

Proposed Selwyn District Plan



Section 42A Report

Report on submissions and further submissions

Rezoning: General – Density Increases

Jesse Aimer

20 January 2023

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List of submitters and further submitters addressed in this report

Submitter ID	Submitter Name	Abbreviation
DPR-0414	Kāinga Ora - Homes & Communities	Kāinga Ora
DPR-0362	John Ferguson	
DPR-0358	Rolleston West Residential Limited	RWRL
DPR-0363	Iport Rolleston Holdings Limited	IRHL
DPR-0374	Rolleston Industrial Holdings Limited	RIHL
DPR-0384	Rolleston Industrial Developments Limited	RIDL
DPR-0157	Kevin & Bonnie Williams	
DPR-0209	Manmeet Singh	
DPR-0298	Trices Road Re-zoning Group	Trices Road
DPR-0461	Dunweavin 2020 Ltd	
DPR-0492	Kevler Development Ltd	Kevler
DPR-0493	Gallina Nominees Ltd & Heinz-Wattie Ltd Pension Plan	Gallina & Heinz-Wattie
DPR-0565	Shelley Street Holdings Ltd	
DPR-0136	Lynn & Malcolm Stewart, Lynn & Carol Townsend & Rick Fraser	Stewart, Townsend & Fraser
DPR-0302	Alison Smith, David Boyd & John Blanchard	Smith, Boyd & Blanchard
DPR-0488	Dally Family Trust and Julia McIlraith	
DPR-0205	Lincoln University	
DPR-0424	Retirement Villages Association of New Zealand Incorporated	RVA
DPR-0425	Ryman Healthcare Limited	Ryman

Please refer to **Appendix 1** to see where each submission point is addressed within this report.

Abbreviations

Abbreviations used throughout this report are:

Abbreviation	Full text
CRPS	Canterbury Regional Policy Statement 2013
GRZ	General Residential Zone
IMP	Mahaanui Iwi Management Plan 2013
IPI	Intensification Planning Instrument
Planning Standards	National Planning Standards
LRZ	Low Density Residential Zone
MRZ	Medium Density Residential Zone
NPS-HPL	National Policy Standard for Highly Productive Land
NPS-UD	National Policy Statement on Urban Development
PDP	Proposed Selwyn District Plan
RMA or Act	Resource Management Act 1991

1. Purpose of report

- 1.1 This report is prepared under s42A of the RMA in relation to submissions seeking to rezone land in the PDP. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on this topic and to make recommendations on either retaining the PDP provisions without amendment or making amendments to the PDP in response to those submissions.
- 1.2 In preparing this report I have had regard to the [s42A report on Strategic Directions](#) prepared by Mr Robert Love, including the [Right of Reply Report](#), the [Overview s42A report](#) that addresses the higher order statutory planning and legal context, also prepared by Mr Love; the [s42A report on Urban Growth](#) prepared by Mr Ben Baird, including the [Right of Reply Report](#); and the [Rezoning Framework s42A report](#) also prepared by Mr Baird (updated version dated 1 July 2022). The recommendations are informed by the evaluation undertaken by me as the planning author. No technical information has been provided or required to support this evaluation
- 1.3 The conclusions reached and recommendations made in this report are not binding on the Hearing Panel. It should not be assumed that the Hearing Panel will reach the same conclusions having considered all the information in the submissions and the evidence to be brought before them, by the submitters.

2. Qualifications and experience

- 2.1 My full name is Jesse Aimer. I work for Harrison Grierson as a Planner. I am engaged by the Council as a consultant planner. My qualifications include a Bachelor of Laws (Honours) and Bachelor of Science majoring in Geography from the University of Otago.
- 2.2 I have four years' experience in the resource management field, three as a lawyer and one as a resource management planner, working within a multi-disciplinary consultancy. In my current role I have provided support on several DPR chapters (Sites and Areas of Significance to Māori, Signs, Ellesmere Rezoning), and am processing several resource consents within the Selwyn District.
- 2.3 I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014 and that I have complied with it when preparing this report. Having reviewed the submitters and further submitters addressed in this s42A report I advise there are no conflicts of interest that would impede me from providing independent advice to the Hearings Panel.

