

Proposed Selwyn District Plan



Section 42A Report

Report on submissions and further submissions

Rezoning: Lincoln

Vicki Barker

20 December 2022

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List of submitters and further submitters addressed in this report

| Submitter ID | Submitter Name | Abbreviation |
|--------------|---|-----------------|
| DPR-0024 | Heather Jonson | |
| DPR-0032 | Christchurch City Council | |
| DPR-0083 | Neil Flux | |
| DPR-0056 | Broadfield Estates Limited | |
| DPR-0083 | Neil Flux | |
| DPR-0136 | Lynn & Malcolm Stewart, Lynn & Carol Townsend, & Rick Fraser | STF |
| DPR-0150 | Barry Moir | |
| DPR-0163 | Mikyung Jang | |
| DPR-0164 | Inwha Jung | |
| DPR-0176 | Brent Macaulay & Becky Reid | |
| DPR-0191 | Alistair King | |
| DPR-0202 | T & K Hopper, B & R Jacques, B & F McKeich, R & S Silcock, D & K Perrott, T Richardson & H Carmichael | Hopper & Others |
| DPR-0205 | Lincoln University | |
| DPR-0209 | Manmeet Singh | |
| DPR-0213 | New Zealand Institute for Plant and Food Research Limited (Plant and Food) & Landcare Research (Landcare) | Plant & Food |
| DPR-0219 | Lester & Dina Curry | |
| DPR-0245 | Brendan Herries | |
| DPR-0246 | Craig Robertson | |
| DPR-0273 | Derek Hann | |
| DPR-0275 | E Salins | |
| DPR-0342 | AgResearch Limited | |
| DPR-0351 | Next Level Developments Ltd - Shane Kennedy | |
| DPR-0352 | Next Level Developments Ltd - Shane Kennedy | |
| DPR-0375 | Waka Kotahi NZ Transport Agency | |
| DPR-0378 | The Ministry of Education | |
| DPR-0384 | Rolleston Industrial Developments Limited | RIDL |
| DPR-0392 | CSI Property Limited | |
| DPR-0396 | Woolworths New Zealand Limited | |
| DPR-0431 | Lance Roper | |
| DPR-0434 | Lincoln University | |
| DPR-0435 | Daire Limited, Alistair King | |
| DPR-0438 | Robert Barker | |
| DPR-0446 | Transpower New Zealand Limited | |
| DPR-0450 | Lance Roper | |
| DPR-0496 | BHL Trust | |
| DPR-0499 | Phillip Long | |
| DPR-0501 | Susan Hudson | |
| DPR-0502 | Jennifer McLaughlin | |
| DPR-0520 | Ron van Toor and Ruth Butler | |
| DPR-0519 | Dee-Ann Bolton | |
| DPR-0528 | Nicole and Ben Schon | |
| DPR-0531 | M & A Wright | |
| DPR-0535 | Sue Hobby | |
| DPR-0562 | Richard Bolton | |
| DPR-0572 | Cooke Family Trust | |
| DPR-0590 | Margaret Elizabeth Barratt | |

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 |
|--------------|--|
| CRC | Canterbury Regional Council |
| CRPS | Canterbury Regional Policy Statement 2013 |
| DPR | District Plan Review |
| DSI | Detailed Site Investigation |
| EI Chapter | Energy and Infrastructure Chapter |
| GRZ | General Residential Zone |
| GRUZ | General Rural Zone |
| HAIL | Hazardous Activities and Industries List |
| IMP | Iwi Management Plan |
| IPi | Intensification Planning Instrument |
| LLRZ | Large Lot Residential Zone |
| MDRS | Medium Density Residential Standards |
| MRZ | Medium Density Residential Zone |
| MRZ (ILE) | Medium Density Residential Zone (Immediate Legal Effect) |
| MUL | Metropolitan Urban Limits |
| NCZ | Neighbourhood Centre Zone |
| NPS-HPL | National Policy Statement for Highly Productive Land 2022 |
| NPS-UD | National Policy Statement on Urban Development |
| ODP | Outline Development Plan |
| Operative DP | Operative Selwyn District Plan |
| PC | Plan Change |
| PDP | Proposed Selwyn District Plan |
| PSI | Preliminary Site Investigation |
| RMA or Act | Resource Management Act 1991 |
| RMA-EHS | Resource Management Act (Enabling Housing Supply and Other Matters) Amendment Act 2021 |
| RRS14 | Rural Residential Strategy 2014 |
| SDC | Selwyn District Council |
| UGO | Urban Growth Overlay |
| Variation 1 | Variation 1 (Intensification Planning Instrument) to the Proposed Selwyn District Plan |

