

**BEFORE THE HEARINGS COMMISSIONER
FOR SELWYN DISTRICT COUNCIL**

UNDER

the Resource Management Act 1991 (RMA)

IN THE MATTER

of Private Plan Change 79
(Prebbleton) to the Operative
Selwyn District Plan by
Birchs Village Limited

**STATEMENT OF EVIDENCE OF SERENA ASHLEIGH ORR ON BEHALF OF
THE CANTERBURY REGIONAL COUNCIL**

21 April 2023

SUMMARY STATEMENT

- 1 Canterbury Regional Council (**CRC**) have sought that Private Plan Change 79 (**PC79**), sought by Birchs Village Limited (**Applicant**) to the Operative Selwyn District Plan (**SDP**), seeking urban rezoning, be declined.
- 2 The request seeks to rezone the majority of the subject land from Rural Inner Plains to a proposed new zone, Living Medium Density and Business 1 under the SDP.
- 3 CRC considers that PC79 does not give effect to the Canterbury Regional Policy Statement (**CRPS**). In addition, the proposal does not give effect to the National Policy Statement on Highly Productive Land (**NPS-HPL**) or meet the urban growth directions of the National Policy Statement for Urban Development (**NPS-UD**) or the SDP.
- 4 I have reviewed the plan change request and supporting material, Council's s42A report prepared by Mr Jonathan Cleese, together with the relevant statutory documents and legislation. In my opinion, the relief sought by PC79 should be declined because:
 - (a) the accessibility and GHG reduction tests of Policy 1 and connectivity tests of Policy 8 of the NPS-UD are not met; and
 - (b) policy 5 avoidance of urban rezoning and its exemption tests of Clause 3.6 of the NPS-HPL for sufficient development capacity, other reasonably practicable and feasible options evaluation and cost-benefits analysis of environmental, social, cultural and economic values to outweigh the loss of HPL are not met; and
 - (c) the following objectives and policies of the CRPS in Chapters 5, 6, and 15 are not given effect to:
 - (i) Objective 6.2.1 to avoid urban development outside of existing urban areas or greenfield priority areas;
 - (ii) Objective 6.2.2 to achieve consolidation and intensification of urban areas and avoid unplanned expansion of urban areas;
 - (iii) Objective 6.2.6 to provide land requirements in a manner than supports the settlement pattern of 6.2.2;
 - (iv) Objective 15.2.1 to maintain and improve the quality of Canterbury's soil and their productive capacity;

- (v) Policy 5.3.12 to avoid development, and/or fragmentation which forecloses the ability to make appropriate use of that land for primary production; and/or results in reverse sensitivity effects that limit or precludes primary production;
- (vi) Policy 6.3.1 to give effect to the urban form identified in Map A;
- (vii) Policy 6.3.4 to provide patterns of development that where possible support increased uptake of active and public transport and provide opportunities for modal choice;
- (viii) Policy 6.3.5 to ensure the nature, timing and sequencing of new development is coordinated with infrastructure development, funding, implementation, and operation.

Introduction

- 5 My full name is Serena Ashleigh Orr.
- 6 I am employed as a Planner at the Canterbury Regional Council and I have held this position since June 2022.
- 7 I hold a Bachelor of Science from the University of Auckland and a Master of Environmental Policy and Management from Lincoln University.
- 8 My relevant experience includes preparing submissions on district plan changes and providing planning assistance and regional policy advice to the territorial authorities in the Canterbury region.
- 9 Part of my role with the Integrated Planning Team at CRC is to focus on the implementation of the Canterbury Regional Policy Statement (**CRPS**). This includes reviewing and responding to national, regional and district planning documents (policy statements, strategies, district plans and plan changes) on behalf of CRC, in order to ensure consistency with the regional planning framework.

Code of Conduct

- 10 While this evidence is for a Council hearing, I can confirm that I have read and am familiar with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and I agree to comply with it while giving any oral evidence during a hearing. Except where I state that I am relying on the evidence of another person, my evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
- 11 Although I am employed by CRC, I am conscious that in giving evidence in an expert capacity that my overriding duty is to the Hearings Commissioner.