3. Scope of report and topic overview

- 3.1 This report considers the submissions and further submissions that were received in relation to requests to rezone land in generally throughout the Selwyn District, and is to be read alongside the area-specific rezoning reports.
- 3.2 Recommendations are made to either retain provisions without amendment, or delete, add to or amend the provisions, including any changes to the Planning Maps. All recommended amendments are shown by way of strikeout and underlining in **Appendix 2** to this Report. Footnoted references to a submitter number, submission point and the abbreviation for their title provide the scope for each recommended change. Where no amendments are recommended to a provision, submissions

points that sought the retention of the provision without amendment are not footnoted. Appendix 2 also contains a table setting out any recommended spatial amendments to the PDP Planning Maps.

4. Statutory requirements and planning framework

Resource Management Act 1991

- 4.1 The PDP must be prepared in accordance with the Council's functions under section 31 of the RMA; Part 2 of the RMA; the requirements of sections 74 and 75, and its obligation to prepare, and have particular regard to (among other things) an evaluation report under section 32 of the RMA and any further evaluation required by section 32AA of the RMA. The PDP must give effect to any national policy statement, the New Zealand Coastal Policy Statement, a national planning standard and the CRPS and must not be inconsistent with a water conservation order or a relevant regional plan. Regard is also to be given to the extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities and it must take into account the IMP.

Planning context

- 4.2 As set out in the [‘Overview’ Section 32 Report](#), [‘Overview’ s42a Report](#), and the [Urban Growth Section 32 Report](#) there are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the PDP. The planning documents that are of most relevance to the submission points addressed in this report are discussed in more detail within the [Rezoning Framework Report](#) and as such, are not repeated within this report. As set out in Mr Baird’s report¹, the purpose of the Rezoning Framework Report is to provide the Hearing Panel with a summary and analysis of the higher order statutory and planning framework relevant to the consideration of rezoning requests and to provide a platform for subsequent s42A reporting officers to use in their assessment of specific rezoning request submission points. As an independent planning expert, I have had regard to Mr Baird’s assessment and I have noted any areas of disagreement with regard to his analysis of the relevant planning framework. Unless otherwise stated, I agree with his assessment.
- 4.3 All recommended amendments to provisions since the initial s32 evaluation was undertaken must be documented in a subsequent s32AA evaluation and this has been undertaken for each sub-topic addressed in this report.

5. Procedural matters

- 5.1 At the time of writing this s42A report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic.
- 5.2 It is recognised that there are several submission points on the notified PDP seeking to rezone land within Rolleston, Lincoln and Prebbleton townships to MRZ that are affected by Variation 1. Where there is insufficient scope within the rezoning submission to incorporate MDRS in a new relevant residential zone and no qualifying matter applies, accepting the submission on the PDP will not align with the RMA-EHS (regardless of its merits). As such, it is anticipated that these submitters will lodge submissions on Variation 1 to the PDP seeking to rezone the subject land to MRZ through the ISPP

¹ Paragraph 1.1, Rezoning Framework Report

instead. On this basis, the rezoning submissions that overlap with Variation 1 will only be given a high-level planning assessment in this s42A report, with a more detailed analysis to be undertaken as part of assessing submissions lodged on Variation 1 to the PDP.

- 5.3 There are also submission points to the notified PDP seeking to rezone land in other townships. These submission points relate to specific spatial areas in these townships and there are corresponding submission points being considered in those re-zoning topics. The consideration of those is more appropriate in those topics as they can be considered in the specific context of the township and other requests for rezoning the area. On this basis, the rezoning submissions that overlap with other area specific rezoning topics will only be given a high-level planning assessment in this s42A report, with a more detailed analysis to be undertaken as part of assessing submissions lodged on the area specific rezoning topics.
- 5.4 In accordance with Minute 19 of the Hearings Panel, all submitters requesting rezoning were requested to provide their expert evidence for the rezoning hearings, including a s32AA evaluation report, by 5 August 2022. Further submitters supporting or opposing any rezoning request were similarly requested to file their expert evidence by 2 September 2022. Evidence received within these timeframes, or as otherwise agreed by the Chair, has been considered in the preparation of this s42A report. Any evidence received outside of these timeframes may not have been taken into account in formulating recommendations. However, submitters do have an opportunity to file rebuttal evidence no later than 10 working days prior to the commencement of the relevant hearing, following receipt of the Council's s42A report.
- 5.5 Submission points addressed in this report are not affected by the Council's Intensification Planning Instrument (IPI), which is currently being progressed through a streamlined planning process.