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 Proposed Selwyn District Plan (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 both the technical information provided by Mat Collins (Transport), Derek Foy (Economics), Murray England (Infrastructure), Ian McCahon (Geotechnical), Rowan Freeman (Contaminated Land), and Hugh Nicholson (Urban Design) (see **Appendix 3**) and the evaluation undertaken by myself as the planning author.
- 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 Vicki Ann Barker. I have been engaged by the Council as a consultant planner. My qualifications include a Bachelor of Science and a Masters of Planning Practice (Hons) from the University of Auckland.
- 2.2 I have 25 years' experience as a resource management planner, with this work including central government, local government and private consultancy experience. I am the Managing Director of Barker Planning, a consultancy based in Christchurch. Prior to establishing Barker Planning I was a Senior Policy Advisor in the Resource Management Practice Team at the Ministry for the Environment and was principally involved in earthquake recovery related policy matters, RMA reform, and RMA best practice advice. I have also held planning roles within local government, at multidisciplinary global engineering firms, and at a Christchurch based planning consultancy.
- 2.3 I was engaged as a consultant to the Canterbury Earthquake Recovery Authority (CERA) to assist with the Crown response to the Christchurch Replacement District Plan process. In this role I was involved in co-ordinating government department submissions, further submissions, and producing and presenting evidence on behalf of the Crown at the Christchurch Replacement District Plan Hearings.
- 2.4 I have been engaged by Selwyn District Council since 2017 assisting with the Proposed Selwyn District Plan Review. I was responsible for the drafting of the Noise and Special Purpose Dairy

Processing Zone Chapters, managed the Signs and Light Chapters as Topic Lead, and latterly was involved in drafting of the Light Chapter. I was also an interim Topic Lead in relation to the Transport Chapter. I also had input into the drafting of the emergency services, airfield and West Melton Aerodrome provisions of the Energy and Infrastructure (EI) Chapter, and recently prepared the s42A reports for the EI, Light and Noise Hearings. I have prepared the s42a report for the Rolleston Rezoning submissions in addition to this report.

- 2.5 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 Lincoln.
- 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, submission 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, 75 and 77G, and its obligation to prepare, and have particular regard to (among other things) an evaluation report under sections 32 and 77J and any further evaluation required by section 32AA. 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 Iwi Management Plan (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 agree with his analysis of the relevant planning framework.

- 4.3 In addition, and of particular relevance to the submission points addressed in this s42A report, is the notification of Variation 1 to the PDP, which is the Council's Intensification Planning Instrument (IPI) prepared in response to the Resource Management Act (Enabling Housing Supply and Other Matters) Amendment Act 2021 (RMA-EHS). The IPI is to be processed in accordance with the Intensification Streamlined Planning Process (ISPP), alongside the completion of the PDP hearings process. As outlined in the supporting [Section 32 evaluation](#), the purpose of the RMA-EHS is to enable greater housing choice within five of the largest urban environments in New Zealand, including Selwyn district. This is to be achieved through the introduction of mandatory medium density residential standards (MDRS) within a new Medium Density Residential Zone (MRZ) in the Rolleston, Lincoln, and Prebbleton townships. The MDRS allows for the establishment of up to three residential units, each up to three storeys high (11 metres) on most sites without the need for a resource consent. Exemptions apply based on identified qualifying matters, such as heritage areas and protecting nationally significant infrastructure, but it is otherwise mandatory to apply MDRS to relevant residential zones.
- 4.4 Variation 1 to the PDP introduces a new MRZ on the following land:
- All the existing General Residential Zone (GRZ) in Rolleston, Lincoln and Prebbleton;
 - Land covered by the following Council-approved private plan changes (PC) to the Operative District Plan (Operative DP): PC68 and PC72 in Prebbleton, PC69 in Lincoln, and PC71, PC75, PC76 and PC78 in Rolleston;
 - The Housing Accords and Special Housing Area (HASHA) and COVID-19 Recovery (Fast-track Consenting) areas in Rolleston;
 - 47 hectares of rural land (on six different sites) within the Future Development Area (FUDA) that are in between existing residential and PC areas in Rolleston.
- 4.5 The MRZ has immediate legal effect from the date of notification of Variation 1 (20 August 2022) where it applies to existing GRZ within these townships. Where new MRZ land is proposed to be rezoned through Variation 1, the proposed MRZ does not have immediate legal effect.
- 4.6 The National Policy Statement for Highly Productive Land (NPS-HPL) came into force on 17 October 2022 to provide national direction on how highly productive land is protected from inappropriate subdivision and development.² The NPS-HPL has immediate legal effect and applies to land identified as LUC Class 1, 2 or 3, as mapped by the New Zealand Land Resource

