

Selwyn District Plan, Private Plan Changes 81 and 82 – Dunns Crossing Road, West Rolleston

Summary Statement, Planning, Selwyn District Council

Introduction

1. My name is Liz White and I prepared the Section 42A Report on Private Plan Changes 81 & 82 to the Selwyn District Plan, dated 19 August 2022. After circulation of that report, the applicant and submitters have lodged statements of evidence. The purpose of this summary statement is to summarise key matters from my perspective, and highlight key areas of disagreement.
2. Mr Phillips' evidence has helpfully noted that the key differences between us relate to:
 - a. The form of urban growth; and
 - b. Reverse sensitivity effects.
3. As a result, I have focussed on these below, then noted other minor matters. I have also outlined briefly the differences between my evidence and that of Mr Langman.

The Form of Urban Growth

4. I continue to have concerns that the urban form facilitated by the plan change, when considered in isolation, is not consistent with the Plan's framework as it relates to compactness and connectivity.
5. In this regard, Mr Philips notes that I am reliant on Mr Nicholson, while he is reliant on the evidence of Mr Compton-Moen and Ms Lauenstein, that PC81 and PC82, when considered on their own merits, achieve an appropriate and acceptable level of connectivity with Rolleston and a compact urban form.¹
6. In considering the different viewpoints of the urban design experts, I note the following:
 - a. In relation to the Sites' integration with the intervening Skellerup Block, I note that the framework applying to the block under its current Living 3 zoning intends that this zoning is to act as a transition or edge between the rural and urban area, with a more 'rural' than 'urban' character. This is reflected in Policies 3.4.4(a), 3.4.4(b) and through the ODP and rule package which includes requirements for "Countryside Areas", being strips of land retained in typically rural land use to preserve the rural character; a density of between 0.4-4.0 hectares, with the use of larger lots along boundaries with rural land (including those with the PC81 and PC82 land). How this anticipated rural-residential development will integrate with the much higher density and fully urban outcomes of PC81 and PC82 is not touched upon by Mr Compton-Moen and Ms Lauenstein.
 - b. While both also consider the possibility that the Skellerup Block is rezoned, in my view these plan changes must be assessed on their own merits and in terms of the current context. In this regard, I note that Ms Lauenstein states that *"From an urban form, connectivity and accessibility perspective they should never be considered in total isolation from each other and in relation to only existing conditions."*² This difficulty I have with this view is that the process being used here is a private plan change process, which only allows for the current plan changes to be considered on their own merits, and in relation to the

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7. Notwithstanding the above, I accept that in considering the plan changes on their merits, there is a requirement to have 'particular regard' to the capacity provided. In my view, this means weighing up the appropriateness of enabling the capacity now, against waiting until the spatial planning exercise is undertaken and then subsequently given effect to through the CRPS and SDP.

Reverse Sensitivity

8. Based on the advice of Mr Curtis, I continue to have concerns that the proposed setback from the RRP may not be sufficient to avoid the potential for reverse sensitivity effects to arise. I accept that the difference in view between myself and Mr Phillips in this regard primarily relates to my reliance on Mr Curtis, and his reliance on Mr Van Kekem and Mr Iseli. However, my view is also informed by consideration of s32(c) of the RMA, in terms of the risks associated with the implementation of what might subsequently turn out to be an insufficient buffer distance. I therefore favour a more cautious approach, as once houses are established near the RRP, they cannot realistically be removed if a problem arises, and instead the RRP will be required to address the issues.
9. A key aspect to this is that reverse sensitivity is about an existing activity (in this case the RRP) being compromised or constrained by the establishment of activities – in this case medium density residential development - which may be sensitive to the actual, potential or perceived adverse effects generated by the RRP. To my mind, this is not simply a case of the odour not being offensive or objectionable. I therefore do not agree with Mr Van Kekem that the appropriate consideration is simply whether or not odour observed beyond 600m from the RRP is offensive within the PC82 site.³ Similarly, I do not agree with Mr Iseli that if complaints were not deemed to be offensive and objectionable, that this would not result in reverse sensitivity effects on the RRP.⁴ As noted by Mr Curtis, composting operations can generate odours that are distinct and detectable off-site, which are not offensive and objectionable, but which some individuals might consider unpleasant.⁵ I consider that in increasing the number of receptors in proximity to the RRP, this increases the risk of people complaining about odour, which in turn could lead to reverse sensitivity effects. In my view, the planning framework is clear that such effects are to be avoided.⁶
10. For the avoidance of doubt, I do not consider that the issue of reverse sensitivity precludes the rezoning of PC82 as a whole. Based on the advice of Mr Curtis, I instead consider that should the rezoning be approved, land within 1000m of the RRP should retain its rural zoning. In my view this is more appropriate than rezoning the land within this area Living MD, but then applying rules precluding the building of dwellings – being the primary focus of a living zone. In my view the retention of rural zoning would better align with the land uses that would be appropriate within the buffer area.

