

Before an Independent Commissioner  
Appointed by the Selwyn District Council

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Under the Resource Management Act 1991

In the matter of a hearing on Plan Change 79 to the Operative Selwyn District Plan

**Birchs Village Limited**

Proponent

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**Statement of Evidence of Sally Elizabeth Elford**

17 April 2023

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Proponent's solicitors:

Alex Booker | Samantha Gardner

Anderson Lloyd

Level 3, 70 Gloucester Street, Christchurch 8013

PO Box 13831, Armagh, Christchurch 8141

DX Box WX10009

p + 64 3 379 0037 | f + 64 3 379 0039  
alex.booker@al.nz

**anderson  
lloyd.**

## Qualifications and Experience

- 1 My name is Sally Elizabeth Elford. I am a Senior Planner and Associate with Baseline Group CLS Limited (Baseline Group), a multi-disciplinary consultancy specialising in land development throughout New Zealand but primarily Canterbury.
- 1 I hold a Masters of Resource and Regional Planning and a Bachelor of Arts majoring in Geography (Social) from Otago University. I am an Intermediate Member of the New Zealand Planning Institute (NZPI).
- 2 I have been practicing as a consultant planner since 2006 (17 years). My experience consists of preparation of resource consent applications and assessment of environmental effects for residential, rural and commercial land development. I have also prepared zoning bylaws and high-level policy documents for the long-term development of communities. My experience as a planning consultant includes working in rural and urban New Zealand as well British Columbia, Canada. I was formerly recognised as a Full Member of the Planning Institute of British Columbia and a Registered Practicing Planner.
- 3 This evidence is provided in support of Birchs Village Ltd (**BVL**) submission to rezone 36.58 ha of land from Inner Plains Zone to Medium Density Residential and Business 1 in an area south of Hamptons Road, west of Birchs Road and east of Springs Road, Prebbleton. My role has been to provide advice in relation to Planning matters associated with this proposal.
- 4 I prepared the privately initiated Plan Change Application 79 (PC79) to the Operative Selwyn District Plan (**OSDP**) along with the associated Section 32 Evaluation, and the response to the Request for Further Information for the plan change.
- 5 In preparing this statement of evidence I have considered the following documents:
  - (a) Selwyn District Council's Section 42A Report prepared by Jonathan Clease
  - (b) The Prebbleton Structure Plan
  - (c) The Operative Selwyn District Plan
  - (d) The Proposed Selwyn District Plan Variation 1 review documents (s32 and s42a reports, where relevant)
  - (e) The supporting statements of evidence prepared by the following:
    - (i) Mr. Ryan Geddes of Birches Village Limited (BVL), inclusive of a supporting letter from Chris Jones of Bayleys Canterbury;

- (ii) Mr. Dean Christie of NTP Development Holdings (Ngāi Tahu);
  - (iii) Mr. Fraser Colegrove of Insight Economics (economic);
  - (iv) Mr. Mark Everest of Macfarlane Rural Business (farm consultant);
  - (v) Mr. Dave Compton-Moen of DCM Urban Design Limited (urban design);
  - (vi) Ms. Nicole Lauenstein of a+ Urban (urban design review);
  - (vii) Ms. Hillary Konigkramer of WSP (social assessment);
  - (viii) Ms. Lisa Williams of Novo Group (traffic);
  - (ix) Mr. Simon Marshall of Baseline Group (servicing);
  - (x) Ms. Nicola Peacock of Momentum Environmental Limited (formerly Malloch Environmental Ltd) (contaminated land);
  - (xi) Mr. Paul Farrelly of Lumen (greenhouse gasses);
  - (xii) Mr. Andrew Jordan of Tetra Tech Coffey (geotechnical) and
  - (xiii) Mr. Victor Mthano of Reeftide Environmental and Projects Limited (productive soils).
- (f) Planning provisions relevant to my area of expertise, include but are not limited to the National Policy Statement on Urban Development 2020 (NPS-UD), The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act; the National Policy Statement on Highly Productive Land (NPS – HPL), the Canterbury Regional Policy Statement (CRPS), the Operative Selwyn District Plan (OSDP), the Proposed Selwyn District Plan (PSDP) and Variation 1 to that plan, the Mahaanui Iwi Management plan 2013 (IMP), the Selwyn 2030: District Development Strategy, and the Prebbleton Structure Plan 2010.
- (g) The 36 submissions (inclusive of three late submissions) and five further submissions, received from the public notification of PC79.
- 6 My evidence addresses planning related elements of the Application.
- 7 My evidence does not seek to repeat the information already submitted as part of this private Plan Change Request nor the evidence of the other experts.

## **Code of Conduct for Expert Witnesses**

- 8 While this is not a hearing before the Environment Court, I confirm I have read the Code of Conduct for expert witnesses contained in the Environment Court of New Zealand Practice Note 2023 and I have complied with it when preparing my evidence. Other than when I state I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

## **Scope of Evidence**

- 9 My Evidence covers the following:
- (a) The nature of the proposed plan change and key changes arising from submissions and changes in legislation since the Plan Change was lodged;
  - (b) The key issues arising from the plan change including the issues arising from submissions and the Section 42a report;
  - (c) The policy framework including operative and proposed District Plans, the Regional Policy Statement and relevant operative National Policy Statements;
  - (d) A review of the Section 32 analysis resulting from proposed changes to PC79; and
  - (e) An overall assessment of PC79 and conclusions.

## **Introduction**

- 10 Plan Change 79 (PC79) is a privately initiated Plan Change made to the Operative Selwyn District Plan (OSDP) seeking to rezone 36.58 ha of land south of Hamptons Road and west of Birchs Road from Rural Inner Plains to a new Living Medium Density Prebbleton Zone, and Business 1 Zone.
- 11 The original PC79 application was submitted to Selwyn District Council (SDC) 9<sup>th</sup> June 2021. A timeline of the process since then has been provided in the evidence of Mr. Geddes, in short PC79 has faced many delays to get to the point of a hearing, including due to COVID 19, the Enabling Housing Bill and the process of the District Plan being updated. The revised PC79 (inclusive of the medium density and commercial component) was notified 7<sup>th</sup> September 2022.
- 12 PC79 proposes specific rules to allow for a Prebbleton Medium Density Living Zone, which includes a range of appropriate bulk and location provisions to enable a medium density environment without generating adverse effects on amenity, shading, privacy or neighbourhood values. These rules were provided by SDC

because, as at the time of preparing the PC79 application new standards incorporating the Medium Density Residential Standards (MDRS)<sup>1</sup> requirements had not yet been finalised by SDC. At the time of writing, a new zone Medium Density Residential Zone (MRZ), inclusive of the MDRS has been notified by Council as Variation 1<sup>2</sup> to allow the insertion of the new MRZ zone into the Proposed Selwyn District Plan (pSDP).

- 13 Notwithstanding the above, as the pSDP is not yet operative the PC79 request is to amend the Operative Selwyn District Plan (OSDP).
- 14 Since PC79 was lodged, BVL have reached an agreement with NTP Development Holdings (Ngāi Tahu) for the future development of the site and have partnered together as joint proponent for the purpose of advancing PC79. This has resulted in some changes to the ODP, and the values on which the design and future development of the site have been based. These values and concepts and the resultant changes to the ODP and PC79 overall, have been discussed in full in the evidence of Ms. Lauenstein, and the benefits to Te Runanga o Ngai Tahu identified in the evidence of Mr. Christie. As these changes have been designed to incorporate cultural values for the development as a result of consultation with Te Runanga O Ngai Tahu, through development discussions, I consider these changes are not beyond the scope of PC79.
- 15 Some further changes have been included as a result of the recommendations from the Section 42a Officers Report, and this includes changes to the proposed rule framework to accommodate ODP changes.
- 16 The proposed amended ODP and associated narrative are attached to Ms Lauenstein's evidence and changes to the proposed rule framework as a result are attached as **Appendix A** to my evidence (refer new rule 12.1.3.48X).
- 17 Key changes to the ODP since notification include a realignment of the main north/south spine road and the two primary east/west roads to provide for different view shafts. This will incorporate view shafts towards the port hills to create greater connection to this significant landmark. Secondary roads shown at the northern end of the site in an east/west direction connection through the commercial space to a crossing to Kakaha Park across Birchs Road. The ODP now shows additional pedestrian spaces, both adjoining the spine road network but also east/west adjoining the commercial space. Some internal park spaces are shown within the site and an area for a utility reserve for the management of stormwater at the

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<sup>1</sup> Arising as a result of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 .

<sup>2</sup> Referenced as Variation 1A by the Section 42A reporting officer at Paragaraph 26.

southern end of the site. The ODP includes pedestrian and cycle link connections through the site and externally.

- 18 Along eastern and southern boundaries of the site fronting non-urban boundaries (i.e. the rural/urban interface), it is proposed to include edge treatments, principally in response to submissions concerned with reverse sensitivity effects. This edge treatment is anticipated to be a 5 m wide soft landscaped treatment utilising native plantings to provide both visual and physical separation between future dwellings and surrounding rural land beyond these boundaries. It is proposed the edge treatments will be contained within residential sections and will require trees which are able to reach between 4 – 8 m in height to create a sense of separation. Rules within the amended rule framework have been drafted to require these treatments to be planted at the time of subdivision and maintained by future land owners. Incorporation of the edge treatments will occur at the time of subdivision with any dead or diseased plants to be replaced by the land owners.
- 19 The proposed amendments to the ODP are reflective of the input from local Iwi and the integration of Te Rūnanga o Ngāi Tahu's values into the design of the future subdivision. It will inject unique cultural elements, such as maintaining important viewshafts and the treatment of water within the site and use of biodiversity as resources to be incorporated and enhanced. Descriptions of the cultural features and benefits able to be realised as a result of the Ngai Tahu's input into the future development of the site have been provided in the Evidence of Mr. Christie and Ms. Lauenstein.
- 20 In response to submitter concerns (primarily the owners and occupiers of 142 Birchs Road) the proposed local commercial area has been relocated south such that it could be developed without adversely affecting the property at 142 Birchs Road. This is reasonably achievable, given the site at 142 Birchs Road is significantly undersized for the existing zone – 5,904 m<sup>2</sup> as opposed to the required 4 ha minimum for the Inner Plains Zone – and comprises only 1.6% of the site of the PC79 site. The commercial area in the new location provides a better connection to Kakaha Park and allows for greater walkability within the site to the commercial area from the furthest extent of the PC79 area.
- 21 Since the original application for PC79 was lodged to Selwyn District Council, the pSDP has advanced through provision of evidence and into hearings stage. I provided evidence relating to the submission made by BVL to the pSDP, and this included consideration of amended urban growth provisions provided by Selwyn District Council.<sup>3</sup> The submission varies from PC79 as it does not include the 0.78

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<https://extranet.selwyn.govt.nz/sites/consultation/DPR/Shared%20Documents/Hearing%2030.5%20Rezone%20-%20Prebbleton/Hearing%2030.5%20Submitter%20Evidence/DPR->

ha of Business zoned land in the northeast corner of the application site, rather providing for residential across the whole site. This was subsequently included in a further submission on Variation 1 to the pSDP which was notified by Selwyn District Council in response to the Resource Management Enabling Housing Act introduced in 2021. The proposed zoning for PC79 therefore aligns with the rules proposed and will fit within both the Operative Selwyn District Plan and the Proposed Selwyn District Plan to ensure consistency going forward for the various policy planning frameworks being developed simultaneously.

- 22 Since lodging PC79 the Council reserve across Birchs Road, owned by SDC, has progressed in its development and is now called Kakaha Park. This is a functional park where people come to play sports, recreate, cycle, etc. There are ongoing works along Birchs Road frontage, and the speed zone along Birchs Road is proposed to be changed to a 60 km zone out to Leadleys Road. The street environment along Birchs Road is being upgraded to include urban features such as kerb and channel along Birchs Road and street lighting within the car parking area accessed off Birchs Road. Aspects of this park including carparking and associated lighting and the primary sports fields are located fronting Birchs Road, giving this road frontage a more urban aspect than other parts of the park.
- 23 Since lodging PC79, Mr. Geddes has undertaken a subdivision of his 12ha property under RC185395, and is in the process of giving effect to this consent. This consent enables the development of the site into four properties each of approximately 4 ha in area. A copy of this approved subdivision has been included with Mr. Geddes's evidence.
- 24 Since lodging PC79 the National Policy Statement on Highly Productive Land (NPS – HPL) has been gazetted, and now has legal effect. This NPS is focused on retaining highly productive land for productive purpose. I have considered the effect of PC79 in light of this NPS throughout my evidence, including a specific assessment of the NPS – HPL policy framework.

## **Key Issues**

### Loss of Productive Soils

- 25 One of the key issues of the proposed rezoning of rural (Inner Plains) land to urban densities is the potential loss of productive land. While this was addressed in part through the assessment of effects provided as part of the PC79 notified application, additional consideration of the impact of the reduced rural zone has been considered in the evidence of Mr. Mthamo, relating to versatile soils, Mr. Everest

relating to productive potential of the land, Mr. Colegrave relating to comparative economic costs and benefits of rural use verses residential use and Ms. Konigkramer in relation to social impacts of the loss of productive land. This consideration has been made in the context of the NPS – HPL.