¹ Paragraph 1.1, Rezoning Framework Report

² <https://environment.govt.nz/assets/publications/National-policy-statement-highly-productive-land-sept-22-dated.pdf>

Inventory (or any more detailed mapping that uses the LUC classification). The existing Canterbury Maps LUC data has been used as the basis for analysis against the NPS-HPL for the purposes of this report. This data applies until the maps containing the highly productive land of the Canterbury Region are prepared under Clause 3.5(1). Regional councils are required to map highly productive land in a general rural zone which is predominantly LUC 1, 2 or 3 land, and which forms a large and geographically cohesive area, by no later than 17 October 2025.

- 4.7 The NPS-HPL is specifically relevant to 'urban rezoning', which it defines as a change from a general rural zone to an 'urban zone' that is inclusive of the GRZ and LLRZ.³ Clause 3.5(7) identifies that the NPS-HPL applies to all general rural zone land that is LUC 1, 2 and 3, but is not identified for future urban development (i.e. outside the UGO), or subject to a Council initiated, or an adopted notified PC to rezone land from general rural to urban or rural lifestyle.
- 4.8 The NPS-HPL objective requires that highly productive land is protected for use in land-based primary production. These outcomes are supported by policies that recognise highly productive land as a finite resource that needs to be managed in an integrated way (Policy 2). The urban rezoning of highly productive land (Policy 5), its use for rural lifestyle living⁴ (Policy 6) and subdivision (Policy 7) are required to be avoided, except as provided in the NPS-HPL.
- 4.9 NPS-HPL Part 3 Clause 3.6 requires that Tier 1 and 2 territorial authorities can only allow the urban rezoning⁵ of highly productive land where it is required to meet housing demand (under the NPS-UD), 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. Clause 3.7 requires territorial authorities to avoid the rezoning of highly productive land as rural lifestyle, except where the exemptions in Clause 3.10 are satisfied.
- 4.10 Most of the general rural land surrounding Lincoln is classed as LUC 1 or 2 soils as illustrated in **Figure 1** below. The NPS-HPL and LUC 1, 2 or 3 land is identified in the following evaluation only where the land is not within the UGO and/or is not already subject to the proposed MRZ.

³ NPS-HPL - Part 1: Preliminary provisions, 1.3 Interpretation - 'Urban rezoning'

⁴ Refer to the Rural Lifestyle Zone (RLZ) in the National Planning Standards 2019, 8. Zone Framework Standard, Table 13 Pg.37.

⁵ NPS-HPL - 1.3 Interpretation, Urban rezoning means changing from the general rural or rural production zone to an urban zone.

