

REZONING REQUESTS – WEST MELTON

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1 Scope of Report

- [1] This Recommendation Report relates to the submissions and further submissions that were received in relation to requests to rezone land in West Melton.
- [2] The Hearing Panel members were:
- Andrew Willis
 - Malcolm Lyall
 - Raewyn Solomon
 - Rob van Voorthuysen (Chair)
- [3] The Section 42A Reports¹ were:
- Section 42A Report, Report on submissions and further submissions, Rezoning: West Melton, Craig Friedel, 18 January 2023
 - DPR Hearing 30.6 West Melton Rezoning Requests - Reporting Officer Memo, provided to us on 2 March 2023
- [4] Our recommended amendments to the notified zonings are set out in Appendix 1.

2 Our Approach

- [5] The Section 42A Report helpfully outlined relevant background information on a number of matters including:
- The Resource Management Act 1991;
 - The 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 to rezoning land for urban purposes;
 - Advising that West Melton did not qualify for inclusion in 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;
 - The National Policy Statement on Highly Productive Land 2022 (NPS-HPL);
 - The CRPS Chapter 6 Map A, noting there are no 'Greenfield Priority Areas' or 'Future Development Areas' allocated to West Melton in Map A;
 - The SDC Rural Residential Strategy 2014 (RRS14);
 - LUC Class 2 and 3 soils in and around West Melton;
 - Operative Plan Changes PC03, PC30, PC59 and PC67;
 - Private Plan Changes PC74 and PC77; and
 - Maps showing the areal extent of each rezoning request.
- [6] We adopt that background information without repeating it here.
- [7] West Melton is identified as a 'Service Township' in Selwyn 2031. It has a resident population of between 1,500 to 6,000 people. The functions of a Service Township include maintaining a

¹ No Section 42A Reply Reports were provided for the rezoning request hearings.

high amenity residential environment and providing primary services to the town’s residents and surrounding rural areas.

- [8] Mr Friedel’s recommendations were informed by technical peer reviews commissioned by SDC and provided by Mat Collins (Transport), Derek Foy (Economics), Hugh Blake-Manson (Infrastructure), Ian McCahon (Geotechnical), Shane Bishop (Engineering), and Hugh Nicholson (Urban Design).
- [9] Mr Friedel 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 Mr Friedel’s Section 42A Report.
- [10] 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

2.1 National Policy Statement on Highly Productive Land

- [11] West Melton is surrounded by GRUZ. Importantly, most of the GRUZ land surrounding West Melton contains LUC 2 or 3 soils. NPS-HPL Part 3 clause 3.6 means that we can only recommend urban rezoning of highly productive land where it is required to meet housing demand; there are no other reasonably practicable or feasible options to achieve a well-functioning urban environment; and the benefits outweigh the costs associated with the loss of highly productive land. We observe that to be a high threshold to meet.
- [12] In other rezoning hearings we received legal submissions from submitters on the applicability of the NPS-HPL for land that was zoned Rural (Inner Plains) in the Operative District Plan or GRUZ SCA-RD1 in the PDP. By way of Minute 38 we requested a legal opinion on that matter from counsel for the SDC.
- [13] Having considered the legal advice from both Council’s solicitors² and counsel for submitters, we agree that the application of the NPS-HPL depends on whether the land is zoned the equivalent of Rural Lifestyle (as defined in the National Planning Standards, either in the Operative District Plan or, if not in the Operative District Plan, in the PDP. The assessment required is a comparison between the way the land is described in the relevant Plan (in the round), and the descriptions of the zones in the National Planning Standards.
- [14] We adopt the Adderley Head assessment which concluded that land identified as Rural (Inner Plains) in the Operative District Plan is not the equivalent of the Rural Lifestyle Zone in the National Planning Standards. Instead, General Rural or Rural Production is the appropriate equivalent National Planning Standards zone. Similarly, land identified as GRUZ SCA-RD1 in the PDP is the equivalent of the General Rural Zone in the National Planning Standards, not a Rural Lifestyle Zone.
- [15] Consequently, other than in the particular situation outlined below, the NPS-HPL applies to land identified as Rural (Inner Plains) in the Operative District Plan, or GRUZ SCA-RD1 in the PDP, provided the other requirements of the NPS-HPL are met. We consider this interpretation to be consistent with the intent of the NPS-HPL, which is to avoid the loss of productive land to

² Adderley Head

rural lifestyle activities, and to allow for the preservation of productive land pending a more detailed assessment under the NPS-HPL.

- [16] However, we are cognisant the National Planning Standards zone descriptions also refer to 'use' and the MfE guidance states *"...It is appropriate to consider specific characteristics of the site and reasonably foreseeable opportunities for using the land for land-based primary production (over a 30-year period) in forming these conclusions."*
- [17] Accordingly, if it can be demonstrated that an area of land identified as Rural (Inner Plains) in the Operative District Plan, or GRUZ SCA-RD1 in the PDP, for which a rezoning submitter seeks an 'urban zoning' has been previously subdivided and developed to such an extent that the lot sizes effectively preclude the area of land being predominantly used for productive purposes, and instead the area of land is being predominantly used for residential purposes, then in that particular situation we would consider a Rural Lifestyle zoning to be the most appropriate National Planning Standards zone description for the area of land. In such situations the NPS-HPL would not apply because NPS-HPL clause 3.5(7) exempts Rural Lifestyle Zoned land from the coverage of the NPS-HPL. For this 'exemption' to apply we consider the lot sizes within the area of land would generally be less than 4ha, and the land not occupied by housing and housing curtilage would be used for non-productive activities, including but not limited to domestic orchards, gardens and mown lawns.

2.2 Housing Demand / Capacity Shortfall

- [18] There are a number of rezoning requests for West Melton. Two of these overlap with private plan changes to the Operative District Plan. The submission of DPR-0411 Hughes Development Limited overlaps with PC74. The submission of DPR-0460 Marama Te Wai Ltd / West Melton Holdings Limited overlaps with PC77. A hearing for PC74 was set down for late March 2023. No hearing date has been set for PC77.
- [19] In order to make a finding on the various rezoning requests we needed to derive an indicative estimate of the development capacity in West Melton and whether any additional capacity was required to cater for at least the 10-year medium term scenario which equates to the life of the PDP. The SDC development capacity assessments available to us have grouped Prebbleton and West Melton together and so our estimate does the same. We have compiled the following table using Table 6 from the evidence of Fraser Colegrave for DPR-0411 Hughes Development Limited as a starting point.
- [20] We have then added in what we understand will be the development capacity provided by PC67 in West Melton and PC68 and PC72, both of which are located in Prebbleton. The PC67 figures derive from the evidence of Kim Seaton³. The DPR-0443⁴ numbers derive from Ms Seaton's 5 August 2022 evidence⁵. However, we note from Ms Seaton's rebuttal evidence, the State Highway 73 frontage properties will now be zoned GRZ also, as opposed to LLRZ as was recommended by Mr Friedel. This will add additional capacity, so our estimates of feasible capacity are on the low side.

³ Attachment 1 to her Rebuttal Evidence which includes RC225425 for 179 lot subdivision over the PC67 area.

⁴ This submission aligns with PC67, as discussed in section 2.4 below.

⁵ Page 67 of 93 which show a 92-lot subdivision plan for RC215227 over the land for which the rezoning submission seeks to be changed from LLRZ to GRZ.

[21] As is evident from the preceding paragraph, and as outlined in section 2.4 of this Report, we accept Mr Friedel's recommendation to accept the submission of DPR-0443 GW Wilfield Limited. As will be evident from a later section of this Recommendation Report we also recommend accepting the submission of DPR-0243 Howard and Marshall. From the evidence of Mr Thomson that will yield an additional 120 to 145 lots.

[22] Our indicative estimate is:

Additional Dwellings	Medium Term	Long Term
Feasible capacity	181	181
DPR-0443 GW Wilfield Limited	92	92
DPR-0243 Howard and Marshall	145	145
PC67	179	179
PC68	820	820
PC72	295	295
	1,712	1,712
Demand (incl comp margins)	1,859	5,530
Shortfall	147	3,818

[23] Consequently, based on our recommendations within this Report we find there will be an indicative residual capacity shortfall in West Melton and Prebbleton in the medium term (10 years) of 147 lots and in the long term (30 years) a shortfall of 3,818 lots.

2.3 Recommendation Report Format

[24] We do not adopt the same format in this Report that was used by Mr Friedel. Instead for those submitters who chose not to appear at the hearing to speak to their particular submission points we adopt Mr Friedel's recommendations for the reasons that he cites. These submitters are:

Sub #	Submitter	Submission Points
DPR-0017	C McLachlan	001
DPR-0216	M England	001
DPR-0223	K Smith	001
DPR-0231	G Curtis	001
DPR-0284	Z Rakovic	001, 002, 003
DPR-0335	K & P Bowman	005
DPR-0347	R Erskine & T Standfield	001
DPR-0402	M Brown	001

[25] For the submitters who did appear at the hearing (as set out in section 3 below), we assess their rezoning requests holistically as opposed to the 'type of zone' format used by Mr Friedel. We consider that will be easier for submitters to follow.

[26] Submitter DPR-0443 GWWL did not appear at the hearing in light of Mr Friedel's positive recommendation, but they tabled evidence. We assess their submission below before turning to the submitters who did appear.

2.4 DPR-0443 GW Wilfield Limited (GWWL)

[27] Mr Friedel recommended accepting the submission of DPR-0443 GWWL relating to the area of land covered by PC59 and PC67. We adopt that recommendation for both the reasons he cites and on the basis of the various assessments set out in the expert evidence for the submitter.

[28] We note (referring to the ODP figure for that land) the ‘Low Density’ area equates to LLRZ and the ‘Medium Density’ area equates to GRZ. The GRZ extends to the State Highway 73 frontage properties.