Scope of evidence

- 12 My evidence is presented on behalf of CRC in relation to PC79 and addresses:
 - (a) CRC's interest in the plan change, and how that relates to strategic planning in Greater Christchurch; and
 - (b) the relevant statutory and planning framework, with a focus on the CRPS, NPS-UD and NPS-HPL.
- 13 Where relevant to the matters considered in my evidence, I discuss the analysis and recommendations within the section 42A Report prepared by Mr Jonathan Cleese, Consultant Planner for Selwyn District Council (**SDC**), dated 10 April 2023 (**s42A Report**).
- 14 In preparing my evidence I have reviewed the following documents:
 - (a) The SDP;
 - (b) the notified PC79 plan change request and outline development plan (**ODP**),
 - (c) the s42A report and its associated appendices;
 - (d) the NPS-HPL; and
 - (e) the National Policy Statement for Highly Productive Land: Guide to Implementation; and
 - (f) the NPS-UD; and

- (g) the CRPS;
 - (h) SDC's request for further information (**RFI**);
 - (i) Applicant's response to RFI
 - (j) Original and further Submissions lodged on PC79;
 - (k) Statement of Evidence of Sally Elford (planning) on behalf of the Applicant dated 17 April 2023; and
 - (l) Statement of Evidence of Paul Farrelly (greenhouse gases) on behalf of the Applicant dated 17 April 2023; and
 - (m) Statement of Evidence of Victor Mthamo (versatile soils) on behalf of the Applicant dated 17 April 2023
 - (n) Statement of Evidence of Fraser Colegrave (economics) on behalf of the Applicant dated 17 April 2023.
- 15 I have recently visited the subject site, and nearby approved plan change request sites as well as Council-owned Kakaha Park. I am familiar with the Prebbleton township and the surrounding area.

CRC's interest in PC79 and submission

- 16 CRC is a local authority with statutory functions under section 30 of the Resource Management Act 1991 (**RMA**).
- 17 CRC works on urban development issues with territorial authorities across the region, including through the lodging of submissions on publicly notified plan changes, where a plan change application raises issues relevant to the implementation of the CRPS.
- 18 Since 2003, the CRC has worked collaboratively as a part of the Greater Christchurch Partnership on planning and managing urban growth and development in Greater Christchurch.
- 19 The focus of CRC's submission on PC79 is to ensure that the CRPS is given effect to, as well as other higher order documents including the NPS-UD and the NPS-HPL.
- 20 CRC's submission opposed PC79 and outlined the inconsistency of PC79 with the clear and directive urban framework for Greater Christchurch under the CRPS. It also indicated the lack of ability for PC79 to implement

CRPS objectives and policies to avoid urban development outside of existing urban areas, consolidate urban areas, grow business activities in a manner that supports the settlement pattern and only develop greenfield priority areas (**GPAs**) identified on Map A in Chapter 6 of the CRPS.

- 21 The NPS-UD contains a policy in response to unanticipated or out of sequence development, that applies “to a plan change that provides significant development capacity that is not otherwise enabled in a plan or is not in sequence with planned land release.”¹ This clause also provides direction for every regional council to include criteria in its regional policy statement for assessing the significance of a proposed increase in capacity.
- 22 To assist local authorities, the Ministry for the Environment released guidance to help assess the significance of a proposal, including how the proposed development provides for an identified demand and its yield relative to identified future needs. CRC considers there is sufficient capacity as per Table 2 of the Housing and Business Development Capacity Assessment 2021 (HBA) across Selwyn, Waimakariri and Christchurch City to meet demand over the medium term without taking into account approved plan changes and the medium density residential standards (**MDRS**).
- 23 CRC sees PC79 as out of sequence with planned infrastructure development and, despite being connected to transport corridors, disconnected in relation to the Prebbleton township through urban form and active transport, not giving rise to a well-functioning urban environment that is cohesive and consolidated. CRC is also concerned as to how PC79 will support a reduction in greenhouse gas emissions.
- 24 The area of land subject to PC79 contains highly productive land that is protected against rezoning through objectives and policies in the CRPS and the NPS-HPL. The NPS-HPL is a new policy statement that had not been released at the time of the Applicant’s request. CRC does not believe the tests under clause 3.6(1) to enable rezoning of highly productive land are met.

¹ NPS-UD, clause 3.8.