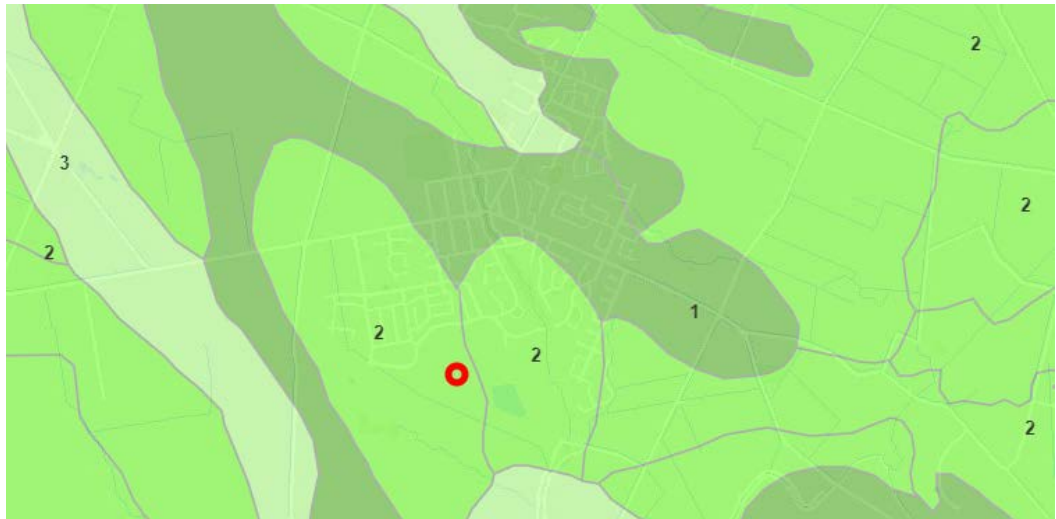


Figure 1: LUC Class 1, 2 and 3 soils in relation to Lincoln. Source: Canterbury Maps

- 4.11 It is also noted that 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 where relevant.

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 a number of submissions on the notified PDP seeking to rezone land within Rolleston, Lincoln and Prebbleton townships to GRZ 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 have lodged submissions on Variation 1 to the PDP seeking to rezone the subject land to MRZ through the ISPP 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 the IPI.
- 5.3 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, except where the potential overlap of rezoning submissions with the notification of the IPI means that only a high-level planning assessment will be undertaken in this s42A report (as outlined above). 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.

- 5.4 Ms Fiona Aston submitted a Memorandum to the Hearing Commissioner dated 29 August 2022 seeking to submit further expert evidence by 14 September 2022 in support of submission DPR-0136. The Memorandum states that the further evidence pertains to: geotechnical; site contamination; infrastructure; traffic matters; and an Outline Development Plan. Minute 26 issued by the Independent Commissioner granted an extension and required the evidence described in paragraph 3 of Ms Aston's Memoranda to be filed with Council no later than 14 September 2022.
- 5.5 Submitter DPR-0136 subsequently filed further evidence on 14 September 2022. Ms Aston's request seeking an extension for late evidence did not include evidence relating to highly productive land, however evidence on this matter was also submitted on 14 September 2022, as well as addendums to original evidence filed on 5 August 2022. This evidence has been considered in this report, but the Panel may consider the NPS-HPL evidence in particular to be out of scope.
- 5.6 Correspondence has been received from Jill Gordon and Ross Thomas dated 11 September 2022 setting out a summary of their position with respect to the requested rezoning of 1137 Springs Road sought by submitter DPR-0136. Ms Gordon and Mr Thomas are the owners of 1137 Springs Road and strongly oppose the proposed rezoning of their land to GIZ. They advise that it is improbable they will cooperate in any development. They also question the process taken by the submitters and their consultants in terms of the changes to the proposal since the original submission, and question whether the evidence is admissible. This is a procedural question for the Panel. The parties are not original or further submitters but it is considered warranted to bring their concerns to the Panel's attention as they are land owners directly affected by the submitter's proposal.

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 in Lincoln 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.

Overview of Lincoln

- 6.2 The proposed township boundaries are denoted by blue dashed lines on the PDP map below and consists of LLRZ, KNOZ, GIZ, NCZ, TCZ, MRZ (ILE) which has replaced GRZ, and MRZ. A LLRZ area sits outside but adjoining the south-western township boundary. The township is

otherwise surrounded by GRUZ land. Springston is the nearest township approximately 2.2km to the west.

- 6.3 As mentioned at paragraph 4.3, Variation 1 to the PDP introduces a new MRZ and associated MDRS as required by the RMA-EHS. The new MRZ applies to that land in Lincoln detailed at paragraph 4.4, which includes existing GRZ in Lincoln and the PC69 area (discussed further below). The PDP Maps identify where the MRZ has immediate legal effect (MRZ(ILE)) as of 20 August 2022, and the areas where MRZ is subject to the Variation 1 process whereby Council must notify a decision by 20 August 2023.

