

Selwyn District Council

Proposed Plan Change No. 2

Rezoning Rural (Inner Plains) land to Living XA (Deferred), Blakes and Trents Roads, Prebbleton.

**Report and recommendation of Ken Gimblett acting as
Commissioner appointed by the Selwyn District Council
pursuant to Section 34 of the Resource Management Act
1991**

August 2010

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Modifications to the Selwyn District Plan

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INTRODUCTION

Purpose of this Report

1. As the Commissioner, in accordance with the authority delegated to me, my role is limited to that of conducting the hearing of proposed Plan Change No.2 (PPC2¹); in this case arising out of a private request by William Blake Limited and M & N Coffey (the proponents) to alter provisions contained within the Selwyn District Plan (SDP). Having considered all relevant material in respect of the Change, including evidence presented to the hearing, I am to make a recommendation to the District Council on the proposed Change. This report sets out that recommendation and the reasons for it.
2. In accordance with clause 29(4) of Schedule 1 to the Resource Management Act 1991 (RMA or “the Act”), that recommendation is to relate to whether PPC2 should be approved or declined, or approved with modification. Any such modification must be in accordance with the scope provided by the Change and submissions made on it. The final decision on whether or not the Plan Change is ultimately accepted however is the responsibility of the elected Council.

Statutory Context

3. The request for the Plan Change was made under clause 21 of Schedule 1 to the RMA and accepted by the Council under clause 25(2)(b). Under the RMA a change to a district plan is to be in accordance with the functions of a territorial authority under section 31, the provisions of Part 2 and the Council must satisfy prescribed duties under section 32.
4. Additionally under section 75 (3) a district plan must *give effect to* an operative regional policy statement (RPS) and in changing a district plan under section 74 (2)(a)(i) *regard is to be had* to any proposed Regional Policy Statement (RPS), which in the context of this Plan Change, introduces the necessary consideration in those terms of proposed Change 1 (PC1) and associated Variations to the Canterbury Regional Policy Statement. Relevantly also in this case, regard is to be had to any strategies prepared under other Acts (s.74(2)(b)(i)) and account must be taken of any iwi authority planning documents to the extent they may be relevant (s.74(2A)(a)).

¹ Also referred to in this report as “the Change” or the “Plan Change”.

5. Functions to be exercised under section 31 have the purpose of giving effect to the Act in the relevant district and include establishing, via the district plan, means to achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources.
6. Section 75 (1) prescribes that a district plan *must* state objectives for the district, policies to implement those objectives and any rules to implement those policies. It *may* also state other methods for implementing those policies (s.75(2)(b)).
7. Part 2 sets out the sustainable management purpose of the Act. Section 5 includes what is meant by sustainable management. In achieving that purpose, identified matters of national importance are to be recognised and provided for (s.6); particular regard is to be had to various other matters (s.7); and account taken of the principles of the Treaty of Waitangi (s.8).
8. Section 32 imposes a particular responsibility when seeking to modify the Plan. In the case of PPC2 where the objective provisions would remain unaltered, the Council in evaluating the proposed Change is required to examine whether the objectives are most appropriately achieved by the existing plan provisions (status quo) or by the proposed amended provisions.
9. The courts have provided some guidance on the correct interpretation of the obligations under section 32 (3) and what might constitute the “*most appropriate*” means for achieving the objectives and ultimately the purpose of the Act. In essence section 32 requires an overall consideration of whether confirming the Plan Change (with or without allowable modification) would better achieve the purpose of the Act than declining it.

THE HEARING

10. The hearing was held in Rolleston on Wednesday the 28th of July 2010. Those who appeared are set out below:

Selwyn District Council Staff / Representatives

- Craig Friedel – Planner
- Geoff Owen – Transportation Engineer
- Andrew Craig – Landscape Architect

For the Proponents

- Aidan Prebble – Legal Counsel
- Andrew Smith – Land Owner
- Maurice Coffey – Land Owner
- Nicky Coffey - Land Owner
- Andrew Metherell – Transportation Engineer
- Mark Allan – Planner

Submitters

- Dianne Schurgers
11. A written statement was tabled at the hearing from Brent Schulz and Christine Shearer in support of submission number 1417 decision point number 02. Similarly, Canterbury Regional Council (ECan) indicated in writing in advance of the hearing the withdrawal of decision point numbers 01 and 03 relating to submission number 1458.

Submissions

12. Twenty one submissions were received on the Plan Change; 19 opposing the Change, 1 opposing in part and 1 in support. Six further submissions were received.
13. Mr Friedel identified the relevant issues raised in submissions to relate to the following broad aspects of the Plan Change:
- Section sizes and density
 - Vehicle movements
 - Cycle ways and walkways
 - Infrastructure
 - Nuisance effects
 - Reserves
 - The ODP and District Plan provisions, and
 - Natural habitat

14. Mr Allan stated the main issues more simply as relating to:

- Urban growth principles
- Transport
- Rural-urban interface
- Reverse sensitivity

BACKGROUND

Site Context

15. PPC2 proposes to amend the planning provisions (zoning, policies and rules) for managing the subject site. The subject land is some 18.85 hectares in area and located to the south of Blakes Road, to the west of Cairnbrae Drive and directly north-west of the urban area of Prebbleton. It is situated between the township and the Kingcraft Drive Existing Development Area (EDA). Surrounding the site are established Living Zones to the east (within which lots range in size from between 600m² to 1,300m²), rural lifestyle properties in the Kingcraft Drive EDA to the west and rural zoned land that has been identified for future residential 'Greenfield' development areas in PC1 to the RPS to the north and south. It accommodates two existing dwellings, including an historic homestead, as well as ancillary buildings. It is otherwise in rural productive use.

Outline of PPC2

16. The Change arises out a private request and would see the land rezoned from Rural (Inner Plains) to Living XA (Deferred); associated changes to the policy framework to identify and outline the zone; and the introduction of new rules regulating land use, including an Outline Development Plan (ODP) as a means to coordinate future development.
17. Key features of the proposal as publicly notified included:
- Approximately 200 households at a minimum density of 10 lots per hectare, provided in areas of low (Area A - 1,000m²), medium (Area B - 600m² to 900m²) and high (Area C - 400m² to 600m²) housing densities;

- An ODP to facilitate the coordinated development of future subdivision and land uses;
 - Road access from two main access roads, including new intersections off Blakes Road and an extension of Cairnbrae Drive, and the provision of cycle and pedestrian links through a new access point off William Street;
 - Two stormwater reserves, one open space passive recreation reserve and an extension to the existing William Street playground; and
 - Deferral of development until there is adequate capacity in Council's reticulated sewage system.
18. Elements of PPC2 were subsequently amended through the course of receiving submissions and the Council report. Mr Prebble summarised those modifications in his submissions to include:
- Lowering housing densities in identified "Area C" to 450m² – 600m² with a minimum average lot size of 550m².
 - Extension of identified "Area B" along the immediate boundary of the PC1 "Greenfield" land.
 - An indicative road layout linking the PPC2 site to Springs Road to the east (next to the Meadow Mushrooms site) and to the south to Trents Road; and
 - Additional controls on fencing and building setbacks.
19. I note also the various modifications recommended by Mr Friedel in his report prepared for the hearing, many relating to his suggestion that the proposed Living XA (Deferred) Zone be renamed Living 1A6 (Deferred) Zone for the sake of consistency and avoiding internal confusion within the framework of the SDP. The proponents indicated acceptance of those amendments, with two exceptions which I later address more specifically.
20. I accept that, with the exception of the extension of "Area B", none of the modifications raise issues of scope. Mr Friedel had expressed concern regarding the modification to extend "Area B" and questioned whether there was the scope/jurisdiction to do so. Mr Prebble responded to that in his submissions and I will address that particular issue before moving to consider the merits of PPC2 itself.