- 26 Mr. Mthamo states the site contains soils identified as Land Use Class (LUC) 1 and 2, which are considered to be the highest class of soils and the site is therefore considered “highly productive land” under the NPS-HPL<sup>4</sup>. Mr. Mthamo further states these soils make up the majority of the Canterbury Plains representing the well-known fertile nature of the plains.
- 27 Mr. Mthamo has provided an analysis of productive capacity as intended to be protected by the NPS-HPL and productive capacity as it relates specifically to the PC79 site. Mr. Mthamo’s evidence summarises the environmental factors impacting productive potential of the site, namely access to water for irrigation, soil moisture deficits, restrictions on the use of nitrogen fertilizer and the fragmentation of land<sup>5</sup>. Mr. Mthamo’s conclusion is, when taking into consideration the site-specific factors of the application site the rezoning of the site for residential use should not be precluded and such a change will not result in a significant reduction in highly productive land in the region (less than 0.005% for the Selwyn District overall)<sup>6</sup>.
- 28 Mr. Everest has undertaken an in-depth analysis of the likely productive land uses of this site and has taken into consideration the evidence of Mr. Mthamo regarding the soil types. In addition, Mr. Everest has considered the current size of the land holdings, the limitations in the region to access markets for produce, access to water for irrigation purposes and climatic conditions, and has concluded this specific site has limited ability to provide for economically viable land based primary production<sup>7</sup>. With irrigation this site could provide for greater potential but would encounter compliance issues with addition of fertiliser to meet regional nutrient management requirements. In addition, Mr. Everest considers even if water allocation could be transferred to the site, access to groundwater for the irrigation of the site presents a high risk of interference effects limiting actual access.
- 29 In addition, Mr. Everest has provided an assessment of the potential economic returns if the subject site were to be used for the potentially feasible land based primary production (under the assumption water can be acquired and the whole site as a single productive unit) and concludes the minimum return on capital

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<sup>4</sup> Mr. Mthamo’s evidence paragraph 8.

<sup>5</sup> Mr. Mthamo’s evidence paragraph 10.

<sup>6</sup> Mr. Mthamo’s evidence paragraph 11

<sup>7</sup> Mr. Everest evidence paragraph 10



(ROC) of a conservative 4%<sup>8</sup> is not met by any of the scenarios. Based on Mr, Everest's evidence I conclude the use of the application site for land based primary production, based on the most feasible options identified and given the specific conditions and constraints of the application site, is not economically sustainable in terms of the return for the investment made.

- 30 Mr. Colegrave has provided a comparison of economic costs of the productive uses identified by Mr Everest verses the benefits arising from the use of the site as proposed by PC79. Using the methods set out in his evidence Mr. Colegrave has concluded the potential Total Economic Value of the site (over a 50 year timeframe) ranges between \$236,500 for Livestock and arable uses through to \$7,115,900 for apples both of which are significantly less than then potential \$21,390,000 provided by the conversion of the site to urban activities as proposed through PC79<sup>9</sup>.
- 31 Ms. Konigkramer has completed a desktop social assessment considering the negative and positive social impacts of PC79. While a final version of Ms. Konigkramer's evidence was not available at the time of preparing this evidence, I have reviewed the desktop assessment. The social assessment has considered the positive social impacts associated with PC79 to be: enhanced everyday connectivity; increased availability of housing; increased local economic stability; enhanced liveability and increased amenity and well-being. Ms. Konigkramer concludes the negative social impacts associated with the loss of highly productive land is of low significance as there are currently no land based primary production taking place on the PC79 site and overall concludes the positive social impacts of the development of PC79 outweigh the negative social impacts from the loss of highly productive land for land-based primary production.
- 32 In my view, based on the evidence presented by Mr. Mthamo, Mr. Everest, Mr. Colegrave and Ms. Konigkramer, the land contained within PC79 has limited actual productive value at present due to its fragmented land ownership, and in the future due to the limitations around access to water and nutrient restrictions to provide for various productive uses of that land.
- 33 Based on the evidence provided by Mr. Mthamo, Mr. Fraser, Mr. Colegrave and Ms. Konigkramer, I have concluded PC79 represents a loss of rural zoned land with limited productive capacity - despite its land use classification under the NPS-HPL - and the highest and best use of the land economically and socially, is the conversion to residential - with small scale supporting commercial use.

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<sup>8</sup> Mr. Everest evidence paragraph 15.

<sup>9</sup> Mr. Colegrave evidence Paragraph 138.

## Prebbleton Urban Expansion

- 34 Prebbleton is identified as a Service Township<sup>10</sup> with its function based on providing a high amenity residential environment and primary services to rural townships and surrounding rural areas.
- 35 As set out by Mr. Compton-Moen in his evidence and his original report (see Appendix 5 of PC79), and further supported by Ms. Lauenstein's evidence, Prebbleton is constrained in growth potential by a number of physical factors. These include the Christchurch Southern Motorway to the north, power transmission lines around the eastern edge, and increased flood risk further to the east. Shands Road to the west of the township forms a logical township extent, with additional transmission lines and eventually State Highway 1 further west.
- 36 The Christchurch Southern Motorway will continue to provide a physical and significant barrier between the Prebbleton township and the urban extent of Christchurch City immediately north. In addition, there is an area of identified Class 1 LUC soils zoned Inner Plains (larger than any on the application site) to the northeast of Prebbleton. There is also an area of LUC 1 soils immediately south of the application site fronting Birchs Road.
- 37 The Greater Christchurch Partnership has recently released maps of areas to avoid development, based on hazard risks and other physical and cultural constraints<sup>11</sup>. The area south of Prebbleton is relatively free of constraints<sup>12</sup>.
- 38 Plan Change 72 has recently been approved<sup>13</sup> which extends the southern boundary of the township between Trices Road and Hamptons Road (east of Birchs Road) to Kakaha Park.
- 39 The creation of Kakaha Park south of Hamptons Road and east of Birchs Road in my opinion brings the urban form of Prebbleton Township south to Leadleys Road, opposite the PC79 application site. Built form along Birchs Road supporting car parking, playground, sportsfields and associated lighting is indicative of the urban nature of the park. This view is supported in the evidence of Ms. Lauenstein<sup>14</sup> and

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<sup>10</sup> Selwyn 2031: District Development Strategy -  
[https://www.selwyn.govt.nz/data/assets/pdf\\_file/0008/147977/Selwyn-2031-Finalr.pdf](https://www.selwyn.govt.nz/data/assets/pdf_file/0008/147977/Selwyn-2031-Finalr.pdf)

<sup>11</sup> <https://greaterchristchurch.org.nz/assets/Documents/greaterchristchurch/GCSP-Areas-to-Protect-and-Avoid.pdf>, accessed 04/04/2023.

<sup>12</sup> Noting further south of the application site is Class 1 LUC soils, as discussed in the evidence of Mr. Geddes.

<sup>13</sup> Subject to one outstanding appeal to the Environment Court and Variation 1 hearing schedule for May-June 2023.

<sup>14</sup> Ms. Lauenstein's evidence.

Mr. Compton Moen<sup>15</sup>. I note this view differs from that of Mr. Cleese in his Section 42A report, in particular at paragraph 179 where he suggests the park is more rural in nature than urban. While I agree, the park provides an ideal transition to the rural areas beyond consideration must also be given to who the Kakaha Park is intended to provide for i.e. primarily the residents of Prebbleton, forming part of the township.

- 40 In my view and based on the evidence of Mr. Compton-Moen and Ms Lauenstein, large curated open spaces, playgrounds and sports fields are inherently part of urban form (such as Foster Park<sup>16</sup> in Rolleston at 30 ha), and necessary to support the wellbeing needs of communities contained within urban areas. Large green spaces can be a central feature which urban spaces can grow around to encompass, providing for greater utilisation of the open space resource. Large green and open spaces are ideal locations for increased residential density.
- 41 In my opinion, Kakaha Park functions in an urban manner along the Birchs Road frontage between Hamptons and Leadleys Roads and is now a critical part of the Prebbleton township urban form, due to primarily serving the Prebbleton township.
- 42 I understand Council have extended services to the park, reduced speed limits on surrounding roads and created safe crossing facilities and footpath and cycle connections, or these are under construction. This gives the street environments along Hamptons Road and Birchs Road an urban scale and sense, effectively fully incorporating the reserve area into the urban form of Prebbleton and extending the current township boundary.
- 43 The evidence of Mr. Compton-Moen and Ms. Lauenstein establish clear township growth limits to the north, east and west of in their evidences'. I consider the limiting features on the north, west and eastern boundaries of Prebbleton demonstrates the most appropriate direction for the growth needed for Prebbleton is south, including the application site.
- 44 The Section 42A report raises concern PC79 changes the southern form and edge of Prebbleton based on only a short northern part of the site adjoining the existing urban edge. While the edge joining the existing urban extent of the Prebbleton township is the shortest edge, due to the shape, given the constraints identified to the future expansion on Prebbleton in any other compass direction, a move south is logical. I also consider the southern boundary of Prebbleton urban form has moved past the historical edge created at Hamptons Road, due to the presence of Kakaha Park, which now essentially extends the township boundaries beyond those anticipated by the various planning documents.

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<sup>15</sup> Mr. Compton Moens evidence at paragraph 36.

<sup>16</sup> <https://www.selwyn.govt.nz/recreation-And-facilities/parks-And-reserves/foster-park>

- 45 Given this I consider development south of Hamptons Road is appropriate to meet the shortfall in housing analysed by Mr. Colegrave in his evidence.
- 46 In light of the outdated nature of many of the planning frameworks providing for the growth of Prebbleton Ms. Lauenstein and Mr. Compton-Moen (with input from Mr. Mthamo with respect to LUC under the NPS-HPL) have collectively created a growth pattern for the township (taking into account the constraints and limitations they have identified) to provide an indicative concentric pattern of future development for Prebbleton. PC79 land clearly fits within this and forms a new edge to the urban form. High Voltage Power lines to the south further strengthen this as a defensible edge protected by a NPS relating to electricity transmission.

#### Demand for Growth

- 47 I note the Section 42a Report relies on an assessment undertaken by Formative and attached as Appendix 3 to the S42a Report. Mr Colegrave's evidence has critically examined the Selwyn Growth Model, which underpins the demand estimates provided in the s42A report. There are elements of the model itself which have been called into question and which Mr. Colegrave has provided an alternative estimate. Mr. Colegrave's estimate of demand is 1,225 to 1569 additional dwellings over the next 10 years (short-medium term), noting if there is a boost in the number of sections, there will also likely be a spike in demand. Further to this Mr. Colegrave estimates supply at around 1,000 dwellings leading to a short-medium term shortfall of between 255-569 houses<sup>17</sup>.
- 48 Mr. Colegrave provides consideration of the housing demand taking into account the two other plan changes recently approved for Prebbleton, being PC68 and PC72. He concludes<sup>18</sup> there is residual demand for further residential land to be developed in Prebbleton in the short and short-medium term due to capacity shortfall, even with the application of Medium Density Residential Housing provisions across the existing and zoned residential areas in Prebbleton.
- 49 Mr. Colegrave further notes the lack of available sections and the timelines associated with rezoning land (with respect to the applications currently in process or approved) has the potential to restrict growth and construction in the township across the various timeframes<sup>19</sup>. This is also noted in the servicing evidence provided by Mr. Marshall with respect to the timing of service upgrades required to serve the approved plan change areas.

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<sup>17</sup> Mr. Colegrave at paragraph 102.

<sup>18</sup> Mr. Colegrave at paragraphs 93 – 17.

<sup>19</sup> Mr. Colegrave paragraphs 58 – 61.

- 50 The above analysis identifies, in my view, there is demand for additional housing in Prebbleton and a need to ensure future zoning is provided for. This is of particular importance considering the timeframes associated with the creation of residential allotments through the plan change process and subsequent subdivision consent (and Engineering Approval) and development phases.
- 51 Assessments by Mr. Compton-Moen and Ms. Lauenstein, have concluded future growth of Prebbleton is most appropriately located to the south. There is a demand for additional housing in Prebbleton as established by Mr. Colegrave in his report and evidence, even when considering the enabled capacity of the medium density housing provisions. Based on these findings I consider the development of the PC79 site is an appropriate location for the short, medium and long-term growth (demand) of the township.

#### PC79 Specific design features

- 52 PC79 includes an Outline Development Plan (ODP) showing transport connections, both vehicle and pedestrian, within, and through the site, this includes recommendations suggested by s42A officers reports on traffic and are detailed by Ms. Williams in her evidence. It also identifies key connections points to adjoining land beyond the ODP boundaries. The accompanying text with the ODP, which is designed to form part of the ODP provisions, includes guidance for intensification to be provided close to reserve areas (both internally and externally to the site), and towards the northern end of the site, closest to the existing township boundary. This can accommodate a graduation of development sizes allowing for larger allotments at the southern end of the site furthest away from the urban centre and proposed commercial area.
- 53 The ODP also sets out the provision of green spaces within the site, which have the dual purpose of creating pedestrian access and creating connectivity via non-motorised methods of transport. The ODP as now amended includes spaces for stormwater management within the site. The business zoned land is anticipated to provide for a focal point within the development to create a sense of community and has capacity to accommodate a pre-school.
- 54 The Ministry of Education submission has identified the need to provide for school age children within the PC79 area. There is capacity within the site to provide for additional education facilities should they be required. There is recognition within the ODP to allow for its future consideration and incorporation at the time of subdivision as recommended at paragraph 187 of the Section 42a Report.
- 55 Ms. Lauenstein, has set out the amended design gives effect to cultural principles through roading orientation, opportunities for greenspace enhancement and provision of a waterway through the central green spine.