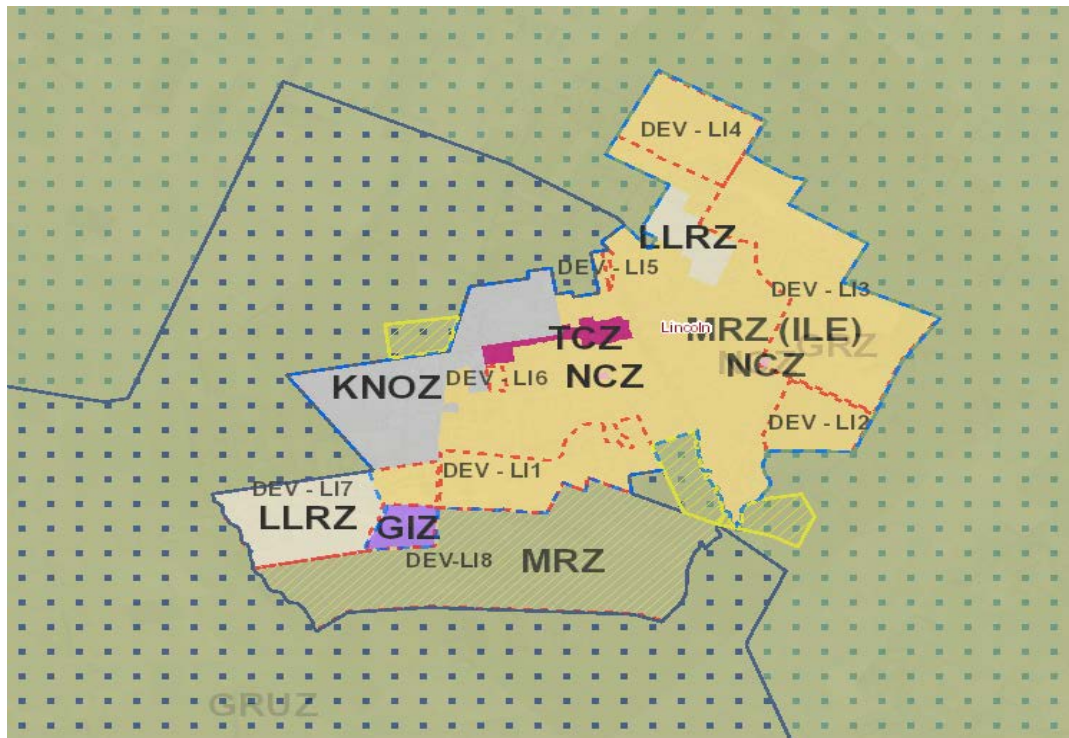


Figure 2: PDP Variation 1 Zoning Map of the Lincoln Area. Source: PDP Maps

- 6.4 The PC's which have been through a public consultation process and have been decided by Council are proposed to be varied to align with the new MDRS. PC69 was approved on 8 June 2022 and hence is subject to a Council Variation. The decision to approve PC69 was appealed to the Environment Court on 4 August 2022 by Lincoln Voice Incorporated who oppose the decision in its entirety. The three key issues raised in the notice of appeal are the reliance on the NPS-UD to justify unplanned and non-integrated development, failure to give effect to the CRPS, and the loss of highly productive land.