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NPS-UD and CRPS Matters

11. While I agree with Mr Langman that a spatial planning exercise would be preferable for considering locations for future urban growth than private plan changes⁷, I consider that Policy 8 of the NPS-UD provides a pathway for consideration of plan changes that have not been anticipated in previous processes. I consider that PC81 and PC82 therefore need to be considered on their merits. Similarly, while introduction of MDRS may have been intended reduce pressure for urban expansion/sprawl into greenfield areas⁸, no changes were made to the NPS-UD when the MDRS came into force and therefore the application of MDRS does not negate the pathway provided in Policy 8.
12. Mr Langman also discusses several matters relating to the NPS-UD and CRPS and their application to this Request. These are matters that have been well-traversed in other private plan change hearings that I have been the reporting officer for (PC67, PC71 and PC73) and to avoid repetition, I simply note that my view on these matters has not changed. The only exception to this, is that at the time of the hearings on PC67 and PC73, the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act had not been enacted. I accept that the changes made under this Amendment Act enable a greater level of intensification to occur within existing residentially-zoned areas. However, the extent to which this is likely to be taken up in an area such as Rolleston remains to be seen. I re-emphasise that the NPS-UD requires only that 'at least' sufficient development capacity is provided, not that more is precluded; and I am not aware of any analysis that has been undertaken so far as to whether additional capacity as enabled under the Amendment Act is feasible. In my view, it is therefore speculative to place too much emphasis on the potential uptake of medium density development in Rolleston under the Amendment Act.

Other Matters

13. Mr Philips notes amendments made to the proposals to incorporate amendments recommended in section 8 of the s42A report. While noting that these have been included in response to matters raised in my report, I consider that some additional changes are required, as set out below. Therefore, should the Hearings Commissioner be minded to recommend that Plan Changes 81 & 82 be approved, I recommend the following minor amendments are made:
 - a. Additional reference in the ODP text and/or in further assessment matters, regarding the "Rural / Urban Gateway" notation on the ODPs. This notation was added to the ODPs in response to Mr Collins' evidence, but at present I consider that there is a lack of direction about what this means and how it would be assessed at the time of subdivision.
 - b. In relation to the "Intersection upgrade" indicated in the ODP for Skellerup South, I recommend that the location of this is amended so that it is shown as sitting partially within the PC81 site, as recommended by Mr Collins.⁹
 - c. Correction of the word 'Odor' to 'Odour' in the ODP legend
 - d. I recommend the following drafting in terms of the drafting of Rule 12.1.3.50 (c):

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(c) In respect of the land identified at Appendix 38 ODP Area XX (Skellerup South):

i. No development (including earthworks or construction related activities) shall occur prior to the commencement of the upgrade of the SH1/Dunns Crossing Road/ Walkers Road intersection.

ii. ~~No completion certificate shall be issued under section 224 of the Act (other than for a boundary adjustment or creation of an allotment solely for utility purposes), until such time as the following works have been completed to the satisfaction of the Council:~~

