporated into any plan change that is eventually promoted by the Council. The Vivian+Espie Assessment (attached as **Appendix D**) discusses the criteria in broad terms (as there are numerous) and reaches the conclusion that the present proposal is consistent with the vast majority of the same.

3.43 Given the nature of the document (discussion document) where it is at in the planning process and the absence of any draft changes to provisions of the District Plan the document is not one that can be attributed much weight in consideration of the present proposal. That said it is considered that the present proposal is consistent with the same. For the foregoing reason this document is not considered in more detail.

## Section 31, RMA

3.44 The relevant clauses from Section 31 of the RMA are as follows:

- “(1) Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*
- (a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*
  - (b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—*
    - (i) the avoidance or mitigation of natural hazards;...*”

3.45 The District Plan takes into account these functions, and the plan change request makes changes that are consistent with these functions of the Council. There are several features of the proposal that promote integrated outcomes anticipated by Section 31, including consistency and integration with the documents previously discussed in this Section.

## Section 32, RMA

3.46 Section 32 of the RMA sets out the manner in which any proposed objective, policy, rule or other method is to be evaluated. The parts of Section 32 relevant to the present request are as follows:

- “... ”*
- (3) An evaluation must examine—*
    - (a) the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
    - (b) whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*
- ... ”*
- (4) For the purposes of the examinations referred to in subsections (3) and (3A), an evaluation must take into account—*
    - (a) the benefits and costs of policies, rules, or other methods; and*
    - (b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*
- ... ”*

3.47 The assessment required under Section 32(3)(a) is whether the provisions promoted by the proposed change are the most appropriate way to achieve the purpose of the RMA. This matter is addressed in Section 5 of this assessment.

3.48 Other relevant matters relating to efficiency and effectiveness (Section 32(3)(b)), benefits and costs (Section 32(4)(a)), and any potential risks arising from uncertain or insufficient information (Section 32(4)(b)) are also addressed at Section 5 of this report.

## Part 2, RMA

3.49 Part II of the RMA includes the purpose of the Act, which is to promote the sustainable management of natural and physical resources. Sustainable management is defined in section 5(2) as:

- “...managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while –*
- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
  - (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems;*
  - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment”*

- 3.50 Sections 6 through 8 of the RMA provide further guidance as to what sustainable management is concerned with.
- 3.51 Section 6 of the RMA contains six matters that the Council must recognise and provide for as Matters of National Importance. None of these matters are considered relevant to this request.
- 3.52 Section 7 outlines a number of "other matters" to which a territorial authority shall have regard. Of these, the following are considered to be of relevance to this request:
- *The efficient use and development of natural and physical resources (7(b));*
  - *The maintenance and enhancement of amenity values(7(c));*
  - *The maintenance and enhancement of the quality of the environment (7(f)).*
- 3.53 The following definitions (contained within section 2 of the RMA) are instructive for the purpose of obtaining a comprehensive understanding of sections 5 and 7:

***"Natural and physical resources"** includes land, water, soil, minerals and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.*

***"Environment"** includes –*

*Ecosystems and their constituent parts, including people and communities; and*

*All natural and physical resources; and*

*Amenity values; and*

*The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters.*

***"Amenity Values"** means those natural or physical qualities or characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.*

- 3.54 The above matters will be addressed in the following sections of this assessment.



## 4. Assessment of Environmental Effects (AEE)

### Introduction

- 4.1 This AEE has been prepared to satisfy Clause 22(2) of the First Schedule to the Act, which requires:
- 2) *Where environmental effects are anticipated, the request shall describe those effects, taking into account the provisions 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, policy statement, or plan.*
- 4.2 The AEE is supported and inferred by the specialist reports/technical documents appended to this request. These include:
- Property Value / Demand by Simes (**Appendix A**)
  - Landscape Architecture / Landscape and Visual Effects Assessment by Vivian+Espie (**Appendix D**)
  - Servicing Assessment by Aurecon (**Appendix F**)
  - Transport Assessment by Traffic Design Group (**Appendix G**)
  - Odour Assessment by Golder Associates (**Appendix H**)
  - Noise by Hegley Acoustic Consultants (**Appendix I**)
- 4.3 This Request does not relate to rules regulating the use of hazardous substances and installations. A risk assessment, as required by clause 1(e) of the Fourth Schedule, is not therefore required. Likewise, in terms of clause 1(f) of the Fourth Schedule, this request does not involve any change to rules that regulate the discharge of contaminants.
- 4.4 Part 6 of this Request specifically identifies the persons that may potentially be affected by this proposal. It explains the consultation undertaken and the views expressed from the persons consulted.

### The Site

- 4.5 The site and surrounds have been described in full above in Section 1. To recap, the site is located at the intersection of Dunns Crossing Road and Main South Road (State Highway 1) and covers approximately 92ha in area.
- 4.6 The site is zoned Rural – Outer Plains (OP) and has historically been planted in pine trees for forestry use which has since ceased and is currently used for grazing stock.

### Visual and Landscape Effects

- 4.7 The possible visual effects associated with rezoning the proposed change in use from rural to rural-residential are addressed in the Landscape and Visual Effects Assessment by Vivian+Espie at **Appendix D**. The Visual & Landscape Assessment specifically addresses the possible visual effects associated with the proposed change in use from open rural land to rural-residential, with an average lot size of 5,000m<sup>2</sup>. A Preliminary Subdivision and Landscape Plan for the proposed development has been prepared by HGCL dated 20 January 2010, and this is used as the basis for their assessment.
- 4.8 The Visual & Landscape Assessment, amongst other things, assesses:
- Visual Effects from Dunns Crossing Road and Burnham School Road
  - Visual Effects from State Highway One
  - Visual Effects on Surrounding Residents
- 4.9 Extensive consultation has occurred with the Council and a peer review has been undertaken by Vivian+Espie since the original plan change application was lodged in April 2009. This has resulted in significant modifications to the original proposal. The changes made will assist in retaining elements of rural character and provide visual integration and visual attractiveness.