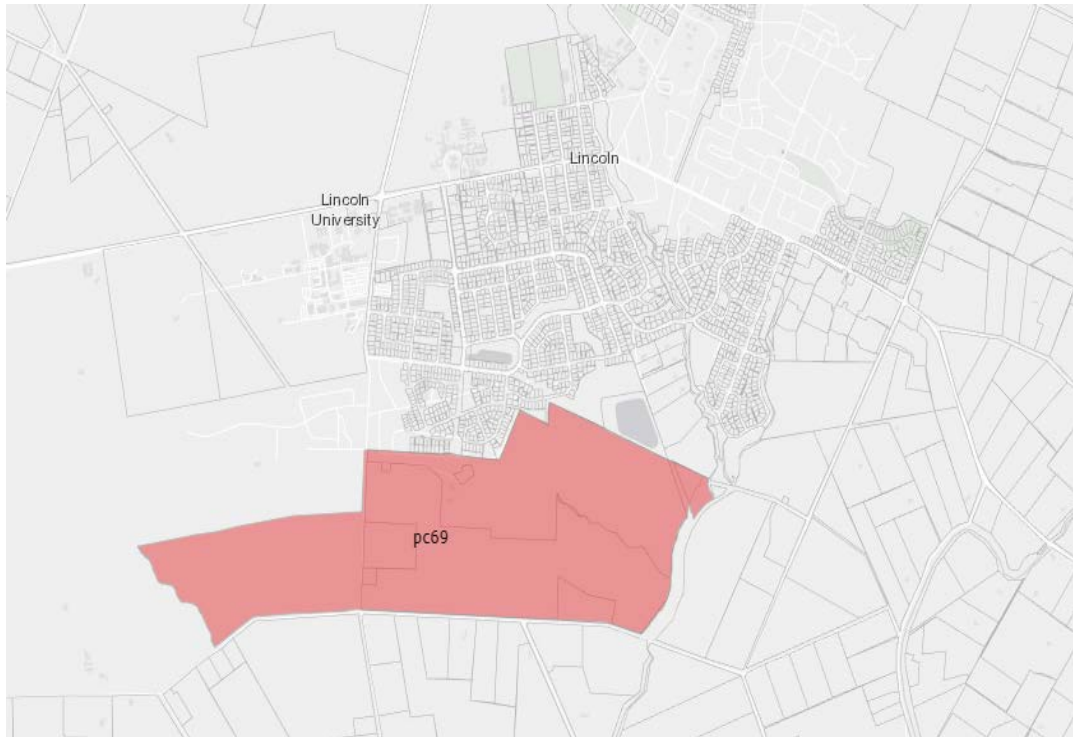


Figure 3: PC69 Area. Source: Selwyn Plan Changes⁶

- 6.5 Canterbury Regional Policy Statement (CRPS) Map A shows the Greenfield Priority Areas - Residential (green) and Business (blue). No Future Development Areas (orange) have been identified for Lincoln.

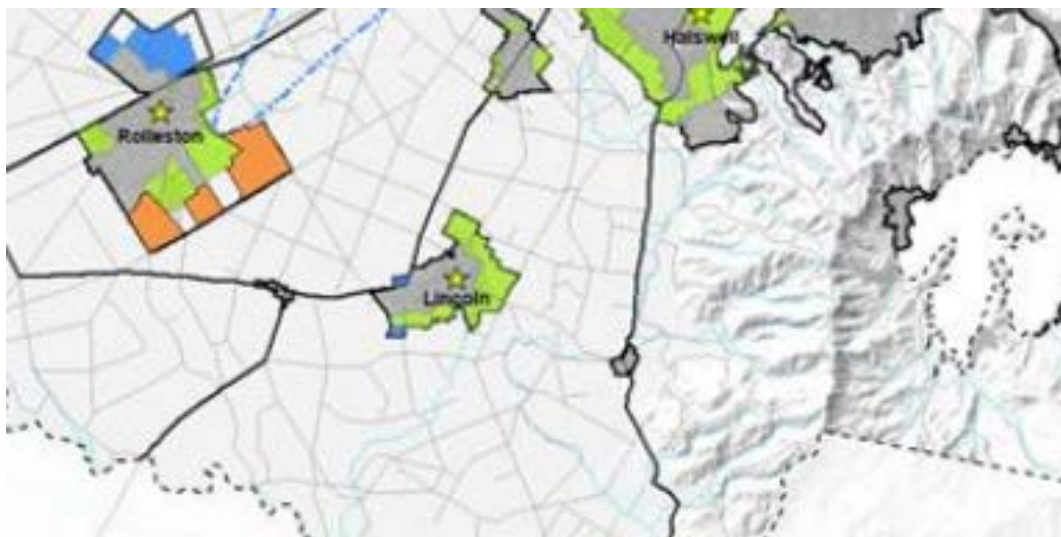


Figure 4: Map A. Source: CRPS

- 6.6 The Lincoln Structure Plan (May 2008) is a high-level plan which provides an urban design vision for the Lincoln Township to 2041. The identified residential development area is more constrained than the PDP proposed MRZ, and does not include the PC69 area to the south and south-west of the township, or the LLRZ area to the south-west.