[29] We recommend:

- Amending the zoning of the land covered by PC59 and PC67 to a mix of GRZ and LLRZ that is consistent with the ODP figure included on page 127 of Appendix 2 to the Section 42A Report, subject to amending the ‘zoning’ in that figure as outlined above;
- Inserting into the PDP a new Development Area titled ‘DEV-WM1 West Melton 1 Development Area’;
- Inserting into DEV-WM1 the ODP figure included on page 127 of Appendix 2 to the Section 42A Report, subject to amending the ‘zoning’ labels as outlined above;
- Inserting into DEV-WM1 the ODP text attached as Appendix 12 to the August 2022 evidence of Kim Seaton, as amended by paragraphs 21, 22 and 23 of her 10 February 2023 rebuttal evidence, subject to minor wording amendments to reflect the standard nomenclature of the PDP;
- inserting SUB-REQ13 in the PDP as set out in Attachment 2 to Ms Seaton’s 10 February 2023 rebuttal evidence. In that regard, Ms Seaton recommended inserting SUB-REQ13.1.a relating to the signalisation of the intersection of State Highway 73 and Weedons Ross Road. We understand that has now occurred so there is no need to include that provision; and
- including a reference to SUB-REQ13 in SUB-R1, SUB-R9, SUB-R10, SUB-R12 and SUB-R14.

[30] Accordingly, we recommend accepting in part the following submission points.

Sub #	Submitter	Submission Points
DPR-0443	GWWL	001, 002, 003

3 Hearing and Parties Heard

[31] The hearing for the West Melton rezoning requests was held on 3rd and 6th March 2023. The parties who wished to be heard and who appeared at the hearing were:

Sub #	Name
DPR-0038	Peter, Bonny, Scott & Corde Rhodes
DPR-0243	Roger Howard and Jillian Rosemary Marshall
DPR-0411	Hughes Developments Limited
DPR-0418	Russell Wilson, Philippa Joy Wilson, Robyn Wayne Wilson
DPR-0460	Marama Te Wai Ltd / West Melton Holdings Ltd

[32] The witnesses and counsel we heard from in person are listed in Appendix 2. A copy of their legal submissions and evidence is held by the Council. We do not separately summarise that material here, but we refer to or quote from some of it in the remainder of this Recommendation Report. We record that we considered all submissions and further submissions, regardless of whether the submitter or further submitter appeared at the hearing and whether or not they were represented by counsel or expert witnesses.

4 DPR-0038 Peter, Bonny, Scott & Corde Rhodes

- [33] P, B, S & C Rhodes requested that the land at 708 Weedons Ross Road is rezoned from GRUZ to GRZ. We note that the land is included within the UGO, but no evidence was provided in support of the submission.
- [34] At the hearing Corde Rhodes spoke to the submission, reiterating that in the submitter's view the land should be rezoned GRZ as it was now impractical to farm it given the constraints imposed by the surrounding residential land use. While we sympathise with Mr Rhodes, for the reasons set out in paragraphs 13.3 to 13.8 of the Section 42A Report we recommend that the submission is rejected.

Sub #	Submitter	Submission Point
DPR-0038	Peter, Bonny, Scott & Corde Rhodes	001

5 DPR-0266 Richard Graham and DPR-0418 Russell Wilson, Philippa Joy Wilson, Robyn Wayne Wilson

- [35] Mr Graham sought:
- that all land within the central areas of West Melton that was zoned LLRZ should instead be zoned GRZ;
 - that additional land to the east and within the central areas of West Melton should be zoned for future residential development; and
 - existing lots within West Melton that were less than 3000m² in size should be GRZ rather than LLRZ or alternatively the LLRZ should be reduced in size to 1500m².
- [36] The Wilson's sought to rezone Lot 5 DP 353900 and Part RS 5902, 1213 West Coast Road, West Melton to a mix of LRZ and GRZ. That land is zoned GRUZ and is outside the UGO. They later sought to include the two properties to the east at 1183 and 1185 West Coast Road in that request. We find that later request to be 'out of scope' as it did not form part of the original submission.
- [37] Evidence was provided for the submitters by planner Peter Glasson. He advised that there was "*... no intention at this stage to present detailed expert evidence relating to the two submissions to this hearing.*" We note that by way of Minute 37 we declined Mr Glasson's request for an extension of time for the provision of rebuttal evidence for the West Melton rezoning hearing. The reasons for that are set out in the Minute and so we do not repeat them here.
- [38] Given the absence of expert evidence to support the various rezoning requests of both submitters, we recommend that the following submissions are rejected.

Sub #	Submitter	Submission Points
DPR-0266	Richard Graham	001, 002
DPR-0418	Russell Wilson, Philippa Joy Wilson, Robyn Wayne Wilson	001

6 DPR-0243 Roger Howard and Jillian Rosemary Marshall

- [39] R Howard & J Marshall and CSI (DPR-0392) requested that the land at 664 Weedons Ross Road is rezoned from GRUZ to GRZ. The submission was supported by expert evidence and legal submissions. An ODP figure and narrative text was provided. The land is included in the UGO

and so it is not subject to the NPS-HPL. The evidence of Ivan Thomson was that the rezoning will provide between 120 to 145 residential lots. As set out in section 2 of this Report, we are satisfied a housing capacity shortfall of around 147 lot will remain in West Melton should the submission of DPR-0243 be accepted.

[40] On the evidence we find:

- Given our recommendation to accept DPR-0443 GWWL the land in question will be surrounded by GRZ;
- The submitter's proposed GRZ will therefore provide for a natural infill (or consolidation) of existing urban form;
- The GRZ zoning represents a more efficient use of the land, which is able to be readily serviced, will contribute to meeting demand for residential properties in West Melton, and will contribute to a well-functioning urban environment in accordance with the NPS-UD;
- The rezoning will not undermine West Melton's status as a 'Service Township' or significantly undermine the township's existing character and amenity;
- From a transport perspective there is no reason why the proposed development cannot be integrated into the transport network in a safe, efficient, and appropriate manner which provides for the travel needs of the future residents; and
- There are no geotechnical or flooding impediments to the rezoning sought.

[41] With regard to the concerns expressed by Mr Friedel we find:

- additional rates from new residents will pay for the solid waste collection; and
- the net density of the site of 12 hh/ha will achieve an appropriate design outcome across the site that is consistent with the low-density character of West Melton.

[42] In a Memorandum we received on 2 March 2023 Mr Friedel advised:

I consider that Mr. Thomson's planning rebuttal evidence appropriately addresses the three matters listed in paragraph 13.19 of the s42A report, being the submitter's acceptance for a requirement and ODP narrative requiring pedestrian and cycling network extensions, clarification of the geotechnical hazard risk, and confirmation of the solid waste collection.

I support the rezoning of the submitters land in the PDP as it will increase the long-term plan enabled capacity shortfall by approximately 120 households to give effect to the NPS-UD. The NPS-HPL does not apply to this site as it has been identified for future urban development by virtue of the PDP UGO.1 I therefore recommend that the rezoning request be accepted

[43] Mr Friedel's 2 March 2023 advice accords with our own findings.

[44] For the above reasons we recommend:

- Amending the zoning of the land at 664 Weedons Ross Road (Lot 1 DP 26732 and Lot 2 DP 26732) to GRZ;
- Inserting a new Development Area into the PDP titled 'DEV-WM2 West Melton 2 Development Area';

- Inserting into DEV-WM2 the ODP figure included as Appendix 1 to the 10 February 2023⁶ rebuttal evidence of Ivan Thomson, subject to removing the “Road Access Point” that is shown on the ODP figure but does not connect to any road; and
- Inserting into DEV-WM2 the ODP narrative text that comprises the amended Appendix 1A to the rebuttal evidence of Ivan Thomson, as was provided to the Hearings Secretary on 3 March 2023.

[45] Accordingly, we recommend accepting in part the following submission points.

Sub #	Submitter	Submission Points
DPR-0243	R Howard & J Marshall	001
DPR-0392	CSI	010

7 DPR-0411 Hughes Developments Limited

[46] Hughes Developments Limited (HDL) sought to rezone all of the land contained in PC74 from GRUZ to GRZ. They also sought a new Development Area for that land. The rezoning sought would enable the subdivision and development of approximately 124 residential sections, with 10% being between 650m² and 1,000m² in size and the balance achieving a minimum average lot size of 1,500m².

[47] The submission was supported by legal submissions and expert evidence, including on planning, economics, real estate, cultural, infrastructure, urban design, landscape and visual, agricultural landuse, geotechnical, contaminated land and transport matters.

[48] The subject land is zoned GRUZ and is outside the UGO.

7.1 NPS-HPL

[49] The site comprises LUC 2 and 3 soils as delineated in the NZLRI and so we address the NPS-HPL. Under Policy 5 of the NPS-HPL the urban rezoning of that land must be avoided unless all of the criteria (sometimes referred to as ‘exemptions’) in NPS-HPL clause 3.6(1) have been shown to apply.

[50] Regarding the NPS-HPL we firstly note that Mr Hainsworth suggested that the NZLRI classification of the land was not correct and in his assessment it was almost entirely LUC 3. However, under NPS-HPL clause 3.5(7)(a) we are to take the NZLRI at face value because under clause 3.4(5)(a) of the NPS-HPL “*mapping based on the New Zealand Land Resource Inventory is conclusive of LUC status, unless a regional council accepts any more detailed mapping that uses the Land Use Capability classification in the New Zealand Land Resource Inventory.*” We understand that Mr Hainsworth’s assessment had not been submitted to ECan and accepted by them.

[51] We note that regardless of the site being LUC 2 and 3 or mostly just LUC 3 it is still captured by the NPS-HPL.