~~a. the signalisation of the Dunns Crossing Road / Burnham School Road intersection;~~

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14. The reason for the redrafting of Rule 12.1.3.50 is because this rule drives the activity status of any subdivision. However, the issue of a section 224 certificate does not occur until after the subdivision consent is granted, so referring to it in the rule relating to activity status is, in my view, potentially confusing. As this is directed within the ODP text, I am comfortable that this will ensure that the requirement is implemented through the subdivision consent process, without needing this additional rule. I also note that the approved framework for PC69 is consistent with this i.e. there was no rule added, but a similar table outlining timing of upgrades with reference to section 224 was included.
15. Similar to the above, I consider that the test in relation to water supply should apply at the time subdivision consent is applied for – if a water supply is available and demonstrated through the application, the activity status would be restricted discretionary – if this is not proposed in the application, it would become non-complying. I consider this is more appropriate than linking the water supply to the time for the s224 certificate.
16. I have also considered whether or not an additional rule is required within the earthworks chapter, to limit earthworks and construction related activities prior to the commencement of the of the upgrade of the SH1/Dunns Crossing Road/ Walkers Road intersection. This is because while proposed Rule 12.1.3.50(c)(i) includes this limitation, this only applies where a subdivision consent is applied for; it does not restrict earthworks being undertaken prior to a subdivision consent application being made. However, I note that under Rule 2.1.1.6, earthworks are limited to 2000m³ and non-compliance with this limit is a fully discretionary activity. I am therefore comfortable that large-scale earthworks occurring prior to a subdivision application being made are already appropriately controlled without a further rule being required.

Conclusion

17. On balance, I continue to consider that the rezoning is not the most appropriate way to achieve the purpose of the RMA, for the reasons set out in my Section 42A Report.¹⁰ In regards to the two key areas of disagreement, I consider that the potential impact of increased residential development on the RRP and WWTP could be addressed through part of the PC82 Site retaining its rural zoning, and therefore this issue in itself does not preclude the rezoning of the whole of the PC82 site.
18. However, I continue to consider that the rezoning of the Site must be considered on its own merits and should not rely on the anticipation of development of the surrounding areas which do not form part of this Request. I accept that needs to be balanced against the significance of the development capacity provided, but in my view, the benefits of the 'bringing forward' this capacity now do not outweigh the potential risks of predetermining the direction of growth, and doing so on an ad hoc basis. I do accept that my conclusion on this is ultimately based on my placing greater weight on the latter, rather than the former.

Liz White

13 September 2022

¹⁰ Section 42A Report, at 228 - 231.

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17. On balance, I continue to consider that the rezoning is not the most appropriate way to achieve the purpose of the RMA, for the reasons set out in my Section 42A Report.¹⁰ In regards to the two key areas of disagreement, I consider that the potential impact of increased residential development on the RRP and WWTP could be addressed through part of the PC82 Site retaining its rural zoning, and therefore this issue in itself does not preclude the rezoning of the whole of the PC82 site.
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Liz White

13 September 2022

¹⁰ Section 42A Report, at 228 - 231.

Selwyn District Plan, Private Plan Changes 81 and 82 – Dunns Crossing Road, West Rolleston

Summary Statement, Planning, Selwyn District Council

Introduction

1. My name is Liz White and I prepared the Section 42A Report on Private Plan Changes 81 & 82 to the Selwyn District Plan, dated 19 August 2022. After circulation of that report, the applicant and submitters have lodged statements of evidence. The purpose of this summary statement is to summarise key matters from my perspective, and highlight key areas of disagreement.
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 - a. The form of urban growth; and
 - b. Reverse sensitivity effects.
3. As a result, I have focussed on these below, then noted other minor matters. I have also outlined briefly the differences between my evidence and that of Mr Langman.