⁶ <https://www.selwyn.govt.nz/property-and-building/planning/strategies-and-plans/selwyn-district-plan/plan-changes>

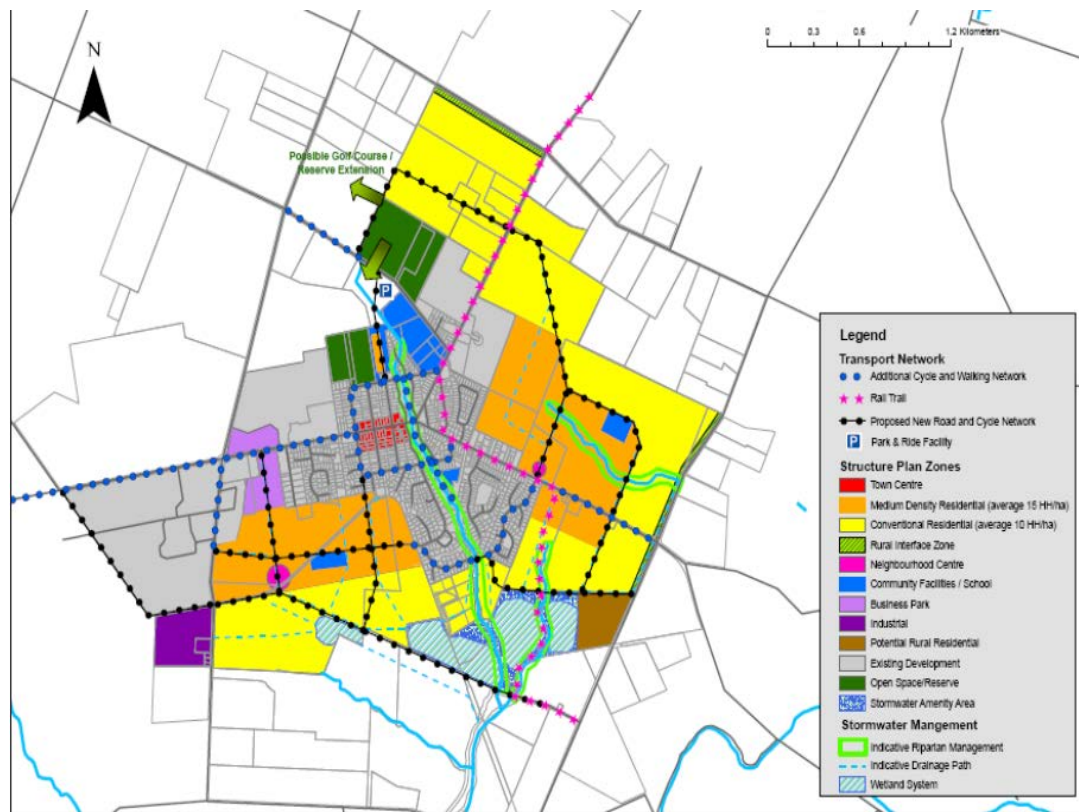


Figure 5: Lincoln Structure Plan. Source: Lincoln Structure Plan (May 2008)

- 6.7 The Rural Residential Strategy 2014 (RRS14) was developed to provide guidance and policy direction on how to best manage rural residential development (0.3ha to 2ha lots at an average density of 1-2 households per hectare). Four areas are identified within Lincoln as suitable for rural-residential development as follows:

| Area | Legal Description (as per the RRS14) | Area (ha) | PDP Zoning |
|------------------------------|--|-----------|-------------------|
| Area 10 - Verdeco | Pt Lot 1 & 2 DP 12928, Lot 2 DP 54824 and RS 39065 | 57.7 ha | LLRZ |
| Area 11 - Allendale Lane | Lots 120 and 121 DP 329124 and Lots 1-6 DP 371976 | 17.14ha | GRUZ, inside UGO |
| Area 12 - 828 Ellesmere Road | Part RS 10644 | 13.27ha | GRUZ, outside UGO |
| Area 13 - Moirs Lane | Lots 1-2 DP 445316 | 0.97ha | GRUZ, inside UGO |