- 25 CRC's submission sought a more detailed assessment to confirm that the proposal for PC79 would not exacerbate flooding in the vicinity and would give effect to the relevant CRPS provisions.
- 26 I note that there have also been two additional recent private plan change processes in Prebbleton. While these PC68 and PC72 proposals to rezone rural land to residential land were ultimately approved by the Council, both of these plan changes were also opposed in their entirety by the CRC. These plan changes were opposed on the basis of their inconsistency with the CRPS and the strategic planning framework for Greater Christchurch. In these processes CRC's view was that neither plan change sufficiently demonstrated significant development capacity, or would be well-connected, contributing to a well-functioning urban environment.
- 27 Since then, the NPS-HPL was introduced and only strengthens the position of the CRC which remains unchanged.
- 28 I understand that the ODP for PC79 has been amended since notification, as set out in the evidence of Ms Elford. The amendments do not address CRC's concerns, so it remains opposed to PC79 for the reasons set out in its original submission.

Statutory Framework

- 29 The statutory framework is set out at paragraph 191 of the s42A report and as such will not be repeated here. However, I wish to highlight that the SDP must give effect to the CRPS and not be inconsistent with the Land and Water Regional Plan (**LWRP**), both of which are administered by the CRC.

Recommendations in the s42A Report

- 30 I support the recommendations of the s42A Officer at paragraph 287 to decline the plan change. I agree with Mr Cleese at paragraph 264 that a change in zoning would not give effect to the NPS-UD, NPS-HPL, CRPS, or SDP on the management of urban growth, and I consider the most appropriate zoning for this site is the current Rural (Inner Plains) Zone.
- 31 My evidence generally follows the structure of the s42A report.

Land Suitability - Flooding

- 32 The PC79 site, based on previous modelling conducted by the CRC and available through the Canterbury Maps database, is subject to patches of flooding that meets the definition of “High Hazard Area” under the CRPS and the remainder of the site is subject to some level of flood inundation. Therefore policies 11.3.1 and 11.3.2 of the CRPS are relevant.
- 33 At paragraph 77 of the s42A report, the officer is of the view that the site is not exposed to any flood hazard risks that would prevent rezoning and these risks would be dealt with at the stage of subdivision consenting.
- 34 In my opinion, the rezoning of PC79 is not equivalent to its subdivision, use and development, however rezoning is addressed to a degree within these policies. Policy 11.3.1(6) for the Greater Christchurch area, indicates that new subdivision, use and development in high hazard areas must be avoided unless it is zoned urban residential, industrial, commercial, or identified as a GPA under Map A (and for these areas, the effects of the natural hazard must be avoided or appropriately mitigated).
- 35 Policy 11.3.2 applies to areas subject to inundation by a 0.5% Annual Exceedance Probability flood event but not classified as high hazard. This policy requires subdivision, use and development to be avoided unless there is no increased risk to life and the development meets the criteria at Policy 11.3.2(3) (which requires new buildings to have a floor level above the 0.5% AEP (1 in 200 year) flood event). Method 5 of this policy requires SDC to assess flooding hazards prior to the zoning of new areas that enable intensification of use or where development is likely to cause adverse effects.
- 36 Method 5 of Policy 11.3.2 indicates the flooding risk is a relevant consideration for SDC when determining this application to change the zoning of the site, which has been modelled as being affected by flood hazards, and is outside the GPAs identified in the CRPS.
- 37 For PC79 to be approved by the SDC, SDC must be certain (among other matters set out below) that such flood hazards would be appropriately addressed as per Policy 11.3.1 and 11.3.2 of the CRPS, and that the provisions of PC79 would achieve consistency with these policies.

NPS-UD

- 38 The NPS-UD came into force in August 2020, replacing the National Policy Statement on Urban Development Capacity 2016. It applies to all local authorities that have all or part of an urban environment within their district or region, and to planning decisions by any local authority that affect an urban environment.
- 39 Under the NPS-UD, Christchurch is identified as a Tier 1 urban environment. The CRC, Christchurch City Council, Waimakariri District Council and SDC are all considered Tier 1 local authorities contributing to this urban environment.
- 40 The NPS-UD contains eight objectives and 11 policies. While there is no hierarchy expressed within the objectives and policies, central to the NPS-UD is the achievement of well-functioning urban environments (Objective 1 and Policy 1). Policy 1 includes a set of six minimum outcomes for local authorities to consider when making planning decisions to contribute to a well-functioning environment.
- 41 Policy 8 of the NPS-UD directs local authorities to be responsive to plan changes that would add significantly to development capacity and contribute to well-functioning environments, even if this is unanticipated by current planning documents, or out of sequence with planned land release.
- 42 The ability of PC79 to add significantly to development capacity is limited by the NPS-HPL which requires that only the minimum land necessary to provide this capacity is rezoned.² This ultimately restricts the Council from rezoning highly productive land into a state of surplus capacity.
- 43 I agree with the s42A officer at paragraph 149 that there is considerable capacity available in Prebbleton. The contribution of PC68 and PC72 as well as the introduction of the Medium Density Residential Zone to Prebbleton will provide Prebbleton with ample capacity in the medium term. Appendix 3 of the s42A report suggests that even in the case that demand is underestimated, there is more than enough capacity for demand to at least double the high projection in the short-medium term (see Figure 4-6 of Appendix 3).

