

Selwyn District Plan

Private Plan Changes 81 & 82

Request by Rolleston Industrial Developments Limited to rezone approximately 28 hectares of Rural Outer Plains Zone to Living MD, Dunns Crossing and Selwyn Roads, West Rolleston (PC81)

and

Request by Brookside Road Residential Limited to rezone approximately 110 hectares of Rural Outer Plains Zone to Living MD and Business 1, Dunns Crossing, Brookside and Edwards Road, West Rolleston (PC82)

Supplementary Evidence from Liz White (S42A Reporting Officer)

24 November 2022

Introduction

1. My full name is Elizabeth (Liz) Jane White. I prepared the Section 42A Report in respect to Plan Changes 81 (PC81) and Plan Change 82 (PC82), which sets out my qualifications and experience.
2. This supplementary evidence relates to Minute 3 of the Hearing Commissioner¹, which provided for supplementary evidence to be lodged in relation to information compiled about the supply of residential land in Rolleston², and for further evidence in relation to the implications of the adoption of a 1000m setback for dwellings from the RRP³.
3. The purpose of this evidence is to provide brief comment on planning matters relating to the above two matters.

Supply of Residential Land

4. I have read the joint response provided to Minute 3⁴. For the avoidance of doubt, I was not involved in the preparation of the response as this was prepared with the direct input of Council officers. My understanding of the joint response is that it identifies the total vacant land capacity in Rolleston, and while the quantum identified by the Council and by Colliers (for the applicant) differs slightly due to the use of two different methodologies, the overall difference is considered to be negligible.
5. The joint response ultimately quantifies the current supply of land within Rolleston. While this is important, in my view it is not a determinative factor in the consideration of PC81 and 82, because:
 - a. If the current supply is considered sufficient to meet demand, it does not preclude the ability for the land to be rezoned. This is because the NPS-UD only requires that sufficient capacity is provided; not that more is precluded⁵.
 - b. If the current supply is considered insufficient to meet demand, then it does not follow that this land should be rezoned on that basis. This is because while the Council has obligations under the NPS-UD to provide at least sufficient development capacity to meet expected demand for housing⁶, in my view consideration of whether this land is appropriate to meet that demand still needs to be a merits-based assessment of the appropriateness of these particular Sites, taking into account the relevant statutory framework. In this instance that includes consideration of whether they have an appropriate level of connectivity, contribute to a compact urban form and contribute to a well-functioning urban environment, as well as the potential impact of increased residential development on the RRP and WWTP.

¹ *Proposed Plan Changes 81 and 82 to the Operative Selwyn District Plan, Directions of the Commissioner, Minute 3*, 20 September 2022.

² Paragraph 10.

³ Paragraph 13.

⁴ *Response to the Commissioners Minute 3*, 17 November 2022.

⁵ As discussed at paragraph 80 of the Section 42A Report.

⁶ Policy 2 of the NPS-UD

- c. If the Commissioner considers that the plan changes provide significant development capacity, contribute to a well-functioning urban environment, and are well-connected along transport corridors, the significance of the capacity must be had regard to, irrespective of the current supply.

Implications of a 1000m setback

6. Minute 3 and Minute 4⁷ also provides for further evidence to be provided in relation to the consequences of the adoption of a 1000m dwelling setback from the RRP, particularly in relation to the design of the ODP, including whether the setback area is excluded from the plan change area altogether or amended to provide alternative activities in that area.
7. In their Joint Witness Statement (JWS),⁸ the urban design experts have agreed a revised ODP reflecting the 1000m setback, that they consider is acceptable and functional should the setback be set at this distance. They have also noted agreement for what land uses might be appropriate within the setback area, and which would not, noting however that this would need to input from odour experts.
8. Because the purpose of the setback is to address potential odour issues, and noting the comments in the JWS about the need for input from odour experts, Mr Curtis has also provided further evidence on the suitability of some of the land-use options that have been suggested from an air quality (odour) amenity perspective.⁹ Mr Curtis notes that his preference continues to be for the setback area to retain its current rural zoning, which in effect means that it would be excluded from the plan change area. In the JWS, Mr Nicholson also notes his view that rural zoning within the setback area would be more appropriate as it better reflects the land uses anticipated within the area.
9. From a planning perspective, this is also my preference, as it makes it clear that the amenity expectations within this area are those associated with a rural zoning, rather than those associated with a residential zoning. I also agree with Mr Nicholson that applying a residential zoning to land which then, through the policy and rule framework does not provide for residential uses, is not appropriate. In particular, the restrictions in land uses provided for in the area would not be consistent with the objectives for this zone. In my view, this could be addressed simply by excluding the area from the ODP altogether, with the Rural Outer Plains Zoning retained for this land. Some consequential changes would then be required to delete reference to the Odour Constrained Area in the ODP text and related rules.¹⁰
10. Notwithstanding the above, should the Commissioner prefer that the area is included within the ODP, then I would recommend that the activities within the buffer area are restricted to low intensity recreation activities and rural activities. While noting Mr Curtis and the JWS also refer to forestry, I consider that further thought might need to be given to this, as I understand that there may be some concerns about having forestry this close to a residential area from an

⁷ *Proposed Plan Changes 81 and 82 to the Operative Selwyn District Plan, Directions of the Commissioner, Minute 4*, 31 October 2022.

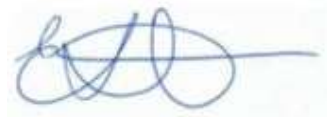
⁸ *Expert Conferencing Joint Witness Statement for Urban Design*, 24 November 2022.

⁹ Further Statement of Evidence by Andrew Curtis, 17 November 2022.

¹⁰ Including 4.9.39, 4.9.58, 12.1.4(e).

emergency management point of view in terms of fire risk. To implement this option, I consider that:

- a. the area would need to be delineated in the ODP (i.e. the “Odour Constrained Area” reinstated on the revised ODP and extended to reflect a 1000m setback from the boundary of the RRP); and
- b. the text in the ODP for the Plan Change 82 Site would need to be amended where it talks about the Odour Constrained Area to reflect the types of activities anticipated; and
- c. a new rule would be required to restrict activities within the Odour Constrained Area. As the proposed amendments to Rule 4.9.39 relate only to buildings, I consider that a new permitted activity rule would also be required in Chapter C1 of the Township Volume of the Plan, which relates more broadly to activities. This would list only low intensity recreation activities and rural activities as permitted activities within the Living MD Zone within the Odour Constrained Area in the Appendix 38 ODP Area XX (Brookside). Consequential changes to other parts of Rule 1.1 would be required to specific the activity status of other activities. Consideration would also need to be given to inclusion of a definition for low intensity recreation activities and rural activities.



Liz White

24 November 2022