Scope – “Area B” Extension

21. Mr Prebble helpfully set out the position established through case law regarding whether relief sought in regard to a plan change is “on” the change and various principles to guide that determination. I need not repeat that in detail; suffice to say the issue in this case is whether the increase in permitted residential density as a consequence of the extension of “Area B” falls within the continuum between the status quo and PPC2 as notified (which showed the affected area as subject to lower density standards as part of “Area C”). It is accepted that no submission sought that change as a specific point of relief – the point made by Mr Friedel.
22. Mr Prebble argued it was nevertheless a permissible change in that PPC2 was very much directed to enabling residential development of what is currently rural land, and thus represents a substantial shift from the status quo. Importantly the minor increase in density in “Area B” is also offset by a reduction in the density of development enabled for “Area C” and the average density overall for the site remains much the same.² Furthermore Mr Prebble contended the rezoning issues were wide and the level of public participation had been high, and no person could be said to be prejudiced or otherwise deprived of an opportunity to participate.
23. I am entirely satisfied as to the amendment sought by the proponent being “on” the Plan Change – it specifically relates to the matter of future residential development of the site and seeks to apply a slightly different approach to how that development would occur in one particular area of the affected land. The Plan Change also remains consistent with previous directions set by the Environment Court as to the preferred shape and form of Prebbleton and reflected in the growth policies of the District Plan, and possible future growth management as signalled by PC1 to the RPS.
24. Satisfied as to that matter, my interest was then directed towards the effects of that change on other parties, noting that one of the two land owners bordering the site to the south had indicated their acceptance of that change.³

² A reference to the increase in housing lot sizes for “Area C” from a 400 – 600m² average to a 450m² minimum and 550m² average.

³ Correspondence to SDC by RMG (Resource and Environmental Management Consultants) on behalf of DF & PI Williams, dated 16 July 2010.

25. It is evident that traffic and visual amenity effects would be the most likely implications for other parties so I first explored with Mr Metherell what the implications might be in terms of generated traffic. He indicated the change in density could conceivably lead to an additional 1-2 lots in the area affected by the extension of “Area B” resulting in up to an additional 15 vehicles per day onto the proposed road linking through the site.⁴ Those vehicles would likely add 1 additional trip per 20 minutes in the morning peak and 1 per 30 minutes in the evening peak. The configuration of the proposed internal roading and links provided beyond the site suggest that traffic would be distributed in two directions, both north and east of the subject land.
26. I also considered the effects for the remaining adjacent land where that owner (not a submitter) had not indicated acceptance (or otherwise) of the proposed modification. On examination it is quickly evident that for that owner there would likely be no discernable difference compared with the notified plan change. The affected length of the shared boundary is quite short and the possible change in lot numbers is very unlikely to adversely affect amenity or outlook otherwise occurring for that neighbouring land. Quite conceivably there might be no change in the number of lots actually adjoining the boundary in common.
27. In my conclusion that level of traffic change is not significant in the context of the proposal and would have an insignificant effect beyond the site. I do not consider the potential for 1-2 additional lots to be a notable change in the context of some 200 residential lots overall in terms of the outlook and amenity of adjoining land, some of which is signalled for potential and comparable future residential development with its own deferred “Living” zoning, and the remainder proposed as future residential ‘Greenfield’ development area (SP4) as per PC1.
28. On the issue raised by Mr Friedel I find the modifications as set out by Mr Prebble to be within the available scope and therefore valid for consideration. My evaluation of PPC2 is on that basis.

⁴ Without the change an expected 15-17 lots would be possible, increasing to 19 with the increased density (128 vehicles per day based on 17 lots increasing to 142 vehicles per day based on 19 lots).

Objectives and Policies

29. As stated the objectives of the SDP are unaltered by PPC2. Those that are relevant were identified and discussed in the Council report prepared by Mr Friedel and also by others in evidence and submissions. Those of particular relevance were well summarised by Mr Allan as seeking:
- Quality living environments that safeguard people's health, safety and values (Objective B3.4.1);
 - a range of living environments (Objective B4.1.1.);
 - to ensure new residential areas are pleasant places to live and add to the character and amenity of townships (Objective 4.1.2);
 - the expansion of townships in a manner that does not affect natural and physical resources and amenity values (Objective B4.3.1); and
 - to ensure that new development adjoins townships at compatible urban densities to achieve compact township shape and that land rezoned for new residential development is undertaken in a consistent and equitable manner (Objectives B4.3.2 and B4.3.3).
30. Other relevant objectives of the SDP were identified to be generally directed at managing urban growth, transport and maintaining amenity values.
31. I was referred to other objectives as also having relevance in the overall consideration; they include those of the RPS, local iwi planning documents and the Canterbury Regional Land Transport Strategy (CRLTS). Similarly references to various non-statutory policy documents were made in evidence, including the Greater Christchurch Urban Development Strategy (UDS), the Prebbleton Structure Plan (PSP), the Christchurch Rolleston and Environs Transportation Study (CRETS), the New Zealand Urban Design Protocol (NZUDP), and local subdivision, water management, walking and cycling strategies and action plans.

EVALUATION

32. At the outset I accept that the matters the subject of PPC2 fall within the functions of the District Council in giving effect to the Act and as described in section 31 of the RMA. Similarly I find the provisions contained within PPC2 to be directed towards

implementing policies both existing within the SDP and the one policy modification incorporated within PPC2 itself. This was essentially common ground between the advisors for the Council and for the proponents of PPC2.

33. The focus of my evaluation is therefore on the policies, rules and other methods proposed by PPC2, and whether having regard to their effectiveness and efficiency, they are the most appropriate for achieving the objectives. In that evaluation the benefits and costs of the changed provisions are to be taken into account, as are any risks if information is uncertain or incomplete. As Mr Prebble and others identified achieving the sustainable management purpose of the Act can be taken to be subsumed within the unchanged objectives and policies of the District Plan.
34. I also note that there was considerable agreement between the experts for the Council and the proponents for the Change as to satisfying the thrust of the objectives and policies of the SDP and of other relevant documents.