The Form of Urban Growth

4. I continue to have concerns that the urban form facilitated by the plan change, when considered in isolation, is not consistent with the Plan's framework as it relates to compactness and connectivity.
5. In this regard, Mr Philips notes that I am reliant on Mr Nicholson, while he is reliant on the evidence of Mr Compton-Moen and Ms Lauenstein, that PC81 and PC82, when considered on their own merits, achieve an appropriate and acceptable level of connectivity with Rolleston and a compact urban form.¹
6. In considering the different viewpoints of the urban design experts, I note the following:
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 - b. While both also consider the possibility that the Skellerup Block is rezoned, in my view these plan changes must be assessed on their own merits and in terms of the current context. In this regard, I note that Ms Lauenstein states that *"From an urban form, connectivity and accessibility perspective they should never be considered in total isolation from each other and in relation to only existing conditions."*² This difficulty I have with this view is that the process being used here is a private plan change process, which only allows for the current plan changes to be considered on their own merits, and in relation to the

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7. Notwithstanding the above, I accept that in considering the plan changes on their merits, there is a requirement to have 'particular regard' to the capacity provided. In my view, this means weighing up the appropriateness of enabling the capacity now, against waiting until the spatial planning exercise is undertaken and then subsequently given effect to through the CRPS and SDP.

Reverse Sensitivity

8. Based on the advice of Mr Curtis, I continue to have concerns that the proposed setback from the RRP may not be sufficient to avoid the potential for reverse sensitivity effects to arise. I accept that the difference in view between myself and Mr Phillips in this regard primarily relates to my reliance on Mr Curtis, and his reliance on Mr Van Kekem and Mr Iseli. However, my view is also informed by consideration of s32(c) of the RMA, in terms of the risks associated with the implementation of what might subsequently turn out to be an insufficient buffer distance. I therefore favour a more cautious approach, as once houses are established near the RRP, they cannot realistically be removed if a problem arises, and instead the RRP will be required to address the issues.
9. A key aspect to this is that reverse sensitivity is about an existing activity (in this case the RRP) being compromised or constrained by the establishment of activities – in this case medium density residential development - which may be sensitive to the actual, potential or perceived adverse effects generated by the RRP. To my mind, this is not simply a case of the odour not being offensive or objectionable. I therefore do not agree with Mr Van Kekem that the appropriate consideration is simply whether or not odour observed beyond 600m from the RRP is offensive within the PC82 site.³ Similarly, I do not agree with Mr Iseli that if complaints were not deemed to be offensive and objectionable, that this would not result in reverse sensitivity effects on the RRP.⁴ As noted by Mr Curtis, composting operations can generate odours that are distinct and detectable off-site, which are not offensive and objectionable, but which some individuals might consider unpleasant.⁵ I consider that in increasing the number of receptors in proximity to the RRP, this increases the risk of people complaining about odour, which in turn could lead to reverse sensitivity effects. In my view, the planning framework is clear that such effects are to be avoided.⁶
10. For the avoidance of doubt, I do not consider that the issue of reverse sensitivity precludes the rezoning of PC82 as a whole. Based on the advice of Mr Curtis, I instead consider that should the rezoning be approved, land within 1000m of the RRP should retain its rural zoning. In my view this is more appropriate than rezoning the land within this area Living MD, but then applying rules precluding the building of dwellings – being the primary focus of a living zone. In my view the retention of rural zoning would better align with the land uses that would be appropriate within the buffer area.

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Summary Statement, Planning, Selwyn District Council

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 - a. The form of urban growth; and
 - b. Reverse sensitivity effects.
3. As a result, I have focussed on these below, then noted other minor matters. I have also outlined briefly the differences between my evidence and that of Mr Langman.