² Clause 3.6(5) of the NPS-HPL.

- 44 It is my preference to rely on the capacity assessments of SDC as these are based upon a model in contrast to the adopted estimates of Mr Colegrave that are based upon and exceed a 22-year average for Prebbleton's consented dwellings. Clause 3.26(1) of the NPS-UD allows local authorities to use any appropriate method to estimate development capacity that is expected to be realised so long as it justifies its methods, inputs and assumptions used; the Selwyn Residential Capacity and Demand Model report by Formative fulfils this clause.
- 45 When changing plans that affect the development of urban environments, local authorities must use evidence (particularly relevant HBAs) to assess the impact of such options to provide at least sufficient development capacity³. The relevant HBA in this case is the Greater Christchurch HBA of 2021. The Housing Bottom Lines that were inserted into the CRPS based upon this HBA in September 2022 indicates the development capacity enabled for Selwyn and Greater Christchurch over the medium and long term.⁴
- 46 For the criteria within Policy 8 of the NPS-UD and its corresponding clause 3.8(2) to be met, proposals also need to contribute to a well-functioning urban environment (the minimum outcomes set out in Policy 1). I am comfortable with the evaluation of Mr Clease against Policy 1 and 8 and agree that the transport modal choice and connectivity due to the location of PC79, its urban form, and wastewater pump capacity constraints limits PC79 to the extent that it does not conclusively achieve Policy 8.
- 47 One of the criteria for well-functioning urban environments is those that support a reduction in greenhouse gas (**GHG**) emissions. In Ms Elford's evidence at paragraph 70 and paragraph 100 (in reliance on the evidence of Mr Farrelly), she considers the density of PC79 to be advantageous to GHG emissions when calculated per resident. She also notes her view that the development would support a reduction in GHG emissions relative to other greenfield developments in the Greater Canterbury region.
- 48 In my opinion, Policy 1 of the NPS-UD is intended to be read as "planning decisions contribute to well-functioning urban environments, ..., that as a minimum, support reductions in greenhouse gas emissions". It does not state the conditions of how these greenhouse gas emissions would be

³ Clause 3.11(1) of the NPS-UD

⁴ Objective 6.2.1a of the CRPS

measured but it is my view that this would be interpreted holistically and from the baseline of its existing zoning, not comparatively to other greenfield developments throughout Canterbury of similar or lower density. Therefore, I do not consider this interpretation of Mr Farrelly's evidence by Ms Elford to be sufficient to suggest that this part of Policy 1 has been met.

- 49 A well-functioning environment has good accessibility including by public or active transport (Policy 1). Given the lack of connectivity of the site itself to the rest of Prebbleton's township (120m on the northern edge), and despite being well-connected along transport corridors, the site is largely dependent upon private vehicle movements. The peninsula-like settlement pattern created through PC79 creates limited walking opportunities to commercial and community areas, but its close proximity to Kakaha Park means active transport is achievable for accessing open spaces. There is also a limited public transport service for Prebbleton and a small employment base which would not support the proposed residents of PC79 to the extent that commuting would be inevitable.
- 50 I agree with Mr Cleese at paragraph 179 of the s42A report that the acquisition of Kakaha Park solidifies a clear and defensible urban edge of the Prebbleton township. Hamptons Road provides a clear boundary to the township and acts as a buffer to limit any rural-residential boundary effects. This is required under clause 3.13 of the NPS-HPL to avoid any potential reverse sensitivity effects from urban rezoning on highly productive land, Policy 5.3.12 of the CRPS to avoid development and/or fragmentation which results in reverse sensitivity effects that limit or precludes primary production, and Policy B4.1.9 of the operative SDP to ensure the avoidance of reverse sensitivity effects on existing lawful uses.
- 51 Ultimately, I support the view of Mr Cleese at paragraph 158 that PC79 is not required for SDC to achieve its obligations for development capacity under the NPS-UD, and consequently his view at paragraph 182 that the tests of Policy 8 of the NPS-UD are not met.