Urban Growth

35. The extent of future expansion of Prebbleton has been a matter for recent consideration by both the Environment Court⁵ and the Council⁶. In a spatial sense it is evident that PPC2 sits comfortably with the local identification of areas for future growth of the township, and more specifically future growth occurring in a westerly direction. I agree with the opinions expressed by the expert planners that there is consistency with the prescribed urban limit to growth and that urban development of the subject land is an expectation of the SDP if Prebbleton is to grow. In that regard PPC2 supports achieving a compact form of development rather than unrestrained, detached or uncoordinated urban growth, and is effective and efficient in that regard.
36. Beyond identifying the spatial extent and pattern of development, compatibility with the character and amenity values of the existing township is a recognised need at an objective level in providing for the future expansion of Prebbleton and in determining the appropriate densities at which development is to occur. Expert evidence to the hearing was that these aims would essentially be achieved by PPC2. The density of development would achieve consistency with that of existing urban development

⁵ D Bates and Ors v Selwyn District Council C7/2006.

⁶ Selwyn District Plan: Township Volume Part E; Appendix 31, E31-001 and also the Prebbleton Structure Plan (PSP) adopted by the Selwyn District Council in February 2010.

nearby or anticipated for adjoining land, and the resulting built environment would also be of a nature, character and scale consistent with present development in the township. Amenity values for the area, including within the subject site, would meet the intent of related objectives of the SDP. I agree.

37. As amended the proposal provides for connection and integration with surrounding land through roading, pedestrian and cycle links. The level of amenity and landscape quality would be consistent with that of the surrounding environment. Though there would be a localised loss of rural outlook and of a rural setting, urban development of the subject land forms a logical extension of the township and a clear transition to neighbouring rural land is to be achieved through a combination of density controls, landscape planting and building setback. Recognition is also given to integrating with future urban development of areas of adjacent land where that is clearly signalled through present deferred zonings and/or a possibility at least under regionally based growth management proposals (i.e. RPS PC1) yet to be finalised.
38. Recognising the provisions of the operative RPS concerning both Settlement and the Built Environment (Chapter 12) and Soils and Land Use (Chapter 7), I accept the expert opinions presented that there would be continuing consistency with the directions set by those provisions and effect given to them. As to RPS PC1 as a matter to have regard to, I also concur with the expert planners who concluded there to be no inconsistency with the outcomes prescribed by PC1, accepting that those outcomes are yet to be settled. The issue of weighting is therefore relevant, as Mr Prebble identified, although I have not seen it as necessary to rely on PC1 to any significant degree in my evaluation of PPC2. I do however acknowledge the extent to which PPC2 is aligned with PC1 in terms of the spatial identification of future growth of Prebbleton, the anticipated density of urban residential development for “Greenfield” sites, and the appropriate incorporation of urban design and amenity related considerations.
39. I note Mr Blake-Manson advising Mr Friedel identified no issues with respect to infrastructural servicing of the subject land. Matters of detail can be appropriately addressed at the time of future resource consent processes whereby necessary conditions could be imposed in respect of future design, construction, operation and maintenance of utility services and related infrastructure. The proposed mechanism to defer development until such time as there is sufficient capacity in the Council's reticulated sewerage system has already been applied in other situations by the

Council⁷ and there is every likelihood that the Council's East Selwyn Sewer Scheme presently advancing through a consenting phase will deliver that capacity.

40. As to proposed section sizes and densities of development, I note the response of the proponents to matters raised by submitters and to better align with other emerging elements of the planning framework (i.e. SDC PC7 and the PSP, and RPS PC1). In terms of households per hectare PPC2 is compatible with the established development densities of surrounding land, such as on adjoining Cairnbrae Drive, Waratah Park and William Street. Where the highest densities would be possible under PPC2, they would be within the centre of the development site ("Area C") with graduated densities proposed towards existing suburban development to the east and rural residential development to the west. The allowable density within "Area C" has also been reduced since notification.
41. As Mr Friedel identified *"the household yields and densities, infrastructure requirements, urban design outcomes and character elements being proposed in PPC2 are consistent with the Prebbleton Structure Plan (PSP)"* adopted by Council earlier this year and *"... not in conflict with any of the development constraints, community aspirations and issues identified in the PSP."* I concur and furthermore the proposal supports the SDP objectives regarding achieving the consolidation of urban development for the township, choice and variety in how people might choose to live, and a high standard of amenity and compatibility within the local context of the site. The combination of rezoning, deferral of development until able to be adequately serviced, and integration and coordination of development via an ODP offers significant benefits over the status quo and is both effective and efficient in achieving the growth related objectives of the SDP. It also offers a certainty of outcome not necessarily achievable through the alternative process of resource consent under the present zoning.

Traffic and Transport

42. Transport related effects were a matter raised by many of the submitters in opposition. Concerns included increased traffic occurring on existing local roads, particularly those linking to the subject site to the east. Transport experts, Mr Owen

⁷ Mr Friedel noted Table 12.1 of the Selwyn District Plan sets out the mechanism for uplifting the deferral on land in Prebbleton.

for the Council and Mr Metherell for the proponents, agreed the capacity of the local network could safely accommodate the expected increase in traffic without compromising the effectiveness or efficiency of that network. Responding to submissions, the amendments to the change incorporate additional connection by road to the south and east, supporting the established roading hierarchy, connectivity and enhancing use of alternative modes of transport.

43. Concerns expressed regarding safety of children accessing the primary school, the William Street playground and other local facilities were specially assessed by both Mr Owen and Mr Metherell. It was the conclusion of the relevant experts that the road carriageway specifications, the intended function of the local roads and the low volumes of traffic meant safe and efficient operation would not be compromised by the proposals and associated traffic.
44. Although support was expressed by submitters for cycle and walking links to William Street, some sought restriction as to vehicle access to William Street from the subject land. Such restriction was assessed by Mr Owen to compromise the efficiency of the remaining roading network provided in PPC2, and was therefore not supported.
45. PPC2 would result in increased traffic using existing roads such as William Street and Cairnbrae Drive and be most noticeable where current volumes are low. However, even with the added traffic using those roads they would function well within their design capacity and continue to operate in a way consistent with their role as local residential streets within the wider network. The connection of the subject land through new and existing roads would mean present cul-de-sacs become more functional through routes assisting efficient travel in the context of the overall network.
46. Overall I find the traffic related effects of the proposed change to be acceptable in terms of amenity, safety and efficiency; a high level of service would be maintained for road users; and the outcome would be consistent with achieving the associated objectives of the SDP and other guiding documents. The evidence did not indicate any conflict with the aspirations of the CRTLS and related works programmes, and there are likely to be beneficial consequences of the proposed development and associated roading connections and extensions that would not be realised with continued rural use/development of the subject land.
47. PPC2 offers an effective and efficient method of integrating with transport infrastructure and the associated wider network beyond the site. It also incorporates

suitable means to service future development within the subject land from a transportation perspective and to enable connection with anticipated neighbouring future residential development. In my conclusion the transport related benefits of the proposal outweigh any associated costs in terms of changed amenity values for some neighbouring streets and any consequent minor changes in the level of service or convenience provided by the local transport network at particular locations.