6. Consideration of submissions

Matters addressed in this report

- 6.1 This report considers submissions that were received by the Council in relation to the zoning of land generally throughout the Selwyn District that did not form part of the area-specific rezoning reports, and forms part of the submissions seeking rezoning across the PDP. Provisions relating to subdivision and land use activities within these zones have been dealt with in separate s42A reports considered in earlier hearings. As such, the scope of this report is limited to the geographic extent and appropriateness of the zone that is subject to submission, unless a new zone and/or set of provisions is proposed as part of the rezoning request.

7. Requests to rezone GRZ around Centres to MRZ across Rolleston, Lincoln, Prebbleton and Darfield

Submissions

- 7.1 Six submission points and sixty-two further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested	
DPR-0414	Kāinga Ora	123	SUB-REQ2	Support In Part	Amend Table SUB-4 as follows:	
					Table SUB-4 – Minimum <u>building square dimensions</u>	
					Zone	Minimum average net site area
					Large Lot Residential Zone	15m x 15m
					Low Density Residential Zone	15m x 15m
					General Residential Zone	10m x 15m
					Medium Density Residential Zone	8m x 15m
					Settlement Zone	15m x 15m
					General Rural Zone	15m x 15m
					Commercial and Mixed Use Zones	15m x 15m
					General Industrial Zone	15m x 15m
					Grasmere Zone	15m x 15m
					Knowledge Zone	15m x 15m
					Maori Purpose Zone	15m x 15m
					Port Zone	15m x 15m
Terrace Downs Zone	15m x 15m					
DPR-0157	Kevin & Bonnie Williams	FS189	SUB-REQ2	Oppose In Part		
DPR-0209	Manmeet Singh	FS379	SUB-REQ2	Oppose In Part		
DPR-0298	Trices Road	FS149	SUB-REQ2	Oppose In Part		
DPR-0461	Dunweavin 2020 Ltd	FS175	SUB-REQ2	Oppose In Part		
DPR-0492	Kevler	FS545	SUB-REQ2	Oppose In Part		
DPR-0493	Gallina & Heinz-Wattie	FS169	SUB-REQ2	Oppose In Part		
DPR-0565	Shelley Street Holdings Ltd	FS060	SUB-REQ2	Support In Part		
DPR-0414	Kāinga Ora	425	Rezoning	Oppose	Amend the planning maps to rezone residential properties within approximately an 800m walkable catchment from the edge of the proposed Town Centre Zone in Rolleston from General Residential Zone to Medium Density Residential Zone. Refer to original submission for full decision requested, including attachments.	
DPR-0136	Stewart, Townsend & Fraser	FS092	Rezoning	Oppose		
DPR-0157	Kevin & Bonnie Williams	FS309	Rezoning	Oppose In Part		
DPR-0209	Manmeet Singh	FS045	Rezoning	Oppose In Part		
DPR-0298	Trices Road	FS1042	Rezoning	Oppose In Part		
DPR-0302	Smith, Boyd & Blanchard	FS109	Rezoning	Oppose		

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0461	Dunweavin 2020 Ltd	FS890	Rezoning	Oppose In Part	
DPR-0488	Dally Family Trust and Julia McIlraith	FS092	Rezoning	Oppose In Part	
DPR-0492	Kevler	FS682	Rezoning	Oppose In Part	
DPR-0493	Gallina & Heinz-Wattie	FS349	Rezoning	Oppose In Part	
DPR-0565	Shelley Street Holdings Ltd	FS222	Rezoning	Support In Part	
DPR-0414	Kāinga Ora	426	Rezoning	Oppose	Amend the planning maps to rezone residential properties within approximately an 400m walkable catchment from the edge of the proposed Town Centre Zone in Lincoln from General Residential Zone to Medium Density Residential Zone. Refer to original submission for full decision requested, including attachments.
DPR-0136	Stewart, Townsend & Fraser	FS093	Rezoning	Oppose	
DPR-0157	Kevin & Bonnie Williams	FS310	Rezoning	Oppose In Part	
DPR-0205	Lincoln University	FS010	Rezoning	Support	
DPR-0209	Manmeet Singh	FS046	Rezoning	Oppose In Part	
DPR-0298	Trices Road	FS1043	Rezoning	Oppose In Part	
DPR-0302	Smith, Boyd & Blanchard	FS110	Rezoning	Oppose	
DPR-0434	Lincoln University	FS010	Rezoning	Support	
DPR-0461	Dunweavin 2020 Ltd	FS891	Rezoning	Oppose In Part	
DPR-0488	Dally Family Trust and Julia McIlraith	FS093	Rezoning	Oppose In Part	
DPR-0492	Kevler	FS683	Rezoning	Oppose In Part	
DPR-0493	Gallina & Heinz-Wattie	FS350	Rezoning	Oppose In Part	
DPR-0414	Kāinga Ora	427	Rezoning	Oppose	Amend the planning maps to rezone residential properties within approximately a 400m walkable catchment from the edge of the proposed Local Centre Zone in Prebbleton from General Residential Zone to Medium Density Residential Zone. Refer to original submission for full decision requested, including attachments.
DPR-0136	Stewart, Townsend & Fraser	FS094	Rezoning	Oppose	