[52] Turning to NPS-HPL clause 3.6(1)(a), as we set out in section 2.2 of this Report, even with our recommendations that some of the other West Melton rezoning submissions be accepted, there is arguably a shortfall of housing capacity in West Melton. We say ‘arguably’ because our estimate of capacity covers both West Melton and Prebbleton. Nevertheless, we are satisfied

⁶ Mr Thomson incorrectly dated this evidence 10 February 2022

that the provision of 124 residential sections resulting from the HDL rezoning request will go quite some way to addressing that shortfall, and only a small shortfall will remain. On that basis we are satisfied that clause 3.6(1)(a) is met.

[53] Regarding clause 3.6(1)(b) and the consideration of alternatives, we note that land at 708 Weedons Ross Road is within the UGO. The NPS-HPL does not apply to it and so it arguably provides a reasonably practical and feasible option in the same locality and market. It comprises 5.5ha and if 90% of it was developed for housing (allowing for roading and such) at a yield of 12hh/ha it would yield around 60 residential lots. That alone would not address the shortfall we identified in section 2.2 of this Report. We also note that despite the request of DPR-0038 that we addressed in section 4 of this Report, there is insufficient evidence to support the rezoning of that land. There are no other feasible development capacity alternatives on the table before us regarding 'routine' residential capacity. We say 'routine' because DPR-0460 is now limited to a request for a zoning to enable a retirement village, as we discuss in section 8 of this report.

[54] We find that the HDL submission satisfies NPS-HPL 3.6(1)(b).

[55] Regarding NPS-HPL 3.6(1)(c) we accept the rebuttal evidence of Stuart Ford⁷ who advised:

The rebuttal evidence of Messrs Hainsworth, Mthamo and Colegrave include analysis which supports the proposed rezoning of the Site in terms of the above criteria. I have read those briefs, and agree with the analysis put forward. In particular, I agree that the long-term costs and benefits of losing the Site for productive use (as would occur through the rezoning) directly correlate to the relative capacity of the site to support primary production activities. If "highly productive land" has limited productive capacity, then the benefits of retaining land for that purpose will be limited.

[56] We also accept the rebuttal evidence of Fraser Colegrave⁸ who concluded:

My analysis above shows that the submission will generate far higher impacts on GDP and employment than rural production, even when the latter is considered over a very long period of 50 years. Thus, overall, I consider the submission to satisfy the requirements of clause 3.6(1)(c) of the NPS-HPL from an economic perspective.

[57] On the basis of that evidence, we find that the HDL submission satisfies NPS-HPL 3.6(1)(c).

[58] Consequently, the urban rezoning of the HDL land does not need to be avoided under the NPS-HPL.

7.2 Density

[59] Just prior to the hearing expert witness conferencing occurred that resulted in Joint Witness Statements (JWS) on economics, transport, urban design and planning. In a Memorandum provided to us on 2 March 2023 Mr Friedel advised that on the basis of the conclusions reached in the JWS's, he considered that there was sufficient evidence available to support the rezoning and he recommend that the HDL submission should be accepted.

⁷ Paragraph 18.

⁸ Paragraph 159.

- [60] Having read the submitter’s evidence, the SDC peer reviews and the JWS’s we accept Mr Friedel’s revised recommendation. We understand that the primary outstanding matter relates to an appropriate minimum net density over the rezoned area.
- [61] In the urban design JWS SDC peer reviewer Hugh Nicholson supported a minimum net density of 10 hh/ha. For HDL Mrs White opposed that density requirement as she considered that it would significantly alter the perceived and experienced residential character and amenity in West Melton. In her rebuttal evidence⁹ Mrs White recommended a minimum density of 8 hh/ha (if one was to be imposed). In his 2 March 2023 Memorandum Mr Friedel also recommended a minimum net density of 8 hh/ha, noting that it represented a significant incremental increase from the 6 hh/ha densities that were typical in the township. That increased density would optimise the use of land while maintaining the amenity that characterised West Melton.
- [62] We observe that PDP UG-P13.4 (as recommended to be amended) is:
- A minimum net density of 15hh/ha for residential activities is met, unless there are demonstrated constraints, in which case a minimum net density of no less than 12 hh/ha is met
- [63] We must have regard to that policy direction, but we must also make our recommendation based on the evidence before us. In that regard we consider that the existing low-density nature and character of West Melton arguably qualifies as a ‘constraint’. In addition, we are also cognisant of UG-P13.5 which promotes¹⁰ a diversity in housing types, sizes and densities to respond to the demographic changes and social and affordability. Consequently, we accept the evidence of Mrs White¹¹ who said:
- Whilst I acknowledge the potential benefits of achieving a density of 12hh/ha, I consider a lower density is more appropriate given the Sites’ location on the periphery of the township’s urban area, its’ distance from the town centre and the densities of adjacent neighbourhoods or those in similar locations relative to the centre and overall form*
- [64] In this particular case we find on the evidence that a minimum net density of 8 hh/ha is appropriate and should be specified in the ODP narrative. As Mrs White¹² said, that would strike the best balance between competing drivers by:
- benefitting from a greater overall density than that typical of West Melton but still being relatively consistent with its overall character; and
 - promoting or encouraging a greater range of housing typologies but allowing some flexibility now and in the future with respect to market trends and preferences.
- [65] At the hearing we asked Mr Brown to consider whether the area on the ODP labelled ‘Lots<1000m²’ could instead be zoned MRZ. Mr Brown had already confirmed that the area labelled ‘Living West Melton North (Medium Density)’ should be labelled GRZ. We received a Memorandum on 8 March 2023¹³ addressing that matter. Mr Brown considered a MRZ was not

⁹ Paragraph 24.

¹⁰ Albeit as identified in a HDCA, FDS or outcomes identified in any relevant Development Plan.

¹¹ Rebuttal evidence, paragraph 89.

¹² Ibid, paragraph 100.

¹³ Post-Hearing Analysis and Minor Corrections of Development Plan Prepared by Mark Brown on behalf of Hughes Development Limited, March 2023

appropriate because under that zone the minimum site size for standalone lots would be 400m². Referring to the urban design evidence of Mrs White, Mr Brown suggested that high level of density was not suitable in the West Melton context. We are not entirely persuaded by that evidence and we would support a higher density of development in the town centre. However, in this case we had no evidence before us that would support imposing the MDRS in West Melton by way of MRZ zoning.

- [66] Mr Brown noted that in the GRZ under SUB-Table 1 the minimum lot size is 600m². He recommended that the ODP narrative be amended to reflect that fact. We agree that is appropriate.

7.3 Overall Finding

- [67] Our overall finding is that the HDL rezoning request should be accepted.
- [68] We asked counsel for the submitter to provide a revised ODP figure and revised ODP text as outlined and that was provided as Attachment A to the 8 March 2023 Memorandum referred to above. We find the revised ODP to be appropriate, with the proviso that the narrative should state that minimum net density of 8hh/ha is to be achieved.
- [69] We recommend:
- Amending the zoning of the land contained in PC74, on the eastern side of West Melton and generally bounded by Halkett Road and West Coast Road (SH73), to GRZ;
 - Inserting a new Development Area titled 'DEV-WM3 West Melton 3 Development Area';
 - Inserting into DEV-WM3 the ODP figure included as Attachment A to the memorandum titled 'Post-Hearing Analysis and Minor Corrections of Development Plan Prepared by Mark Brown on behalf of Hughes Development Limited, March 2023'; and
 - Inserting into DEV-WM3 the ODP text attached as Attachment A to the memorandum titled 'Post-Hearing Analysis and Minor Corrections of Development Plan Prepared by Mark Brown on behalf of Hughes Development Limited, March 2023', but with a specification that a minimum net density of 8 hh/ha is to be achieved, and subject to minor wording amendments to reflect the standard nomenclature of the PDP.
- [70] For the above reasons we recommend that the following submission points are accepted in part.

Sub #	Submitter	Submission Points
DPR-0411	Hughes Development Limited	008, 009

8 DPR-0460 Marama Te Wai Ltd / West Melton Holdings Ltd (WMHL)

- [71] The rezoning sought by WMHL has changed significantly from what was sought in the original submission of Marama Te Wai Ltd. The submitter initially sought to rezone 35.9ha of land west of Shepherd Avenue and along the West Coast Road (SH73) and Halkett Road frontages to a GRZ with a Medium Density Housing Overlay. We understand that the rezoning now sought by WMHL relates solely to the establishment of a master planned retirement village on the 12.5ha site at 1234 West Coast Road together with 44 Shepherd Avenue (the Site). The Site is currently used for low intensity rural lifestyle purposes. That rezoning now sought is shown in an ODP attached as Appendix 1 to the rebuttal evidence of Ivan Thomson.

- [72] We note that with our recommendation to accept the submission of DPR-0411 Hughes Developments Limited, and with reference to our indicative capacity shortfall assessment in section 2.2 of this Recommendation Report, there is no need for additional GRZ zoned land in West Melton in at least the medium term and possibly also the long term. In saying that, in terms of a GRZ zoning, we consider that the DPR-0411 Hughes Developments Limited proposal in West Melton better meets the criteria in NPS-UD Policy 8 and clause 3.8(2) than the WMHL proposal insofar as the DPR-0411 proposal is better connected to transport corridors and better contributes to a well-functioning urban environment.
- [73] We have therefore limited our assessment to the issue of a retirement village being developed on the Site.

8.1 Retirement Village

- [74] Russell Davies¹⁴ advised that WMHL and Marama Te Wai Limited are subsidiaries of TUGG. TUGG's intention is to develop the Site for a new retirement village under its operator brand 'Harlow'. Harlow intends to develop a network of retirement villages throughout NZ and to generally locate them in smaller townships within close proximity to a major centre, essentially providing the 'best of both worlds'; close proximity to key infrastructure and services whilst being located in a typically more community-minded location than a large city.
- [75] We were concerned about the feasibility of ensuring that if the Site is rezoned GRZ, it would be developed into a retirement village and not used for a 'routine' residential subdivision. In response Mr Thomson provided an updated ODP that was specific to a retirement village, with no reference to general residential development. In addition, Mr Thomson's revised ODP narrative included a requirement for a consent notice or similar type of restrictive covenant on the current record of title for the Site that would prevent the subdivision of the Site for any use or development other than for a retirement village for a defined period such as 10 years.
- [76] We are satisfied that the revised ODP provides sufficient certainty that the site will be developed for a retirement village. We note under SUB-REQ3.2, any subdivision that does not comply with the ODP would be assessed as a discretionary activity.