- 4.10 It is further noted that the controls proposed comply with the 'Explanation and Reasons' provided for Policy B4.1.2 - Maintain Living 2 Zones, which anticipates development of the Living 2 Zone with residential density which is considerably lower than that in Living 1 Zones. The policy explains that for low density living zones to be spacious and reflect something of the rural characteristics in which they are located, the "average section sizes would need to remain between 3 and 6 times lower than that of Living 1 Zones, to have a visually discernible difference in residential density"<sup>3</sup>. The average allotment size for the Living 1 (residential) zone is currently 750m<sup>2</sup>. The average density proposed by this plan change, which complies with the minimum average lot size provided by the definition of "Rural Residential Activity" within PC1, will be no less 5000m<sup>2</sup> in area. This equates to an average lot size of approximately 6.6 times greater than the Living 1 zone. Accordingly, consistent with the above expectations of the District Plan, future development of the Holmes Block for rural residential purposes in the manner proposed will have a 'visually discernible difference' to the adjacent residential areas.

## Design

- 4.11 Design elements associated with the proposed rezoning from rural to rural-residential are addressed in the Visual and Landscape Assessments attached at **Appendix D** of this request.
- 4.12 Design elements and recommendations for rural residential development are made within the Visual & Landscape Assessment (**Appendix D**). The design elements are required in order to avoid, remedy or mitigate potential adverse visual effects associated with the introduction of the rural residential zone sought. The recommended design elements are:
- Controls to encourage a rectilinear roading and subdivision pattern more typical in a rural area in the Selwyn District;
  - The inclusion of open space areas referred to as 'Countryside Areas' to ensure a rural aspect to the development;
  - Controls on building coverage in order to maintain an open character;
  - Controls on side and front yard spaces to retain views between residences;
  - Controls on fence types to allow views through fences and avoid compartmentalising the landscape with screen fences;
  - Controls requiring rural road treatments such as:
    - soft edge (not kerb and channel);
    - grassed swales (not piped drainage system);
    - no defined visitor parking on road verges (i.e. assume that visitor parking occurs on private sites so no need for wide roads or parking bays);
    - street trees in small irregular clusters, not formal avenues;
    - road marking to be kept to a minimum and to comply with traffic safety standards for rural-residential subdivisions;
    - shelter belt planting within road reserves;
    - street lighting reflecting rural character.
  - Controls on planting and hard landscaping to reflect rural character.
- 4.13 In order to ensure a rural aspect to the development, certain rural activities (e.g. horse grazing and cropping activities) are proposed to be permitted within the designated Countryside Areas provided those activities are identified and carried out in accordance with a 'Countryside Area Management Plan'. This management plan requirement is triggered at the time of the first subdivision involving a Countryside Area, and will among other things (refer to proposed new Rule 12.1.3.40) ensure that any potential adverse effects of such activities will be appropriately managed and rural character is appropriately maintained.
- 4.14 It is considered the visual outcomes associated with the design elements proposed ensures that an element of rural character is maintained on the site.

<sup>3</sup> Selwyn District Plan - Township Volume | PART B - Growth of Townships; Explanation and Reasons - Policy B4.1.2 – Maintain Living 2 Zones. pp B4-004

## Effects on the Amenity Values of the Surrounding Locality

- 4.15 At a macro scale, beyond the western urban boundary of Rolleston, the character is dominated by rural activity. At a micro scale however, the locality can be described as a mixed use area which does not have a uniform rural character given the existence of utilities (Transfer Station and Wastewater Treatment Plant), an intensive chicken farm activity which are interspersed by a number of rural residential allotments in the surrounding area.
- 4.16 The Plan Change, if accepted, will alter the existing character and therefore have the potential to impact on the amenity values of the surrounding locality. To protect the present amenity values of the wider area, it is considered important for the proposed rural residential development to retain elements of a rural character.
- 4.17 To achieve this, it is recommended that certain design elements, which are common in rural settings, be incorporated into the plan change so the future development of the land would visually set the development apart from the neighbouring urban area. The provision for rural activities to occur within the Countryside Areas in accordance with a management plan is one such element. Consideration is also given to the existing urban boundary on the eastern side of Dunns Crossing Road, which if Council's future urban limit proposals are adopted, will dramatically alter the landscape character of that land also. It is therefore considered "important to balance the urban development to the east of Dunns Crossing Road with a visual transition area on the western side, in order to blend the urban development with Rolleston's rural surroundings"<sup>4</sup>.
- 4.18 To ensure the amenity values and character of the locality are not compromised, controls have been developed to address the potential adverse effects rural residential living activities can have on adjacent residential neighbours (see Objective 4.1.2 and Policies 4.1.2, 4.1.7 & 4.1.9 for the Living 3 Zone). Through the development of the controls, the residential amenity of the surrounding area will be protected through the requirement that development complies with all performance standards relevant to the Living 3 Zone. These include standards relating to bulk and location requirements for buildings including height and yard controls, noise and transport rules, all of which will be able to be met by future development at the site.
- 4.19 In addition to these existing controls the inclusion of the Outline Development Plan (ODP) into the District Plan provides a further layer of control to ensure an acceptable outcome in terms of the amenity and character of the area. The ODP consists of plan-based drawings identifying road and landscape patterns, species lists and details (sections and plans) of key road and buffer treatments. The ODP combined with the controls and criteria proposed in the plan change request are considered to effectively address the requirements of an ODP as described in item (v) of Policy 14 of PC1.

## Traffic

- 4.20 The potential transport effects associated with rezoning the site are addressed in the Transportation Assessment Report compiled by Traffic Design Group (TDG) at **Appendix G** of this request.
- 4.21 The TDG assessment concludes that the additional traffic expected to be generated can be accommodated on both the local roading and State Highway networks without significant effect on the operation of the road network. The location of the low density residential zone adjacent to the western boundary of the township will enable provisions for non-car modes of travel to be incorporated, especially for trips within Rolleston.

<sup>4</sup> Harrison Grierson Consultants Limited. *Visual and Landscape Assessment – Holmes Block*. pp 3



- 4.22 Development of the site on a rural residential basis is not considered contrary to the relevant policies of the Canterbury Regional Transport Strategy and PC1. Such development is also not considered contrary with the 'Environmental Outcomes' anticipated from the transportation related Objectives and Policies of the District Plan and compliance with the existing transportation related rules of the District Plan can be achieved.
- 4.23 Based on the Transport assessment, the following recommendations have been adopted:
- That the proposed roading standards are confirmed by the proposed amendment to Table E13.9 Rooding Standards of the District Plan
  - That the key details of the Concept Plan road network are shown on the Outline Development Plan to be included within the District Plan as part of the Plan Change
- 4.24 With the incorporation of the above recommendations, it is concluded by TDG that the proposed Plan Change can be supported from a transportation perspective.