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested	
DPR-0157	Kevin & Bonnie Williams	FS311	Rezoning	Oppose In Part		
DPR-0209	Manmeet Singh	FS047	Rezoning	Oppose In Part		
DPR-0298	Trices Road	FS1044	Rezoning	Oppose In Part		
DPR-0302	Smith, Boyd & Blanchard	FS111	Rezoning	Oppose		
DPR-0461	Dunweavin 2020 Ltd	FS892	Rezoning	Oppose In Part		
DPR-0488	Dally Family Trust and Julia McIlraith	FS094	Rezoning	Oppose In Part		
DPR-0492	Kevler	FS684	Rezoning	Oppose In Part		
DPR-0493	Gallina & Heinz-Wattie	FS351	Rezoning	Oppose In Part		
DPR-0414	Kāinga Ora	434	New	Neither Support Nor Oppose	Insert new Medium Density Residential Zone (MRZ). Refer to original submission for full decision requested, including attachments.	
DPR-0136	Stewart, Townsend & Fraser	FS101	New	Oppose		
DPR-0157	Kevin & Bonnie Williams	FS319	New	Oppose In Part		
DPR-0209	Manmeet Singh	FS264	New	Oppose In Part		
DPR-0298	Trices Road	FS1051	New	Oppose In Part		
DPR-0302	Smith, Boyd & Blanchard	FS11	New	Oppose		
DPR-0358	RWRL	FS253	New	Oppose		
DPR-0384	RIDL	FS253	New	Oppose		
DPR-0424	RVA	FS003	New	Oppose In Part		
DPR-0425	Ryman Healthcare Limited	FS003	New	Oppose In Part		
DPR-0461	Dunweavin 2020 Ltd	FS899	New	Oppose In Part		
DPR-0488	Dally Family Trust and Julia McIlraith	FS101	New	Oppose In Part		
DPR-0492	Kevler	FS691	New	Oppose In Part		
DPR-0493	Gallina & Heinz-Wattie	FS358	New	Oppose In Part		
DPR-0565	Shelley Street Holdings Ltd	FS221	New	Support In Part		
DPR-0414	Kāinga Ora	438	SUB-REQ1	Support In Part	Amend Table SUB-2 as follows: <table><tr><td>Table SUB-2 - Minimum building square dimensions</td></tr></table>	Table SUB-2 - Minimum building square dimensions
Table SUB-2 - Minimum building square dimensions						

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested	
					Zone building dimensions	Minimum square dimensions
					Large Lot Residential Zone	3000m ²
					Low Density Residential Zone, in Castle Hill	600m ²
					General Residential Zone, in Castle Hill	350m ²
					General Residential Zone, other than in Castle Hill	500m ²
					Medium Density Residential Zone	200m ²
					Settlement Zone	800m ²
DPR-0157	Kevin & Bonnie Williams	FS323	SUB-REQ1	Oppose In Part		
DPR-0209	Manmeet Singh	FS268	SUB-REQ1	Oppose In Part		
DPR-0298	Trices Road	FS307	SUB-REQ1	Oppose In Part		
DPR-0358	RWRL	FS127	SUB-REQ1	Support		
DPR-0363	IRHL	FS127	SUB-REQ1	Support		
DPR-0374	RIHL	FS127	SUB-REQ1	Support		
DPR-0384	RIDL	FS127	SUB-REQ1	Support		
DPR-0461	Dunweavin 2020 Ltd	FS385	SUB-REQ1	Oppose In Part		
DPR-0492	Kevler	FS695	SUB-REQ1	Oppose In Part		
DPR-0493	Gallina & Heinz-Wattie	FS362	SUB-REQ1	Oppose In Part		
DPR-0565	Shelley Street Holdings Ltd	FS199	SUB-REQ1	Support In Part		