8.2 NPS-HPL

- [77] We now consider the NPS-HPL as under the NZLRI the land in question is LUC 2 and 3. We note that Mr Hainsworth agreed that the site was predominantly LUC 2 and 3. He suggested there was 1.3ha of LUC 4 towards the northern end of the site. However, under NPS-HPL clause 3.5(7)(a) we are to take the NZLRI at face value because under clause 3.4(5)(a) of the NPS-HPL *"mapping based on the New Zealand Land Resource Inventory is conclusive of LUC status, unless a regional council accepts any more detailed mapping that uses the Land Use Capability classification in the New Zealand Land Resource Inventory."* We understand that Mr Hainsworth's assessment had not been submitted to ECan and accepted by them.
- [78] Counsel for WMHL submitted¹⁵ that WMHL agreed with the legal submissions of other submitters presented at the Prebbleton hearing to the effect that the NPS-HPL did not apply to land with a Rural Inner Plains Overlay. We reject that general proposition, as outlined in section

¹⁴ Development Manager for Ultimate Developments, the development arm of The Ultimate Global Group Limited.

¹⁵ Paragraph 3.20.

2.1 of this Recommendation Report. The ‘exception’ we set out in our section 2.1 (regarding small lot sizes and no productive land use occurring) does not apply to the WMHL land for which rezoning is now sought. Mr Hainsworth advised that the Site was in ‘pastoral’ landuse and had recently been cut for hay. We must therefore consider the NPS-HPL.

- [79] Under Policy 5 of the NPS-HPL the urban rezoning of the WMHL land must be avoided unless all of the criteria (sometimes referred to as ‘exemptions’) in NPS-HPL clause 3.6(1) have been shown to apply.
- [80] Turning to NPS-HPL clause 3.6(1)(a) we were provided with a Joint Witness Statement from Fraser Colegrave and Derek Foy. The JWS authors agreed that WMHL’s submission met the criteria in clause 3.6(1) of the NPS-HPL from an economic perspective because:
- The proposal was required to provide capacity under the NPS-UD;
 - There were no other reasonably practicable or feasible ways to provide the same capacity in the same market and locality (West Melton) while achieving a well-functioning urban environment; and
 - The economic costs and benefits of the proposal outweighed all tangible and intangible economic costs and benefits of hypothetical foregone rural production.
- [81] We accept the above agreed evidence, noting our understanding that it reflects the retirement village proposal.
- [82] Regarding clause 3.6(1)(b), we accept there are no other reasonably practical and feasible options for providing the specific retirement village development capacity in West Melton. We note Russell Davies’ evidence regarding the difficulty of finding sufficient land within the developed West Melton urban area for a master planned retirement village. Relevantly, the Hearing Panel for Hearing 30.4 Lincoln has recommended rezoning that will enable the development of a retirement village in that township. We asked Mr Davies if that would affect the demand for a similar village in West Melton. He did not consider that it would.
- [83] Regarding clause 3.6(1)(c), based on the evidence of Stuart Ford, we accept that the environmental, social, cultural and economic benefits of rezoning to enable a retirement village would in all likelihood outweigh the long-term environmental, social, cultural and economic costs associated with the loss of the highly productive land.
- [84] We are satisfied that the WMHL retirement village proposal meets the criteria in NPS-HPL and so the urban rezoning of the Site to enable a retirement village does not need to be avoided. Supporting our own finding, the planner’s JWS recorded that Mr Thomson and Mr Friedel agreed the rezoning submission satisfied the NPS-UD and NPS-UD ‘gateway’ tests.

8.3 Urban design, connectivity and vesting of roads

- [85] We understand that the remaining matters we need to consider relate to urban design, connectivity to the West Melton TCZ and beyond, and the ownership of the proposed main north-south spine road within the Site. Having said that we observe this is a rezoning hearing

and not a consent hearing where urban design matters would be considered more closely. We received Joint Witness Statements on urban design¹⁶ and transport¹⁷.

- [86] Regarding the retirement village proposal, the authors of the urban design JWS agreed:
- The position of the reserve area in the ODP is suitable but it should have a minimum size of 2000m²;
 - The Landscape Strategy that forms part of the ODP would provide a positive outcome, visually breaking up the built form to integrate the village's denser built form into the existing urban framework of West Melton; and
 - The proposed vehicular links to the west and north are sufficient to enable connectivity to the adjacent rural land should it be developed in the future.
- [87] Mr Nicholson remained concerned about connectivity to the wider West Melton area via Shepherd Avenue. Ms Lauenstein considered the proposed road and separate shared pathway to be sufficient. She observed that additional connections would not provide shorter routes to the TCZ due to the layout of Preston Downs, and in any event most residents would use bicycles or vehicles for trips into the TCZ, especially if they wished to carry back purchased goods.
- [88] In that regard the authors of the transport JWS agreed that a secondary east-west connection was desirable, however not mandatory if the Site was developed as retirement village.
- [89] We received a Memorandum from counsel for the submitters on 17 May 2023. It referred to a submission from Waka Kotahi on PC77 insofar as that plan change related to a retirement village. Counsel advised that Waka Kotahi supported a pedestrian and cycleway in the SH corridor and suggested that should connect back to existing infrastructure to the east of Iris Taylor Avenue (some 500m from the site) and should also achieve specific safety outcomes. Counsel suggested an amendment to the ODP to give effect to Waka Kotahi's suggestion. We find that to be appropriate.
- [90] Regarding the likely character of the retirement village, we note Mr Thomson's evidence that the ODP has been amended to limit buildings to two storeys and that there will not be a larger 'hospital' type building that is sometimes provided in retirement villages. On balance we are satisfied with the urban design and connectivity issues. We note that several North Island greenfield retirement villages the commissioners are familiar with and which have been approved in recent years have similar levels of connectivity to what is proposed here.
- [91] WMHL do not wish to vest the ownership of the main north-south spine road in SDC. We note that is more of a land use consenting issue, but observe that in our experience roads within retirement villages often remain in the ownership of the village's body corporate. We do not consider this unresolved matter weighs against the rezoning proposal.

8.4 Overall findings and recommendations

- [92] For the above reasons we recommend that the following submissions are accepted in part:
- DPR-0460.001
 - DPR-0460.006

¹⁶ Prepared by Ms Lauenstein and Hugh Nicholson.

¹⁷ Prepared by Mat Collins and Tobias Ueckermann

[93] At the hearing we confirmed with WMHL’s counsel that all other rezoning relief had been abandoned. We therefore recommend the following submissions are rejected:

- DPR-0460.002
- DPR-0460.003
- DPR-0460.004
- DPR-0460.005

[94] We recommend:

- Amending the zoning of the land on the 12.5ha Site at 1234 West Coast Road to GRZ;
- Inserting into the PDP a new Development Area titled ‘DEV-WM4 West Melton 4 Development Area’;
- Inserting into DEV-WM4 the ODP figure and Landscape Strategy included as Appendix 1 to the ‘Rebuttal Evidence of Ivan Thomson – Planning, 10 February 2023’; and
- Inserting into DEV-WM4 the ODP text set out in Appendix 1 to this Report¹⁸.

9 Other matters

[95] 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, 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;
- the Hearing Panels considering rezoning requests, and
- the Independent Hearing Panel (IHP) considering submissions and further submissions on Variation 1 to the PDP

[96] Any such further or different amendments are not shown in Appendix 1 of this Recommendation Report. However, the Chair¹⁹ and Deputy Chair²⁰ 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.

[97] 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.

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

¹⁸ This was based on Mr Thomson’s narrative titled ‘Appendix 3B Proposed Amendments arising from JWS highlighted in Red Underlined’ that accompanied the ‘Supplementary Submissions on behalf of Marama Te Wai Ltd/West Melton Holdings Ltd, 06 March 2023’ However it was substantially amended by us to impose enforceable requirements, avoid repetition, to include a specification that the ‘Reserve Area and Retirement Village Hub is a minimum of 2000m² and with numerous corrections to formatting, grammar and cross-referencing. We also included the additional wording suggested in the Memorandum from counsel dated 17 May 2023 relating to the shared pathway along SH73. Finally, we also made several minor wording amendments to reflect the standard nomenclature of the PDP.

¹⁹ Who is also the Chair of the IHP.


²⁰ Who chaired one stream of hearings.

Appendix 1: Recommended Amendments


Note to readers: Only provisions that have recommended amendments are included below. All other provisions remain as notified. Amendments recommended by the Section 42A Report author that have been adopted by the Hearing Panel are shown in strike out and underlining. Further or different amendments recommended by the Hearing Panel are shown in strike out, underlining and red font.