NPS-HPL

- 52 The NPS-HPL came into force on 17 October 2022, following the notification of PC79. It applies to all local authorities that have land (being defined as Highly Productive Land⁵ for the purposes of the NPS-HPL) that
- (a) *is:*
 - (i) *zoned general rural or rural production; and*
 - (ii) *classified as Land Use Class 1, 2, or 3 land (as identified under the New Zealand Land Resource Inventory); but*
 - (b) *is not:*
 - (i) *identified for future urban development; or*
 - (ii) *subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.*
- 53 The NPS-HPL contains one objective and nine policies. No objectives or policies are expressed as having priority over another. Central to the NPS-HPL is a focus on the protection of Highly Productive Land, its characteristics, and long-term values for use in land-based primary production (Objective 1 and Policy 1). The NPS-HPL is directive towards protection of productive land and avoidance of inappropriate development, whilst prioritising and supporting land-based primary production.
- 54 PC79 is zoned rural (Inner Plains), has LUC 1 and LUC 2 land, is not identified for Future Urban Development, and is not subject to a Council-initiated or adopted, notified plan change. The entirety of PC79 is highly productive land and therefore subject to the direction of the NPS-HPL.
- 55 I agree with Mr Cleese at paragraph 203 that subclause 3.10(1) of the NPS-HPL is limited to exempt activities not otherwise enabled under clauses 3.7 (rural lifestyle), 3.8 (subdivision), and 3.9 (non-productive uses). Subsequently clause 3.6 which is not specified, is not subject to an evaluation of permanent or long-term constraints under clause 3.10. This means the only criteria relevant for consideration when rezoning highly productive land is clause 3.6(1). This is supported by the Ministry for

⁵ Until the mapping exercises required by the NPS-HPL are carried out.

Environment (**MfE**) NPS-HPL Guide to Implementation (March 2023) at p

34. This guidance states:

Clause 3.10 cannot be used as a pathway for urban rezoning if a proposal has not met the requirements of Clause 3.6. If there is justification for land that is subject to a permanent or long-term constraint being zoned urban, then it should be able to pass the tests in Clause 3.6 on its own merits. Essentially, urban rezoning of HPL always has a potential pathway under Clause 3.6, whereas rural lifestyle rezoning and some types of subdivision and land-use activities do not have pathways under 3.7, 3.8 and 3.9.

- 56 Any constraints on PC79 for land-based primary production therefore does not affect the classification of PC79 land as highly productive, and are not relevant considerations under clause 3.6 (other than in the assessment of reasonably practicable options for providing the required development capacity). In paragraph 95 of Mr Mthamo's evidence, he states that few other sites have lower productivity or less constraints than PC79 and the proportional reductions in HPL for the district and region are insignificant. It is my view that proportional reductions of HPL are not relevant in the context of whether rezoning is appropriate. The cumulative effects of subdivision, use and development on the availability and productive capacity of HPL in Selwyn District is a more appropriate consideration, as is required under clause 3.13 of the NPS-HPL.
- 57 The tests for allowing urban rezoning under clause 3.6(1) are conjunctive and require all three subclauses to be met. The first test, clause 3.6(1)(a), is that the urban rezoning is required to provide sufficient development capacity to meet demand for housing and business land. The Formative report on Selwyn's Residential Capacity and Demand Model (Appendix 3 to the s42A report) suggests there is sufficient supply for housing in the medium and long term. The MfE guidance for implementation of the NPS-HPL indicates that rezoning HPL to provide for long-term development capacity would not meet this test. Clause 3.6(5) also indicates that urban zoning on HPL is to be limited to the minimum spatial extent necessary to provide the required development capacity.
- 58 The second test in clause 3.6(1)(b) requires reasonably practicable and feasible options to be considered including the options set out at 3.6(2) at a minimum. In Ms Elford's evidence at paragraph 108, she considers that other HPL land available may have a greater productive value than the subject site through existing consented water permits and reduced opportunity for reverse sensitivity. However, in accordance with the guidance produced by MfE, productive capacity is to be considered

inherently, irrespective of its current use or the ability of current landowners to use that land. Ultimately, alternative options must achieve a well-functioning urban environment, for example, a contiguous urban form with good accessibility.