Rural – Urban Interface and Reverse Sensitivity

48. As noted, principal methods under PPC2 of managing the interface of the subject land with rural land adjoining the site is through controls over development density, landscaping and building setback.
49. In combination these seek to ensure the integration of subsequent development of the subject land within its immediate context. Expert landscape architects gave evidence in support of the proposals and of achieving an outcome whereby amenity values would be appropriate to the site and surrounds. Clear demarcation of the rural urban interface is an important aim of the SDP and would be supported by the graduated scale and density of development towards that interface, and the requirement for a buffer enhanced by landscaping and by building separation.
50. Notably land to the west includes rural residential lifestyle properties (Kingcraft Drive EDA Zoning) and thus further supporting a transition to more expansive and potentially more agricultural land use beyond. There are areas to the south and east where the current farm land (including Trent's Berry farm) and the Meadow Mushrooms site could pose issues of reverse sensitivity, and this is an area where the proponents do not seek to require a building setback. The ODP specifies landscaping along the boundary with the Meadow Mushrooms land but that also is not specified for the boundary with the land to the south.
51. In support of that the proponents have noted the intention for this land to the south to develop in the future for residential use – some already has a deferred Living zoning and both the PSP and PC1 support development of all of this adjacent land for housing within the prescribed urban limits. That recognition, in part at least, supports the modification of the ODP to extend "Area B" along this boundary and providing the option of future roading connections beyond the subject land. I also heard that, although not certain as to timing, the Meadow Mushrooms site is likely to become

available for residential redevelopment in the future and that too is consistent with that sites underlying zoning and the directions set by the PSP.

52. There was some suggestion during the hearing that Mr Friedel (and perhaps others) was advocating for a continuation of the landscape buffer and building setback control to apply along the southern boundary of the subject land. However I took from discussion during the hearing for there to be an acceptance by Mr Friedel that that was not necessary, consistent with the proponents reasoning. I agree and would not support those controls as being necessary along the boundary with land to the south. Although not strictly necessary a minor wording clarification is recommended for the proposed rule referencing to the building setback as shown on the ODP to avoid any confusion in that regard.
53. The issue of actually implementing the landscape buffer and ensuring its future maintenance was a matter raised by Mr Craig in peer reviewing the landscape assessment undertaken in support of PPC2. I note that matter was discussed by Mr Friedel and the intention is that the landscape buffer is to be planted in accordance with an approved landscape plan and ensuring ongoing management and maintenance would be achieved through use of private covenants.
54. I agree with the conclusions of both Mr Friedel and Mr Allan that PPC2 adequately addresses the interface of the subject land with land surrounding it, including land in rural or semi-rural use. It offers an effective and efficient means to recognise and address the potential for adverse effects at that interface while maintaining a clear demarcation of the urban rural boundary, where similar or equivalent means do not exist under the present rural zoning and related provisions.

Other Matters Raised in Submissions / Council Report

55. Other matters raised by submitters include issues of potential nuisance (dust, noise) during development, requests for greater provision of reserves, natural habitat protection and various modifications of the proposed plan provisions.
56. Mr Friedel did not support requests for further control of nuisance effects through the Plan Change given standard practices to require development works to comply with an approved Earthworks Management Plan, and existing controls in the SDP regarding noise and earthworks. Similarly he did not support further reserve provision or natural habitat protection, given Council's strategic plans for public space provision in the township and an apparent absence of significant natural habitat on

the site. He did note the planned provision of various open spaces and amenity linkages within the PPC2 proposals, including an expansion of the William Street reserve, the likelihood of greater vegetation (trees, reserves and gardens) with future development and retention of existing notable trees to be investigated for formal protection. I accept and agree with Mr Friedel's findings and conclusions on these matters.

57. The matter of restriction over fencing within the minimum prescribed building setback from road boundaries was a point of difference between the advisors to the Council and the proponents. As notified, PPC2 contained a restriction for any fencing along a boundary adjoining a reserve or pedestrian access way to a maximum height of 1.2 metres. In respect of other boundaries PPC2 did not prescribe any control over fencing in the area of the building setback. The proponents had sought to also apply the same restriction to fencing in relation to a road boundary. Mr Friedel had responded in his report, taking guidance from Mr Craig and the proponents own landscape assessment, recommending that no fencing be permitted within the minimum building setback from a road boundary. Mr Craig confirmed to the hearing that a requirement for no front boundary fencing reflected his preference from a visual amenity and urban design perspective.
58. Having considered the various perspectives, I do not support the inclusion of the more restrictive fencing rule as recommended by Mr Friedel (proposed Amendment 13 in the s.42A report, section 8). Part of Mr Friedel's rationale for the restriction was stated to be based in achieving compatibility with the existing residential form and character of the town – a generic matter raised by some submitters. From my own observations I do not see an absence of front yard fencing to be an obvious and apparent characteristic of the township. There are certainly situations where residential properties do not have such fences, and that may reflect personal choice or even covenant restriction on titles, but that could not be said to be a predominant characteristic locally. While I accept contemporary design thinking may discourage against any perceived impediment to integrating private and public (street) spaces in a residential context, I do not conclude “front yard” fencing up to a maximum height of 1.2 metres (as sought by the proponent) to be an unreasonable expectation given the surrounding context and the type, nature and scale of development proposed by PPC2. Enabling fences subject to such a height control balances between enabling visual connection and surveillance across the boundary with practical requirements

for security and containment, accepting also that there is no compulsion to install such fencing at all.

59. On specific matters raised in submissions concerning particular provisions of the district plan I simply note that Mr Friedel has addressed these individually and in detail in his report, and in many cases accepted the need for modification and recommended accordingly. Many relate to matters of internal consistency and plan implementation and as to the acceptance or otherwise of these various submissions, I again concur with Mr Friedel for the reasons he has set out.
60. I also record I accept the modifications recommended to PPC2 by Mr Friedel in his report for the reasons he sets out, with the exception of the matter concerning road boundary fencing discussed above.
61. Finally I note nothing in the evidence to indicate any conflict or inconsistency with the two Iwi Management Plans of relevance locally.⁸ As Mr Friedel identified there are seemingly no sites of historic or cultural significance to iwi affected, nor are there specific Tangata Whenua values that require additional protection through PPC2.

Risks and Uncertainty

62. In having regard to any risks associated with uncertain or insufficient information, I do not consider that to be a significant issue in evaluating this proposal. There is a high level of consistency with the policy framework set by the SDC and supported by the RPS, including the emerging PC1. The type of development envisaged for the subject land reflects the intentions of the SDP in accommodating and managing future peripheral development of the township. It is consistent with the recently Council adopted PSP and I see any risk of not realising the intended development outcome as being very low.
63. Equally I do not see any unforeseen or unacceptable risk in the rezoning of the land from rural to residential (Living) in terms of continuing to achieve and realise the aims of the SDP for the districts rural environment. Though the soils on the site are classified as “versatile”, as Mr Allan identifies, in the context of that soil resource across the region those on this site constitute only 0.06%.

⁸ Te Whakatau Kaupapa: Ngai Tahu Resource Management Strategy for the Canterbury Region and Te Taumutu Rununga Natural Resource Management Plan.