- 56 Given these features, I consider the design and layout of PC79 ODP to be appropriate, providing opportunities for connectivity to the township, Kakaha Park and providing for local daily needs within the site. This will result in a well-integrated and coordinated development.

#### Transport

- 57 The evidence of Ms. Williams addresses traffic related matters and includes consideration of changes made as a result of the amended ODP layout, including key connection points. Ms. Williams prepared the integrated traffic assessment and amended contained in Appendix 6 of PC79 and has considered both the internal layout of the site, and the connectivity to the surrounding road network.
- 58 This report concludes the site is located adjoining the urban form of Prebbleton and is able to be serviced by primary road in Birchs Road and Hamptons Road for the anticipated volume of traffic generated by the proposal. Ms. Williams also notes some upgrades to road intersections may be required depending on the resulting density of development, and roundabouts on Birchs Road may be required to service this. Provision for any upgrades required to the site and surrounding network have been made in the text associated with the proposed PC79 ODP.
- 59 Ms. Williams goes on to note in her evidence the revised ODP primarily has internal changes and does not affect the original assessment provided as the external intersection locations have remained the same. Trigger conditions and upgrade requirements have been added to the subdivision rules to be inserted into the operative Selwyn District Plan (as recommended in the s42a report) and are provided in Appendix A.
- 60 Based on the evidence of Ms. Williams I have concluded the proposed ODP provides an appropriate design allowing for safe and efficient use of, and integration with the surrounding transport network. This includes providing for and supporting a mode shift away from single occupancy vehicles to public transport and pedestrian/cycle infrastructure. The ODP narrative and amendments to the rules proposed will ensure appropriate upgrades take place prior to or concurrent with anticipated demand through the subdivision of PC79. In my opinion this is an appropriate method to ensure any potential adverse effect of the development of the site are appropriately managed and or mitigated at the time of subdivision.
- 61 In my opinion the density of PC79 can support increased demand for alternative modes of travel (particularly with increasing petrol prices in the future); which could further support upgrades to this multi-model infrastructure such as increased bus frequency and further improvements to the Little River Cycle Trail through to Christchurch City.

### Infrastructure

- 62 A Servicing Report for PC79 has been prepared which identifies potential demand for sewer, stormwater and water supply and proposed methods for providing these necessary services.
- 63 The Section 42A report and supporting Appendix 1 Report from Mr. Hugh Blake-Manson have highlighted capacity issues to transport waste to the Pines Treatment facility in Rolleston. This report clearly sets out the treatment plant has sufficient capacity to treat expected additional flows from the PC79 site.
- 64 Mr. Marshall has prepared evidence to support the servicing report on the basis of a realistic potential yield of 527 allotments (with the potential of a permitted activity level of up to 1,581 residential units, although this is unlikely). Mr. Marshall has established there are a range of methods for servicing the PC79 site, which may include creating capacity within the PC79 network to maximise the off peak capacity of the network. Ultimately a future new pump station and connection through to the pines network could be installed, and cost recovery methods of this infrastructure upgrade can be achieved through a variety of appropriate methods. The final design of any systems is largely density dependant however, an appropriately engineered solution can be achieved to service the site within the capacities of the network at the time it is required.
- 65 The servicing report notes provision for stormwater disposal to ground is feasible and specific consideration of the location and size of disposal areas will need to be made at the time of subdivision, depending on final densities achieved. Further consideration of this has been made through the updated ODP design and includes a potential stormwater disposal area at the southern end of the site. Mr. Marshall and the Section 42A report agree a feasible stormwater solution can be achieved.

### Geotechnical

- 66 Mr. Jordan has prepared evidence relating to the updated Geotechnical Assessment Report prepared by Tetra Tech Coffey and provided as Appendix 9 of PC79. The reporting identifies the majority of the site as having ground conditions similar to TC1 with some minor pockets of TC2-like conditions. Mr. Jordan has established overall ground conditions are suitable for residential development, subject to further investigation and design at the time of subdivision. A groundwater monitoring programme was also recommended to allow for more accurate liquefaction analyses, to support future subdivision. Based on Mr. Jordans evidence and reports I consider geotechnical natural hazard risk to the site can be adequately mitigated at the time of building and foundation design and therefore the overall risk is low from natural hazards relating to geotechnical issues.

### Flood Risk

- 67 A flood hazard assessment prepared by Environment Canterbury (attached in Appendix 10 of PC 79) was based on the original area of the proposed plan change and included the property at 214A Birchs Road. The Environment Canterbury assessment determined the areas of the application site which would meet the definition of high hazard would primarily be limited to the depression in the south-eastern corner of the property (214 Birchs Road). This area of high hazard was subsequently removed from the PC79 area and does not form part of the application site presently. Given this I agree with the Section 42A report at paragraph 77 which confirms flood risk does not present a risk preventing rezoning.

### Contaminated Land

- 68 A Preliminary Site Investigation of the application site was undertaken by Malloch Environmental Ltd (now rebranded as Momentum Environmental Ltd) and provided as Appendix 8 of PC 79. Evidence on the findings of this report has been prepared by Ms. Peacock the report author. Ms Peacock concludes there are multiple parts of the application site which have potential to contain contaminated soils. However, these areas are unlikely to preclude future development of the site for residential purposes, although more specific assessment at the time of subdivision will be required (a Detailed Site Investigation). Based on Ms. Peacocks findings, and my own experience with contaminated land issues, I consider future testing at the time of subdivision is an appropriate solution to ensure there is little risk to human health through future development of the site. It is noted this is a standard requirement of any subdivision consent processed by SDC particularly where there is a change of use from rural to residential.

### Greenhouse gas emission

- 69 A greenhouse gas (GHG) emissions assessment has been provided in the evidence of Mr. Paul Farrelly of Lumen.
- 70 Mr Farrelly identifies the proposed density (of PC79) as advantageous in terms of potential GHG emissions as emissions tend to be less on a per resident basis. Further the location of PC79 is supported due to the presence of an existing public transport route and cycleway, both of which can support a modal shift away from private motor vehicles. Mr Farrelly concludes on balance, the PC79 development supports a reduction in GHG emissions, relative to other greenfield development opportunities available in the greater Canterbury region.

### **Policy Framework**

- 71 An assessment of the Operative Selwyn District Plan (OSDP) policy framework was provided within the PC79 application (Appendix 17). In addition, PC79 seeks



to insert a new residential zone (Living MD Prebbleton) and accompanying objectives and policies as provided by SDC to match Variation 1.

- 72 The OSDP policy framework recognises there is a demand for residential sections in rural locations, particularly within easy commuting distance of Christchurch City. The OSDP also recognizes there has also been an increase in the use of 4 ha rural allotments (Inner Plains) for rural residential/lifestyle living rather than rural or productive purposes.
- 73 There are some identified inconsistencies with the OSDP. Of note is Policy B1.1.8 with respect to versatile soils, due to the location of the application site outside of any current strategic planning documents. Taken overall it is not considered contrary, due to the limited productive capacity of the application site and the low productive use of the Inner Plains more generally.
- 74 Objective B1.4.4 with respect to maintaining the distinction between the landscapes of the rural area and townships on the Canterbury Plains and Objective B3.4.3 and Policy B3.4.39 with respect to avoiding reverse sensitivity. The proposal now includes provisions requiring a landscaping strip and a buffer area between residential dwellings and adjoining rural areas, creating an increased sense of separation to mitigate reverse sensitivity effects. This will also serve to provide a distinction between rural and urban spaces, through clear delineation.
- 75 Objective B4.3.3 refers to directing growth in townships within the Greater Christchurch area to existing zoned land or priority area within the Regional Policy Statement. On this point the application site is within the Greater Christchurch area and is not currently zoned or otherwise noted in the CRPS. The inconsistency with this objective is in part due to the age of both the OSDP and CRPS which have not been updated to reflect either the changing policy direction or the uptake of future development land which has already occurred. However as discussed in the evidence of Mr. Colegrave has set out there is a short- medium term demand for additional development in Prebbleton beyond that anticipated by the OSDP. As an ODP is proposed any future subdivision of the site could be consistent with the second part of this objective but remains inconsistent due to the location.
- 76 Overall, PC79 will be consistent with the proposed provisions of the medium density zone, which in themselves give effect to the requirements of the NPS-UD and the Enabling Housing Act<sup>20</sup>, and not contrary with the existing provisions of the OSDP, as relevant.

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<sup>20</sup> Both of which given effect to Part 2 of the Resource Management Act 1991

#### Proposed SDP, Variation 1 and MDRS rules

- 77 As originally notified, the pSDP seeks to provide for the General Rural Zoning and the Specific Control Area - Rural Density 1 Overlay (SCR RD1) across the PC79 application site, which allows for development to densities of one dwelling per 4 ha.
- 78 BVL made a submission to seek the site is either included as the Urban Growth Overlay in the pSDP, or (and more preferably) the site is zoned as General Residential Zone - or an alternative and suitable residential zone - as best reflects the Prebbleton Living Medium Density zone proposed under PC79.
- 79 PC79 included an assessment of the pSDP objectives and policies (Appendix 18) and generally finds the rezoning of the site is not contrary to these provisions, other than not being formally identified for growth in higher order documents.
- 80 The proposed amendments to the ODP do not alter this assessment significantly, with the only exceptions being EIB01 and EIB02 with respect to ecosystems and indigenous biodiversity and the urban growth objectives and policies UG01, specifically with respect to protecting the health and well-being of waterbodies, freshwater ecosystems and receiving environments. The addition of the Ngai Tahu values into the ODP design narrative have provided for the reestablishment of ecosystems and biodiversity within the site, and incorporation of native plantings.
- 81 Objective UG-O2 seeks to maintain townships with a compact and consolidated form, the evidence of Mr. Compton-Moen and Ms. Lauenstein describe how PC79 provides the desired policy outcomes, when read in context with the Kakaha Park, which has changed the southern context of the township. Precedence has already been set by the presence of Kakaha Park, a recreation reserve to serve the Prebbleton and surrounding townships and overall, the intent of the objective with respect to accessible sustainable and resilient neighbourhoods is met and is considered consistent.
- 82 Generally, I consider the proposal is consistent when considered overall with these provisions and the Urban Form and Development (SD-UFD-O1-O3) additions to the pSDP as a result of Variation 1 and the site is able to be integrated into the pSDP, subject to being rezoned.
- 83 In December 2021, the Government introduced to law the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (the EHS Act) to enable greater housing capacity across major urban areas through medium density development. These provisions allow for up to three dwellings per record of title subject to compliance with a range of bulk and location parameters.

- 84 This amendment has significant implications for the potential intensification of land over time, and the impact this potential intensification might have on infrastructure, traffic and transport capacities, and community services including reserve areas.
- 85 The Selwyn District is identified as a Tier 1 Council and must give effect to the EHS. SDC has determined the intensification provisions apply to Rolleston, Lincoln and Prebbleton due to population size.
- 86 To give effect to this requirement PC79 incorporated (in consultation with SDC) a new medium density zone (MD Prebbleton). The new zone gives effect to the enabling requirements of the EHS and is consistent with the Council notified Variation 1 applied to PC68 and PC72.
- 87 Based on the proposed zoning, the PC79 site has a theoretical (enabled) capacity of 856 allotments, based on a minimum allotment size of 400 m<sup>2</sup>, this could result in a total of 2,568 residential units (three times the number of residential sections). In reality this scenario is unlikely to actually eventuate, as it assumes every site will contain three units.
- 88 The effect of the EHS is to enable densities threefold in order to provide the housing capacity necessary to meet housing demand. Consideration of the effect of these provisions on existing infrastructure, including three waters, roading and connectivity routes and recreational spaces have been made throughout the evidence of experts associated with this hearing. The ODP is designed to achieve a minimum of 15 households per ha anticipated by the Canterbury Regional Policy Statement and enables further intensification as required by the NPS-UD with appropriate triggers.

#### Amended Urban Growth Policies

- 89 Mr. Baird sets out in his 1 July 2022 S42A Report, a process for considering greenfield rezoning requests located outside of a proposed Urban Growth area in the pSDP. This includes consideration against Policy 8 and implementation method 3.8 of the National Policy Statement on Urban Development (NPS-UD), as reflected in the amended<sup>21</sup> Urban Growth Objectives of the pSDP. This also considers specific greenfield development criteria known as the greenfield framework. As part of my evidence to the pSDP I undertook Attached an assessment against the relevant amended urban growth policies and the greenfield framework from Mr. Baird's report. This concluded the proposal is able to achieve the anticipated outcomes and therefore approving PC79 will ensure a seamless

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<sup>21</sup> By recommendations of Section42A report for Urban Growth Dated 30 July 2021

transition into the pSDP. Despite the amendments to PC79 since undertaking that original assessment, I am still of the view the proposal can meet these provisions.