Amendments to the PDP Maps


The following spatial amendments are recommended to PDP Planning Maps:

Map Layer	Description of recommended amendment
Zones	<p>Amend the zoning of the land covered by PC59 and PC67, consistent with the figure below, where:</p> <ul style="list-style-type: none"> those properties identified 'Low Density' are zoned to LLRZ; and those properties identified as 'Medium Density' are zoned to GRZ²¹:  <p>Legend</p> <ul style="list-style-type: none"> ODP boundary Primary Route Secondary Route Low Density Medium Density Neighbourhood Park Interface Treatment Shared pedestrian / cycle lane Indicative location for water bore Existing water race Soakage Areas


²¹ DPR-0443.001, 002 and 003 GWWL

Map Layer	Description of recommended amendment
	<p>Amend the following properties from GRUZ to GRZ:</p> <ul style="list-style-type: none"> • Lots 1 and 2 DP 26732²² 

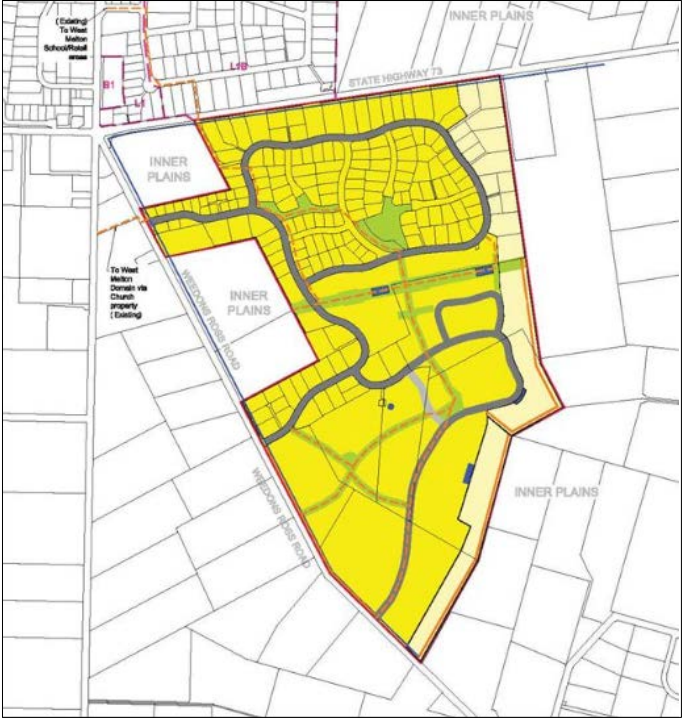
²² DPR-0243.001 R Howard & J Marshall and DPR-0392.010 CSI

Map Layer	Description of recommended amendment
	<p>Amend the following properties from GRUZ to GRZ:</p> <ul style="list-style-type: none">• Lots 1 and 2 DP 34902²³ 

²³ DPR-0411.008 and 009 Hughes Development Limited

Map Layer	Description of recommended amendment
	<p>Amend the following property from GRUZ or LLRZ to GRZ:</p> <ul style="list-style-type: none">• RS 6619 (1234 West Coast Road)• Lot 283 DP 458646 (44 Shepherd Avenue)²⁴ 

²⁴ DPR-0460.001 and 006 WMHL

Map Layer	Description of recommended amendment
Development Areas Overlay	<p>Identify all of the land covered by PC59 and PC67, consistent with the figure below, as DEV-WM1²⁵:</p>  <p>Identify the following properties as DEV-WM2²⁶:</p> <ul style="list-style-type: none"> • Lots 1 and 2 DP 26732 <p>Identify the following properties as DEV-WM3²⁷:</p> <ul style="list-style-type: none"> • Lots 1 and 2 DP 34902

²⁵ DPR-0443.001, 002 and 003 GWWL

²⁶ DPR-0243.001 R Howard & J Marshall and DPR-0392.010 CSI

²⁷ DPR-0411.008 and 009 Hughes Development Limited

Map Layer	Description of recommended amendment
	Identify the following property as DEV-WM4 ²⁸ : <ul style="list-style-type: none"> • RS 6619 (1234 West Coast Road)
Rural Density Overlay	Remove the SCA-RD1 overlay from the following properties: <ul style="list-style-type: none"> • Lots 1 and 2 DP 578461 • Lots 276, 277 and 723 DP 558751 • Lot 400, 401, 402, and 403 DP 494094 • Lot 501 DP 501187 • RS 10802²⁹ • Lots 1 and 2 DP 26732³⁰ • Lots 1 and 2 DP 34902³¹: • RS 6619 (1234 West Coast Road)³²:
Urban Growth Overlay	Remove the overlay from the following properties ³³ : <ul style="list-style-type: none"> • Lots 1 and 2 DP 26732
EIB Management Overlay	Remove the overlay from the following properties: <ul style="list-style-type: none"> • Lots 1 and 2 DP 578461 • Lots 276, 277 and 723 DP 558751 • Lot 400, 401, 402, and 403 DP 494094 • Lot 501 DP 501187 • RS 10802³⁴ • Lots 1 and 2 DP 26732³⁵ • Lots 1 and 2 DP 34902³⁶ • RS 6619 (1234 West Coast Road)³⁷

²⁸ DPR-0460.001 and 006 WMHL

²⁹ DPR-0443.001, 002 and 003 GWWL

³⁰ DPR-0243.001 R Howard & J Marshall and DPR-0392.010 CSI

³¹ DPR-0411.008 and 009 Hughes Development Limited

³² DPR-0460.001 and 006 WMHL

³³ DPR-0243.001 R Howard & J Marshall and DPR-0392.010 CSI

³⁴ DPR-0443.001, 002 and 003 GWWL

³⁵ DPR-0243.001 R Howard & J Marshall and DPR-0392.010 CSI

³⁶ DPR-0411.008 and 009 Hughes Development Limited

³⁷ DPR-0460.001 and 006 WMHL

Amendments to the PDP Text

Part 2 – District Wide Matters

SUB – Subdivision

SUB-Rules

SUB-R1 Subdivision in the Residential Zones		
	<p>...</p> <p>Where this activity complies with the following rule requirements:</p> <p>...</p> <p><u>SUB-REQ13 Conditions Precedent³⁸</u></p>	
SUB-R9 Subdivision in Residential Zones to Facilitate Small Site Development		
	<p>...</p> <p>Where this activity complies with the following rule requirements:</p> <p>...</p> <p><u>SUB-REQ13 Conditions Precedent³⁹</u></p>	
SUB-R10 Subdivision in Residential Zones of Comprehensive Development		
	<p>...</p> <p>Where this activity complies with the following rule requirements:</p> <p>...</p> <p><u>SUB-REQ13 Conditions Precedent⁴⁰</u></p>	
SUB-R12 Boundary Adjustments in All Zones		
	<p>...</p> <p>Where this activity complies with the following rule requirements:</p> <p>...</p> <p><u>SUB-REQ13 Conditions Precedent⁴¹</u></p>	
SUB-R14 to Create Emergency Services Facility Sites in All Zones		
	<p>...</p> <p>Where this activity complies with the following rule requirements:</p> <p>...</p>	

³⁸ DPR-0443.001, 002 and 003 GWWL

³⁹ DPR-0443.001, 002 and 003 GWWL

⁴⁰ DPR-0443.001, 002 and 003 GWWL

⁴¹ DPR-0443.001, 002 and 003 GWWL

SUB-REQ13 Conditions Precedent⁴²

SUB-Rule Requirements

SUB-REQ13	Conditions Precedent	
DEV-WM1 ⁴³	<p><u>C. No completion certificate shall be issued under section 224 of the Act (other than for a boundary adjustment or creation of a site solely for infrastructure purposes), until such time as:</u></p> <p><u>a. for any subdivision of Lot 163 DP 508829, Lot 723 DP 558751 or Rural Sec 10802 BLK XI Rolleston SD, a pedestrian/ cycle path is constructed on Weedons Ross Road between the intersection of State Highway 73/Weedons Ross Road and the southern intersection of Kingsdowne Drive/ Weedons Ross Road.</u></p> <p><u>D. Any subdivision of Lot 163 DP 508829, Lot 723 DP 558751 or Rural Sec 10802 BLK XI Rolleston SD shall include a legal instrument that is binding on all future owners, that specifies:</u></p> <p><u>a. solar power generation requirements for each residential site;</u></p> <p><u>b. rain harvesting requirements for each residential site;</u></p> <p><u>c. the requirement for each residential unit to achieve Homestar 6© as a minimum standard or a proven equivalent;</u></p> <p><u>d. for all sites greater than 3,000m² in area, no less than 15% of the site shall be planted in native vegetation, which may include hedgerows on fence lines.</u></p>	<p><u>Activity status when compliance not achieved:</u></p> <p><u>E. When compliance with SUB-REQ13.C. or SUB-REQ13.D. is not achieved:</u></p> <p><u>NC.</u></p>

⁴² DPR-0443.001, 002 and 003 GWWL⁴³ DPR-0443.001, 002 and 003 GWWL

Part 3 – Area Specific Matters

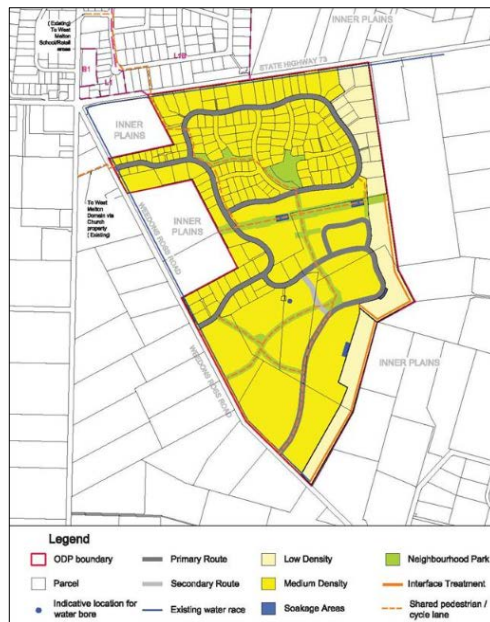
Development Areas

Insert the following four Development Areas into a new Development Area sub-section titled **WM-West Melton** that follows the existing Development Area section titled TT-Tai Tapu.

DEV-WM1 – West Melton 1 Development Area⁴⁴

Description of Amendments

1. Insert a new ODP as follows, with consequential amendments, as outlined below:
 - a. Indicate that those properties identified 'Low Density' are zoned to LLRZ; and
 - b. Indicate that those properties identified as 'Medium Density' are zoned to GRZ;
 - c. Redraw for consistency with PDP symbology and update the legend accordingly:



⁴⁴ DPR-0443.001, 002 and 003 GWWL

2. Insert a new ODP narrative, as follows:

Context

This development area comprises 106.9 ha and is bound State Highway 73 to the north and Weedons Ross Road to the west.