STATUTORY CONSIDERATIONS

64. As I have stated, my consideration of the Plan Change against the statutory requirements of the RMA leads me to conclude that PPC2 would be consistent with the Council achieving its functions under section 31 of the Act. It would set in place a range of methods (principally through zoning and rules) whereby the integrated management of the effects of residential redevelopment of the site would be enabled, while at the same time seeking to protect associated natural and physical resources.
65. Equally the unaltered objective and policy provisions of the SDC would be implemented by PPC2 and there would be continuing effect given to the operative RPS. Consequently section 75 of the Act would be met.
66. In so far as regard is to be had to or account taken of relevant matters under section 74, in my evaluation none of those matters support necessary modification or rejection of PPC2.
67. I am equally satisfied that the necessary evaluation under section 32 supports the acceptance of the Plan Change and adoption of the provisions as set out in **Appendix 1** to this report. Those provisions are modified relative to the notified version of PPC2. Those amendments have arisen either at the request of the proponent or as recommended by Mr Friedel, and were openly discussed in the course of the hearing. They are within scope and reflect the significant degree of agreement reached between those parties, with only the issue of front yard fencing being a point of difference.
68. Insofar as regard might be had to Part 2 matters, the primary issues in this instance relate to providing for social and economic wellbeing, people's health and safety, achieving efficient use of existing resources of the site, and the maintenance and enhancement of amenity values. Protecting life supporting capacity of water and soil resources too has some relevance, as does avoiding, remedying or mitigating adverse effects on the environment.
69. In terms of section 5, both the status quo and the proposed Change would enable the development of the natural resources of the site. The current rural zoning directs any such development to be for rural purposes consistent with that and the historical use of the land. The proposed change in zoning would enable development of the land for further housing and associated infrastructure. I heard little about the future

prospects of the subject land in achieving social and economic wellbeing if it were to remain in rural use, but I accept the proponents (who are the owners) see wellbeing in those terms to be comparatively greater with the change in zoning.

70. Beyond the proponent's interests, I do not conclude the loss of rural opportunity to outweigh the potential benefits to be derived from urban development of the site in the manner generally proposed by PPC2. The benefits to be gained in a broader sense in terms of integration with the township and in accommodating future growth consistent with the aspirations of the SDP in that regard exceed any consequent loss of the versatile soil resource or potential for ongoing rural use.
71. In providing for people's health and safety, each of the scenarios achieves that in respect of transportation integration, generated noise, infrastructural servicing and avoidance of natural hazards. PPC2 adds variety and choice to the available options for present and future residents of Prebbleton.
72. I have discussed the efficient use of resources, noting the efficiencies derived from the proximity of the land to the established urban area of Prebbleton and the ability to integrate with that development and the services and facilities it provides. Consolidation and coordination of urban development also supports utilisation of infrastructure and services that have available capacity, and appropriate measures are proposed to ensure adequate servicing capacity is in place ahead of development occurring.
73. In terms of amenity values, PPC2 contains a range of provisions directed to maintaining and enhancing those values. Clearly localised amenity values would alter as the characteristics and qualities of the site reflect a shift over time from rural to urban type development. There are however controls included that relate to the interface of urban and rural areas (landscaping, graduated density and building setback), and also measures to connect and integrate with existing urban development at that interface (roading connections, amenity and other access linkages). Internally the amenity of the developed land within the site would be consistent with that of other residential environments locally.
74. Subject to some loss of access to the soils resource for productive use, the ability to sustain the future potential of resources of the site would not notably distinguish the status quo from PPC2, nor would either's ability to safeguard the life supporting capacity of water or soils.

75. In terms of applicable section 7 matters, I have addressed resource use and development, and the protection/improvement of amenity values and environmental quality in the preceding discussion. In my conclusion the Change would achieve some of those aims better than the status quo, and perform at least as well in some other respects. Any adverse effects on the environment would be avoided, or adequately remedied or mitigated and PPC2, with some modification, would provide for meeting the needs of future generations in a manner that appropriately manages the associated adverse effects.
76. For the reasons I have set out the promotion of sustainable management of natural and physical resources would be better achieved by accepting the Change. Of the available options under consideration, the proposed Change is the most appropriate in that regard.
77. Lastly and for completeness, I record that there are no matters of national importance (s.6) that are relevant and there was no evidence or suggestion that matters concerning Treaty principles under section 8 have not been appropriately taken into account, either procedurally or in the development of the content of PPC2.

RECOMMENDATIONS

78. My recommendation on PPC23 is that it **be approved with modification** as described and for the reasons contained in this report.
79. Attached as **Appendix 1** to this report is identification of the necessary modifications to the Selwyn District Plan.
80. Though no longer a requirement of the Resource Management Act 1991, my individual recommendations in relation to the submissions received on the Plan Change are set out in **Appendix 2** to this report. The submissions and further submissions are recommended to be accepted, accepted in part or rejected as indicated.
81. For consistency, my recommendations identify the submission and decision numbers as per referencing in the Council report prepared for the hearing.

Signed in Christchurch this 30th day of August 2010

A handwritten signature in black ink, appearing to read 'Ken Gimblett', with a stylized, cursive script.

Ken Gimblett

Hearing Commissioner

RECOMMENDED MODIFICATIONS TO PROPOSED PLAN CHANGE NO.2

Amendment 1:

Rename all references to the Living XA (Deferred) zone in PPC2 to the Living 1A6 (Deferred) zone.

Amendment 2:

Amend the Outline Development Plan [E-019], as **attached below**, confirming the amended Area B (600m² to 900m²) densities along the southern boundary with the PC1 SP4 'Greenfield' land retaining the landscape buffer treatment along the full extent of the western boundary of the Living 1A6 (Deferred) zone.

Amendment 3:

Amend proposed Amendment 2 of PPC2 to change the zoning on the Planning Map 13 from Living XA (Deferred) zone to Living 1A6 (Deferred) zone in accordance with **Amendment 1** above.

Amendment 4:

Delete proposed Amendment 3 of PPC2, which seeks to incorporate the Living XA (Deferred) zone into Table 4 [A4-010].

| Zone | Description |
|----------------------|--|
| Living XA (Deferred) | Areas zoned as living but not yet developed. Subdivision shall achieve a minimum of 10 lots per hectare with consideration given to maintaining and reinforcing the rural-urban interface with lots of not less than 1000m ² along the common boundary of the Kingcraft Drive Existing Development Area." |

Amendment 5:

Delete proposed Amendment 4 of PPC2, which seeks to include the Living XA (Deferred) zone into the Residential Strategy section of the Growth of Townships description [B4-002].

Section 4B.1

Existing residential areas have a similar density in the new plan, to the existing density. The residential density in new Living zones or undeveloped Living zones (Living X, and Living XA (Deferred) is determined by the subdivider, but is not more dense than the density in the Living 1 zone for the township, except for identified Greenfield site where the Regional Policy Statement requires otherwise."