## Odour

- 4.25 SPBL has commissioned Golder Associates (NZ) Limited (Golder) to undertake an assessment of the degree to which the SPBL land could be constrained for rural residential development by existing and anticipated odorous activities. A copy of the Odour Assessment is attached in **Appendix H**.
- 4.26 The Odour Assessment focuses on three potentially odorous activities within the vicinity of the SPBL site, which are identified as follows:
- Tegel Foods Limited's poultry broiler sheds;
  - Rolleston Resource Recovery Park (RRRP); and
  - Rolleston Wastewater Treatment Plant and Disposal Site (RWTP).
- 4.27 The assessment of potential odours from these operations was largely qualitative and considered best practice, consent and designation requirements, buffer criteria and Golder's own professional judgement.
- 4.28 The above potentially odorous activities and Golder's recommendation in regard to each activity are discussed further in turn below:

### Tegal Poultry Operation

- 4.29 The Odour Assessment determines that the Tegal poultry operation is sited a sufficient distance from the Holmes block that it is not expected to cause any odour constraint.

### Rolleston Resource Recovery Park (RRRP)

- 4.30 The Odour Assessment considers a buffer distance from the RRRP site is required to minimize the likelihood of adverse odour effects beyond the site boundaries. The recommended size of buffer, as identified on Figure 4: Constrained Areas of SPBL Land due to Potential Odour from Existing Activities of the Odour Assessment (**Appendix H**), for the RRRP site is 300m. This buffer cuts through the southwest portion of the Holmes Block. The proposed Outline Development Plan to be incorporated into the District Plan coupled with a 'potential subdivision layout' provided in the Visual & Landscape Assessment at **Appendix D** highlights a possible scenario whereby a dwelling can be established within possible allotments beyond the recommended buffer from the RRRP site.

### Rolleston Wastewater Treatment Plant and Disposal Site (RWTP)

- 4.31 The Odour Assessment considers a buffer distance from the RWTP site is required to minimize the likelihood of adverse odour effects beyond the site boundaries. The recommended size of buffer for the RWTP site is 1000m and is again identified on Figure 4: Constrained Areas of SPBL Land due to

Potential Odour from Existing Activities of the Odour Assessment (**Appendix H**). This buffer also cuts through the southwest portion of the Holmes Block overlapping the buffer recommended for the RRRP site. The buffer affects approximately 2.8ha (or approximately 3.6%) of the total area of the Holmes Block. It is acknowledged that at the time a resource consent is formulated for development adjacent to the buffer in question, the resultant allotments will need to be sufficient in dimension to accommodate a residential dwelling which is outside the buffer area and meets the controls (setbacks from boundaries etc) proposed by the new zoning of the site.

- 4.32 The Odour Assessment has also considered the possible expansion option for the RWTP to include the treatment of wastewater from Lincoln, Prebbleton and Springston and other areas to accommodate a population equivalent (PE) of approximately 80,000. The possible expansion would necessitate additional land for irrigation of the wastewater, which could include the SPBL agricultural use land to the south of the Holmes block.
- 4.33 The Odour Assessment finds that no consent application or consent approval regarding wastewater irrigation onto this land has been submitted or made. However, should Council decide to proceed with spray irrigation on this land, they would need to ensure that no adverse odour effects occur beyond its boundary. This observation is consistent with Chapter 3: Air Quality of the Proposed Canterbury Natural Resources Regional Plan which aims to avoid odour nuisance such that it is internalized and does not “cause offensive or objectionable effects beyond the boundary of any site where it originates” (Policy AQL5 Avoid odour nuisance).
- 4.34 Notwithstanding this, SPBL recognise that the expansion of the wastewater plant, while not imperative for the numbers proposed within this application, is required for future development, including rural residential development at Rolleston. Therefore SPBL has been working cooperatively with Council, meeting on a number of occasions, in a bid to find a solution that accommodates the land use aspirations of both parties. This is highlighted by SPBL offering a 50m buffer within the land it is to retain to assist in reducing the area of land required to internalize any potential odorous effects associated with the proposed expansion of the wastewater plant. The balance of the buffers would be on the SPBL the Council would need to purchase.

## Services / Infrastructure

- 4.35 A Servicing Report has been compiled by Aurecon on the feasibility of providing for the appropriate level of servicing to any future rural residential development of the Holmes Block. The Servicing Report is attached to this application in **Appendix F**. The feasibility and subsequent assessment of servicing requirements of the proposal is based on the level of rural residential development that may occur in accordance with the Outline Development Plan as attached in **Appendix E**.
- 4.36 Information for the Servicing Report has been drawn from the Council, ECan, Network Utility operators, site investigations and experience gained from recent developments in the Rolleston Area.

## Sewerage Reticulation

- 4.37 In regard to sewerage reticulation, detailed information on the capacity and the ability to connect to the proposed development to Council's existing reticulation has been limited due to Council's current position in adopting a wait and see approach on a proposed study on the staging of the rural-residential land in the district.
- 4.38 Notwithstanding the Council's position, an investigation into the current system finds that the site can be serviced by means of gravity sewer reticulation but a pumping station will be required to pump the sewage to the existing infrastructure. This infrastructure will most likely require upgrades to cater for the additional demand. The Servicing Report attached to this application in **Appendix F** confirms this to be the case.

## Stormwater Disposal / Management

- 4.39 In regard to Stormwater Disposal / Management, Rolleston has no reticulated stormwater network with all stormwater being discharged to ground via soakage pits and basins.
- 4.40 The Servicing Report attached to this application in **Appendix F** contains a Geotechnical Investigation Report which identifies the soil conditions of the site (Holmes Block) as being effective for the discharge of stormwater to ground. In addition to the Geotechnical Investigation Report, recent developments in the vicinity have also provided similar stormwater treatment to that proposed within this application, including grass swales adjacent to carriageways and individual on-site soakage areas, which would suggest the drainage characteristics in the locality, make discharge to ground feasible.
- 4.41 It is also acknowledged that discharge consent will be required from ECan for the proposed disposal of stormwater to ground.