#### Canterbury Regional Policy Statement

- 90 An assessment of the Canterbury Regional Policy Statement (CRPS) was provided in Appendix 14 of the PC79 application as notified.
- 91 The assessment concludes the proposed plan change and resulting land use would be generally consistent with the relevant objectives and policies of the CRPS but inconsistent with Map A and associated policies due to the static nature of this map, which has not been updated to reflect the current uptake of residential land or the requirements of the NPS-UD.
- 92 The submission from Environment Canterbury states none of the Policy 6.3.11 circumstances in which a review of the extent and location of land for development will be undertaken, have been triggered that would necessitate the provision of additional land. However, it is noted this Policy is a monitoring and review policy, primarily noting the monitoring requirements of Council with respect to the supply and uptake of zoned land.
- 93 The first requirement of this policy is for Canterbury Regional Council and territorial authorities to undertake adequate monitoring to demonstrate in the short, medium and long term there is adequate supply of residential and business land. Various assessments have been completed to date including the Greater Christchurch Housing Development Capacity Assessment (30 July 2021)<sup>22</sup>, which identified capacity but not relative to demand and the more recent report from Ben Baird, which identified a shortfall and the latest Selwyn Residential Capacity and Demand – IPI 2023 (22 March 2023)<sup>23</sup>, which identifies a long term (out to 2053) shortfall versus sufficiency of feasible supply. However, Mr. Colegrave has set out a range of issues with the Selwyn Residential Capacity and Demand IPI which raises questions as to the accuracy of the results for the Prebbleton market. Mr. Colegrave has established starting at paragraph 68 of his evidence, there is more realistically a short – medium term shortfall.
- 94 The mechanisms for change to growth priorities are required to meet the specific features set out in 6.3.11(5), which I have considered in the following table:

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<sup>22</sup> <https://www.greaterchristchurch.org.nz/assets/Documents/greaterchristchurch/Capacity-Assessment-reports-2021/Greater-Christchurch-Housing-Development-Capacity-Assessment-July-2021.pdf>

<sup>23</sup> [https://www.selwyn.govt.nz/\\_data/assets/pdf\\_file/0004/1756219/Selwyn-Residential-Capacity-and-Demand-IPI-2023-220323.pdf](https://www.selwyn.govt.nz/_data/assets/pdf_file/0004/1756219/Selwyn-Residential-Capacity-and-Demand-IPI-2023-220323.pdf)

Policy Specific matter	PC79
a. infrastructure is either in place or able to be economically and efficiently provided to support the urban activity;	The evidence supplied as part of PC79 sets out that infrastructure can be put in place to support the urban activity by extending existing water and sewer infrastructure, and for onsite stormwater disposal through appropriate design. The transport of wastewater to the treatment plant has some limitations, however a range of solutions can be developed to provide adequate short and long term solutions economically and efficiently.
b. provision is in place or can be made for safe, convenient and sustainable access to community, social and commercial facilities;	The proposal is located across Birchs road from Kakaha Park providing safe and convenient access. A small scale commercial zone is proposed within the site and the site is located in close proximity to the centre of Prebbleton which offers the necessary facilities.
c. the objective of urban consolidation continues to be achieved;	The proposal adjoins the extended Prebbleton Town form which includes Kakaha Park across Birchs Road and provides increased density along an existing public transport route. Urban consolidation is achieved.
d. urban land use, including industrial and commercial activities, does not increase the risk of contamination of drinking water sources, including the groundwater recharge zone for Christchurch's drinking water;	The risk to groundwater is not affected, although the redevelopment of the site with reticulated sewer could remove the current residential wastewater discharges to ground.
e. urban development does not lie between the primary and secondary stopbanks south of the Waimakariri River which are designed to retain	Development site is not within these areas.

floodwaters in the event of flood breakout;	
f. the landscape character of the Port Hills is protected;	The proposal specifically seeks to create views towards the Port Hills to appreciate the landscape character and will not affect the landscape character of the hills.
g. sufficient rural land is retained to maintain the open space landscape character either between or surrounding the areas of urban activity within Greater Christchurch; and	The advantage of expansion of the Prebbleton township is south is it will maintain the open space between the township boundary and Christchurch City. There is open space beyond the site boundaries which retains the sense of open space anticipated.
h. the operational capacity of strategic infrastructure is not compromised.	The proposal does not impact on the operational capacity of any strategic infrastructure with specific setbacks of residential zones from electricity transmission lines.

- 95 Based on Mr. Colegrave's evidence I understand there is a shortfall in supply in the short - medium term for Prebbleton triggering an opportunity for review under Policy 6.3.11. Given this and based on my assessment of Part 5 of this policy above, the change resulting from a review concluded this site is an appropriate location for future development within the district, in my opinion.

#### National Environmental Standard Contamination Soils

- 96 The National Environmental Standard (NES-CS) relating to contaminated soils is triggered at the time of undertaking a subdivision where there is potential for a site to have been subject to activities giving rise to persistent contamination in soils. Ms. Peacock has indicated such land exists on this site and would trigger the need to consider the NES-CS. She goes on to note an appropriate solution is able to be found and development is likely able to proceed.
- 97 Based on this and my experience with subdivision and development, any issues relating to contamination identified on the site as a result of the former rural uses can be adequately identified at the time of subdivision through a Detailed Site

Investigation and any remediation required undertaken as part of the future development of the land.

## National Policy Statement on Urban Development

- 98 The National policy statement on urban development came into effect on 20 August 2020 and is designed to promote responsive development in appropriate locations taking into consideration development capacity requirements, infrastructure and access to public transport networks.
- 99 I have provided an assessment of the provisions of this in Appendix 13 of PC79 and concluded the proposal can meet the requirement of a well-functioning urban environment as defined in the NPS-UD<sup>24</sup>. The site is located adjoining Birchs Road which provides an existing bus route to Lincoln, Prebbleton and Christchurch City (#80 and #81 routes). As confirmed through evidence, the presence of Kakaha Park clearly demonstrates the urban boundary of Prebbleton has already extended southwards. While it is acknowledged the combination of Kakaha Park and PC79 will direct future expansion of the Prebbleton township south, as has been discussed throughout this evidence this is a logical direction for expansion given the constraints in other directions.
- 100 The ECan submission also notes concerns of the disconnected development creating greater reliance of private motor vehicles and thus greater greenhouse gas emissions. I note the evidence of Mr. Paul Farrelly has established that compared to other development options in the wider Canterbury area, the use of PC79 site represents reduced greenhouse gas emission opportunities, and thus I consider is consistent with Objective 8(a). With respect to the reliance on private motor vehicles, in my opinion, greater density supports improvements for a mode shift away from private motor vehicles. There is already a bus route served by two routes, higher density along this route would support continued improvements to the existing public transport route. Increasing density within walking (or cycling distance) of public transport routes is a common approach to allocating density. The location of PC79, long-term will support the existing public transport routes.
- 101 I note although the application site is not within a currently identified planned development area, Mr. Marshall has set out the site can be serviced by extensions to existing infrastructure without creating significant pressure on this infrastructure. Although there are immediate pressures on the network for the conveyance to the Pines treatment plant for sewer, Mr. Marshall has highlighted a range of solutions in both the short and longer term, providing certainty of serviceability of the site. The future development of the site will be responsible for funding some of the necessary upgrades to support the extension of existing networks.
- 102 The Section 42A report includes extensive consideration of the urban form and township edges. The evidence of Mr. Compton-Moen and Ms. Lauenstein,

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<sup>24</sup> Policy 1 of the NPS-UD.



prepared since the 42A report has included a high-level analysis of the urban form of Prebbleton, and provided an overall growth model which provides a clear rationale to the direction of growth for the township to the south. This takes into consideration the long term limitations to growth presented by features to the north, east and west of Prebbleton. PC79 sits adjoining the already functional urban park (Kakaha Park) and forms an appropriate focal point in the logical extension of growth of Prebbleton. As set out elsewhere in my evidence Kakaha Park by its very nature is an urban feature which serves the urban population.

- 103 Mr. Cleese has concluded in the Section 42A report at Paragraph 163 the development would represent significant capacity subject to a solution to infrastructure limitations around wastewater conveyancing being resolved. I consider Mr. Marshall has established a clear pathway for solutions to this engineering issue. Given the additional information provided through the evidence present by the applicant for PC79, including urban design evidence, greenhouse gasses evidence and traffic evidence, I am satisfied that the proposal meets the thresholds set out in 3.8(2) (a) and (b). Thus, I can only conclude the proposal meets the requirements of Policy 8 of the NPS – UD and is appropriate for out of sequence rezoning.

#### National Policy Statement on Highly Productive Land

- 104 The National Policy Statement on Highly Productive Land (NPS – HPL) came into effect in late 2022 after PC79 had been lodged with SDC. This legislation is designed to ensure the availability of New Zealand's most favourable soils for food and fibre production is available now and for future generations.
- 105 The NPS requires highly productive soils to be investigated and mapped by regional councils, and includes limitations to rezoning, subdivision and using mapped land for non-productive purposes. Until finer grain mapping is undertaken the NPS – HPL includes a broadbrush approach classifying all rural zoned land with a Land Use Classification (LUC) of 1, 2 or 3 as included as Highly Productive Land subject to specific management provisions. The PC79 Site contains s LUC 1 and 2.
- 106 If the PC79 site is considered to be subject to the NPS-HPL, Policy 6 of the NPS – HPL sets out that rezoning of identified land should be avoided unless provided for by NPS. Implementation criteria under section 3.6 of the NPS sets out the following key criteria to allow rezoning:
- (1) *Tier 1 and 2 territorial authorities may allow urban rezoning of highly productive land only if:*
- (a) *the urban rezoning is required to provide sufficient development capacity to meet demand for housing or business land to give effect to the National Policy Statement on Urban Development 2020; and*

- (a) *there are no other reasonably practicable and feasible options for providing at least sufficient development capacity within the same locality and market while achieving a well-functioning urban environment; and*
- (b) *the environmental, social, cultural and economic benefits of rezoning outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.*

107 Mr Colegrave's evidence has reviewed the most recent Selwyn Growth Model predictions and concluded there is still an unmet short -medium term demand, even when the recent intensification provisions are considered and therefore sufficient capacity is not currently provided. Based on this evidence I conclude PC79 meets the requirement of Clause 3.6(1)(a).

108 In order to meet the requirements of subclause 3.6 (1)(b) of the NPS-HPL, Mr. Clease has correctly identified<sup>25</sup> an assessment of options is required to be undertaken to demonstrate that there are no other reasonably practicable and feasible options available that would not use HPL land in the same locality and market. Mr. Colegrave has established in his evidence, there is a short – medium term shortfall in housing capacity in the Prebbleton market and notes a limit to Prebbleton as the discrete market is the most appropriate consideration for the purposes of this plan change. Mr. Mthamo has identified the LUC of land contained in and around the existing town form and identified there is no ability for growth outside of HPL land. He has concluded other HPL land that may be available for rezoning carries greater productive value through existing consented water, reduced opportunity for reverse sensitivity.<sup>26</sup> It is also less consolidated with Prebbleton Urban form. I also note there are limitations to infill in many parts of recently developed parts of Prebbleton. Recent areas of subdivision include covenants which prevent future subdivision, generally the housing stock in Prebbleton is newer, which does not economically lend itself to redevelopment and a general existing trend toward a preference for larger sections in Prebbleton than say in Christchurch City. Mr. Geddes has attached a Letter from Mr. Chris Jones of Bayleys setting out reasons why people purchase in Prebbleton,

109 As discussed by Mr. Mthamo there is no other land in the immediate area available with a lower classification of LUC, and which would provide alternative options. Prebbleton sits on an area of predominantly Class 1 and 2 LUC soils, therefore any future expansion to the township would also be into similar LUC soils.

110 In this case given the specific investigation of and limitations to the PC79 site productive capacity, I conclude the requirements of Clause 3.6 (2)(b) and (c) can

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<sup>25</sup> At paragraph 211 of the Section 42A report.

<sup>26</sup> Mr. Mthamos evidence Paragraph 81

be met, as there is no land adjoining the existing Prebbleton township which is not defined as highly productive under the NPS-HPL and the application site has low productive capacity.

- 111 The evidence of Mr. Compton-Moen and Ms. Lauenstein further illustrate the development of the PC79 site will achieve a well- functioning urban environment, and this is further supported by the evidence of Mr. Farrelly in relation to reduction in emissions of greenhouse gases when compared to other greenfield developments, and Ms. Williams in relation to the connectivity with the surrounding neighbourhood. Mr. Marshall has also set out the site can be functionally serviced for water from the existing reticulated network, and that practical solutions to ensuring infrastructure is available for wastewater are available.
- 112 The environmental effects of PC79 have been considered within the application and in the evidence of the various experts. In my opinion any adverse environmental effects can be managed and or mitigated through the revised ODP narrative provided as part of Ms. Lauensteins evidence and through amended rules proposed in Appendix A and through the subdivision consent and engineering approval at the time of detailed design.
- 113 The evidence of Mr. Farrelly, Ms. Konigkramer and Ms. Lauenstein, assess the potential environmental, social and cultural benefits and costs of the rezoning and the loss of highly productive soils. Mr Farrelly looks primarily at the GHG emissions and confirms they would be less from PC79 compared to other greenfield developments. Ms. Konigkramer has provided a social assessment concluding the benefits of PC79 outweigh the negatives, in terms of loss of productive land, while Ms. Lauenstein, has made recommendations to change PC79 to better give effect to cultural values, and the proposal represents an opportunity to provide for the needs of local iwi. These are supported by Mr. Christie the Tumu Whakaahu a-Motu National Development Manager at NTP Development Holdings Ltd.
- 114 Based on the evidence of Mr. Everest, Mr. Mthamo and Mr. Colegrave I conclude the economic benefits of PC79 as developed far outweigh the economic costs associated with its loss as highly productive land. This is primarily due to the constraints of the site to intensive land based primary production, the uneconomic viability of any land based primary production and the overall value of residential use verses rural use, and the appropriateness of environmental effects.
- 115 Cultural benefits have been identified by both Ms. Lauenstein, and Mr. Christie in their evidence. The focus on cultural elements has been provided in the updated ODP narrative and map. Mr. Christie further identifies tangible benefits for Te Rūnanga o Ngai Tahu through the successful development of the site. There are clear cultural benefits to the development. These would not be realised through the existing rural residential use.