Amendment 6:

Delete proposed Amendment 7 of PPC2.

| Table C4.1 Site Coverage Allowances | | |
|--|------------|----------------------|
| Zone | | Site Coverage |
| Living XA (Deferred) | Prebbleton | 35% |

Amendment 7:

Reference the amended densities provided in the addendum assessment and updated ODP into Table C12.1 Allotment Sizes (proposed Amendment 10 of PPC2) so that the allotment sizes for the Living 1A6 (Deferred) zone reads as follows [C12-009]:

~~“...Area A on ODP: minimum net site area of 1,000m². Area B on ODP: lot size to be contained within a range of 600m² – 900m². Area C on ODP: average lot size to be contained within a range of 400m² – 600m².”~~

“...Area A: 1,000m² minimum net allotment area. Area B: 600m² minimum net allotment area and 900m² maximum net allotment area. Area C: 550m² minimum average allotment area and 450m² minimum net allotment area and...”

In all cases development shall proceed in accordance with the ODP and shall achieve a minimum density of 10 lots/hectare once the entire site has been developed”

Amendment 8:

Delete proposed Amendment 5 of PPC2 [B4-005]:

~~“Policy B4.1.4~~

~~Allow choice in housing density in Living X and Living XA (Deferred) Zones, provided, provided that development in the Living Z zone is not more dense than that for the Living 1 zone(s) in the township, and that development in the Living XA (Deferred) Zone is consistent with the density provisions of Chapter 12A of the Regional Policy Statement, and has regard to the form and character of development in the adjacent living zones, with a particular emphasis on maintaining residential lots of not less than 1000m² along the common boundary of the Kingcraft Drive Existing Development Area.~~

Amend existing Policy B4.1.1 to include the (a) reference as follows [B4-003]:

Policy B4.1.1 (a)

Provide for a variety of allotment sizes for erecting dwellings in Living 1 Zones, while maintaining average section size similar to that for existing residential areas in townships.

Add Policy B4.1.1 (b) as follows [B4-003]:

Policy B4.1.1 (b)

“Facilitate and that development in the Living 1A6 (Deferred) Zone in Prebbleton where it is consistent with the density provisions of Chapter 12A of the Regional Policy Statement, and has regard to is compatible with the form and character of development in the adjacent living zones, with a particular emphasis on maintaining residential lots of not less than 1000m² along the common boundary of the Kingcraft Drive Existing Development Area.”.

Amendment 9

Delete proposed Amendment 6 of PPC2 [B4-005]:

~~“Explanation and Reasons~~

~~Living X and Living XA Deferred zones are areas zoned for residential development...Policy B4.1.4 requires residential density for the Living X zone to be no greater than the Living 1 zone for the township, to maintain the ‘spacious’ character identified in Objective B4.1.1. Higher density residential areas can be provided for in Business 1 zones. Policy B4.1.4 also requires development of the Living XA Deferred zone to be consistent with the density provisions of the Regional Policy Statement, whilst having regard to the form and character of development of the adjacent living zones. This is to ensure development proceeds in a sustainable and compact manner, without adversely impacting on the ‘spacious’ character of existing development in the vicinity of the site.”~~

Add the following wording as a second paragraph to the existing ‘Explanation and Reasons’ section of Policy B4.1.1 [B4-003]

"Policy B4.1.1 (b) also requires development of the Living XA Deferred zone to be consistent with the density provisions of the Regional Policy Statement, whilst having regard to the form and character of development of the adjacent living zones. This is to ensure development proceeds in a sustainable and compact manner, without adversely impacting on the 'spacious' character of existing development in the vicinity of the site."

Amendment 10:

Include the Living 1A6 (Deferred) Zone in the list of deferred zones under Policy B4.3.59 - General Polices that relate to the Preferred Growth Option for Prebbleton as follows [B4-058]:

"However, in recognition of the appropriateness of land at Prebbleton meeting the specific policies above, the Council rezoned limited areas of land that adjoin existing Living 1, Living X or Business 1 zoned land as either Living X (Deferred), Living 1A (Deferred), Living 2A (Deferred), Living 1A5 (Deferred), Living 1A6 (Deferred) or Business 1 (Deferred)."

Amendment 11:

Amend proposed new Rule 12.1.3.35 (i) (proposed Amendment 9 of PC2) to read as follows [C12-006]:

"...Native shrubs shall provide under planting to this tree row and shall be spaced at no more than 3m centres and that this area is to be fenced along all boundaries."

Amendment 12:

Insert a new paragraph (iv) into proposed new Rule 12.1.3.35 (Amendment 9 of PPC2) to read as follows [C12-006]:

"Rule 12.1.3.35

In the Living 1A6 (Deferred) Zone, any subdivision plan shall be accompanied by a landscape plan detailing plantings to be undertaken:...

... (iv) and any subdivision of land within the area shown in Appendix 19 shall be in accordance with the development plan shown in that Appendix. Prior to the issue of any completion certificate under Section 224 of the Act, a restrictive covenant in the form of an appropriate legal instrument acceptable to the Council shall be registered in favour of the Council requiring: (i) The ongoing maintenance and retention of the landscape mitigation in accordance with the approved landscape plan; and (ii) The restriction of buildings within the landscape buffer identified in the Appendix 19 ODP."

Amendment 13:

Amend Rule 12.1.3.37 (Amendment 9 of PPC2) to read as follows [C12-006]:

"In the Living 1A6 (Deferred) Zone, any fencing along a boundary adjoining a reserve or pedestrian accessway shall be limited to a height no greater than 1.2m."

Amendment 14:

Delete proposed Amendment 9 of PPC2 from the 'Living Zone Subdivision Rules' [C12-005]:

~~"Rule 12.1.3.33~~

~~For the Living XA (Deferred) Zone in Prebbleton, no dwelling shall be sited within 5m of the common boundary with the Kingcraft Drive Existing Development Area, as identified in the ODP contained in Appendix 19"~~

Insert as new Rule 4.9.9 in the 'Living Zone Rules' as follows and make numbering changes to the following rules [C4-008]:

"Rule 4.9.9

For the Living 1A6 (Deferred) Zone in Prebbleton, no dwelling shall be sited within 5m of the north western common boundary with the Kingcraft Drive Existing Development Area, as identified in the ODP contained in Appendix 19".

Amendment 15:

Delete proposed Amendment 9 of PPC2 to insert Rule 12.1.3.34 into the Prebbleton subdivision provisions [C12-005]:

"Rule 12.1.3.34

In the Living XA Deferred Zone in Prebbleton, no dwelling shall be sited within 5m of the common boundary with the Kingcraft Drive Existing Development Area, as identified in the ODP contained in Appendix 19.

Amend existing Rule 12.1.3.24 to incorporate the Living 1A6 (Deferred) zone [C12-005]:

"In the Living 1A1, 1A2, 1A3, 2A, 1A6 and any deferred living zone at Prebbleton, any subdivision is in general accordance with the respective concept and/or Development Plans in Appendix 19; and..."

Amendment 16:

Delete proposed Amendment 11 of PPC2 to Assessment Matter 12.1.4.37 and make any consequential numbering changes.

"12.1.4.37

In the Living 1A6 (Deferred) zone at Prebbleton, the necessity for large allotments along the common boundary with the Kingcraft Drive Existing Development Area to provide section sizes sympathetic to the character of the adjoining Kingcraft Drive Existing Development Area."