Land Use

The majority of the development area will provide for GRZ sites. A LLRZ area is located on the northern and eastern periphery of the area, with a minimum site area of 3,000m². The LLRZ area will provide a buffer between the higher density GRZ areas located centrally within the development area, and the adjoining rural areas to the north, east and south.

An interface treatment will be required along the south eastern boundary of the development area. The interface treatment will comprise a single row of trees planted on the boundary with the GRUZ, with centres no further apart than 3m, and maintained at a height of not less than 2m. Suitable species include fast growing species such as Cupressus leylandii ‘ferndown’ or similar. The interface treatment is intended to achieve a substantial screen without creating adverse shading conditions for future residents.

Access and Transport

The development area provides for an integrated transport network incorporating:

- A primary route that follows the existing circular alignment of Silver Peaks Drive, connecting to Kingsdowne Drive. The primary route also provides for an extension to Ridgeland Way;
- A connection that is anticipated to loop through the adjoining GRUZ;
- Shared pedestrian and cycle connections throughout the development area and on the Weedons Ross Road frontage, and including existing connections to the north and west of the development area, to enhance safe walking and cycling opportunities to other parts of West Melton township.

The internal roading layout must provide for long term interconnectivity once full development is achieved, including supporting opportunities for future public transport routes. An integrated network of tertiary roads must facilitate the internal distribution of traffic, and if necessary, provide additional property access.

Open Space, Recreation and Community Facilities

Two neighbourhood parks are required centrally within the northern portion of the development area, and one park within the southern portion of the development area, to provide open space. Remaining reserves provide open space and facilitate attractive pedestrian connections.

An east-west orientated reserve follows the alignment of an existing high voltage transmission line corridor and will serve the dual purpose of providing open space whilst also ensuring that buildings and other structures on private land are set back safe distances from the transmission lines and supporting structures. The high voltage transmission line corridor reserve will have a minimum width of 12m from any tower foot and 12m from the centre line of the transmission line (e.g. a total width of 24m adjoining the transmission line, with additional width adjoining a tower).

Opportunities to integrate stormwater collection, treatment and disposal into the open space reserves also exist, where appropriate.

The proposed reserve network provides an opportunity to create an ecological corridor. Plant selection in new reserves should include native tree and shrub plantings, such as *Olearia adenocarpa*, *Sophora prostrata*, *Muehlenbeckia ephedroides*, *Carex comans*, *Poa cita* and *Aciphylla subflabellata*.

Servicing

An existing water race is located on the western edge of the development area, adjoining Weedons Ross Road, and the northern edge of the development adjoining State Highway 73. Any subdivision and road design will account for the presence of the water race, ensuring its ongoing function is not compromised.

The underlying soils are relatively free-draining and support the discharge of stormwater to ground. Stormwater will be discharged to ground directly via a system of soakpits and swales. Detailed stormwater solutions will be determined by the developer in collaboration with Council at the subdivision stage and in accordance with Environment Canterbury requirements.

All new sites are intended to be serviced by Low Pressure Sewer, with a network of pipes transferring wastewater to the existing Council Pump Station on Silver Peaks Drive. A new wastewater storage facility may be required, to provide emergency storage and to act as a buffer for additional flows entering the system from the development area. The storage facility may be located underground, adjacent the Rossington Drive Pump Station and within land owned by Selwyn District Council.

The water reticulation will be an extension of existing reticulation within the development area. Upgrades of existing pipes may be required to ensure adequate water supply. The requirement for upgrades will be determined at the subdivision stage.

DEV-WM2 – West Melton 2 Development Area⁴⁵

Description of Amendments

1. Insert a new ODP as follows, with consequential amendments, as outlined below:
 - a. Redraw for consistency with PDP symbology, remove small arrow by 'Weedons Ross Road' label and update the legend accordingly



⁴⁵ DPR-0243.001 R Howard & J Marshall and DPR-0392.010 CSI

Description of Amendments

2. Insert a new ODP narrative, as follows:

Context

The development area is located on the north-eastern side of Weedons Ross Road, approximately 380m from the intersection with State Highway 73. The development area covers an area of 10.7ha, fronting on to Weedons Ross Road and bounded on the other three sides by residential development (as reflected in DEV-WM1).

Land Use

The development area is expected to yield in the vicinity of 100-120 residential sections at an average of 12-15 households per hectare. Specific consideration will be given to a necessary separation between future housing and Transpower's 220kV electricity pylons and lines that bisect the development area in an east-west direction.

Permeable fencing (as required by the District Plan) will assist in ensuring a high quality living environment is established. CPTED principles should also be applied to promote passive surveillance.

Residential units will front the central corridor to enhance passive surveillance and safety, while creating a high amenity streetscape. Appropriate design layouts should take into consideration the settings for the existing houses, and the shape, orientation and aspect of sections to internal roads and access arrangements. Consideration should be given to smaller sections and different housing typologies being made available in northern part of the site which is close to the local centre.

Access and Transport

The proposed roading network shows two indicative primary connections to Weedons Ross Road as well as a separate pedestrian/cycle access. The latter will be integrated with stormwater management areas beneath the transmission corridor.

Shared pedestrian and cycle connections focus on the corridor besides the high voltage transmission lines that run east west across the development area and connecting to the corridor provided on adjoining land to the east. The Weedons Ross Road frontage is anticipated to be upgraded to an urban standard in accordance with the Engineering Code of Practice. This work is to be undertaken in a manner that encourages future residential properties to front directly onto Weedons Ross Road, thereby providing direct access to those properties.

A shared pedestrian/cycleway along the Weedons Ross Road frontage shall be provided prior to issuing Section 224 certificates.

Open Space, Recreation, and Community Facilities

An east-west orientated reserve follows the alignment of an existing high voltage transmission line corridor and will serve the dual purpose of providing open space and stormwater management, whilst also ensuring that buildings and other structures on private land are set back safe distances from the transmission lines and supporting structures. The high voltage transmission line corridor reserve will have a minimum width of 12m from any tower foot and 12m from the centre line of the transmission line (e.g. a total width of 24m adjoining the transmission line, with additional width adjoining a tower). The corridor will join up with that which has been provided for through DEV-WM1. The proposed reserve network provides an opportunity to continue or create an ecological corridor. Plant selection in new reserves should include native tree and shrub plantings

Description of Amendments

Further investigations shall be undertaken at subdivision to determine the practicalities of retaining existing specimen trees within any future layout. These amenity trees provide a link to the previous use of the land, complement the streetscape and assist in preserving and enhancing the character of West Melton.

Servicing

On site stormwater treatment will be provided along the transmission corridor and integrate with the walkway and cycleway linkage. The underlying soils are relatively free-draining and support the discharge of stormwater to ground via a system of soak pits and swales. Detailed stormwater solutions will be determined by the developer in collaboration with Council at the subdivision stage and in accordance with Environment Canterbury requirements.

All new sites are intended to be serviced by Low Pressure Sewer, with a network of pipes transferring wastewater to the existing Council Pump Station on Silver Peaks Drive.

The water reticulation will be an extension of existing reticulation to service the development area. Upgrades of existing pipes may be required to ensure adequate water supply. The requirement for upgrades will be determined at the subdivision stage.

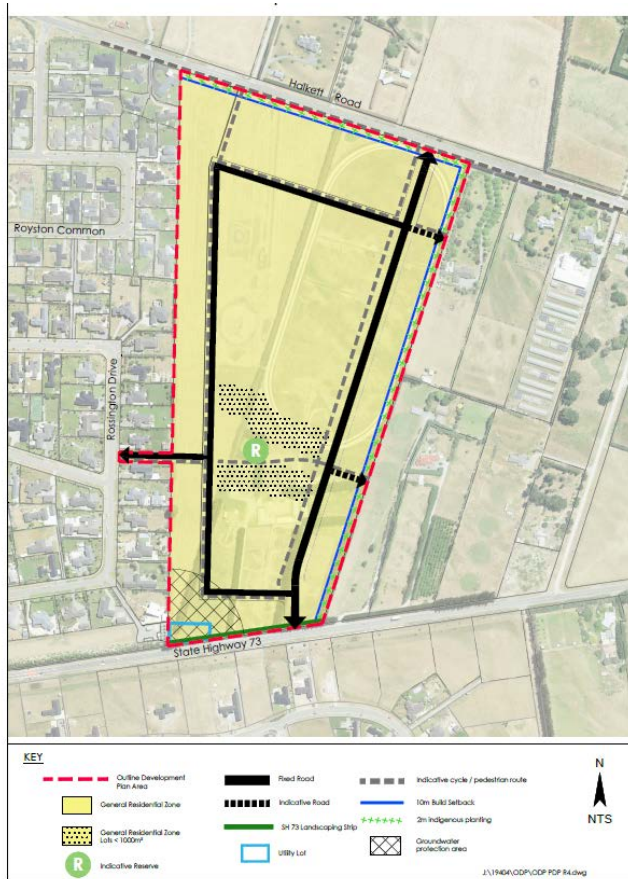
Specific design proposals for water and sewage can be determined through capacity assessments in conjunction with the Council at subdivision design stage. They will be subject to obtaining the necessary regional and district consents.

A main water race is currently located along the east side of Weedons Ross Road against the boundary of the development area. The water race will need to be culverted or bridged at any transport connection point from Weedons Ross Road to the development area.

DEV-WM3 – West Melton 3 Development Area⁴⁶

Description of Amendments

1. Insert a new ODP as follows, with consequential amendments, as outlined below:
 - a. Redraw for consistency with PDP symbology and update the legend accordingly



⁴⁶ DPR-0411.008 and 009 Hughes Development Limited

Description of Amendments

2. Insert a new ODP narrative, as follows:

Context

The development area comprises 20.687ha and is bounded by Halkett Road to the north and State Highway 73 to the south. The area immediately adjoins the Gainsborough development to the west. The area has road access onto Halkett Road, State Highway 73 and Rossington Drive.