- 59 I note that, despite my view that the supply for Prebbleton will already be met under current estimates, reasonably practicable and feasible options within the same locality and market could be provided for elsewhere, in other Selwyn Inner Plains townships. The Inner Plains townships of Selwyn have often been treated as a single housing and employment market for urban growth planning under clause 3.6(3) of the NPS-HPL.
- 60 The third test, 3.6(1)(c), requires that the environmental, social, cultural, and economic benefits outweigh the long-term costs associated with the loss of the HPL. This includes intangible values such as the value to future generations, its finite characteristics and limited supply.
- 61 In the evidence of Ms Elford at paragraph 112, she suggests that the environmental effects have been considered with any adverse effects managed or mitigated through the ODP. I disagree that a comparison to other greenfield developments on GHG emissions and effects management is an appropriate evaluation of the environmental costs and benefits for rezoning of highly productive land. Whilst there may be evidence to suggest benefits to the social, cultural, and economic well-beings, I interpret the policy to read as all four aspects must be achieved concurrently.
- 62 Given that all three of these tests need to be met under clause 3.6 to allow urban rezoning on highly productive land, I consider that no pathway exists that would enable PC79 to be approved.

Canterbury Regional Policy Statement

- 63 The policy framework in the operative CRPS that is relevant to PC79 is mainly found in Chapters 5 (Land-use and Infrastructure), 6 (Recovery and Rebuilding of Greater Christchurch), 11 (Natural Hazards), and 15 (Soils).
- 64 As addressed above, I agree with Mr Cleese at paragraph 225 and the Commissioner in his previous recommendation for PC81 and PC82 at paragraph 221 that Policy 8 of the NPS-UD only enables the consideration of 'out of sequence' proposals and the responsive framework where its

conditions are met, otherwise the CRPS direction remains in place to be given effect to.

- 65 In the absence of PC79 achieving the conditions of Policy 8 of the NPS-UD, PC79 does not give effect to Objective 6.2.1, 6.2.2 or Policy 6.3.1 or the CRPS more generally. This is supported by Mr Cleese in his report at paragraph 224 and more broadly at paragraph 231.
- 66 In addition to the above Chapter 6 policies, the CRPS supports the NPS-HPL through Objective 15.2.1 for the maintenance of soil quality.
- 67 Policy 6.3.5 of the CRPS also seeks the integration of land use and infrastructure to enable forward planning for infrastructure development and delivery (e.g., Prebbleton wastewater pump station) and the nature, timing and sequencing of new development is coordinated ensuring new development does not occur until provision for appropriate infrastructure is in place. This ultimately limits the timeframe for when this development capacity could be realised.
- 68 The peninsula settlement pattern formed by the extension of Prebbleton south is not able to be well integrated with the existing transport infrastructure to reduce the dependency on private motor vehicles, reduce emissions, and promote the use of active and public transport modes as per Objective 6.2.4 and Policy 6.3.4. This is supported by Mr Collins (Appendix 2 to the s42A report) in his transportation report that suggests in both growth scenarios for Selwyn (using forecasts agreed by the Greater Christchurch Partnership committee for households, population and employment and an alternative scenario including an additional 10,000 dwellings for Selwyn alone), more than 90 percent of trips are indicated to be by private vehicle.
- 69 The evidence of Ms Elford in paragraph 95 suggests a shortfall in supply in the short-medium term for Prebbleton (as per Mr Colegrave's evidence) triggers a review under policy 6.3.11 of the CRPS. CRC has not been given input from SDC that such a shortfall in available land exists under sub-part 4 of 6.3.11. Sub-part 5 of policy 6.3.11 is only relevant where a change in the available supply of residential and business land to meet the requirements of Chapter 6 and the NPS-UD has resulted following a review. As set out above, given that the review anticipated under sub-part 4 has not occurred or been identified as necessary by SDC, I consider that the matters in sub-part 5 are not yet relevant.

70 The operative Selwyn District Plan must give effect to the CRPS, which in my opinion, would not be achieved through the approval of PC79.

Conclusion

71 I conclude that rezoning PC79 from a Rural (Inner Plains) zoning to a Living MD and Business 1 Zoning in the Operative Selwyn District Plan would not give effect to the higher order documents in the policy framework of which PC79 resides.

72 Therefore, I recommend for the plan change to be declined in its entirety.

Dated this 21st day of April 2023



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Serena Orr