## Water Supply

- 4.42 In regard to Water Supply, the site can be reticulated by potable water from the Council's water supply in accordance with current engineering standards adopted by the Council and to the requirements of the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice (SNZ PAS 4509:2003).
- 4.43 The Council's existing water reticulation will most likely require some upgrading to service this site. A new well may also be required which will require a small parcel of land to be set aside for this purpose. The need for a new wet well can only be assessed once a detailed assessment is undertaken at the development stage for which resource consent will be required under the provisions proposed by this request.

## Power Supply

- 4.44 In regard to Power Supply, an upgrade of the Rolleston District substation, which is in close proximity to the site, is currently being undertaken to relieve the existing load and provide spare capacity. The upgrade to the substation will mean sufficient power is available for the subject site.

## Telecommunications

- 4.45 In regard to Telecommunications, the Services Report (**Appendix F**) reveals that a review of 'as-built' plans obtained from Telecom, highlights that telephone services exist along Dunns Crossing Road. An upgrade to the existing services is likely required to provide an adequate level of service to the development.

## Summary

- 4.46 In summary, the Servicing Report (**Appendix F**) concludes that the site is able to be adequately serviced by a reticulated sewerage, power, telecommunications and water supply albeit with upgrades to achieve the level of service required. In regard to stormwater management / disposal, the underlying soil characteristics of the site coupled with similar stormwater treatments as that proposed in the immediate vicinity, suggests that the discharge of stormwater to ground is feasible.

## Noise

- 4.47 A Noise Assessment has been prepared by Hegley Acoustic Consultants and is attached at **Appendix I** of this request. The noise assessment specifically considers how the development can be undertaken to ensure the noise for any residential activities will be controlled to within a reasonable noise limit.
- 4.48 The noise assessment identifies the potential noise sources in the area as follows; traffic along State Highway 1, train noise, the Waste Water Treatment Plant, the Resource Recovery Park, and a



substation on the corner of Dunns Crossing Road and Burnham School Road. However, noise from the Waste Water Treatment Plant and trains are not considered to be of any potential nuisance given its location away from the proposed development and their infrequency respectively.

- 4.49 The noise assessment concludes that noise from the Resource Recovery Park will be well within the daytime noise level permitted by the District Plan, but that the noise from the substation on the corner of Dunns Crossing Road and Burnham School Road will need to be controlled in order to meet the noise limits of the District Plan. In respect of the substation, and the level of control required, the noise assessment identifies several options to address this matter:
- Construction of a 2m barrier along both the Dunns Crossing Road and Burnham School Road boundaries of the SPBL land (i.e. of the for a minimum of 20m from the corner of the site); or
  - Construction of a screen fence on the Orion site; or
  - A 100m setback for residential development; or if within this setback any dwelling needing to be designed to cater for the higher noise levels.
- 4.50 As apparent from the above, there are various options available to address the matter of noise from the substation which are presently being considered by the applicant. It is noted that there are several other residential properties in much closer proximity to the substation than the subject site, and therefore, it may be best to address the matter of noise from the substation in a comprehensive manner.
- 4.51 In respect of noise from traffic on State Highway 1, the noise assessment concludes that it is necessary to limit any residential development to 80m from the edge of State Highway 1 unless specific noise control is undertaken, in accordance with the New Zealand Transport Authority's (NZTA) guidelines. The noise assessment concludes that by implementing some basis acoustic design the noise to the proposed residential sites can be controlled to within a reasonable level based on the requirements of both the District Plan and the NZTA.
- 4.52 Based on the noise assessment, the following recommendations have been adopted:
- That some method of acoustic control will be required in order to meet the Living Zone noise limits in regards to noise from the substation located at the corner of Dunns Crossing Road and Burnham School Road.
  - That any residential development is limited to 80m from the edge of State Highway 1, unless specific noise control is undertaken.
- 4.53 With the incorporation of the above recommendations, it is concluded by Hegley Acoustic Consultants that based on acoustics there is no reason why the proposed plan change should not be approved.

## Positive Effects

- 4.54 It is considered that the location of the rural residential development in close proximity to the Rolleston Township will provide for efficient land use which will reduce the 'break up' of larger, more economic farming units in the district by diverting some of the pressure away from ad hoc subdivision of rural land to create isolated rural residential sites. The proposal would ensure continued growth around townships, supporting existing community facilities, services and provides opportunities for the reticulation of services to rural residential allotments that would otherwise be less likely to occur in circumstances where such development is isolated from an existing township. The concentration of population should help to minimise the use of private vehicles and encourage some transport efficiencies that would be less likely to occur in a more dispersed settlement pattern.
- 4.55 The plan change request also provides for rural residential zoning that is capable of meeting existing and future needs of the residents of the greater Christchurch sub-region and in particular in and around the Township of Rolleston



## Conclusion

- 4.56 In terms of the effects discussed above, it is considered that the rezoning of the land from Rural (Outer Plains) to Rural Residential (Living 3) will have no more than minor effects on the environment provided the recommendations proposed are incorporated into the District Plan.
- 4.57 The location of the rural residential zone needs to be located such as it is outside the 'urban limits' and can be "economically provided with reticulated sewer and water supply, and appropriate stormwater treatment and disposal"<sup>5</sup>. Given the site's proximity to the Rolleston urban area and the existence of existing reticulated services in the vicinity, it is considered the proposal is compliant with Policy 14 of PC1.
- 4.58 As a consequence the Plan Change provides the Council with the framework to achieve its statutory function under section 31 of the RMA to the control of effects resulting from the use and development of the site and achieve the integrated management of such effects.