- 116 The evidence provided in support of PC79 from Mr. Compton-Moen and further supported by Ms. Lauenstein, demonstrate there are practical limitations to the outward growth of Prebbleton township. Given these features I consider there are no other reasonably practicable and feasible options for providing the capacity of housing required in the same locality and therefore Clause 3.6(1)(b) can also be met.
- 117 Based on the evidence provided to support PC79 and an assessment of the criteria of Clause 3.6 (1)-(3) of the NPS – HPL as above I consider the application meets the requirements and may be rezoned.
- 118 With respect to Clause 3.6(5) of the NPS-HPL, PC79 has ensured the minimum amount necessary of highly productive land has been proposed to be rezoned to achieve necessary minimum densities necessary for medium density while achieving a well-functioning urban environment, which incorporates cultural matters. This is addressed in the urban design evidence<sup>27</sup>. The highest value LUC 1 soils contained within the most southern block of the original ODP Area have been removed from the ODP<sup>28</sup>.

#### **Submitters concerns**

- 119 A total of 39 submissions (inclusive of 3 late submissions) and five further submissions have been received in relation to PC 79. Thirty of these oppose PC79 and five are in support and four neutral. Many of these submissions have similar concerns relating to lack of infrastructure, concerns with reverse sensitivity effects, impact on stormwater disposal, loss of productive land, traffic effects, greenhouse gases effects, density effects and the need for another primary school.
- 120 It is my view evidence provided to support his plan change adequately addresses the concerns of these submissions. This includes consideration of traffic matters, flooding effects and servicing effects. The zoning of the site does not preclude an additional primary school to be located within the development and text appropriate to this has been added to the ODP narrative, similar to other plan changes.
- 121 The loss of highly productive land has also been raised by submitters. However, based on the evidence of Mr. Mthamo and Mr. Everest, the site is more appropriately used for housing than for land based primary production, including due to site specific constraints and estimated uneconomic returns. Based on this I conclude despite the identification of the PC79 site as having LUC 1 and 2 soils,

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<sup>27</sup> Ms Lauenstein at [74]-[79]

<sup>28</sup> Mr Geddes at [15].

the development of the site represents an acceptable loss of highly productive soils to give effect to the needs of urban development.

- 122 In order to address the primary concern of the owners of 142 Birchs Road, not wishing to be included in the plan change, the commercial area has been relocated. South of the site providing a more central location internal to the PC79 area. Noting the site at 142 Birchs Road is undersized for its current zoning in terms of its size and use it is more reflective of a residential zone than rural.

#### **Section 42A report**

- 123 In the s42A report Mr. Cleese has essentially distilled the consideration of PC79 into a question of whether the existing rural (inner plains) zoning or the proposed medium density residential zoning is more appropriate, at its crux, I concur this is the main issue.
- 124 The s42A report identifies those aspect of PC79 with which there are no material issues, namely: there is no significant geotechnical hazard risk present; the contamination identified is not untypical of rural holdings and is required to be addressed as part of any future subdivision consent; and the flooding risk is not such that would prevent rezoning and can be addressed at the time of subdivision consent.
- 125 The s42A report also confirms infrastructure in terms of stormwater disposal, water supply, wastewater treatment and transportation can be provided to the site. Consideration of transportation matters has been undertaken by Ms. Williams who has concluded a maximum capacity of the site of 600 residential units before a roundabout at the Birchs/Hamptons Road intersection is appropriate. A trigger rule to this effect has been included.
- 126 The one issue identified in term of infrastructure is the conveyance of wastewater from the site to the Pines Wastewater Treatment Plant. This has now been addressed in the evidence of Mr Marshall, who has highlighted a range of options that would enable the development of the site in the short term, with the ultimate upgrade of infrastructure required into the future. There are also multiple ways this infrastructure could be funded, which may include significant contribution from the development.
- 127 Further to the s42A report comments regarding the developer pays approach to development, I would add any additional connections and or upgrades are specifically identified at the time of subdivision, when there is certainty as to demand and the costs borne by the developer both through the construction of the connections required and the payment of Development Cost Contributions (DCC's). Generally speaking, the Council infrastructure is designed to a certain capacity, if this capacity is not all used, effectively the ratepayer base is paying for

it regardless. However, if the capacity is used (i.e. by additional residential development) then there are more ratepayers over which to share the operations and maintenance costs of the infrastructure. Sharing the cost among more ratepayers lowers the burden on each individual household.

- 128 With respect to Urban Design the s42A report notes a policy preference for expansion to the east and the west, rather than ribbon development along Shands or Springs Road. As identified in the s42A report the Prebbleton Structure Plan is dated and simply never anticipated or accounted for the post earthquake demand nor the high growth (comparative to other regions) continuing to be experienced in Selwyn.
- 129 The site at PC79 will enable expansion in a direction not previously considered by the existing policy framework. Policy 8 of the NPS-UD specifically provides for SDC to be responsive to plan changes which will add significantly to development capacity and *contribute to* well functioning urban environments even if the development capacity is unanticipated by RMA planning documents, or out of sequence with planned land release. In my opinion Shands Road represents a strong western boundary to the township, as beyond this is the motorway and LUC 2 and 3 soils, which have not been investigated for productive capacity and there are no alternative transport options. With respect to ribbon development along Springs Road, expansion north would run into similar issues with predominantly Class 1 LUC soils present from the furthest extent of the Prebbleton township to the boundary of the motorway and Christchurch City. However, Springs Road to the south is bounded by Hamptons Road, again up until now a solid definable boundary to the township, with the exception of Kakaha Park now located south of Hamptons Road. It is noted the criteria with respect to a “well-functioning urban environment” does not mention shape, irregular or otherwise and while the resultant shape of the township as a result of both Kakaha Park and PC79 does not necessarily “square up” the township, the other elements of a ‘well-functioning environment are met.
- 130 The walkability of the PC79 relative to the town centre was also raised an issue in the s42a report and this has been addressed in the evidence of Ms Lauenstein which I rely on for the walkability being appropriate.
- 131 With respect to Policy 8 of the NPS-UD, with the benefit of the evidence provided in support of PC79 I have concluded the definition of a well-functioning environment is met and adds significant capacity and can therefore met the requirements for consideration by SDC as an out-of-sequence development.

### **Section 32 analysis update**

- 132 Section 32AA requires where there is a change to an application once the original Section 32 report has been complete, a further evaluation is required for the

changes in accordance with Section 32 (1) to (4) in at a level of detail that corresponds to the scale and significance of the change.

- 133 I provide this assessment at **Appendix B**. To summarise, it is considered the proposed changes to PC79 represent an improvement to the original design and layout, providing more appropriate consideration of cultural outcomes within the plan change, and providing for improved connectedness with the balance of Prebbleton, including Kakaha Park. PC79 as amended is appropriate and the most efficient and effective way to achieve the objectives identified and the purpose of the Act overall. The low productive capacity of the PC79 site is not likely to change despite its designation as highly productive land under the NPS-HPL, due to the constraints identified. Therefore, the most efficient and effective use of the application site is the conversion to residential with small scale supporting commercial utilising the amended ODP and associated narrative, and including the additional rules now put forward.

### **Conclusion**

- 134 As set out in my evidence I consider the application site has limited productive capacity and therefore is a loss of rural zoned land with lower productivity capacity.
- 135 Given the evidence of Mr Colegrave, and Mr. Geddes (attaching letters from Mr Jones and Mr Teeaar), there is and will continue to be demand for housing in Prebbleton and a current short to medium term shortfall of 255-569 dwellings.
- 136 The specific elements identified for a well-functioning urban environment have been identified and discussed throughout the evidence of the various experts. In my opinion the critical elements of: meeting needs in terms of housing diversity, type price and location; enabling Maori to express traditions and norms; a commercial component to enable a variety of sites suitable for business sectors; good accessibility between housing, jobs, community services, natural and open spaces (including by way of public or active transport); supporting a competitive land development market; support a reduction of GHG's and resilience to current and future effects of climate change, are met.
- 137 The risk of natural hazards is low geotechnically and the flood hazard risk present can be adequately mitigated. Servicing can be provided to the site, subject to any further infrastructure and upgrades being identified at the time of subdivision and the transportation network can accommodate the demand, although with some upgrades provided for long term within the wording of the ODP. Reverse sensitivity effects with adjoining rural (although as discussed in this evidence more akin to rural residential) uses can be mitigated by a combination of appropriate edge treatment, i.e. setback and a planting buffer as has been commonly used in other such rural/urban interfaces throughout the district. The details of this can be determined at the time of subdivision.

- 138 The evidence provided in support of PC79 demonstrates the site is uniquely positioned to connect to Kakaha Park and expand the urban form of the Prebbleton township, in a direction free of constraints. The ODP demonstrates connectivity between the existing township and within the site, via a multi-model network. A commercial area is proposed within the ODP to meet local daily needs of residents without competing with the Prebbleton Village.
- 139 For the reasons set out in my evidence I consider PC79 meets the necessary threshold of the RMA and the policy framework supporting this legislation to enable the rezoning as proposed.
- 140 On the basis of the evidence provided, I consider the proposed zoning is more appropriate than the current zoning and represents the highest and best use of the land resource.

**Sally Elford**

Dated this 17th day of April 2023



## Appendix 3: Proposed Living Medium Density Zone

To enable the proposed plan change a new Living Medium Density (Living MD Prebbleton) zone is proposed. This will require the following additions/insertions to the OSDP to ensure consistency with the requirements of the EHS Act and enable this plan change to be considered for adoption into the Operative Selwyn District Plan.

Text to be inserted is shown as underlined and any deletions are noted with ~~strikethrough~~.

### A4.5 TOWNSHIPS AND ZONES

Table A4.4 – Description of Township Zones

Insert below description of Living WM:

<u>Living MD</u>	<u>Urban growth areas within or adjacent to existing townships within Greater Christchurch. These areas are used predominantly for residential activities with a higher concentration and bulk of buildings, such as detached, semi-detached and terraced housing, low-rise apartments, and other compatible activities.</u>
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### B3.4 QUALITY OF THE ENVIRONMENT — OBJECTIVES

#### Objective B3.4.7

Within the Living MD Zone, a well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

### B3.4 QUALITY OF THE ENVIRONMENT — POLICIES

#### ZONES

##### Policy B3.4.1

To provide zones in townships based on the existing quality of the environment, character and amenity values, except within the Living MD Zone or within Outline Development Plan areas in the Greater Christchurch area where provision is made for high quality medium density housing.

##### Policy B3.4.9A

Apply the medium density residential standards in the Living MD Zone except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).

#### BUILDING DESIGN

##### Policy B3.4.27A

In the Living MD Zone, encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.

Policy B3.4.27B

In the Living MD Zone, enable housing to be designed to meet the day-to-day needs of residents.

Policy B3.4.27C

In the Living MD Zone, provide for developments not meeting permitted activity status, while encouraging high-quality developments.

**B4.1 RESIDENTIAL DENSITY — OBJECTIVES**

**Objective B4.1.1**

A range of living environments is provided for in townships, while maintaining the overall 'spacious' character of Living zones, except within the Living MD Zone and within Medium Density areas identified in an Outline Development Plan where a high quality, medium density of development is anticipated.

Objective B4.1.3

The Living MD Zone provides for a variety of housing types and sizes that respond to—

- i. housing needs and demand; and
- ii. the neighbourhood's planned urban character, including 3-storey buildings

**B4.1 RESIDENTIAL DENSITY — POLICIES**

Policy B4.1.14

Enable a variety of housing typologies with a mix of densities within the Living MD Zone, including 3-storey attached and detached residential units, and low-rise apartments.

**B4.3 RESIDENTIAL AND BUSINESS DEVELOPMENT**

**Policy B4.3.7**

Living Z and Living MD urban growth areas identified in the District Plan shall not be developed for urban purposes until an operative Outline Development Plan for that area has been included within the District Plan. Each Outline Development Plan shall:

- Be prepared as a single plan for any identified Outline Development Plan area identified on the Planning Maps and Appendices;
- Be prepared in accordance with the matters set out in Policy B4.3.8;
- Take account of the Medium Density and Subdivision Design Guides.