Amendment 17:

Delete proposed Amendment 11 of PPC2 to Assessment Matter 12.1.4.38 and make any consequential numbering changes.

"12.4.38

In the Living 1A6 (Deferred) zone at Prebbleton, the extent to which landscaping and the 5m building setback along the common boundary of the Kingcraft Drive Existing Development Area, is sufficient to clearly demarcate the rural urban boundary.

Amendment 18:

Delete proposed Amendment 11 of PPC2 to Assessment Matter 12.1.4.39 and make any consequential numbering changes.





"12.4.39

In the Living 1A6 (Deferred) zone in Prebbleton, the extent to which the subdivision layout achieves a road network width which is suited to their particular function and the design techniques adopted to differentiate between priority roads and pedestrian/cycle network."



KEY



Roading Hierarchy

-  Main Entrance Road
-  Secondary Roads
-  Residents Access (to off street parking / garages)
-  Pedestrian Link







Housing Density

-  Area A (1000m² minimum)
-  Area B (600m² minimum - 900m² maximum)
-  Area C (450m² minimum - 550m² average)

Reserves

-  Storm Water Reserve
-  Reserves

Street Trees

-  Avenue
-  Semi formal
-  Informal
-  Landscape buffer (planted)
-  5m building setback
-  Site Boundary

Development Plan
November 2008

Rezoning Application Lot 105, DP 331915,
Lot 4 DP 8147 & Part Lot 4 DP 24908



30 15 0 30 60 90 120 150m
SCALE 1:1500

20 10 0 10 20 30 40 50 100m

Appendix 2

Recommendations on individual submissions and further submissions:

| Submission Number | Submission Points | Decision Requested | Recommendation |
|-------------------|--------------------|--|----------------|
| TOPIC: | | Section sizes and density | |
| 1404 | 1404.02 | Change the high density housing allocation to a minimum allotment size of 800m ² to preserve the village character and to align with the Prebbleton Structure Plan. <i>Supported by further submission F1412</i> | ACCEPT IN PART |
| 1405 | 1405.02 | Minimum allotment size should stay at 800m ² other than over 60's units to avoid ghetto style living. <i>Supported by further submission F1412</i> | ACCEPT IN PART |
| 1406 | 1406.06 | Decline the plan change request. At the very least there should be no allotments below 800m ² in size. <i>Supported by further submission F1412</i> | ACCEPT IN PART |
| 1407 | 1407.01 | Convert the high density allocation to either medium or low density households to preserve the character of the area and to align with the Prebbleton Structure Plan. <i>Supported by further submission F1412</i> | ACCEPT IN PART |
| 1408 | 1408.01 1408.02 | Decline the plan change request or provide for low density housing (1,000m ²) and tighter restrictions on the numbers and density of development. <i>Supported by further submissions F1412 & 1461</i> | ACCEPT IN PART |
| 1409 | 1409.02 | No high density housing of between 400m ² to 600m ² . It is a waste of land, which is some of the best in Canterbury. <i>Supported by further submission F1412</i> | ACCEPT IN PART |
| 1411 | 1411.01 1411.03 | Decline the plan change request. No high density development in Prebbleton. <i>Supported by further submission F1412</i> | ACCEPT IN PART |

| | | | |
|-------------|---------|---|----------------|
| 1412 | 1412.02 | Leave the original village as it is. <i>Supported by further submission F1412</i> | ACCEPT IN PART |
| 1413 | 1413.02 | A through road in the middle of the established township will fail to retain the character and atmosphere of Prebbleton. <i>Supported by further submissions F1412 & F1461</i> | ACCEPT IN PART |
| 1415 | 1415.02 | Change the high density housing allocation to medium to low density to preserve character and align with the Prebbleton Structure Plan. <i>Supported by further submission F1412</i> | ACCEPT IN PART |
| 1417 | 1417.02 | Council to ensure infill development occurs first and is subject to a consistent set of planning rules. Council should not change rules as each new development comes along. | REJECT |
| 1420 | 1420.02 | Low density development to be provided at the rear of properties located on Norris Street and restrictions to be placed on multi-level buildings. <i>Supported by further submission F1412</i> | ACCEPT IN PART |
| 1421 | 1421.01 | Housing densities to be a minimum of 600m ² for allotments that adjoin the Norris Street properties and to restrict multi-level buildings. Further submission from 1421 clarified that housing densities of 600m ² were too high. <i>Supported by further submissions F1412, F1460 & F1461</i> | ACCEPT IN PART |
| 1422 | 1422.02 | High density housing should not be constructed unless as retirement housing. If there is no demand for elderly housing then high density housing should be restricted. <i>Supported by further submission F1412</i> | ACCEPT IN PART |
| 1459 | 1459.04 | Development is too large and should be a similar size to existing development in Prebbleton. <i>Supported by further submission F1412</i> | ACCEPT IN PART |

| TOPIC: Vehicle movements | | | |
|--|--------------------|--|----------------|
| 1404 | 1404.01 | The road access point proposed in Williams Street adjacent to the playground be amended to pedestrian access only. Additional vehicle movements will compromise resident safety. | REJECT |
| <i>Supported by further submission F1412</i> | | | |
| 1405 | 1405.01 | Decline the plan change. Does not want additional traffic down Williams Street. Additional vehicle movements will compromise resident safety. | REJECT |
| <i>Supported by further submission F1412</i> | | | |
| 1406 | 1406.01 1406.02 | Decline the plan change. Do not change Williams Street. Additional vehicle movements will compromise resident safety. | REJECT |
| <i>Supported by further submission F1412</i> | | | |
| 1409 | 1409.01 | No access from the development site to be provided onto Williams Street. | REJECT |
| <i>Supported by further submission F1412</i> | | | |
| 1411 | 1411.02 | Decline the plan change. Do not change Williams Street. Will compromise the safety of children travelling to the playground and school. | REJECT |
| <i>Supported by further submission F1412</i> | | | |
| 1412 | 1412.01 | No access via Williams Street. Additional vehicle movements will compromise resident safety. | REJECT |
| <i>Supported by further submission F1412</i> | | | |
| 1413 | 1413.03 | Restrict additional vehicle connections onto Williams Street, which should be a cycle/walkway link only. | REJECT |
| <i>Supported by further submission F1412</i> | | | |
| 1413 | 1413.01 | Parking overspill associated with Primary School. | ACCEPT IN PART |
| <i>Supported by further submission F1412</i> | | | |
| 1414 | 1414.02 | Restrict vehicles at the entrance to Williams Street, which should be a cycle/walkway link only. Additional vehicle movements will compromise resident safety. | REJECT |
| <i>Supported by further submission F1412</i> | | | |