Analysis

- 7.2 Kāinga Ora² have requested that MRZ is introduced into the PDP. The submission point³ specifically requests MRZ is introduced to areas around the town centres for Rolleston, Lincoln, Prebbleton and Darfield. The locations requested are addressed below, with MRZ requests in Rolleston, Lincoln and Prebbleton being grouped together, and Darfield being addressed separately.
- 7.3 Kāinga Ora⁴ request the insertion of a new MRZ in parts of Rolleston, Prebbleton and Lincoln. As outlined in Section 5 above, 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. The substantive merits of whether a MRZ is appropriate in the locations outlined in the submissions⁵ is being determined through the Variation 1 process. Kāinga Ora's planning

² DPR-0414.434 - Kāinga Ora

³ DPR-0414.434 - Kāinga Ora

⁴ DPR-0414.425, .0426 & .0427 - Kāinga Ora

⁵ DPR-0414.425, .0426 & .0427 - Kāinga Ora

evidence⁶ has stated that Kāinga Ora intends to address MRZ rezoning requests for these townships in submissions and evidence on the Variation⁷. Kāinga Ora's submission on Variation 1 (V1-0113) has not been considered for the purpose of this report.

- 7.4 Kāinga Ora⁸ request generally in their submission point DPR-0414.0434 that MRZ be applied to areas⁹ around the Darfield TCZ. Subsequent Planning evidence has been provided¹⁰ to support the request for MRZ. However, a separate specific submission point¹¹ from Kāinga Ora has also sought MRZ be applied around the Darfield TCZ¹². This specific submission point is being addressed in the Malvern Rezoning Topic s42A report and will be heard as part of the hearing for that topic. It is my view that the full analysis of whether MRZ is appropriate in Darfield is best to be addressed Malvern Rezoning Topic to enable the context of other rezoning requests in Darfield to be considered. Kāinga Ora's submission point DPR-0414.0434 can still be addressed in this report as a general request, with specific point¹³ being addressed in the Malvern Rezoning Topic reporting.
- 7.5 Kāinga Ora has not provided any evidence (not including V1-0113) to demonstrate the need for MRZ in the townships or what the impacts of MRZ in these locations would be. Even if a need were to be established, potential issues and constraints have not been addressed, nor has it been explained how development within the MRZ would integrate with surrounding areas and what infrastructure¹⁴ provision is required or where. As such, it is considered that, at this stage, there is insufficient information and no evidence to determine whether the actual and potential effects of the rezoning are satisfactory and to enable the substantive merits of the rezoning request to be evaluated. Accordingly, it is considered that granting the relief sought by the submitters would be contrary to Chapter 6 of the RPS and Objectives 1 and 3 of the NPS-UD. However, it is important to note that this recommendation has no bearing on the merits of the evidence provided and rezoning sought by Kāinga Ora through the Variation 1 process.
- 7.6 Kāinga Ora¹⁵ has also requested consequential amendments to Subdivision provisions where MRZ is applied. This may be an appropriate change if MRZ is considered appropriate. As outlined in this report consideration of MRZ and any consequential provision changes need to be determined through the Variation 1 process.
- 7.7 On the basis of the above assessment, I recommend the submission points¹⁶ rejected for the following reasons:

⁶ DPR-0414 Kāinga Ora - Homes & Communities - Statement of Joe Jeffries (Planning), Paragraph 5.5

⁷ V1-0113 Kāinga Ora - Homes & Communities

⁸ DPR-0414.434 - Kāinga Ora

⁹ Within approximately a 400m walkable catchment from the edge of the Centre Zoning

¹⁰ DPR-414 Kāinga Ora - Homes & Communities - Statement of Joe Jeffries (Planning)

¹¹ DPR-0414.432 - Kāinga Ora

¹² DPR-0414.431 - Kāinga Ora – request that the Darfield is TCZ is amended to LCZ

¹³ DPR-0414.432 - Kāinga Ora

¹⁴ Three water services, transport (roading connections, cycling/pedestrian linkages), reserves

¹⁵ DPR-414.123 & .438 - Kāinga Ora

¹⁶ DPR-0414.123, 425, .0426, .0427 and .0438 - Kāinga Ora

7.7.1 There is insufficient information and no evidence to enable the substantive merits of the rezoning request to be evaluated, which should be determined through a future spatial planning exercise.

7.7.2 The request for a GRZ is also rejected on the grounds that this zoning framework has been superseded by Variation 1 and any changes to where the MRZ are applied should be evaluated through that process.