**Policy B4.3.8**

Each Outline Development Plan shall include:

- Principal through roads, connection and integration with the surrounding road networks, relevant infrastructure services and areas for possible future development;
- Any land to be set aside for
- community facilities or schools;
- parks and land required for recreation or reserves;
- any land to be set aside for business activities;
- the distribution of different residential densities;
- land required for the integrated management of water systems, including stormwater treatment, secondary flow paths, retention and drainage paths;
- land reserved or otherwise set aside from development for environmental or landscape protection or enhancement; and
- land reserved or otherwise set aside from development for any other reason, and the reasons for its protection.

- Demonstrate how each ODP area will achieve a minimum net density of at least 10 lots or household units per hectare;
- Identify any cultural (including Te Taumutu Rūnanga values), natural, and historic or heritage features and values and show how they are to be enhanced or maintained;
- Indicate how required infrastructure will be provided and how it will be funded;
- Set out the phasing and co-ordination of subdivision and development in line with the phasing shown on the Planning Maps and Appendices;
- Demonstrate how effective provision is made for a range of transport options, including public transport systems, pedestrian walkways and cycleways, both within and adjoining the ODP area;
- Show how other potential adverse effects on and/or from nearby existing or designated strategic infrastructure (including requirements for designations, or planned infrastructure) will be avoided, remedied or appropriately mitigated;
- Show how other potential adverse effects on the environment, the protection and enhancement of surface and groundwater quality, are to be avoided, remedied or mitigated;
- Include any other information which is relevant to an understanding of the development and its proposed zoning; and
- Demonstrate that the design will minimise any reverse sensitivity effects.
- In the Living MD Zone, any identified qualifying matter and how it is to be addressed

## C4 LZ BUILDINGS

### 4.2 BUILDINGS AND LANDSCAPING

#### *Permitted Activities — Buildings and Landscaping*

- 4.2.1 Except in the Living MD Zone where Rule 4.19 applies instead and except for the Living 3 Zone at Rolleston identified in the Outline Development Plan in Appendix 39 and 40, 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.

### 4.6 BUILDINGS AND BUILDING DENSITY

#### *Permitted Activities — Buildings and Building Density*

- 4.6.1 Except in the Living MD Zone where Rule 4.19 applies instead, the erection on an allotment (other than a site at Castle Hill) of not more than either:
- One dwelling and one family flat up to 70m<sup>2</sup> in floor area; or
  - One principal building (other than a dwelling) and one dwelling, shall be a permitted activity, except that within a comprehensive residential development within a Living Z Zone, more than one dwelling may be erected on the balance lot prior to any subsequent subdivision consent that occurs after erection of the dwellings (to the extent that the exterior is fully closed in).

### 4.7 BUILDINGS AND SITE COVERAGE

#### *Permitted Activities — Buildings and Site Coverage*

- 4.7.1 Except in the Living MD Zone where Rule 4.19 applies instead, and except as provided in Rule 4.7.2, the erection of any building which complies with the site coverage allowances set out in Table C4.1 below shall be a permitted activity. Site coverage shall be calculated on the net area of any allotment and shall exclude areas used exclusively for access, reserves or to house utility structures or which are subject to a designation.

## 4.8 BUILDINGS AND BUILDING HEIGHT

### *Permitted Activities — Buildings and Building Height*

- 4.8.1 Except in the Living MD Zone where Rule 4.19 applies instead, the erection of any building which has a height of not more than 8 metres shall be a permitted activity.

## 4.9 BUILDINGS AND BUILDING POSITION

### *Permitted Activities — Buildings and Building Position*

The following shall be permitted activities

#### **Recession Planes**

- 4.9.1 Except in the Living MD Zone where Rule 4.19 applies instead, and except as provided for in Rule 4.9.1.1 and Rule 4.9.1.2, the construction of any building which complies with the Recession Plane A requirements set out in Appendix 11;
- 4.9.1.1 In a Living Z medium density area located within an Outline Development Plan (ODP) on any internal boundary which is
- (a) not a boundary of a lot in a low density area; and
  - (b) which is not a boundary of the ODP area as a whole – the construction of any building which complies with a recession plan angle of 45 degrees, with the starting point for the recession plane to be 4m above ground level; and
- 4.9.1.2 Where buildings on adjoining sites have a common wall along an internal boundary, the recession plane shall not apply along that part of the boundary covered by such a wall.

#### **Setbacks from Boundaries**

- 4.9.2 Except in the Living MD Zone where Rule 4.19 applies instead and except as provided in Rules 4.9.3 to Rules 4.9.33, any building which complies with the setback distances from internal boundaries and road boundaries, as set out in Table C4.2 below.

## 4.13 BUILDINGS AND STREETSCENE

### *Permitted Activities — Buildings and Streetscene*

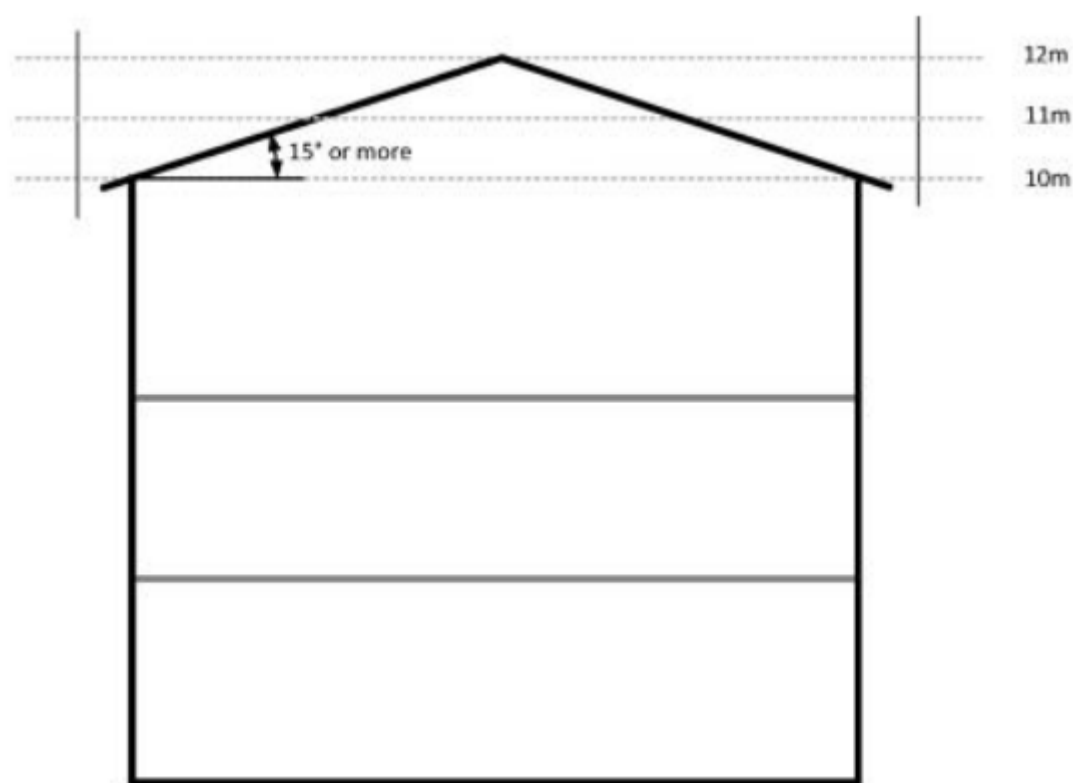
For all residential development located within the Lowes Road Outline Development Plan area (Appendix 34) or the High Street, Southbridge Outline Development Plan area (Appendix 45), ~~or~~ a Living Z zone, or a Living MD Zone.

## 4.19 DENSITY STANDARDS IN THE LIVING MD ZONE

### *Permitted Activities – Density Standards in the Living MD Zone*

- 4.19.1 In the Living MD Zone, the establishment of not more than 3 residential units on a site shall be a permitted activity.
- 4.19.2 In the Living MD Zone, the establishment of any residential unit or other principal building which has a height of not more than 11 metres shall be a permitted activity, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more, as shown on Figure C4.1:
- 4.19.3 In the Living MD Zone, the establishment of any other building or structure which has a height of not more than 8 metres shall be a permitted activity.

Figure C4.1 – Permitted residential unit height, Living MD Zone



4.19.4 In the Living MD Zone and except as set out below, the construction of any building which complies with the Recession Plane C requirements set out in Appendix 11, shall be a permitted activity.

4.19.5 In the Living MD zone, any building which complies with the setback distances from internal boundaries and road boundaries as set out in Table C4.4 below, shall be a permitted activity. For the purposes of this rule, setbacks shall be measured from the relevant boundary to the closest point of the building.

Table C4.4 - Minimum Setbacks for Buildings, Living MD Zone

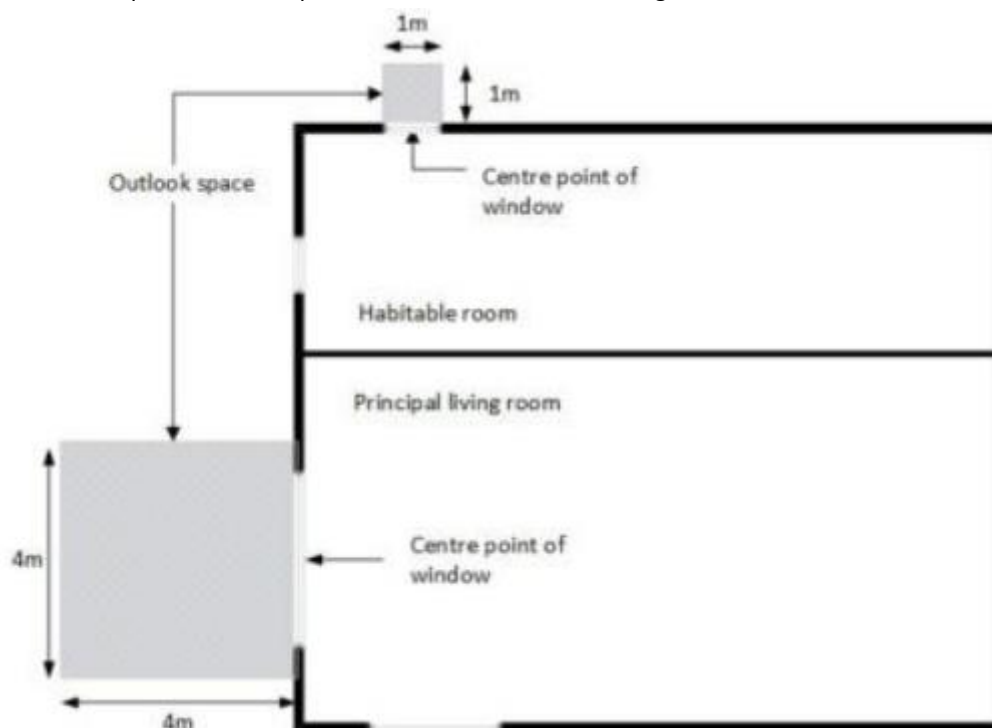
Building type	Setback from boundary (metres)	
	Internal boundary	Road boundary or shared access where specified
Garage: vehicle door faces road or shared access	1m	5.5m
Residential Unit or other principal building	1m	1.5m
Any other building	1m	2m

4.19.6 Despite Rule 4.19.5, any building in the Living MD Zone may be sited along an internal boundary of the site where there is a common wall between two buildings on adjacent sites, or where such a wall is proposed.

- 4.19.7 Any building in the Living MD Zone where the building coverage does not exceed 50% of the net site area shall be a permitted activity.
- 4.19.8 Any residential unit in the Living MD Zone shall be a permitted activity where it provides an outdoor living space that:
- 4.19.8.1 Where the residential unit is at ground floor level, comprises ground floor, balcony, patio, or roof terrace space that:
- (a) Is at least 20m<sup>2</sup> in area; and
  - (b) where located at ground level, has no dimension less than 3 metres; and
  - (c) where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and
  - (d) is accessible from the residential unit; and
  - (e) may be—
    - (i) grouped cumulatively by area in 1 communally accessible location; or
    - (ii) located directly adjacent to the unit; and
  - (f) is free of buildings, parking spaces, and servicing and manoeuvring areas.
- 4.19.8.2 Where the residential unit is located above ground floor level, comprises balcony, patio, or roof terrace space that:
- (a) is at least 8m<sup>2</sup> and has a minimum dimension of 1.8 metres; and
  - (b) is accessible from the residential unit; and
  - (c) may be—
    - (i) grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
    - (ii) located directly adjacent to the unit.
- 4.19.9 Any residential unit in the Living MD Zone shall be a permitted activity where it provides an outlook space from habitable room windows as shown in Figure C4.2 and:
- 4.19.9.1 Each required outlook space shall comply with the following minimum dimensions:
- (a) one principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
  - (b) all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width; and
- 4.19.9.2 The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies;
- 4.19.9.3 Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space;
- 4.19.9.4 Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building;
- 4.19.9.5 Outlook spaces may be under or over a balcony;
- 4.19.9.6 Outlook spaces required from different rooms within the same building may overlap; and
- 4.19.9.7 Every outlook space must:
- (a) be clear and unobstructed by buildings; and

- (b) not extend over an outlook space or outdoor living space required by another residential unit.