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<sup>5</sup> Chapter 12A Policy 13: Rural Residential Development - Clause ii. Proposed Change 1 to the Regional Policy Statement (PC1); July 2007. pp 21

## 5. Section 32 Assessment

- 5.1 Section 32 of the Act establishes a procedure for local authorities to test the appropriateness of any proposed provisions, including objectives, policies, rules and other methods when considering the merits of any plan change request. This procedure ensures that environmental issues are addressed and requires anticipated outcomes to achieve the purpose of the Act.
- 5.2 This assessment has been prepared to fulfil the requirements of section 32(1) of the Act. The Act requires local authorities to undertake a further evaluation under section 32(2) before making a decision on a Private Plan Change Request under clause 29(4) of the First Schedule to the Act.
- 5.3 Section 32(3) states that an evaluation must examine –
- *The extent to which each objective is the most appropriate to achieve the purpose of this Act; and*
  - *Whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*
- 5.4 ‘Effectiveness’ means how successful a particular option is in achieving the desired environmental outcome as stated in the objectives.
- 5.5 ‘Efficiency’ means measuring by comparison of the benefits to costs. The most efficient method will achieve the environmental outcome at the least overall cost.
- 5.6 In addition section 32(4) states that an evaluation must take into account:
- *the benefits and costs of policies, rules, or other methods; and*
  - *the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*

### Level of Analysis

- 5.7 The proposed plan change seeks the insertion of only one new Objective, that being proposed new Objective B4.3.7. This objective has been proposed to ensure appropriate provision is made for rural residential development, as provided for by PC1. While PC1 is still under appeal, the Council have chosen to place significant weight on the same, as evident through the notification of Proposed Plan Change 7. Accordingly, the proposed new Objective seeks to give effect to PC1 in respect of the provision of rural residential development, which reflects the weighting afforded to the same by Council, and as such can be seen to be an appropriate way to achieve the purpose of the Act.
- 5.8 The remaining proposed alterations to the objectives or policies of the District Plan are largely limited to the incorporation of the Living 3 Zone to those objectives or policies which already exist in the District Plan for the Living 2 Zone. Accordingly, the following assessment is limited to a focus on whether, having regard to the efficiency and effectiveness, the proposed amendments are the most appropriate for achieving the existing objectives (including the proposed Objective B4.3.7). In this respect the key issue is whether the existing outcomes sought in the District Plan as they relate to rural residential areas will continue to be met through the introduction of the Living 3 Zone over the land in question.
- 5.9 In terms of the Living Zone, Table B4.3.1 of the District Plan provides cross references to the objectives and policies in Part B, Sections 1.1 to 4.2 and 4.4 which are particularly relevant to rezoning land for new rural residential (Living zone) development.

Plan Section	Objective/Policy
Land and Soil	Objectives B1.1.1 and B1.1.2 Policies B1.1.3, B1.1.7 and B1.1.8
Water	Objectives B1.2.1 and B1.2.2 Policies B1.2.2 - B1.2.7 and B1.2.9

Ecosystems	Objectives B1.3.1 and B1.3.2 Policies B1.3.1 - B1.3.3
Outstanding Natural Features and Landscapes	Objectives B1.4.1, B1.4.2 and B1.4.4 Policies B1.4.6, B1.4.10, B1.4.11, B1.4.13 - B1.4.17
Transport	Objectives B2.1.1 - B2.1.4 Policies B2.1.3, B2.1.4(a) & (b), B2.1.7, B2.1.9 - B2.1.11, B2.1.15, B2.1.17 – B2.1.20, B2.1.22 and B2.1.23
Utilities	Objective B2.2.1 Policies B2.2.1 – B2.2.3, B2.2.5, B2.2.6, B2.2.11
Community Facilities	Objective B2.3.1 Policies B2.3.1, B2.3.2, B2.3.4, B2.3.8 and B2.3.9
Waste Disposal	Objective B2.4.1 Policies B2.4.2, B2.4.4 and B2.4.5
Natural Hazards	Objective B3.1.1 Policies B3.1.2 – B3.1.5, B3.1.7
Hazardous Substances	Objective B3.2.1 Policy B3.2.2
Culture and Heritage	Objective B3.3.1 Policies B3.3.6 and B3.3.7
Quality of the Environment	Objectives B3.4.1 - B3.4.3 Policies B3.4.1, B3.4.3 – B3.4.7, B3.4.23, B3.4.35, B3.4.36, B3.4.38 and B3.4.39
Residential Density	Objectives B4.1.1 and B4.1.2 Policies B4.1.3, B4.1.4, B4.1.10 and B4.1.11
Subdivision	Objective B4.2.2 Policies B4.2.1, B4.2.2 and B4.2.8

- 5.10 In addition to the District wide Objectives and Policies identified in the Table above, the District Plan also identifies 'general policies' that may be particularly relevant to Rolleston include:

Plan Section	Objectives / Policies	Issue
Land and Soil	Policy B1.1.8	'Versatile soils' are located north of the township (LUC Class I or II)
Water	Policy B1.2.5	Reticulated sewage is required



Transport	Policies B2.1.17, B2.1.22 and B2.1.23	Confining Rolleston to one side of SH1/SIMTL. Protection of Christchurch International Airport
Utilities	Policy 2.2.1	Impact of rate of town growth on utilities
Community Facilities (and Reserves)	Policy 2.3.1	Impact of rate of town growth on community facilities
Quality of the Environment	Policies B3.4.35, B3.4.36 and B3.4.38	Consolidating Business zones and reverse sensitivity effects
Residential Density	Policies B4.1.2 and B4.1.3	Further subdivision, Living 2 zones

- 5.11 The policies identified in the Tables above, which are identified as particularly relevant to Rolleston and the present proposal are expanded in full below:

Land and Soil

Policy B1.1.8

*Avoid rezoning land which contains versatile soils for new residential or business development if:*

- the land is appropriate for other activities; and*
- there are other areas adjoining the township which are appropriate for new residential or business development which do not contain versatile soils.*

Water Supplies

Policy B1.2.5

*Require any sewage treatment and disposal to be reticulated in the townships of Castle Hill, Doyleston, Lake Coleridge Village, Leeston, Lincoln, Prebbleton, Rolleston, Southbridge, Springston, Tai Tapu and West Melton.*

Transport

Policy B2.1.17

*Confine residential or business development in a township to one side of any Strategic Road or railway line where the township is already wholly or largely located on one side of the Strategic Road or railway line, unless that area is not suitable for further township expansion.*

Policy B2.1.22

*Except as provided for in Policy B2.1.23, avoid new residential development and other activities which may be sensitive to aircraft noise occurring on land which is located underneath the airport flightpath noise contours shown on Planning Map 013 for 50 dBA Ldn or greater .*