The development area uses best practice urban design principles to set the general pattern of development over the area to guide future development and provide a degree of certainty for all parties in the establishment of land uses across the site. It provides a design rational that maintains the existing low density, low impact character of Gainsborough incorporating key structural elements such as road connections (including swale network), cycle and pedestrian network and access to open space.

Land Use

To balance the needs of maintaining the existing low-density character of Gainsborough whilst providing variety and housing choice, any future subdivision may provide a maximum of 10% of sites sized between 600m² and 1,000m². These sites are to be concentrated around the central recreation reserve as shown on the ODP. All remaining sites shall achieve an average site size of 1,500m². Sites along the rural-urban interface are to have a minimum area of 1,500m² and will include a 10-metre building setback from the shared rural property boundaries.

The area shall achieve a minimum net density of 8 households per hectare.

The development area shall include measures to reduce carbon emissions that are to be implemented at the time of subdivision. These measures include the installation of rainwater tanks (and pumps) for each site and the installation of solar-powered streetlights.

As part of the rural-urban interface treatment, boundary fencing along the Halkett Road and State Highway 73 road boundaries are to be post and rail.

Access and Transport

Access to the area is provided from Halkett Road, State Highway 73 and Rossington Drive. There shall be no direct access from individual sites to State Highway 73.

Unless otherwise agreed with Waka Kotahi, access to State Highway 73 will be left in and left out. This intersection will require a 'physical barrier' (installed by either the developer or Waka Kotahi, or a combination of both) to prevent right turning movements. The intersection onto State Highway 73 is not to open until this barrier has been installed and the internal road connection to Rossington Drive has been made. A detailed safety assessment of the intersection of State Highway 73 and Halkett Road shall be undertaken as part of the subdivision consent process to identify any improvements or upgrades necessary. The assessment of this intersection shall be done in consultation with Waka Kotahi and Selwyn District Council

The fixed road between State Highway 73 and Halkett Road shall include traffic calming measures to reduce traffic speed. The balance of the road network shall facilitate internal connectivity, providing a basis for cohesive residential design.

Description of Amendments

Cross Sections of the internal road network are shown in DEV-WM3 FIG1 – FIG3. Development is to occur in accordance with these cross sections.

Halkett Road will be upgraded to urban standards along the frontage of the development area including a shared pedestrian/cycle path. The shared path is to be constructed beyond the frontage of the area to link with Rossington Drive to the west and Wylies Road to the east.

Two indicative road connections are located along the eastern boundary to ensure future long-term connectivity is available.

Open Space, Recreation and Community Facilities

A large recreation reserve will be centrally located within the development area. The reserve will act as a focal point whilst also providing an east-west visual corridor to compliment the visual corridors created by the north-south roading network.

A landscaping strip of at least 4m wide shall be provided within the site boundaries along the State Highway 73 road frontage. At the time of planting, all shrubs within this strip shall be planted at a PB2.5 grade and all trees shall be planted at a minimum height of 0.8m. Planting within the State Highway 73 landscape strip shall be undertaken to achieve effective screening of residential units along the State Highway frontage

A landscaping strip of at least 2m wide shall be provided within the 10m no-build setback along the rural-urban interface. At the time of planting, all shrubs within this strip shall be planted at a PB2.5 grade and all trees shall be planted at a minimum height of 0.8m.

The landscaping strips are to be planted exclusively with indigenous species. For properties along the eastern boundary of the development area this planting shall only be required if the existing shelterbelt is removed.

The majority of vegetation planted within the central recreational reserve, access reserve and road reserve network shall be indigenous vegetation species.

Servicing

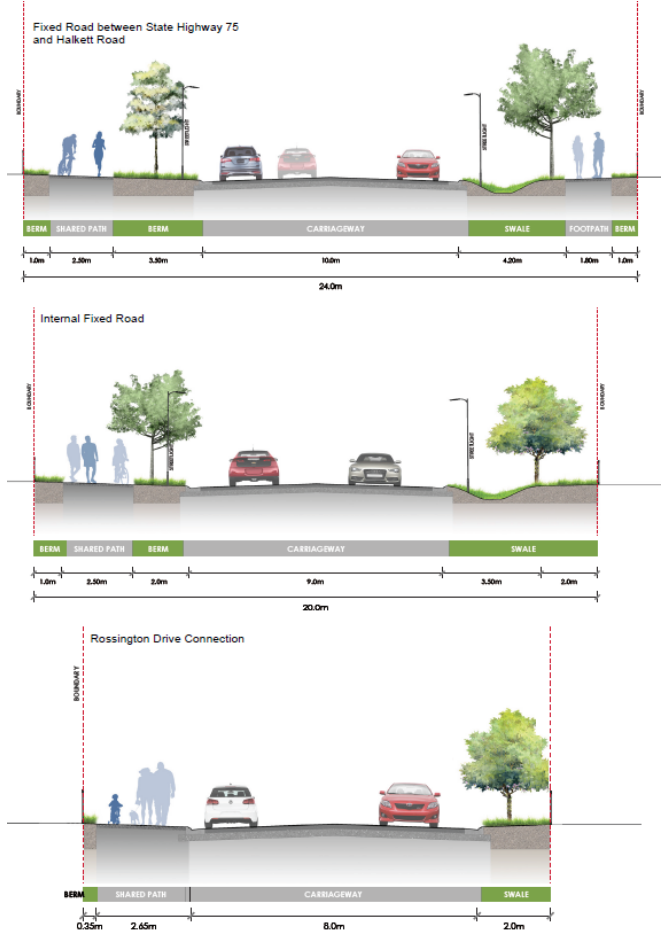
The roading layout corresponds with lower lying areas which will provide secondary pathways for stormwater. An extensive road-side swale network will provide additional stormwater treatment. Stormwater from roofs and hardstand areas will be directed to on-site soak holes meeting the required Canterbury Regional Council standards.

An infrastructure site will be provided in the southwest corner of the development area adjoining the existing Council utility reserve. The purpose of this site is to enable Council to expand and improve the security of the existing West Melton reticulated water supply network in the future. To mitigate any potential adverse effects on the water supply network upgrade, alternative stormwater disposal methods will be required within the area identified as a groundwater protection zone.

In keeping with the low-impact design rationale for the development area, street and reserve lighting within the development shall be solar powered. In addition, rainwater tanks (and pumps) shall be installed within all sites at the time of subdivision for rainwater harvesting purposes.

Description of Amendments

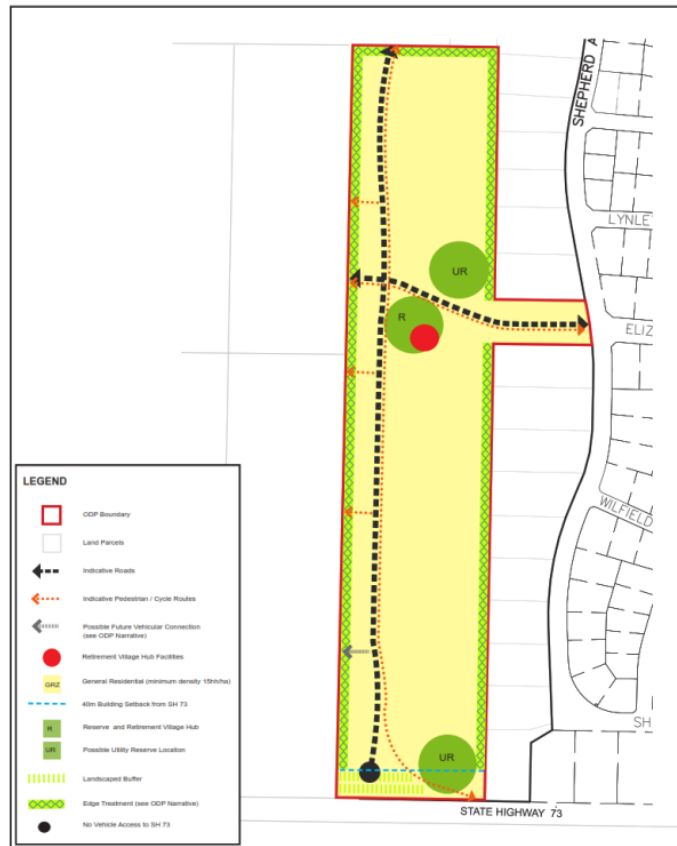
DEV-WM3 FIG1 – FIG3



DEV-WM4 – West Melton 4 Development Area⁴⁷

Description of Amendments

1. Insert a new ODP as follows, with consequential amendments, as outlined below:
 - a. Redraw for consistency with PDP symbology and update the legend accordingly



⁴⁷ DPR-0460.001 and 006 WMHL

Description of Amendments

2. Insert a new ODP narrative, as follows:

Context

This development area comprises 12.55 ha and is bounded State Highway 73 to the south, GRUZ land to the north and west and LLRZ land to the East. The ODP embodies a comprehensive development framework for a retirement village and applies urban design concepts from the Council's Residential Medium Density Guide and Subdivision Design Guide.

Land Use

The development area must only be developed exclusively for retirement village purposes.

The development area will provide for sites associated with retirement village living generally in a range between 150m² and 500m². A Village Hub will include ancillary administrative offices, a café, small gymnasium and exercise rooms. The Village Hub building will not include any residential, hospital or dementia care units. It will be limited in height to 9.5 metres and will no more than two storeys high to ensure the building's scale reflects the context of the wider built environment.

The retirement village development is to be secured by a legal instrument, such as a consent notice or covenant to the satisfaction of the Council, registered on all new titles created at the time of subdivision.

Development of the area is to incorporate design measures that serve to reduce greenhouse gas emissions and enhance the overall sustainability of the development, including but not limited to solar power, Electric vehicle charging stations, parks, trails and water minimisation and re-use strategies such as rain harvesting.