Figure C4.2 Required outlook space from habitable rooms, Living MD Zone



- 4.19.10 In the Living MD Zone, any residential unit facing the street shall be a permitted activity where it has a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.
- 4.19.11 In the Living MD Zone, any residential unit at ground floor level shall be a permitted activity where:
- 4.19.11.1 a landscaped area of a minimum of 20% of a developed site with grass or plants is provided, which can include the canopy of trees regardless of the ground treatment below them.
- 4.19.11.2 The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit.

*Restricted Discretionary Activities — Density Standards in the Living MD Zone*

- 4.19.12 Any activity which does not comply with Rule 4.19.1 shall be a restricted discretionary activity, which shall not be subject to public or limited notification. The exercise of discretion shall be restricted to consideration of the following matters:
- 4.19.12.1 For each residential unit:
- (a) Adequacy of exclusive outdoor living space
- (b) access to daylight and sunlight; and
- (c) visual privacy
- 4.19.12.2 Parking and access; safety, efficiency and impacts to on street parking and neighbours.
- 4.19.12.3 The extent to which each residential unit is required to be provided with separate utility services.

- 4.19.12.4      Effects on the character and amenity values of nearby residential areas and public spaces from the intensity, scale, location, form and appearance of the proposal.
- 4.19.12.5      Location, orientation and screening of outdoor living, service/storage, and waste management spaces.
- 4.19.12.6      Extent to which landscaping on the site:
  - (a) enhances residential amenity; and
  - (b) defines and enhances on-site outdoor living spaces;
  - (c) reduces the visual impact of buildings through screening and planting;
  - (d) screens service areas, loading areas, and outdoor storage areas from public vantage points.
- 4.19.13      Any activity which does not comply with Rule 4.19.2 or Rule 4.19.3 shall be a restricted discretionary activity, which shall not be subject to public notification. The exercise of discretion shall be restricted to consideration of the following matters:
  - 4.19.13.1      Effects on privacy, outlook, or shading on the affected property.
  - 4.19.13.2      Effects on visual amenity values, including dominance, and the compatibility with the receiving environment.
  - 4.19.13.3      The extent to which the increase in height provides for the protection of any heritage item listed in Appendix 3, protected tree listed in Appendix 4, or site of significance to tangata whenua listed in Appendix 5.
  - 4.19.13.4      Mitigation of the effects of natural hazards.
- 4.19.14      Any activity which does not comply with Rule 4.19.4 shall be a restricted discretionary activity, which shall not be subject to public notification. The exercise of discretion shall be restricted to consideration of the following matters:
  - 4.19.14.1      Effects on privacy, outlook, or shading on the affected property.
  - 4.19.14.2      The extent to which the breach provides for the protection of any heritage item listed in Appendix 3, protected tree listed in Appendix 4, or site of significance to tangata whenua listed in Appendix 5.
- 4.19.15      Any activity which does not comply with Rule 4.19.5 shall be a restricted discretionary activity, which shall not be subject to public notification, unless it is permitted by Rule 4.19.6. The exercise of discretion shall be restricted to consideration of the following matters:
  - 4.19.15.1      For internal boundaries:
    - (a) Effects on privacy, outlook, or shading on the affected property.
    - (b) Effects on visual amenity values, including dominance, and the compatibility with the receiving environment.
    - (c) The extent to which the reduced setback provides for the protection of any heritage item listed in Appendix 3, protected tree listed in Appendix 4, or site of significance to tangata whenua listed in Appendix 5.
    - (d) Mitigation of the effects of natural hazards.
    - (e) Reverse sensitivity effects.
    - (f) Effects on the accessibility of the space between buildings and the affected internal boundary: for cleaning and maintenance; for storage; and to keep the area free of vermin.
  - 4.19.15.2      For road boundaries:



- (a) Effects on the safety and efficiency of the land transport infrastructure.
- (b) Effects on visual amenity values, including dominance, and the compatibility with the receiving environment.
- (c) The extent to which the reduced setback provides for the protection of any heritage item listed in Appendix 3, protected tree listed in Appendix 4, or site of significance to tangata whenua listed in Appendix 5.
- (d) The extent to which the design incorporates Crime Prevention Through Environment Design (CPTED) principles as required to achieve a safe, secure environment.

4.19.16 Any activity which does not comply with Rule 4.19.7, shall be a restricted discretionary activity, which shall not be subject to public notification. The exercise of discretion shall be restricted to consideration of the following matters:

4.19.16.1 Effects on visual amenity values, including dominance, and the compatibility with the receiving environment.

4.19.16.2 Provision of adequate outdoor living space on site.

4.19.17 Any activity which does not comply with Rule 4.19.8 shall be a restricted discretionary activity, which shall not be subject to public notification. The exercise of discretion shall be restricted to consideration of the following matters:

4.19.17.1 The degree to which any reduction in outdoor living space will adversely affect the ability of the site to provide for the outdoor living needs of residents of the site.

4.19.17.2 The extent to which any outdoor living space intrudes in front of any residential unit such that it would be likely to give rise to pressure to erect high fences between the residential unit and the street, to the detriment of an open street scene.

4.19.17.3 The degree to which large areas of public open space are provided within very close proximity to the site.

4.19.17.4 The degree to which a reduction in outdoor living space would contribute to a visual perception of cramped development or over-development of the site.

4.19.18 Any activity which does not comply with Rule 4.19.9 shall be a restricted discretionary activity, which shall not be subject to public notification. The exercise of discretion shall be restricted to consideration of the following matters:

4.19.18.1 The ability of the affected habitable room to receive natural sunlight and daylight especially on the shortest day of the year

4.19.18.2 The extent to which habitable rooms have an outlook and sense of space

4.19.18.3 The degree to which a reduction in outlook space would contribute to a visual perception of cramped living conditions

4.19.18.4 The extent to which visual privacy is provided between habitable rooms of different residential units, on the same or adjacent sites.

4.19.19 Any activity which does not comply with Rule 4.19.10 shall be a restricted discretionary activity, which shall not be subject to public notification. The exercise of discretion shall be restricted to consideration of the following matters:

4.19.19.1 Whether the development engages with adjacent streets and any other adjacent public open spaces and contributes to them being lively, safe, and attractive.

- 4.19.19.2 Whether the development is designed to minimise the visual bulk of the buildings and provide visual interest, when viewed from the street.
- 4.19.19.3 Whether the development incorporates Crime Prevention Through Environment Design (CPTED) principles as required to achieve a safe, secure environment.
- 4.19.20 Any activity which does not comply with Rule 4.19.11 shall be a restricted discretionary activity, which shall not be subject to public notification. The exercise of discretion shall be restricted to consideration of the following matters:
- 4.19.20.1 The extent to which the proposed landscaping enhances residential amenity and is integrated within the site design to:
- (a) define and enhance on-site outdoor living spaces,
  - (b) reduce the visual impact of large buildings through screening and planting
  - (c) screen service areas, loading areas, and outdoor storage areas from public vantage points.
  - (d) contributes to a cooling effect of the urban environment
- 4.19.20.2. Whether the development incorporates Crime Prevention Through Environment Design (CPTED) principles as required to achieve a safe, secure environment.
- 4.19.20.3 Effects on the permeability of the site for stormwater run-off and subsequent effects on adjoining sites.

## 12.1 SUBDIVISION — GENERAL

### *Controlled Activities — Subdivision – General*

- 12.1.A1 In the Living MD zone, a subdivision of land, which is not a subdivision under Rules 12.2 or 12.3 shall be a controlled activity if it complies with the standards and terms set out in Rule 12.1.3.
- 12.1.A2 Any subdivision subject to Rule 12.1A1, and which complies with Rule 12.1.3, shall not be notified and shall not require the written approval of affected parties. The Council shall reserve control over the matters listed in Rule 12.1.4 following Table C12.1.

### *Restricted Discretionary Activities — Subdivision – General*

#### 12.1.3 Standards and terms

- 12.1.3.6 Except in the Living MD Zone, any ~~Any~~ allotment created, including a balance allotment, contains a building area of not less than 15m x 15m, except for sites greater than 400m<sup>2</sup> in area in a medium density area shown on an Outline Development Plan where the minimum building area shall be not less than 8m x 15m. For sites that form part of a comprehensive Medium Density development in a Medium Density Area covered by an Outline Development Plan, there shall be no minimum building area requirement; and
- 12.1.3.6A Within the Living MD Zone, every vacant allotment either:
- (a) is accompanied by a land use application that will be determined concurrently with the subdivision application that demonstrates that it is practicable to construct, as a permitted activity, a residential unit; or
  - (b) contains a building area of not less than 8m x 15m;

**12.1.3.48X Any subdivision of land within the area shown in Appendix XX (Living MD Prebbleton at Birchs Road, Prebbleton) includes:**

- (a) A supporting infrastructure (water and sewer) assessment of the subdivision detailing how water supply and sewer connections are to be provided, including identification of any upgrades required to support the proposed allotments (including the upper limit of residential units enabled by the zoning and any cumulative effects of increased demand on the system generally).**
- (b) No more than 600 residential units may be proposed or enabled within ODP Area {XX} prior to the completion of an updated Integrated Traffic Assessment (ITA) and completion of any required upgrades to the transport infrastructure. This ITA shall address the need for a roundabout at the Hamptons/Birchs Road intersection, inclusive of pedestrian and cycle crossing facilities.**
- (c) The intersection of the Leadleys Road/Birches Road and the primary east west road within ODP Area {XX} shall be formed with a roundabout, inclusive of safe pedestrian and cycle facilities.**
- (d) Prior to occupation of residential units within the identified Edge Treatment Boundaries of ODP Area {XX} a landscape strip shall be planted at least 5 m wide in accordance with the provisions contained within the ODP. The subdivision shall include mechanisms to ensure any dead or diseased plants are replaced.**

12.1.3.58 Any subdivision within a Living Z Zone, Living MD Zone or Living ~~or~~ 3 Zone that is subject to an Operative Outline Development Plan within the District Plan shall be in general compliance with that Outline Development Plan and shall comply with any standards referred to in that Outline Development Plan.

Table C12.1 – Allotment Sizes

*Insert relevant row at the end of the section for the relevant township:*

Township	Zone	Average Allotment Size Not Less Than
<u>Prebbleton</u>	<u>Living MD</u>	Minimum individual net allotment size 400m <sup>2</sup> <u>There is no minimum allotment size where: the subdivision does not increase the degree of any non-compliance with Rule 4.19; or where the subdivision application is accompanied by a land use application that will be determined concurrently with the subdivision application that demonstrates that it is practicable to construct, as a permitted activity, a residential unit on every vacant allotment</u>
All Living Zones	Calculating allotment size	
<u>Calculating allotment size</u>	<u>All Living Zones except Living MD</u>	The average allotment size shall be calculated as a mean average (total area of allotments divided by the number of allotments).

		<p>The total area and number of allotments used to calculate the mean shall exclude areas used exclusively for access, reserves or to house utility structures, or which are subject to a designation.</p> <p>Any allotment which is twice or more the size of the average allotment required in the zone, shall be calculated as being: 2 x average allotment size for that zone - 10m<sup>2</sup>; or as its actual size, if a covenant is placed on the Certificate of Title to prevent any further subdivision of that land.</p>
	<u>Living MD</u>	<u>Net site area shall be used to calculate allotment size.</u>

12.1.4 Matters over which the Council has reserved its control or restricted the exercise of its discretion:

12.1.4.62A In the Living MD (Prebbleton) zone whether sufficient land has been provided to accommodate future roundabouts at the Hamptons Road/Birchs Road and the Leadleys Road/Birchs Road intersections, respectively.

12.1.4.62B In the Living MD (Prebbleton) zone whether the supporting transport assessment has identified the need for any network upgrades and how these will be provided.

12.1.4.62C In the Living MD (Prebbleton) zone whether any infrastructure upgrades for water supply and sewer connection are required and how these will be provided and/or the adequacy of any alternatives proposed.

*Restricted Discretionary Activities — Subdivision – General*

12.1.5 The following activities shall be restricted discretionary activities:

12.1.5.1 Any subdivision subject to Rule 12.1.A1 or Rule 12.1.1 which complies with all standards and terms in Rule 12.1.3 except Rule 12.1.3.2.

12.1.5.2B Any subdivision subject to Rule 12.1.A1 which complies with all of the standards and terms in Rule 12.1.3 except Rule 12.1.3.48A.

12.1.5.2C Any subdivision subject to Rule 12.1.A1 which complies with all of the standards and terms in Rule 12.1.3 except Rule 12.1.3.58.

Prebbleton

12.1.5.11 The exercise of discretion in relation to Rule 12.1.5.2B shall be restricted to the matters listed in 12.1.4.62A-C.

*Discretionary Activities — Subdivision – General*

12.1.6 The following activities shall be discretionary activities

12.1.6.10 Any subdivision in a Living MD Zone that is not in general compliance with an operative Outline Development Plan.

*Non Complying Activities — Subdivision – General*

12.1.7 Except as provided for in Rules 12.1.5 and Rules 12.1.6, the following activities shall be non-complying activities:

12.1.7.12 Any subdivision subject to Rule 12.1.A1 which does not comply with Rule 12.1.3.

## D DEFINITIONS

**Building:** except in the Living MD Zone, means any structure or part of any structure whether permanent, moveable or immovable, but does not include any of the following:

- Any scaffolding or falsework erected temporarily for maintenance or construction purposes
- Any fence or wall of up to 2m in height
- Any structure which is less than 10m<sup>2</sup> in area and 2m in height
- Any vehicle, trailer, tent, caravan or boat which is moveable and is not used as a place of storage, permanent accommodation or business (other than the business of hiring the facility for its intended use)
- Any utility structure.