Utilities

Policy 2.2.1

*Require that the need to supply utilities and the feasibility of undertaking, is identified at the time a plan change request is made to rezone land for residential or business development.*

Community Facilities (and Reserves)

Policy B2.3.1

*Encourage co-ordination between the provision of community facilities, and new residential and business development.*

### Residential Density

#### *Policies B4.1.2*

*Maintain Living 2 Zones as areas with residential density which is considerably lower than that in Living 1 Zones.*

#### *Policy B4.1.3*

*To allow, where appropriate, the development of low density living environments in locations in and around the edge of townships where they will achieve the following:*

- A compact township shape;*
- Consistent with preferred growth options for townships;*
- Maintains the distinction between rural areas and townships;*
- Maintains a separation between townships and Christchurch City boundary;*
- Avoid the coalescence of townships with each other;*

### **Other Policies**

- 5.12 In addition to the specific policies provided above, the following are also considered relevant to the rezoning of SBPL land at Rolleston.

#### *Policy B2.1.17*

*Confine residential or business development in a township to one side of any Strategic Road or railway line where the township is already wholly or largely located on one side of the Strategic Road or railway line, unless that area is not suitable for further township expansion*

#### *Policy B2.4.4*

*Ensure land rezoned for new residential or business development has a regular or solid waste collection and disposal service available to residents.*

#### *Policy B3.1.2*

*Avoid allowing new residential or business development in areas known to be vulnerable to a natural hazard, unless any potential risk of loss of life or damage to property is adequately mitigated.*

#### *Policy B3.1.7*

*Ensure any new residential or business development does not adversely affect the efficiency of the District's land drainage system or the risk of flooding from waterbodies.*

#### *Policy B3.4.39*

*Avoid rezoning land for new residential development adjoining or near to existing activities which are likely to be incompatible with residential activities, unless any potential 'reverse sensitivity' effects will be avoided, remedied or mitigated.*

#### *Policy B4.1.7*

*Maintain the area of sites covered with buildings in Living 2 Zones, at the lesser of 20% or 500m<sup>2</sup>, unless any adverse effects on the spacious character of the area will be minor.*

#### *Policy B4.1.9*

*Avoid erecting more than one dwelling per site in low density living (Living 2) Zones.*

#### *Policy B4.1.11*

*Encourage new residential areas to be designed to maintain or enhance the aesthetic values of the township, including (but not limited to):*

- Retaining existing trees, bush, or other natural features on sites; and*
- Landscaping public places.*

#### *Policy B4.1.12*

*Discourage high fences or screening of sites in Living zones that have frontage but no access on to Strategic Roads or Arterial Roads.*

*Policy B4.3.2*

*Require any land rezoned for new residential or business development to adjoin, along at least one boundary, an existing Living or Business zone in a township, except that low density living environments need not adjoin a boundary provided they are located in a manner that achieves a compact township shape.*

*Policy B4.3.3*

*Avoid zoning patterns that leave land zoned Rural surrounded on three or more boundaries with land zoned Living or Business.*

*Policy B4.3.5*

*Encourage townships to expand in a compact shape where practical.*

- 5.13 These Objectives and supporting Policies are implemented by non-statutory and statutory methods, referred to in Township section of the District Plan. In order to meet these objectives, the present request must ensure that the effects of the proposal are managed by the framework of District Plan methods proposed for the site. As outlined in the AEE, future development of the site, including aspects such as lots size and layout will be subject to a resource consent, with the resource consent application providing the detail necessary for construction (the plan change does not authorise subdivision without further resource consent approval), which will be required to comply with the provisions of the District Plan for the Living 3 Zone that establish the maximum acceptable level of effects.
- 5.14 In summary, the present request will not lead to any relevant objective or policy in the District Plan being compromised. It is considered that the proposed plan change is consistent with these matters in the District Plan.

## District Plan Rules

- 5.15 In addition to the relevant objectives and policies identified above, TDG have also undertaken an assessment against the Design Standards from Appendix 13 Volume 1: Townships, which are deemed relevant during the development of an ODP for the Plan Change.
- 5.16 The TDG assessment provides that “development of the site can be provided in general accordance with the existing District Plan rules. However, the separation distance between several intersections as outlined on the Concept Plan are between the 125m and 220m separation requirements for roads within 50km/hr and 70km/hr speed limit areas respectively. It is considered that the speed environment within the site will similarly be between 50km/hr and 70km/hr and therefore any effects associated with the potential non-compliance will be minimal”<sup>6</sup>.

## Alternatives Considered

- 5.17 In determining the most appropriate method of achieving the existing objectives of the District Plan, the following alternatives were considered:
- **Option 1:** Maintain the rural zoning of the site (the ‘do nothing’ option);

<sup>6</sup> Traffic Design Group (TDG) Transportation Assessment Report; Section 9.4 – District Plan Rules. pp 18

- **Option 2:** Rezoning the site as Living 3 with the adherence to a concept plan that includes restrictions on locations of buildings, and the creation of buffers (reverse sensitivity) as proposed; and
- **Option 3:** A different suite of changes to the District Plan to achieve the same outcome.

- 5.18 Option 2 is considered the most appropriate means of achieving the overall objectives of the District Plan for the following reasons.
- 5.19 Development of the site in accordance with an ODP addresses the particular planning background and circumstances of the site and locality. Option 2 will ensure a comprehensive, as opposed to piecemeal, approach to the development of the site.
- 5.20 Option 2 provides for the mitigation of adverse effects to an acceptable level that will see the purpose of the RMA achieved.
- 5.21 Option 2 provides certainty as to the future use of the site and clear parameters by which such uses can be established. The ODP addresses the location of main roads and rules have been developed around specific landscape requirements.
- 5.22 Option 1, the 'do nothing' approach, will not enable PC1 to be achieved and will fail to meet demand for rural residential living within the Selwyn District.
- 5.23 Option 3 could also work but will be no better than Option 2. Option 2 is therefore considered more efficient as it retains the majority of District Plan provisions and framework.