Open Space and Recreation and Community Facilities

The Village Hub will include community facilities primarily for use by retirement village residents. Consideration will be given to these facilities, along with associated programs, being offered to local residents and families of those residing in the village on a membership basis.

The Landscape Plan, as shown in DEV-WM4 FIG1 provides a variety of open spaces including internal walking links that will visually break up the linearity of the development. It will soften the interface with the LLRZ to the east through landscaping and it will provide a visual and physical buffer to SH 73 with a 50m wide landscape (and noise buffer) between the development and SH73, with walkway connections to the wider area.

The Landscape Plan addresses the increased density in the elongated area by strategically positioning 'green areas' to break up the linearity of the design and the residential unit's continuous roofscape. These 'green areas' include east west oriented pedestrian links, small pockets of 'break-out green spaces' between cul-de-sacs and adequate space for street trees within the road reserve. Tree planting will provide a green canopy to soften and screen the built form, in particular roof lines.

Wherever possible walkways will be taken through green spaces to create a pedestrian network with a high amenity and to activate open spaces. The walking paths will have low level lighting to avoid light spill onto adjoining properties.

Description of Amendments

The edge treatment specified in the Landscape Plan will include trees intended to achieve a substantial screen without creating adverse shading conditions for the retirement village or adjoining residents. Trees on the boundary with the western GRUZ and eastern LLRZ will be planted in a single row with centres no further apart than 3m and will be maintained at a height of not less than 2m. Other trees will comprise species selected to reach a mature height of 10 m to ensure tree canopies provide a reasonable level of screening, including fast growing species such as *Cupressus leylandii* 'ferndown' or similar. Indigenous species will be preferred.

The eastern edge treatment will provide a high amenity outlook of a semi-rural character for the existing houses by incorporating a wide buffer of at least 5 metres width that will remain in Body Corporate management.

The northern and western edge treatments will also remain in Body Corporate ownership and management. These edge treatments will include an 8m buffer with a walk way, generous landscaping and several laterals in the western edge treatment leading into the village.

Access and Transport

The ODP provides for an integrated but simple transport network incorporating two principal roads:

- a primary connection that connects with Shepherd Avenue by way of a section that has been acquired (44 Shepherd Avenue). This access forms a key link to the east and potentially to the west. The road achieves connectivity between the proposed development and the existing West Melton township. It is strategically located in a central position, connecting the key open space within the area with the eastern neighbourhood.
- another primary route runs north-south and is terminated at each end, although there is potential to extend it northwards towards Halkett Road if needed. The function of this road is to act as an internal distributor road enabling access to the retirement unit housing areas within the site.

The ODP allows for potential connectivity into adjoining areas to the north and west that can be activated if or when that land is urbanised. The proposed road network provides for future vehicle, pedestrian and cycle connections to the north. Future connectivity to the west can be achieved by way of a mix of vehicular and walking/cycling links. All shared walking/cycling paths will comply with the required District Plan standards, however cycle-ways leading through the development will remain for residents only until development to the north or west requires more public permeability of the site. Both the north-south and east-west roads will be designed to the required District Plan standard that will enable them to provide for through traffic if needed to integrate with any future urban zoning of the adjoining land immediately to the north or west.

The current access from SH 73 will be 'closed' and there will be no permanent direct access to SH73. However, an application for access during construction and/or for emergency purposes may be lodged with the road controlling authority at a later stage.

The ODP shows a pedestrian/cycle link to SH73 from the southern cul-de-sac through the south western part of the area. This can be linked to a shared path along SH73 as part any future SH73 upgrades. The shared path must be designed in consultation with Waka Kotahi New Zealand Transport Agency so as to achieve appropriate safety outcomes. The SH73 frontage will be upgraded to an urban standard in accordance with the Council's Engineering Code of Practice.

Description of Amendments

Servicing

There are two local/lateral former water races in the development area that are part of the Paparua Water Race Scheme. These are to be integrated into landscape and planting treatments around the edge of the development area.

Stormwater will be discharged to ground directly via a system of soak pits and swales. A natural ridge runs northwest/southeast connecting with Shepherd Avenue at its intersection with Wilfield Drive. This naturally splits the site into two catchments, being the northern and southern catchment. A stormwater management area (SMA) for each catchment area will consist of:

- A first flush/infiltration basin to provide water quality attenuation in large rainfall events greater than the first flush event, but up to 2% AEP in all durations.
- A large rapid soakage chamber under the detention basins to discharge stormwater to ground and provide additional storage within the voids of the chamber.

Detailed stormwater solutions will be determined in collaboration with the Council +at the subdivision stage and in accordance with Environment Canterbury requirements.

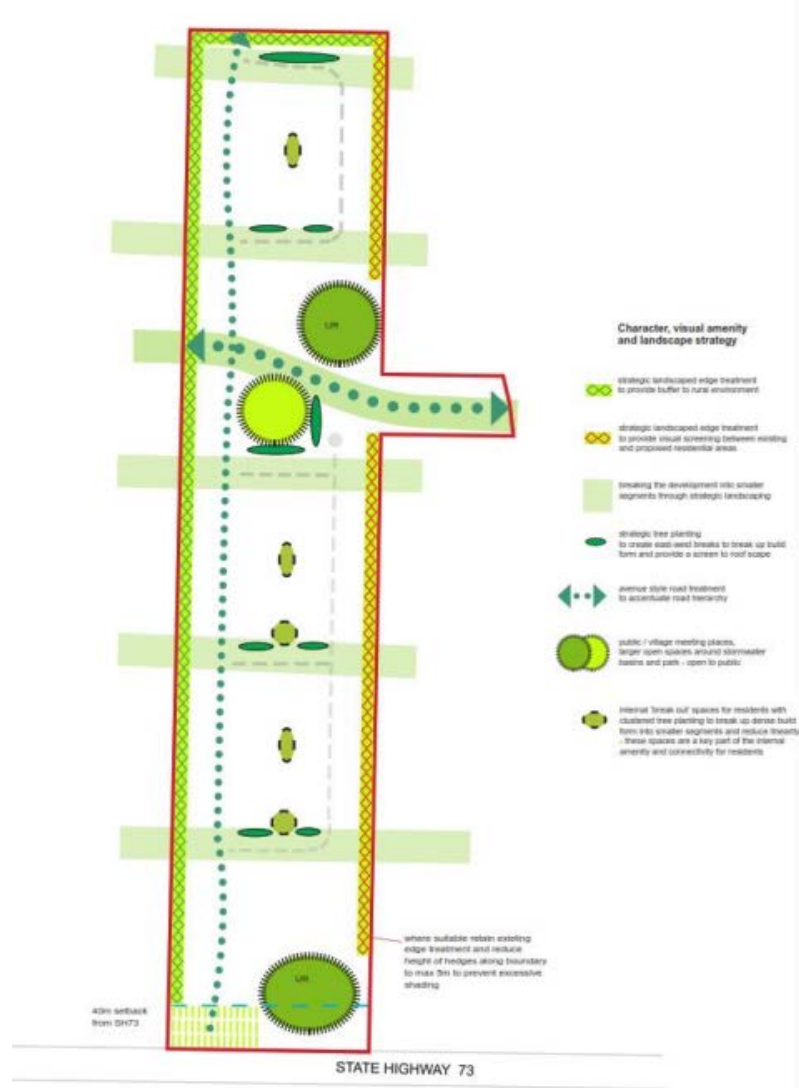
An additional potable water source and treatment plant will be required and will be determined at the subdivision stage. An infrastructure site will be provided for the water supply in the south-eastern quadrant of the site. Alternatively, the water supply may connect to the existing reticulation within the area subject to Council approval. In that case upgrades of existing pipes may be required at the developer's expense to ensure an adequate water supply. The requirement for upgrades will be determined at the subdivision stage.

The main constraint for West Melton with respect to wastewater is the reticulation from West Melton to the Pines Wastewater Treatment Plant at Rolleston. Servicing options for addressing capacity constraints will be determined at the subdivision stage. All feasible options require a new pressure main along the West Coast Road to connect to the existing pressure main at the West Melton Road/West Coast Road intersection.

All internal reserves (apart from local purpose reserves used for stormwater management) roading, pedestrian and cycle links will be maintained by the Body Corporate. Land set aside for stormwater management will be vested in the Council. If the residential activity changes from being a retirement village all roads, reserves and pedestrian/cycle facilities will be vested in the Council.

Description of Amendments

DEV-WM4 FIG1



Appendix 2: List of Appearances and Tabled Evidence

List of Appearances:

Sub #	Submitter	Author	Role
DPR-0038	Peter, Bonny, Scott & Corde Rhodes		Self
DPR-0243	Roger Howard and Jillian Rosemary Marshall	Alex Brooking Ivan Thomson	Counsel Planning
DPR-0411	Hughes Developments Limited	Ian Gordon Jake Hughes Lauren White Simon De Verteuil Jamie Vertstappen Fraser Colegrave Chris Jones Sharn Hainsworth Victor Mthamo Stuart Ford Paul Smith Mark Brown	Counsel Representative Urban design Traffic Infrastructure Economics Real Estate LUC NPS-HPL Farming economics Landscape Planning
DPR-0460	Marama Te Wai Ltd / West Melton Holdings Ltd	Russell Davies Andrew Tisch Tobias Ueckermann Sharn Hainsworth Stuart Ford Victor Mthamo Fraser Colegrave Nicole Lauenstein Ivan Thomson	Representative Infrastructure Traffic LUC Farming economics NPS-HPL Economics Urban design Planning

Tabled evidence

Sub #	Submitter	Author	Role
DPR-0032	Christchurch City Council	Kirk Lightbody	Planning
DPR-0266	Richard Graham	Peter Glasson	Planning
DPR-0418	R Wilson, P Wilson, R W Wilson		
DPR-0402	Mark Brown	Mark Brown	Self
DPR-0443	GW Wilfield Limited	Kim Seaton	Planning
DPR-0446	Transpower New Zealand Ltd	Ainsley McLeod	Planning