

## REZONING REQUESTS – GENERAL DENSITY INCREASES

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## **1 Scope of Report**

- [1] This Recommendation Report relates to the the submissions and further submissions that were received in relation to requests to rezone land generally throughout the Selwyn District.
- [2] The Hearing Panel members were:
- Andrew Willis
  - Nicole Reid
  - Raewyn Solomon
  - Rob van Voorthuysen (Chair)
- [3] The Section 42A Report<sup>1</sup> was:
- Section 42A Report, Report on submissions and further submissions, Rezoning: General – Density Increases, Jesse Aimer, 20 January 2023
- [4] We do not recommend any amendments to the notified zonings.

## **2 Our Approach**

- [5] The Section 42A Report helpfully outlined relevant background information on a number of matters:
- Resource Management Act 1991;
  - Rezoning Framework Section 42A Report, which sets out the higher order planning framework, including the relationship between the NPS-UD and the CRPS with respect rezoning land for urban purposes;
  - Variation 1 to the PDP, which is the Council’s Intensification Planning Instrument (IPI) prepared in response to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. We note that several submission points on the notified PDP sought to rezone land within Rolleston, Lincoln and Prebbleton townships to MRZ that are affected by Variation 1 and that these submissions will be addressed by the IHP consideration of SDC’s ISPP (Variation 1 hearings);
  - Submissions seeking rezonings that relate to specific spatial areas are being considered in the location specific hearings;
  - Provisions relating to subdivision and land use activities within the identified areas have been dealt with in separate Section 42A Reports considered in earlier PDP chapter hearings.
- [6] We adopt the above background information without repeating it here.
- [7] Ms Aimer provided a description of each submitter’s rezoning request. We adopt those descriptions without repeating them here. It is therefore imperative that readers of this Recommendation Report also read Ms Aimer’s Section 42A Report.
- [8] Further submitters are not generally referred to in this Recommendation Report, because further submissions are either accepted or rejected in conformance with our recommendations on the primary submissions to which they relate.

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<sup>1</sup> No Section 42A Reply Reports were provided for the rezoning request hearings.

### 3 Hearing and Parties Heard

[9] No submitter requested to be heard and so there was no hearing.

### 4 Rezone GRZ around Centres to MRZ across Rolleston, Lincoln, Prebbleton and Darfield

#### 4.1 DPR-0414 Kāinga Ora

[10] Kāinga Ora requested the insertion of a new MRZ in parts of Rolleston, Prebbleton and Lincoln. All rezoning requests on the PDP seeking to introduce MRZ in Rolleston, Lincoln and Prebbleton have been superseded by Variation 1 that had immediate legal effect from 20 August 2022. Kāinga Ora also requested consequential amendments to Subdivision provisions where land is rezoned to MRZ. As indicated earlier in section 2, the substantive merits of whether a MRZ is appropriate in the locations outlined in the submissions is being addressed by the IHP consideration of SDC's ISPP (Variation 1 hearings). We note that Kāinga Ora's planning evidence has stated that Kāinga Ora intends to address MRZ rezoning requests for these townships in submissions and evidence on Variation 1.

[11] Kāinga Ora requested that MRZ be applied to areas around the Darfield TCZ. We note that relief was addressed in the Malvern Rezoning Hearing 30.9.

[12] We therefore recommend that the following submissions are rejected.

Sub #	Submitter	Submission Points
DPR-0414	Kāinga Ora	123, 425, 426, 427, 434, 438

### 5 Rezone LRZ to GRZ across the District

#### 5.1 DPR-0362 John Ferguson

[13] John Ferguson requested that LRZ in the PDP is removed in its entirety and replaced by GRZ. However, his evidence<sup>2</sup> stated that his submission point to replace LRZ with GRZ related only to Leeston. That matter was considered in the Ellesmere Rezoning Hearing 30.7.

[14] Regarding Mr Ferguson's original and much broader submission point,<sup>3</sup> Ms Aimer advised no evidence was provided to demonstrate that LRZ was not an appropriate zone in some locations and townships, nor what the impacts of increased housing density resulting from GRZ in any given location would be. Ms Aimer considered that the relief sought would be inconsistent with Chapter 5<sup>4</sup> of the CRPS and Objectives 1 and 3 of the NPS-UD. We agree.

[15] We therefore recommend that the following submission is rejected.

Sub #	Submitter	Submission Points
DPR-0362	John Ferguson	002

### 6 Other Matters

[16] The recommended amendments to the PDP provisions contained in Appendix 1 are those that result from this Hearing Panel's assessment of submissions and further submissions. However,

<sup>2</sup> EIC, John Ferguson, paragraph 8.

<sup>3</sup> To delete all LRZ and replace with GRZ and amend all provisions accordingly.

<sup>4</sup> CPRS Objectives 5.2.1 and 5.2.2 and Policies 5.3.1, 5.3.2, 5.3.3, 5.3.5, 5.3.6, 5.3.7 and 5.3.8

readers should note that further or different amendments to these provisions may have been recommended by:

- Hearing Panels considering submissions and further submissions on other chapters of the PDP; and
- the Independent Hearing Panel (IHP) considering submissions and further submissions on Variation 1 to the PDP

[17] Any such further or different amendments are not shown in Appendix 1 of this Recommendation Report. However, the Chair<sup>5</sup> and Deputy Chair<sup>6</sup> of the PDP Hearing Panels have considered the various recommended amendments and have ensured that the overall final wording of the consolidated version of the amended PDP is internally consistent.

[18] In undertaking that “consistency” exercise, care was taken to ensure that the final wording of the consolidated version of the amended PDP did not alter the intent of the recommended amendments contained in Appendix 1 of this Recommendation Report.

[19] No other matters were brought to our attention.

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<sup>5</sup> Who is also the Chair of the IHP.

<sup>6</sup> Who chaired one stream of hearings.