The Form of Urban Growth

4. I continue to have concerns that the urban form facilitated by the plan change, when considered in isolation, is not consistent with the Plan's framework as it relates to compactness and connectivity.
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6. In considering the different viewpoints of the urban design experts, I note the following:
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Reverse Sensitivity

8. Based on the advice of Mr Curtis, I continue to have concerns that the proposed setback from the RRP may not be sufficient to avoid the potential for reverse sensitivity effects to arise. I accept that the difference in view between myself and Mr Phillips in this regard primarily relates to my reliance on Mr Curtis, and his reliance on Mr Van Kekem and Mr Iseli. However, my view is also informed by consideration of s32(c) of the RMA, in terms of the risks associated with the implementation of what might subsequently turn out to be an insufficient buffer distance. I therefore favour a more cautious approach, as once houses are established near the RRP, they cannot realistically be removed if a problem arises, and instead the RRP will be required to address the issues.
9. A key aspect to this is that reverse sensitivity is about an existing activity (in this case the RRP) being compromised or constrained by the establishment of activities – in this case medium density residential development - which may be sensitive to the actual, potential or perceived adverse effects generated by the RRP. To my mind, this is not simply a case of the odour not being offensive or objectionable. I therefore do not agree with Mr Van Kekem that the appropriate consideration is simply whether or not odour observed beyond 600m from the RRP is offensive within the PC82 site.³ Similarly, I do not agree with Mr Iseli that if complaints were not deemed to be offensive and objectionable, that this would not result in reverse sensitivity effects on the RRP.⁴ As noted by Mr Curtis, composting operations can generate odours that are distinct and detectable off-site, which are not offensive and objectionable, but which some individuals might consider unpleasant.⁵ I consider that in increasing the number of receptors in proximity to the RRP, this increases the risk of people complaining about odour, which in turn could lead to reverse sensitivity effects. In my view, the planning framework is clear that such effects are to be avoided.⁶
10. For the avoidance of doubt, I do not consider that the issue of reverse sensitivity precludes the rezoning of PC82 as a whole. Based on the advice of Mr Curtis, I instead consider that should the rezoning be approved, land within 1000m of the RRP should retain its rural zoning. In my view this is more appropriate than rezoning the land within this area Living MD, but then applying rules precluding the building of dwellings – being the primary focus of a living zone. In my view the retention of rural zoning would better align with the land uses that would be appropriate within the buffer area.

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NPS-UD and CRPS Matters

11. While I agree with Mr Langman that a spatial planning exercise would be preferable for considering locations for future urban growth than private plan changes⁷, I consider that Policy 8 of the NPS-UD provides a pathway for consideration of plan changes that have not been anticipated in previous processes. I consider that PC81 and PC82 therefore need to be considered on their merits. Similarly, while introduction of MDRS may have been intended reduce pressure for urban expansion/sprawl into greenfield areas⁸, no changes were made to the NPS-UD when the MDRS came into force and therefore the application of MDRS does not negate the pathway provided in Policy 8.
12. Mr Langman also discusses several matters relating to the NPS-UD and CRPS and their application to this Request. These are matters that have been well-traversed in other private plan change hearings that I have been the reporting officer for (PC67, PC71 and PC73) and to avoid repetition, I simply note that my view on these matters has not changed. The only exception to this, is that at the time of the hearings on PC67 and PC73, the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act had not been enacted. I accept that the changes made under this Amendment Act enable a greater level of intensification to occur within existing residentially-zoned areas. However, the extent to which this is likely to be taken up in an area such as Rolleston remains to be seen. I re-emphasise that the NPS-UD requires only that 'at least' sufficient development capacity is provided, not that more is precluded; and I am not aware of any analysis that has been undertaken so far as to whether additional capacity as enabled under the Amendment Act is feasible. In my view, it is therefore speculative to place too much emphasis on the potential uptake of medium density development in Rolleston under the Amendment Act.