| | | | |
|--|--------------------------------|--|--------|
| 1415 | 1415.01 | No access via Williams Street. Cul-de-sac to remain at the end of Williams Street. | REJECT |
| <i>Supported by further submission F1412</i> | | | ... |
| 1416 | 1416.01 | Restrict additional vehicle connections onto Williams Street, which should be a cycleway/walkway link only. Additional vehicle movements will compromise resident safety. | REJECT |
| <i>Supported by further submission F1412</i> | | | |
| 1418 | 1418.01 1418.02 1418.03 | Restrict additional vehicle connections onto Williams Street, which should be a cycle way/walkway link only. Additional vehicle movements will compromise resident safety. | REJECT |
| <i>Supported by further submission F1412</i> | | | |
| 1422 | 1422.01 | Williams Street from Norris Street to the opposite end of Springs Road to remain a cul-de-sac and the connection past the Williams Street playground be for pedestrian/cycle use only. | REJECT |
| <i>Supported by further submission F1412</i> | | | |
| 1459 | 1459.01 1459.02 1459.03 | No through road connecting Waratah Park with the application site. | REJECT |
| <i>Supported by further submission F1412</i> | | | |
| TOPIC: | Cycle ways and walkways | | |
| 1405 | 1405.03 | Supports the extension of the children's playground and the proposed cycle way and walkways – relief unclear | ACCEPT |
| 1414 | 1414.01 | Restrict additional vehicle movements onto Williams Street, which should be a cycle way/walkway link only. | REJECT |
| <i>Supported by further submission F1412</i> | | | |
| 1418 | 1418.04 | Restrict additional vehicle movements onto Williams Street, which should be a cycle way/walkway link only. | REJECT |
| <i>Supported by further submission 1412</i> | | | |
| 1418 | 1418.06 | Supports and encourages the proposed cycling and pedestrian linkages. | ACCEPT |

| | | | |
|------------------------------|---------|--|----------------|
| 1458 | 1458.03 | Fails to fully have regard to the provisions of the Urban Development Strategy and the Selwyn District Walking and Cycling Strategy – relief unclear. | WITHDRAWN |
| TOPIC: Infrastructure | | | |
| 1406 | 1406.04 | No more capacity in the sewer network. <i>Supported by further submission F1412</i> | REJECT |
| 1408 | 1408.03 | Density of housing will place a strain on community resources such as the School, road network that is already in a poor condition and the Williams Street playground. <i>Supported by further submission F1412</i> | REJECT |
| 1411 | 1411.01 | High density housing will exacerbate existing pressure on the sewer, water supply, road network, public transport and education facilities. <i>Supported by further submission F1412</i> | REJECT |
| 1417 | 1417.01 | All existing sites within the developed areas need to have sewer connections. | REJECT |
| 1418 | 1418.05 | Seek assurances that the necessary investment will be given to ease the pressure on stretched infrastructure. <i>Supported by further submission F1412</i> | ACCEPT IN PART |
| 1421 | 1421.03 | Seeks reassurance that the existing soak pit is recognised and factored into any development to avoid any adverse drainage problems caused to the submitter's property. This has already been an issue in a year of high rainfall. | ACCEPT IN PART |
| 1422 | 1422.03 | Difficulties in draining stormwater have been experienced over the years and there is a concern that the new subdivision may increase the risk of flooding into adjacent properties. <i>Supported by further submission F1412</i> | ACCEPT IN PART |

| | | | |
|--|---------|--|----------------|
| TOPIC: Nuisance effects | | | |
| 1410 | 1410.01 | Seeks clarification of measures proposed to mitigate noise. | ACCEPT IN PART |
| <i>Supported by further submission F1412</i> | | | |
| 1410 | 1410.02 | Seeks payment for any extra costs incurred as a result of airborne pollution arising from earthworks to develop the site. | ACCEPT IN PART |
| <i>Supported by further submission F1412</i> | | | |
| 1420 | 1420.01 | Seeks compensation payment for any extra cleaning costs incurred as a result of earthworks. | ACCEPT IN PART |
| <i>Supported by further submission F1412</i> | | | |
| 1421 | 1421.02 | Seeks compensation payment for any extra cleaning costs incurred as a result of airbourne pollution. | ACCEPT IN PART |
| <i>Supported by further submission F1412</i> | | | |
| 1422 | 1422.04 | Notification should be provided several months prior to construction commencing. | ACCEPT IN PART |
| <i>Supported by further submission F1412</i> | | | |
| TOPIC: Reserves | | | |
| 1405 | 1405.03 | Support the extension of the children's playground | ACCEPT |
| 1406 | 1406.05 | The 18.58ha land should be developed into a park with trees or left as rural. | REJECT |
| <i>Supported by further submission F1412</i> | | | |
| 1408 | 1408.04 | That shade or shelter be provided if the Williams Street playground is extended. | REJECT |
| <i>Supported by further submission F1412</i> | | | |
| TOPIC: ODP's and District Plan Rules | | | |
| 1419 | 1419.01 | Move proposed Rule 12.1.3.33 to the land use section of the District Plan as new Rule 4.9.12 under the heading Prebbleton on Page C4-007. Alternatively, the matter of building setbacks should be addressed as a subdivision assessment matter or via a resource consent. | ACCEPT |
| <i>Supported by further submission F1412</i> | | | |

| | | | |
|-------------|---------|---|---------------------------|
| 1419 | 1419.02 | Delete Rule 12.1.3.34. Alternatively, existing Rule 12.1.3.21 should be amended to include the requirement for the LXA Zone to accord with Appendix 19. | ACCEPT |
| 1419 | 1419.03 | Amend Rule 12.1.3.35 to specify the minimum width of planting required for the 'landscape buffer' in order to retain a restricted discretionary activity status. A 5m buffer is provided in the ODP. | ACCEPT |
| 1419 | 1419.04 | There is no need to include the requirement to either obtain a Council resolution or all the necessary resource consents to uplift the deferral from 4ha to Living XA, as the necessary provisions already exist in the 'standards and terms' in the Plan that are applicable to subdivision in Prebbleton. | ACCEPT |
| 1419 | 1419.05 | Either delete assessment matter 12.1.4.37 or redraft it to achieve the intended purpose. Amend assessment matter 12.1.4.38 relating to the 5m building setback to address submission points 1419.01 and 1419.03 Delete assessment matters 12.1.4.39 and 12.1.3.40 | ACCEPT and ACCEPT IN PART |
| 1419 | 1419.06 | To amend the ODP to include the road linkage outlined in the Draft Prebbleton Structure Plan. The landscape buffer between the subject land and the submitter's land that forms part of the Kingcraft Drive EDA are included until such time as the submitters land is rezoned for residential purposes or is included within the RPS PC1 Urban Limit for Prebbleton. <i>Supported by further submission F1412</i> | ACCEPT |
| 1458 | 1458.01 | Exemption requested to Rule 5.1.1.4 and Rule 5.1.1.5 (specification for roads) to provide footpaths on both sides of the roads. <i>Supported by further submission F1412</i> | WITHDRAWN |
| 1458 | 1458.02 | Provide for connections to the Meadow Mushrooms site to the south-east. | ACCEPT |

| TOPIC: Natural habitat | | | |
|--|---------|---|----------------|
| 1406 | 1406.03 | Decline the plan change request. Conversion of rural land to residential will further reduce bird habitat. | ACCEPT IN PART |
| <i>Supported by further submission F1412</i> | | | |