## Possible Locations for Rural Residential Development

- 5.24 In terms of possible locations for rural residential development, Policy 14 of PC1 now provides the starting point. Summarising Policy 14 it can be seen that the following criteria need to be satisfied when locating new rural residential development (only those criteria relevant to Selwyn District have been listed):
- (a) Outside of the proposed Urban Limits
  - (b) Economically supplied with reticulated water and sewer
  - (c) Stormwater treatment and disposal provided
  - (d) Not to gain direct access to a State Highway or a road identified in a District Plan as a Strategic or Arterial Road
  - (e) Be outside of the 50dBA airport noise contour and the Christchurch groundwater recharge area
  - (f) Not compromise the existing military facilities in Selwyn District
  - (g) Support community infrastructure
  - (h) Avoid reverse sensitivity effects
  - (i) Avoid significant ecological effects
  - (j) Avoid effects on ancestral land, water sites, wahi tapu and wahi taonga to Ngai Tahu
  - (k) Be integrated into existing urban area where in close proximity to the same
  - (l) Avoid adverse effects on existing surface water quality
- 5.25 From the above, items (a), (b) and (g), dictate that rural residential development will need to be located close to an existing urban area that has reticulated sewer and water services as well as a level of community infrastructure. In terms of the Selwyn portion of the Greater Christchurch area this limits the potential locations to Rolleston, Lincoln and Prebbleton.
- 5.26 In addition to the above criteria, the following are other matters that need to be considered as they will assist other provisions in PC1 to be achieved.



- (a) Sited so as to not limit the logical urban expansion of the urban area beyond the current PC1 planning period
- (b) Be situated close to employment opportunities

## **Rolleston**

5.27 Applying the criteria listed above to Rolleston, the following conclusions are reached:

- (i) Features at Rolleston which have the potential to impact on the opportunities for rural residential development include:
  - State Highway 1 (Main South Road) to the north
  - High power transmission lines to the north and south
  - 50dBA airport noise contour for the Christchurch International airport to the east
  - Council infrastructure (Wastewater treatment plant and Transfer station) to the west
- (ii) With the above in mind it is considered that the most appropriate location for rural residential development at Rolleston is to the west, south and southeast (below the noise contour) of the proposed urban limit. However, the south and southeast would also appear to be suitable and perhaps the only practical location for any future residential development and such this area is not recommended for rural residential activities.
- (iii) In addition, any rural residential development beyond the proposed urban limit in the south and southeast may not support criteria 3 b), j) & k) identified above. This assessment is based on the location from established community infrastructure within Rolleston and the likely demand for rural residential allotments within the first sequence identified by PC1. Rural residential development in this location would be sufficiently separated from the established community infrastructure and is therefore unlikely to be integrated into existing urban area (until such time that development occurs at the outer limits of the 'Greenfield areas' identified PC1 possibly as late as 2041). Timing may also contribute to whether reticulated services to rural residential development beyond the urban limit are economically viable especially at the first stage (2007-2016) given the distance from existing infrastructure.
- (iv) The area to the west of the existing Rolleston urban limit can provide for rural residential development albeit that there exists the potential for reverse sensitivity effects with established Tegel Foods operation, the Rolleston Resource Recovery Park and the Rolleston Wastewater Treatment plant. Provided potential reverse sensitivity effects can be overcome, this land should be able to accommodate rural residential development. Given this land is in close proximity to the existing urban area, rural residential development in this location would provide a number of efficiencies with greater transport incentives promoted. Rural residential development in this location would also preserve the rural / urban interface along the western boundary of Rolleston and is considered more appropriate in this location as the area is not suitable for intensive residential development.

## **Prebbleton**

5.28 Applying the criteria listed above to Prebbleton, the following conclusions are reached:

- (i) It is assumed that the Eastern Selwyn Sewerage Scheme will proceed and therefore enable the requirement of being served by a reticulated sewerage scheme to be met.
- (ii) Based on the stance of Christchurch City and the Decision reached by the Environment Court in the case of the urban growth provisions in the District Plan it is considered that rural residential growth to the north would be unlikely to succeed. Direct access to Springs Road is restricted by the District Plan, which also limits opportunities.

- (iii) In terms of all of the above criteria as well as proximity to existing community facilities and arterial roads it is considered that the area to the west of the existing urban area between Blakes and Trents Roads and to the east of Shands Road represents an opportunity for rural residential development. That said there are limited employment opportunities at Prebbleton and this combined with only a modest amount of community services and facilities including retail suggests that any amount of rural residential provided at this location would be modest.
- (iv) The abovementioned area would, however, in locational terms be the most suitable for residential growth. However, the fragmented landownership including the Kingcraft Drive development, in this location means the area would be both difficult to develop efficiently and achieve a high level of connectivity.

## Lincoln

5.29 Applying the criteria listed above to Lincoln, the following conclusions are reached:

- (i) Features at Lincoln which limit opportunities for rural residential development include the significant landholdings and the nature of activities undertaken by Lincoln University and the Crown Research Institutes at the western extent, the wetness limitations to the south below the area to be developed by Ngai Tahu and Lincoln University and the fact that the land to the east of the proposed Urban Limit falls into the Halswell catchment which poses difficulties for stormwater management.
- (ii) With the above in mind it is considered that the most appropriate location for rural residential development at Lincoln is to the north/north east of the proposed urban limit. However, this would also appear to be suitable and perhaps the only practical location for any future residential development and such we would not recommend this area for rural residential activities.
- (iii) The area to the south of the University may provide some opportunity for rural residential development albeit we note that an industrial business area has been identified in this location. Also we would question the distance to the community facilities such as the two schools and retail areas from this location. It may be that new community facilities are provided for within the Ngai Tahu/Lincoln University development beyond the new supermarket already established. If this was to be the case, and it may be some time before this is known, then this would add some weight to a rural residential development to the south west of Lincoln (assuming the area can be serviced and any potential reverse sensitivity effects with the University activities and proposed business area can be overcome).

## Conclusion

5.30 Overall it is considered that there are 'limited' opportunities at Prebbleton and Lincoln to accommodate rural residential growth for the reasons identified in paragraphs 5.28 and 5.29 respectively. In regard to Rolleston, it is considered the location identified by this request is appropriate for rural residential development as it meets the criteria provided by PC1.

## Analysis of Benefits and Costs of the Zone Change

### Option 1: Do Nothing

#### Benefits

- 5.31 The do nothing approach would leave the status-quo in place. The benefits arising from this would be retention of the existing character and amenity of the area for surrounding neighbours.