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13. Mr Philips notes amendments made to the proposals to incorporate amendments recommended in section 8 of the s42A report. While noting that these have been included in response to matters raised in my report, I consider that some additional changes are required, as set out below. Therefore, should the Hearings Commissioner be minded to recommend that Plan Changes 81 & 82 be approved, I recommend the following minor amendments are made:
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 - b. In relation to the "Intersection upgrade" indicated in the ODP for Skellerup South, I recommend that the location of this is amended so that it is shown as sitting partially within the PC81 site, as recommended by Mr Collins.⁹
 - c. Correction of the word 'Odor' to 'Odour' in the ODP legend
 - d. I recommend the following drafting in terms of the drafting of Rule 12.1.3.50 (c):

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(c) In respect of the land identified at Appendix 38 ODP Area XX (Skellerup South):

i. No development (including earthworks or construction related activities) shall occur prior to the commencement of the upgrade of the SH1/Dunns Crossing Road/ Walkers Road intersection.

ii. ~~No completion certificate shall be issued under section 224 of the Act (other than for a boundary adjustment or creation of an allotment solely for utility purposes), until such time as the following works have been completed to the satisfaction of the Council:~~

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14. The reason for the redrafting of Rule 12.1.3.50 is because this rule drives the activity status of any subdivision. However, the issue of a section 224 certificate does not occur until after the subdivision consent is granted, so referring to it in the rule relating to activity status is, in my view, potentially confusing. As this is directed within the ODP text, I am comfortable that this will ensure that the requirement is implemented through the subdivision consent process, without needing this additional rule. I also note that the approved framework for PC69 is consistent with this i.e. there was no rule added, but a similar table outlining timing of upgrades with reference to section 224 was included.
15. Similar to the above, I consider that the test in relation to water supply should apply at the time subdivision consent is applied for – if a water supply is available and demonstrated through the application, the activity status would be restricted discretionary – if this is not proposed in the application, it would become non-complying. I consider this is more appropriate than linking the water supply to the time for the s224 certificate.
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Conclusion

17. On balance, I continue to consider that the rezoning is not the most appropriate way to achieve the purpose of the RMA, for the reasons set out in my Section 42A Report.¹⁰ In regards to the two key areas of disagreement, I consider that the potential impact of increased residential development on the RRP and WWTP could be addressed through part of the PC82 Site retaining its rural zoning, and therefore this issue in itself does not preclude the rezoning of the whole of the PC82 site.
18. However, I continue to consider that the rezoning of the Site must be considered on its own merits and should not rely on the anticipation of development of the surrounding areas which do not form part of this Request. I accept that needs to be balanced against the significance of the development capacity provided, but in my view, the benefits of the 'bringing forward' this capacity now do not outweigh the potential risks of predetermining the direction of growth, and doing so on an ad hoc basis. I do accept that my conclusion on this is ultimately based on my placing greater weight on the latter, rather than the former.

Liz White

13 September 2022

¹⁰ Section 42A Report, at 228 - 231.

Selwyn District Plan, Private Plan Changes 81 and 82 – Dunns Crossing Road, West Rolleston

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Introduction

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Conclusion

17. On balance, I continue to consider that the rezoning is not the most appropriate way to achieve the purpose of the RMA, for the reasons set out in my Section 42A Report.¹⁰ In regards to the two key areas of disagreement, I consider that the potential impact of increased residential development on the RRP and WWTP could be addressed through part of the PC82 Site retaining its rural zoning, and therefore this issue in itself does not preclude the rezoning of the whole of the PC82 site.
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Liz White

13 September 2022

¹⁰ Section 42A Report, at 228 - 231.

Selwyn District Plan, Private Plan Changes 81 and 82 – Dunns Crossing Road, West Rolleston

Summary Statement, Planning, Selwyn District Council

Introduction

1. My name is Liz White and I prepared the Section 42A Report on Private Plan Changes 81 & 82 to the Selwyn District Plan, dated 19 August 2022. After circulation of that report, the applicant and submitters have lodged statements of evidence. The purpose of this summary statement is to summarise key matters from my perspective, and highlight key areas of disagreement.
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 - a. The form of urban growth; and
 - b. Reverse sensitivity effects.
3. As a result, I have focussed on these below, then noted other minor matters. I have also outlined briefly the differences between my evidence and that of Mr Langman.

