

16 August 2022

Selwyn District Council
c/- Liz White Planning

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Attention: Liz White

By email: liz@lwp.co.nz

Dear Liz,

SELWYN DISTRICT PLAN - PC81 AND PC82 PROPOSED MINOR AMENDMENTS

1. The purpose of this letter is to confirm minor amendments to Plan Changes 81 and 82 (PC81 and PC82) that are formally proposed by the proponent. A brief summary/overview of these amendments is set out below.

Amendments in Response to EHS Act

2. Amendments to PC81 and PC82 are proposed to remove any reference to a 'qualifying matter', insofar that this term is used in the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 ('EHS Act') and section 77I in particular. Similarly, amendments are proposed to remove reference to a 'maximum' number of households.
3. In this regard and on further reflection, we consider that transport network capacity (as assessed in the transport assessment) is not a qualifying matter in terms of section 77I of the EHS Act and it should not constitute an absolute limit to development. This is because transport network upgrades (like other public infrastructure) can provide additional capacity to meet the demands of development if, as and when required (subject to the necessary funding and approvals).
4. Notwithstanding the above, given the scope and findings of the transport assessments, the PC81 and PC82 proposals retain a method for assessing (and if necessary mitigating) transport effects of further development of the land in the future.
5. In particular, an assessment matter for subdivision consent is proposed that requires consideration of any recommendations in an integrated transport assessment ('ITA') where a specified number of allotments or dwellings over the plan change area is exceeded. Specifically:
 - a. For PC81 this rule would apply to any subdivision resulting in more than 350 allotments, or which provides for more than 350 dwellings, in total on the subject land.
 - b. For PC82 this rule would apply to any subdivision resulting in more than 1320 allotments, or which provides for more than 1320 dwellings, in total on the subject land.



6. The method described above would allow for the circumstances or characteristics of the subdivision to be considered when determining whether the thresholds above are triggered. For example, a subdivision of 120 allotments could trigger the 350 dwelling threshold for PC81 if it enabled sites that could, per the medium density residential standards (MDRS), be developed with a total of 360 dwellings. Conversely, legal mechanisms or other features proposed as part of an application might limit dwelling numbers in order to remain within the rule threshold.
7. Where the threshold is triggered, an ITA would be required. Such an ITA would be based on knowledge and information available at that time and could consider the attributes of the subdivision proposal (e.g. household types / occupancy/ demographics, mode choice characteristics, traffic generation patterns, etc) and characteristics of the transport network, (e.g. planned or funded network upgrades known at that time, availability of alternative transport modes, etc). The findings of that ITA would then inform any mitigation measures required to support the development (e.g. additional road network upgrades, etc).
8. The amendments described above are intended to:
 - a. Provide confidence that the transport effects of the development enabled by PC81 and PC82 will be acceptable accounting for the findings of the transport assessments.
 - b. Provide a mechanism for assessing and mitigating the transport effects of further development if, as and when this exceeds what has been assessed and in a way that accounts for changes that will inevitably occur over time with the road network, transport patterns and the development itself.

Amendments in Response to the Ministry of Education

9. In addition to the amendments described above, we have also taken this opportunity to formally propose amendments in response to matters raised in the submission by the Ministry of Education. Specifically, it is proposed to include wording regarding the potential provision of educational facilities in policy, assessment matters and outline development plan text that is applicable to the PC81 and PC82 proposals.
10. We understand the Ministry are supportive of these amendments.

Amendments in Response to PC73 Decision

11. We have also taken this opportunity to formally propose minor amendments in response to matters raised in the course of the hearing on Plan Change 73 (PC73). Specifically, it is proposed to
 - a. include assessment matters for the PC81 and PC82 proposals that concern:
 - i. 'Whether the pattern and staging of development commences adjacent to Dunns Crossing Road and/or adjacent land development to maximise connectivity and the efficient provision of infrastructure'; and,
 - ii. 'The appropriateness of any mechanism proposed to address boundary treatment requirements identified within the Outline Development Plan'.



- b. include rules, assessment matters, and ODP text for the PC82 proposal that provide for an Odour Constrained Area within 600m of the active composting area for the Pines Resource Recovery Park

Consequential / Numbering Amendments

- 12. Finally, we have also made minor amendments to the numbering and format of the provisions to improve their integration and 'fit' with the structure and numbering of the operative District Plan.
- 13. **Attachments 1 and 2** to this letter sets out (tracked) changes to the relevant parts of the PC81 and PC82 applications (and their ODPs) respectively, in accordance with that described above.
- 14. Given the minor nature of these changes relative to that proposed and notified, we do not foresee any issues in terms of scope.
- 15. We trust the information above and attached is clear, but please do not hesitate to contact the undersigned if you have any further queries.

Yours sincerely,

Novo Group Limited

Jeremy Phillips

Director + Senior Planner

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Attachment 1: PC81 Amendments



Attachment 2: PC81 Amendments