

IN THE ENVIRONMENT COURT
AT CHRISTCHURCH
I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHĪ

Decision No. [2025] NZEnvC 109

IN THE MATTER

of the Resource Management Act 1991

AND

an appeal under clause 14 of the First
Schedule of the Act

BETWEEN

ALISTAIR JOHN DUGALD
CAMERON

(ENV-2023-CHC-101)

Appellant

AND

SELWYN DISTRICT COUNCIL

Respondent

Environment Judge P A Steven – sitting alone under s279 of the Act

In Chambers at Christchurch

Date of Consent Order: 3 April 2025

CONSENT ORDER

A: Under s279(1)(b) RMA,¹ the Environment Court, by consent, orders that:

- (1) the appeal is allowed to the extent that Selwyn District Council is directed to amend the proposed Selwyn District Plan by making the

¹ Resource Management Act 1991.



changes set out in Appendix 1 attached to and forming part of this order;

(2) the appeal by Mr Cameron is resolved in its entirety.

B: Under s285 RMA, there is no order as to costs.

REASONS

Introduction

[1] This proceeding concerns an appeal by Alistair J D Cameron against the decision of the Selwyn District Council (the Council) to accept the Hearing Panel's recommendations in respect of the proposed Selwyn District Plan (Proposed Plan). Mr Cameron's appeal sought to amend the zoning of his land in Darfield (Section 4 Darfield VILL SETT, Section 6 Darfield VILL SETT and RS 39127 (Land)) from Large Lot Residential Zone (LLRZ) to General Residential Zone (GRZ). Mr Cameron's appeal was assigned to Topic 17: Rezone Darfield.

[2] The parties participated in court-facilitated mediation on 29 August 2024. Following mediation, Mr Cameron and the Council engaged in further discussions and exchanged additional information to progress outstanding matters.

[3] Mr Cameron and the Council have reached agreement that the zoning of the land should be amended from LLRZ to GRZ. The parties have also agreed an outline development plan and accompanying narrative which will be inserted into the Proposed Plan, as set out in Appendix 1.

[4] I have read and considered the consent memorandum of the parties dated 21 February 2025 which proposes to resolve the appeal in its entirety.

[5] I have also read the affidavit of the Council's policy planner, Jonathan Trewin, affirmed 20 February 2025. The affidavit addresses the scope to make the changes sought and the rationale for the agreed change in terms of s32AA RMA.

Other relevant matters

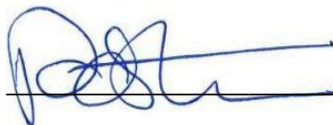
[6] No person has given notice of an intention to become a party under s274 of the Act.

[7] There are no issues as to costs.

[8] The parties advise that all matters proposed for the court's endorsement fall within the court's jurisdiction and conform to the relevant requirements and objectives of the Act including, in particular, Pt 2.

Outcome

[9] All parties to the proceeding have executed the memorandum requesting the orders. On the information provided to the court, I am satisfied that the orders will promote the purpose of the Act, so I will make the orders sought.



P A Steven
Environment Judge



Appendix 1

The additional text is shown in **bold underlined text** and deletions are shown in ~~strikethrough~~.

Amendments to Proposed Plan Maps

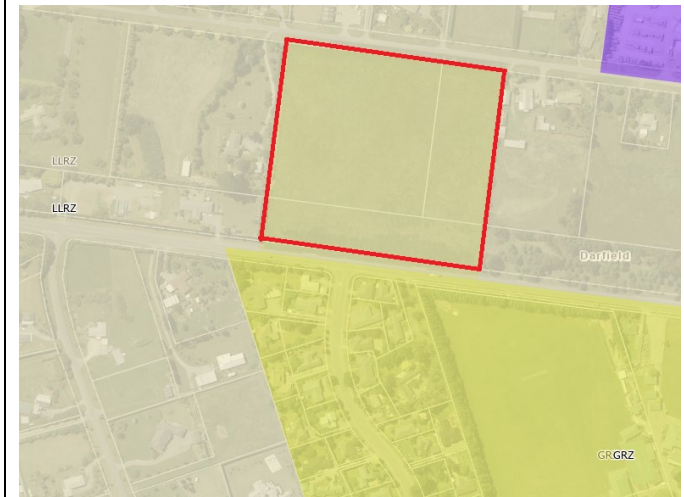
Rezone Section 4 Darfield VILL SETT, Section 6 Darfield VILL SETT and RS 39127 located at Bangor Road, Darfield to General Residential Zone.