The Form of Urban Growth

4. I continue to have concerns that the urban form facilitated by the plan change, when considered in isolation, is not consistent with the Plan's framework as it relates to compactness and connectivity.
5. In this regard, Mr Philips notes that I am reliant on Mr Nicholson, while he is reliant on the evidence of Mr Compton-Moen and Ms Lauenstein, that PC81 and PC82, when considered on their own merits, achieve an appropriate and acceptable level of connectivity with Rolleston and a compact urban form.¹
6. In considering the different viewpoints of the urban design experts, I note the following:
 - a. In relation to the Sites' integration with the intervening Skellerup Block, I note that the framework applying to the block under its current Living 3 zoning intends that this zoning is to act as a transition or edge between the rural and urban area, with a more 'rural' than 'urban' character. This is reflected in Policies 3.4.4(a), 3.4.4(b) and through the ODP and rule package which includes requirements for "Countryside Areas", being strips of land retained in typically rural land use to preserve the rural character; a density of between 0.4-4.0 hectares, with the use of larger lots along boundaries with rural land (including those with the PC81 and PC82 land). How this anticipated rural-residential development will integrate with the much higher density and fully urban outcomes of PC81 and PC82 is not touched upon by Mr Compton-Moen and Ms Lauenstein.
 - b. While both also consider the possibility that the Skellerup Block is rezoned, in my view these plan changes must be assessed on their own merits and in terms of the current context. In this regard, I note that Ms Lauenstein states that *"From an urban form, connectivity and accessibility perspective they should never be considered in total isolation from each other and in relation to only existing conditions."*² This difficulty I have with this view is that the process being used here is a private plan change process, which only allows for the current plan changes to be considered on their own merits, and in relation to the

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7. Notwithstanding the above, I accept that in considering the plan changes on their merits, there is a requirement to have 'particular regard' to the capacity provided. In my view, this means weighing up the appropriateness of enabling the capacity now, against waiting until the spatial planning exercise is undertaken and then subsequently given effect to through the CRPS and SDP.

Reverse Sensitivity

8. Based on the advice of Mr Curtis, I continue to have concerns that the proposed setback from the RRP may not be sufficient to avoid the potential for reverse sensitivity effects to arise. I accept that the difference in view between myself and Mr Phillips in this regard primarily relates to my reliance on Mr Curtis, and his reliance on Mr Van Kekem and Mr Iseli. However, my view is also informed by consideration of s32(c) of the RMA, in terms of the risks associated with the implementation of what might subsequently turn out to be an insufficient buffer distance. I therefore favour a more cautious approach, as once houses are established near the RRP, they cannot realistically be removed if a problem arises, and instead the RRP will be required to address the issues.
9. A key aspect to this is that reverse sensitivity is about an existing activity (in this case the RRP) being compromised or constrained by the establishment of activities – in this case medium density residential development - which may be sensitive to the actual, potential or perceived adverse effects generated by the RRP. To my mind, this is not simply a case of the odour not being offensive or objectionable. I therefore do not agree with Mr Van Kekem that the appropriate consideration is simply whether or not odour observed beyond 600m from the RRP is offensive within the PC82 site.³ Similarly, I do not agree with Mr Iseli that if complaints were not deemed to be offensive and objectionable, that this would not result in reverse sensitivity effects on the RRP.⁴ As noted by Mr Curtis, composting operations can generate odours that are distinct and detectable off-site, which are not offensive and objectionable, but which some individuals might consider unpleasant.⁵ I consider that in increasing the number of receptors in proximity to the RRP, this increases the risk of people complaining about odour, which in turn could lead to reverse sensitivity effects. In my view, the planning framework is clear that such effects are to be avoided.⁶
10. For the avoidance of doubt, I do not consider that the issue of reverse sensitivity precludes the rezoning of PC82 as a whole. Based on the advice of Mr Curtis, I instead consider that should the rezoning be approved, land within 1000m of the RRP should retain its rural zoning. In my view this is more appropriate than rezoning the land within this area Living MD, but then applying rules precluding the building of dwellings – being the primary focus of a living zone. In my view the retention of rural zoning would better align with the land uses that would be appropriate within the buffer area.

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