#### Costs

- 5.32 The cost of the do nothing option is to leave the site zoned as Rural. Maintaining the 'status quo' will:
- Continue to lead to land fragmentation of larger, more economic farming units in the district due to requirements of PC1 placing pressure on the creation of 4 ha allotments; and
  - Place pressure on the development of isolated rural residential sites leading to inefficiencies in transportation and servicing, creating an unsustainable pattern of growth beyond Greater Christchurch boundaries identified by PC1; and
  - Reduced future land use opportunities; and
  - Piecemeal development due to multiple ownership of land.
- 5.33 The effects associated with Option 1 are relatively benign and are confined to 'rural uses'. However, Option 1 has the potential costs identified above and is therefore not considered to be appropriate.

### Option 2: Private Plan Change as Proposed

#### Benefits

- 5.34 This option would assist in satisfying identified market demand for rural residential development.
- 5.35 The benefits arising are predominantly in the form of social and economic for the Rolleston and Greater Christchurch community through providing a range of residential living options and meeting a diverse range of household needs. The location of the proposal provides a sustainable use of the natural and physical resources which will lead to lower infrastructure costs. There are also environmental benefits through much improved urban design controls which will lead to a high quality development that will preserve and maintain the transition between urban and rural development. These benefits offset the environmental costs identified for this option.
- 5.36 This option will facilitate rural residential development that is consistent with District Plan Objectives, the provisions of PC1, and the Rural Residential Background Report.

#### Costs

- 5.37 The costs of the present proposal extend to social, economic and environmental.

#### Social

- 5.38 There are no measurable social costs identified if the plan change is implemented in accordance with the controls proposed.

#### Economic

- 5.39 The economic costs arising will fall on the applicant. These will be in the form of Council processing costs and contributions towards services to the site. These are costs that the applicant is willing to incur to achieve a comprehensive rural residential development over the site.

#### Environmental

- 5.40 The environmental costs of the proposal have been assessed at Section 4 of this report. There it was concluded that the rezoning of the land from Rural to Rural Residential (Living 3) will have only minor effects of the environment provided the recommendations provided are incorporated into the District Plan. The Plan Change provides the Council with the framework to achieve its statutory function under section 31 of the RMA to the control of effects resulting from the use and development of the site and achieve the integrated management of such effects. To this end the environmental costs of the plan change are not considered to be significant.

### Option 3: Alternative Zone

- 5.41 It may be that an alternative zone and suite of provisions along similar lines as those proposed could also achieve the purpose of the Act. At the same time creating an alternative zone and new types of controls may no better achieve the purpose of the Act than those proposed. It is considered that an alternative is less likely to improve the quality of development due to the controls proposed promote a sustainable rural residential development which retains elements of the rural area. Therefore, it is considered unnecessary to develop an alternative zone with a different suite of controls.

### Conclusion

- 5.42 Leaving the site zoned Rural is not considered to be as effective and efficient as Option 2, adopting a rural residential (Living 3) zoning.
- 5.43 Option 2 clearly provides a more efficient method, due mainly to the overall social and community benefits enabled through the application to introduce a new rural residential living zone in close proximity to the Rolleston Township, while at the same time the potential adverse effects of a rural residential zone are not significant.
- 5.44 Option 2 is the most effective, with potential benefits outweighing potential costs, and is considered the most appropriate policy response to the issue.
- 5.45 It is considered that the proposal will better achieve the purpose of the RMA than the current rural zone in question does. This is because of the enabling intention of the legislation that stems from the provisions of sections 5, 9 and 32 of the RMA. It is understood that the above provisions require that people's aspirations and property rights must only be interfered with or controlled to the extent necessary to achieve the purpose of the RMA. Therefore, if a plan change is in line with the purpose of the RMA, i.e. the adverse effects of the new activities are within appropriate levels, then the more permissive controls contained in the plan change request will better achieve the purpose of the RMA.



## 6. Consultation

### Fourth Schedule

- 6.1 The Fourth Schedule specifies that an AEE should include:

*Identification of the persons affected by the proposal, the consultation undertaken, if any, and any response to the views of any person consulted (Clause 1(h)).*

- 6.2 This obligation to report on the consultation undertaken is further clarified by Clause 1AA of the Fourth Schedule:

*To avoid doubt, clause 1(h) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not oblige the applicant to consult with any person; or create any ground for expecting that the applicant will consult with any person.*

- 6.3 Prior to the lodging of this request, SPBL undertook consultation as part of the plan change request with a view to obtaining feedback from Council Planners and the NZTA before finalising the content of the request.
- 6.4 Council's Asset Management department was consulted with during the course of forming this request in regard to obtaining reticulated services from the existing infrastructure and the proposed expansion of the wastewater treatment plant.

### Clause 3 of the First Schedule

- 6.5 In terms of Clause 3 of the First Schedule of the RMA consultation has been undertaken with Ngai Tahu, ECan and the Ministry for the Environment. Response from Environment Canterbury is included at **Appendix J**.

### Post Lodgement

- 6.6 Since the plan change request was originally lodged with Council in April 2009 the applicant has responded to various requests for further information requested by Council, with SPBL's responses to those requests being attached at **Appendix K**. Where these responses have triggered changes to the proposed amendments to the District Plan, these have been incorporated into Section 2 of the present document.

## 7. Conclusion

- 7.1 Rezoning of the site to provide for rural residential purposes represents the most appropriate way for the Council to achieve the purpose of the RMA by enabling the Rolleston community to provide for their social, economic, and cultural wellbeing at a rate which protects natural and physical resources.
- 7.2 In terms of the effects discussed above, it is considered that the rezoning of the land from Rural (Outer Plains) to Rural Residential (Living 3) will have only minor effects on the environment provided the proposed amendments are incorporated into the District Plan.
- 7.3 The location of the rural residential zone needs to be located such as it is outside the 'urban limits and can be "economically provided with reticulated sewer and water supply, and appropriate stormwater treatment and disposal". Given the site's proximity to Rolleston and the existence of existing reticulated services in the vicinity, it is considered the proposal is compliant with Policy 14 of PC1.
- 7.4 The location of the rural residential development as proposed by the present request will not lead to any relevant objective, policy or any other method in the District Plan being compromised.