Zone Layer

Amend from: LLRZ



Amend to: GRZ



Part 3 – Area Specific Matters

Development Areas - DA-Darfield	
<u>DEV-DA10– Darfield 10 Development Area</u>	<p><u>Context</u></p> <p><u>This area comprises 3.6395 hectares of land zoned General Residential Zone (GRZ), approximately 500m to the west of the edge of the Darfield Town Centre Zone. It adjoins State Highway 77 (Bangor Road) to the south and Cridges Road to the north with Large Lot Residential Zoning (LLRZ) predominating to the east, west and north and GRZ to the south. The development will assist in completing a concentric ring of denser urban form around the centre of Darfield.</u></p> <p><u>Land use</u></p> <p><u>This area is to be developed with a combination of small site development and lower density residential sites. The overall development area will have a minimum average net site area complying with the density provisions of the GRZ.</u></p> <p><u>Small site development (site sizes of between 400m² to 499m²) will be located in the southern portion of the development area and form at least 50% of the total number of sites. The larger sites will conversely be located in the northern part of the development area.</u></p> <p><u>Access and Transport</u></p> <p><u>Sites positioned adjacent to Bangor Road will have vehicle access only from within the development area itself. There will be no direct vehicle access to Bangor Road from these sites. Direct vehicle access onto Cridges Road will be available for sites in the northern part of the development area.</u></p> <p><u>The primary access road into the development area will be from Bangor Road and will allow a future connection to the land to the east of the development area to ensure long-term connectivity is</u></p>

available. The detailed design of the intersection onto Bangor Road will be subject to agreement with the road controlling authority but must be suitably offset from the Oakden Drive intersection.

Secondary vehicular access to the development area will be provided from Cridges Road immediately adjacent the eastern boundary of the development area. This road can be developed at half of the required minimum width, with the balance of the required width to be provided on the adjacent land, should that land be more intensively developed in the future. In the interim, suitable restrictions must be put in place at time of subdivision of this development area to prevent rights of access to the half-width road from the neighbouring land.

A walking and cycling accessway will bisect the northern part of the development area to provide a clear line of site through the development area from the primary access road to Cridges Road.

A footpath will be provided on the northern side of Bangor Road from the primary road access to a new pedestrian crossing. This will allow safe access to the southern side of Bangor Road where there is an existing footpath to the centre of Darfield. The detailed design of the pedestrian crossing will be subject to agreement with the road controlling authority.

Open Space, Recreation and Community Facilities

A publicly accessible area of open space (Pearsons Reserve) is located to the immediate east of the development area.

A walking/cycling accessway will be provided to connect the development area to the reserve.