Recommendation

7.8 I recommend, for the reasons given above, that the Hearings Panel retain the provision as notified.

7.9 It is recommended that submissions and further submissions are either accepted, accepted in part, or rejected as shown in **Appendix 1**.

8. Requests to rezone LRZ to GRZ across the District

Submissions

8.1 One submissions point and four further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0362	John Ferguson	2	SUB-REQ1	Oppose	Delete all LRZ and replace with GRZ and amend all provisions accordingly.
DPR-0358	RWRL	FS123	SUB-REQ1	Support	
DPR-0363	IRHL	FS123	SUB-REQ1	Support	
DPR-0374	RIHL	FS123	SUB-REQ1	Support	
DPR-0384	RIDL	FS123	SUB-REQ1	Support	

Analysis

8.2 John Ferguson¹⁷ requests that LRZ in PDP is removed in its entirety and replaced by GRZ. However, Mr Ferguson's Statement of Evidence¹⁸ outlines that his submission point to replace LRZ with GRZ relates to Leeston only. This issue was also raised by other submitters¹⁹ and has been addressed in the Ellesmere Rezoning Topic. Within the assessment of the Ellesmere rezoning requests the relief sought to replace LRZ with GRZ in Leeston was supported and recommended to be accepted. The Hearing Panel has yet to hear and consider the Ellesmere Rezoning Topic, but that s42A report provides a more detailed analysis of the requests to rezoned LRZ to GRZ in Leeston in the context of all the zoning requests for Leeston and Ellesmere and is adopted for the purposes of this report.

8.3 In relation to Mr Ferguson's original, and much broader, submission point,²⁰ no evidence has been provided to demonstrate that LRZ is not an appropriate zone in some locations and townships, or what the impacts of increased GRZ in any given location would be. Even if it was established that LRZ was an appropriate zone, potential issues and constraints have not been addressed in any given

¹⁷ DPR-0362-002 – John Ferguson

¹⁸ DPR-0362-002 – John Ferguson – Statement of Evidence, Paragraph 8.

¹⁹ DPR-414.429- Kāinga Ora and DPR-0364.001, .002 & .003 - B.A. Freeman Family Trust

²⁰ To delete all LRZ and replace with GRZ and amend all provisions accordingly.

location, nor what infrastructure²¹ provision is required or where. Accordingly, it is considered that granting the relief sought by the submitter would be inconsistent with Chapter 5²² of the RPS and Objectives 1 and 3 of the NPS-UD as there is no ability to assess whether such a change:

- 8.3.1 would give rise to a well-functioning urban environment;
 - 8.3.2 could be serviced or integrated with infrastructure; or
 - 8.3.3 would maintain or enhance the amenity values and quality of the environment in any given location.
- 8.4 On the basis of the above assessment, I recommend that the submission point be rejected for the following reasons:
- 8.4.1 There is insufficient information and no evidence to determine whether the actual and potential effects of the request are satisfactory and to enable the substantive merits of the rezoning request to be evaluated.
 - 8.4.2 Granting the relief would be inconsistent with the Urban Growth Objectives and Policies of the PDP; Chapters 5 and 6 of the RPS and Objectives 1 and 3 of the NPS-UD.
- 8.5 It is noted that Mr Ferguson’s Statement of Evidence specifically related to Leeston in terms of the relief sought to Change the LRZ to GRZ. However, the submission point²³ is broader than that and so is wholly rejected. Mr Ferguson’s desired relief in relation to amend the LRZ to GRZ in Leeston will have to rely on the recommendations in relation to those other similar submissions²⁴ and the Hearing Panel’s consideration of those.

Recommendation

- 8.6 I recommend, for the reasons given above, that the Hearings Panel retain the zoning as notified.
- 8.7 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

9. Conclusion

- 9.1 For the reasons set out throughout this report, I consider that the provision as notified remain the most efficient and effective way to achieve the purpose of the RMA, the relevant objectives of this plan and other relevant statutory documents.

²¹ Three water services, transport (roading connections, cycling/pedestrian linkages), reserves

²² CPRS Objectives 5.2.1 and 5.2.2 and Policies 5.3.1, 5.3.2, 5.3.3, 5.35.5.3.6, 5.3.7 and 5.3.8

²³ DPR-0362-002 – John Ferguson

²⁴ DPR-414.429- Kāinga Ora and DPR-0364.001, .002 & .003 - B.A. Freeman Family Trust