
**PROPOSED PLAN CHANGES 81 AND 82 TO THE
OPERATIVE SELWYN DISTRICT PLAN
DIRECTIONS OF THE COMMISSIONER
MINUTE 3**

- [1] The combined hearing of Proposed Plan Changes 81 and 82 was held on 12th and 13th of September. All witnesses and submitters were heard and the hearing was adjourned at 5.15 pm for the Commissioner to direct the process and timetable from this point and request further information where required. While a number of these matters were discussed at the hearing, this Minute provides further detail and information to all parties.
- [2] This Minute does not finalise the timetable for the directions and requests below. Rather I direct that the Hearing Administrator consult with the proponent and Council witnesses to agree an appropriate timetable and report back to me. I will then formalise the timetable by way of a further Minute.

Supply of Residential Land

- [3] It was very evident at the hearing that there is some considerable complexity to the accurate picture of dwelling supply in Rolleston. While considerable evidence was presented by the proponent on this topic, particularly by Mr Sellars, recent changes such as Variation 1 to the Proposed District Plan have relevance to the accurate picture of supply.
- [4] I am, therefore, requesting that Selwyn District Council and Proponents jointly prepare an agreed schedule and associated mapping of the recorded dwelling yield at all development locations in the township of Rolleston. This is to include:
- (a) Sites with consented subdivision development currently under construction identifying number of lots titled and yet to be titled. Location shown on Plan Map
 - (b) Sites with all or part subdivision consented but not yet commenced, number of lots and location.
 - (c) Sites with subdivision applications lodged but not yet approved.
 - (d) Consented above shall include consented through other pathways such as HASHA and the Covid Fast Track Consenting Act.
 - (e) Site with COVID Fast Track consent process with referral approved but not yet consented (PC 70).
 - (f) Approved Private Plan Changes to the Operative Plan included with Variation 1 to the Proposed District Plan (PDP)
 - (g) Other land included in Variation 1 to be zoned MRZ.
 - (h) Any additional land proposed to be zoned Urban Growth Overlay in the PDP.
 - (i) Any additional land not included above that is within a Future Development Area

identified in the CRPS.

(j) The number of existing developed residential lots in Rolleston that are larger than 2000 m² and therefore have greater potential for intensification.

[5] In many respects this is to be a factual and agreed update of Mr Sellars evidence in Paras 54 to 73 but also with associated mapping.

[6] As submissions are about to close on Variation 1 it would also be useful to know which additional zoned land in Variation 1 is subject to challenge by way of submission.

[7] I appreciate that that this may take a little time to compile but will minimise the need for me to follow up with additional questions on this topic. For example, at Para 72 in Mr Sellars evidence is a table showing the capacity of “Zoned Piecemeal Land” of 43.9 ha and “Unzoned (FUDA) Potential Piecemeal” of 173 ha. However, Variation 1 at page 56 of the Section 32 report records that 47 ha of land within the FDA areas is to be zoned MRZ which is currently GRUZ but with an Urban Growth Overlay and is what I understand to be the remaining “piecemeal” land in the FDAs. The information above is expected to clarify this mismatch.

[8] I also note that at para 61 of Mr Sellars evidence the table has PC 70 at 800 lots. However, the COVID Fast Track Referred projects Order 2020 identifies the scope of the project as approximately 1044 residential units.

[9] The Hearing Coordinator is requested to liaise with the parties to agree a reasonable date for delivery of this information.

[10] I will then provide the opportunity for any expert Supplementary Evidence that relates to this information which as an indicative guide will be 10 working days after the information is available.

Expert Conferencing

[11] The opening legal submissions of the proponent suggested that expert conferencing on the topic areas of odour effects and urban design issues may be of assistance to this decision making process. I have now heard the evidence on those matters.

[12] In relation to odour and associated setbacks from the Pines Wastewater Treatment Plant (PWTP) and Rolleston Resource Recovery Park (RRRP) I understand that this is one of the key issues in relation to the appeal to the Councils decision declining PC 73 in relation to the northern Holmes Block. The positions of the experts on this matter are clear and recorded in the evidence and in the context that there are other related proceedings on this issue I do not consider that conferencing of the experts is likely to be beneficial.

[13] However, I do consider that further evidence and optional expert conferencing is required in relation to the design and ODP changes that would be recommended in the event of adoption of a 1000m setback for dwellings from the property boundary of the RRRP. This can be undertaken in parallel with the Residential Supply work specified above and will slot into that timetable.

Legal Issues

[14] A component of the Council's s42A reporting is a memorandum from Paul Rogers of Adderley Head on the private Plan Change process and particularly Clause 26. I request legal comment in the closing reply on the memo with the key question being whether notification of a Private Plan Change Request in accordance with Clause 26 and any consequences for my jurisdiction to make recommendation on submissions to a notified private plan change.

[15] I also request that Mr Rogers is available for questions on his memorandum at the resumed hearing.

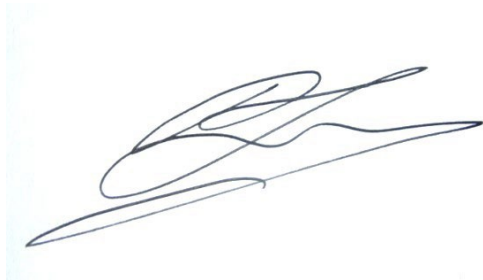
Site Visit and Reconvened hearing

[16] I anticipate there will be a need for a further half day of hearing time to complete the hearing. I request that the legal reply is presented at that hearing however I will consider a request for any further reply in writing from matters arising on that day.

[17] I would like to make a site visit to the RRRP and PWTP which can be scheduled into the first part of the resumed hearing day. I will be accompanied solely by the Hearing Administrator on that site visit.

Hearing Administrator

[18] Grace Hadfield is the nominated Hearing Administrator. However, Grace was on leave at the time of the hearing and Jocelyn Lewes therefore acted in this role during the hearing. I have been advised that Grace is leaving the Council in the near future, consequently Jocelyn Lewes will continue in the role and all communication should therefore be directed to jocelyn.lewes@selwyn.govt.nz

A handwritten signature in blue ink, appearing to read 'Paul Thomas', is written over a light blue rectangular background.

Paul Thomas

Independent Commissioner

Dated: 20 September 2022