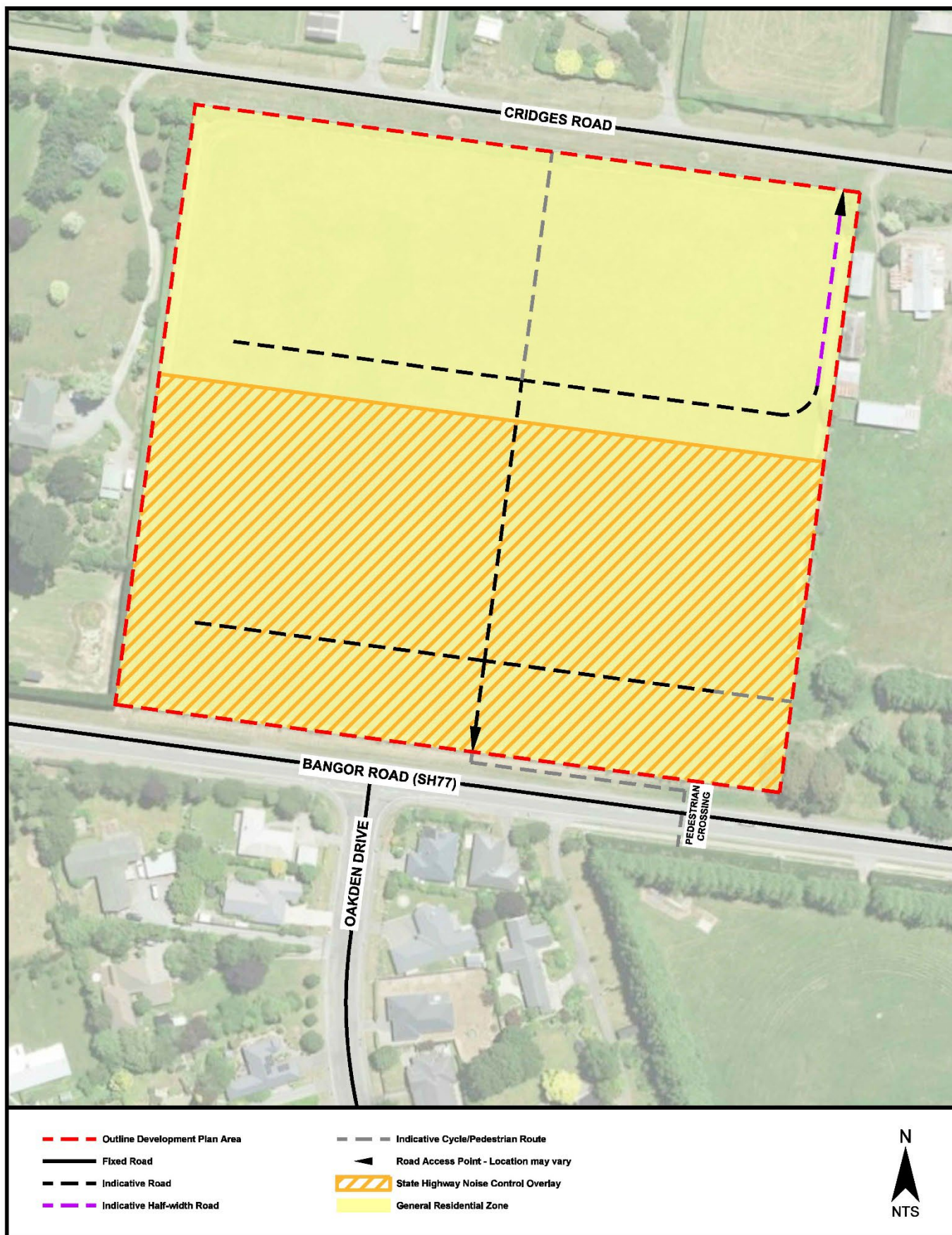
Servicing

Potable water will be supplied via the Council reticulated water network in Darfield.

The underlying soils are relatively free-draining, and generally support the disposal of stormwater via infiltration to ground. There are a range of options available for the collection, treatment, and disposal of stormwater. Detailed stormwater solutions are to be determined by the developer in collaboration with Council at subdivision stage and in accordance with

	<p><u>Environment Canterbury requirements. Systems will be designed to integrate into both the road and reserve networks where practicable.</u></p> <p><u>Every site created for residential use shall be connected to the Council reticulated wastewater network. A developer-initiated connection from the development area to the Council reticulated wastewater network shall be constructed to facilitate this.</u></p>
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Darfield 10 Development Area



Cadastral information derived from Land Information New Zealand Digital Cadastral Database (DCDB)

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