In the Living MD Zone, means a temporary or permanent movable or immovable physical construction that is:

(a) partially or fully roofed; and

(b) fixed or located on or in land;

but excludes any motorised vehicle or other mode of transport that could be moved under its own power.

**Building coverage** means the percentage of the net site area covered by the building footprint.

**Building footprint** means, in relation to building coverage, the total area of buildings at ground floor level together with the area of any section of any of those buildings that extends out beyond the ground floor level limits of the building and overhangs the ground.

**Height:** except in the Living MD Zone, in relation to any building or structure means the vertical distance between the ground level at any point and the highest part of the building or structure immediately above that point.

For the purpose of calculating height in any zone other than the Living MD Zone, no account shall be taken of any:

- Radio or television aerial provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2.5m.
- Chimney or flue not exceeding 1m in any direction.
- Utility, or part of a utility with a horizontal dimension less than 25mm.
- Lift shaft, plant room, water tank, air conditioning unit, ventilation duct and similar architectural features on any building in the Business zones (except the Business 2A Zone) provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2m.
- Lift shafts, plant rooms, water tanks, air conditioning units, ventilation ducts, cooling towers, chimney stacks, water tanks and similar architectural features on any building in the Business 2A Zone provided that the maximum height normally permitted by the rules is not exceeded by more than 5m and no more than 10% of the plan area of a building.

In the Living MD Zone, means the vertical distance between a specified reference point and the highest part of any feature, structure or building above that point.

Measurement of Height:

For the purpose of applying rules in relation to height...

**Net site area:** in the Living MD Zone, means the total area of the site, but excludes:

(a) any part of the site that provides legal access to another site;

(b) any part of a rear site that provides legal access to that site;

(c) any part of the site subject to a designation that may be taken or acquired under the Public Works Act 1981

**Residential activity:** except in the Living MD Zone means the use of land and buildings for the purpose of living accommodation and ancillary activities. For the purpose of this definition, residential activity shall include:

- a) Accommodation offered to not more than five guests for reward or payment where the registered proprietor resides on-site
- b) Emergency and/or refuge accommodation
- c) Supervised living accommodation and any associated caregivers where the residents are not detained on the site

Residential Activity does not include:

- a) Travelling accommodation activities (other than those specified above)
- b) Custodial and/or supervised living accommodation where the residents are detained on site.

In the Living MD Zone, means the use of land and building(s) for people's living accommodation.

**Residential unit:** in the Living MD Zone, means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.

**Setback:** Except in the Living MD Zone, means the minimum prescribed distance between the exterior face of the building and the boundaries of its site. The following intrusions are permitted into any setback area:

- a) Eaves being no more than 600mm wide.
- b) Any porch, windbreak, chimney, external stairway or landing being no more than 1.8m long and extending no more than 800mm into the setback area.
- c) Any utility structure attached to an existing building or structure located in a setback from a waterbody provided that it does not protrude more than 1.5m from that existing building or structure.

In the Living MD Zone, means a distance measured horizontally from a boundary, feature or item as specified in a rule.

**Site:** except in the Living MD Zone, means an area of land or volume of space:

- Held in a single certificate of title, or
- Comprised of two or more adjoining certificates of title held together in such a way that they cannot be dealt with separately without the prior consent of the Council; or
- For which a separate certificate of title could be issued without further consent of the Council.

In the Living MD Zone, means:

- (a) an area of land comprised in a single record of title under the Land Transfer Act 2017; or
- (b) an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or
- (c) the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title under the Land Transfer Act 2017 could be issued without further consent of the Council; or
- (d) despite paragraphs (a) to (c), in the case of land subdivided under the Unit Titles Act 1972 or the Unit Titles Act 2010 or a cross lease system, is the whole of the land subject to the unit development or cross lease.

## APPENDIX 11

### RECESSION PLANES

#### **Recession Plane A**

Applicable to all buildings along all internal boundaries in all Living zones except the Living MD Zone and to all Business zones adjoining any Living or Rural zones and boundaries along the common boundary of the Business 2A Zone and the Rural zone as depicted in the Outline Development Plan in Appendix 22.

...

#### **Recession Plane C**

Applicable to all buildings along all boundaries in the Living MD Zone.

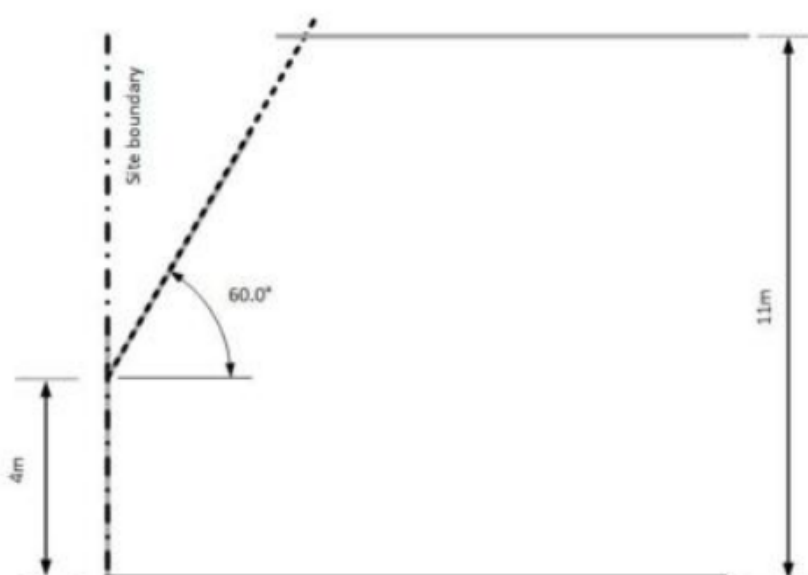
The recession plane shall be measured from a point 4 metres vertically above ground level along all boundaries.

The ground level of site boundaries shall be measured from filled ground level except where there is an existing building at a lower level on the other side of a common boundary, where that lower level shall be adopted.

Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the recession plane applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.

Compliance with the recession plane is not required in relation to—

- (a) any road boundary;
- (b) existing or proposed internal boundaries within a site;
- (c) site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.



## Appendix B: Section 32 AA Assessment

Section 32AA requires that where there is a change to an application once the original S32 report has been complete, a further evaluation is required for the changes in accordance with Section 32 (1) to (4) in at a level of detail that corresponds to the scale and significance of the change.

In this case, the proposal includes changes to the internal roading layout to both give better effect to the cultural values associated with the site, and to give effect to comments made in the Section 42A report.

It is proposed to change the location of the commercial area southwards as a result of the submission from the owners of the land at 142 Brichs Road, and this better aligns the commercial area with features on Kakaha Park, and to connect with pedestrian connections through the commercial area.

The proposal includes greater pedestrian connections within the ODP and an extended ODP narrative to provide greater guidance on the cultural values intended to be embedded in the future development of the site. This includes urban scale road upgrades along Birchs road opposite Kakaha Park, in order to provide for an improved sense of connectedness and opportunities for passive surveillance of the park.

New trigger rules have been provided for infrastructure and servicing triggers.

The following considers these changes in the context of Section 32 (1) – (3), noting part (4) of this is not relevant to this plan change.

Any change to a plan needs to be evaluated in accordance with section 32 of the Resource Management Act. Section 32 states:

### *32 Requirements for preparing and publishing evaluation reports*

#### *(1) An evaluation report required under this Act must—*

- (a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
- (b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
  - (i) identifying other reasonably practicable options for achieving the objectives; and*
  - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
  - (iii) summarising the reasons for deciding on the provisions; and*
- (c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*

#### *(2) An assessment under subsection (1)(b)(ii) must—*

- (a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
  - (i) economic growth that are anticipated to be provided or reduced; and*
  - (ii) employment that are anticipated to be provided or reduced; and*
- (b) if practicable, quantify the benefits and costs referred to in paragraph (a); and*



- (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*
- (3) *If the proposal (an amending proposal) will amend a standard, statement, national planning standard, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to—*
- (a) the provisions and objectives of the amending proposal; and*
  - (b) the objectives of the existing proposal to the extent that those objectives—*
    - (i) are relevant to the objectives of the amending proposal; and*
    - (ii) would remain if the amending proposal were to take effect.*

## Objectives of the Proposed Plan Change

The objective of the proposed Plan Change is to rezone the application site from Inner Plains to Living MD Prebbleton and Business 1 in a manner consistent with the proposed Outline Development Plan and generally consistent with the existing provisions of the OSDP. This is designed to achieve a well – functioning urban environment, which positively contributes to the growth of Prebbleton in a connected and coordinated manner.

Implementation of the proposed plan change will enable:

- future subdivision of the application site at urban densities and supporting neighbourhood scale commercial activities.
- additional housing supply to meet the anticipated demand for Selwyn, with added supply potentially assisting the affordability of housing in the District of Selwyn.
- to accommodate increased population in the township of Prebbleton, to in turn support existing and future commercial use, use of community reserves and enable long term self-sufficiency.
- To enhance the concepts of Ngāi Tahu (Culture and Identity), Māturanga (Knowledge), Te Ao Tūroa (Natural Environment) and Oranga (Wellbeing) within the future design of the plan change area.

## Identification of Options

In determining the most appropriate means to respond to the issues identified, options were developed to explore the best means to address the issues outlined above and achieve the sustainable management purpose of the Act:

### Option 1: Status Quo/Do Nothing

Do not rezone the application site, retain the Inner Plains zoning.

### Option 2: Rezone to Living MD Prebbleton and Business 1 (preferred option)

Rezone the application site to Living MD Prebbleton (a new zone) and Business 1, a zone which currently exists both in the Selwyn District Plan and the Prebbleton Township.

### Option 3: Resource Consent

Consenting of the proposed use of the application site on a property-by-property basis (ad hoc) through required subdivision and land use consents to enable higher density residential use and neighbourhood commercial use.

	Option 1: Status Quo (do nothing)	Option 2: Rezone to Living MD Prebbleton and Business 1	Option 3: Resource Consent
<b>Cost</b>	<p>Costs associated with the completion of approved subdivision (RC185395) for the creation of two additional allotments within the application site and two additional dwellings.</p> <p>Lost opportunity to provide for Manawhenua Iwi values into the future design of the site.</p> <p>Lost social benefit of co-ordinating with Kakaha park to provide passive surveillance for the new urban park.</p>	<p>Costs (time and money) of the plan change for the applicant.</p> <p>This results in infrastructure upgrades to support development.</p>	<p>Costs (time and money) of the consent application for applicant.</p> <p>This results in infrastructure upgrades to support development.</p> <p>Each landowner undertaking adhoc development as they choose to develop. Resulting in less coordinated development, which does not include the opportunity to provide for cultural values to be incorporated.</p>
<b>Benefit</b>	<p>The application site remains available for small scale rural productive use but predominantly used for rural residential activities.</p>	<p>Allows future subdivision for residential use at a greater density than currently established. Allows for neighbourhood scale commercial use to support the residential use. Makes use of existing multimodal transport infrastructure and connects the Kakaha Park to the township which it serves.</p> <p>Future subdivision of the site will enable more households to be accommodated within Prebbleton township, increasing the opportunities and or demand for businesses and or commercial services within the township, contributing to the self-sufficiency of the township.</p> <p>Can assist is cost sharing of extension of infrastructure to serve Birchs Road Reserve and wider infrastructure upgrades required.</p>	<p>No plan change required.</p>
<b>Efficiency/ Effectiveness</b>	<p>The Inner Plains Zone is neither a particular efficient rural zone, in terms of productive capability, nor as a residential zone, tending to accommodate large</p>	<p>Rezoning the application site to allow higher residential density will allow long term housing capacity to be provided in a location serve by multimodal transport connections, a new reserve and neighbourhood scale</p>	<p>Low efficiency as subdivision of the site into allotments less than the zone minimum and establishment of commercial use in a rural zone would be contrary to the Plan and</p>

	dwellings and little else.	commercial use. Effective infrastructure servicing with upgrade costs borne, in part, by the developer.	set a precedence.
<b>Risk</b>	Given the current demand in Prebbleton and the lack of available land, without future development areas being identified the town could stagnate. Even with the recently approved plan changes, there remains a short-medium term shortfall.	Allowing rezoning of the application site South of Hamptons Road could result in further expansion of the township to the south in ribbon development. However, this direction for expansion is less constrained than in other directions.	Consents not approved. Land remains in use for low productivity rural residential activities.  Alternatively some consents approved but with poorly coordinated outcomes which do not contribute to the wider community.

## Conclusion

In conclusion it is considered the proposed changes to PC79 represent an improvement to the original design and layout, providing more appropriate consideration of cultural outcomes within the plan change, and providing for improved connectedness with the balance of Prebbleton, including Kakaha Park. PC79 as amended is appropriate and the most efficient and effective way to achieve the objectives identified and the purpose of the Act overall. The low productive capacity of the PC79 site is not likely to change despite its designation as highly productive land under the NPS-HPL, due to the constraints identified. Therefore, the most efficient and effective use of the application site is the conversion to residential with small scale supporting commercial utilising the amended ODP and associated narrative, and rules now put forward.