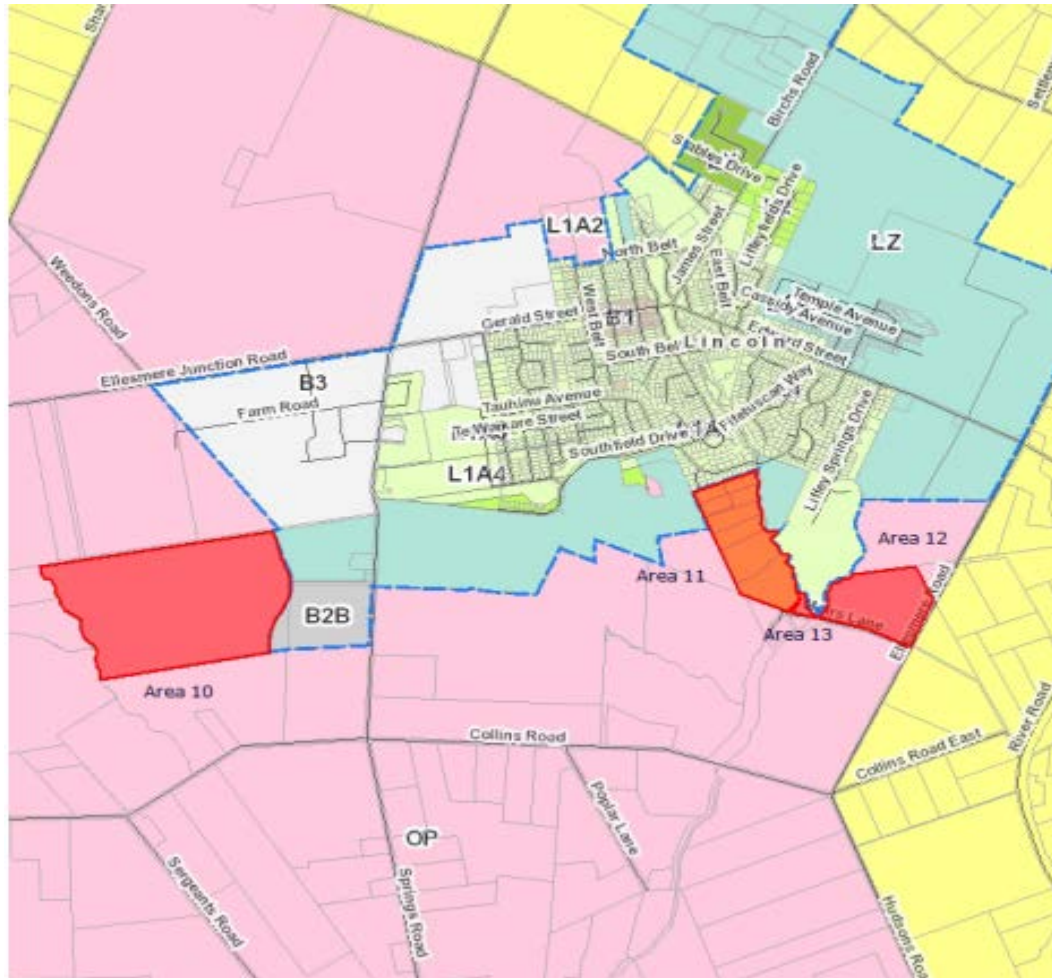


Figure 6: Lincoln - RRS14 Areas 10 to 13. Source: RRS14

- 6.8 Selwyn 2031 is a District Development Strategy which was developed to provide an overarching strategic framework for achieving sustainable growth across the district to 2031. Selwyn 2031 identified the need to rezone land in Lincoln (and Rolleston) to a new mixed density zone to accommodate 8,800 households and to amend the plan to provide for greenfield land ODP's and zoning provisions for identified greenfield priority areas.

7 Rezone from GRZ to Recreational Amenities and Health Services

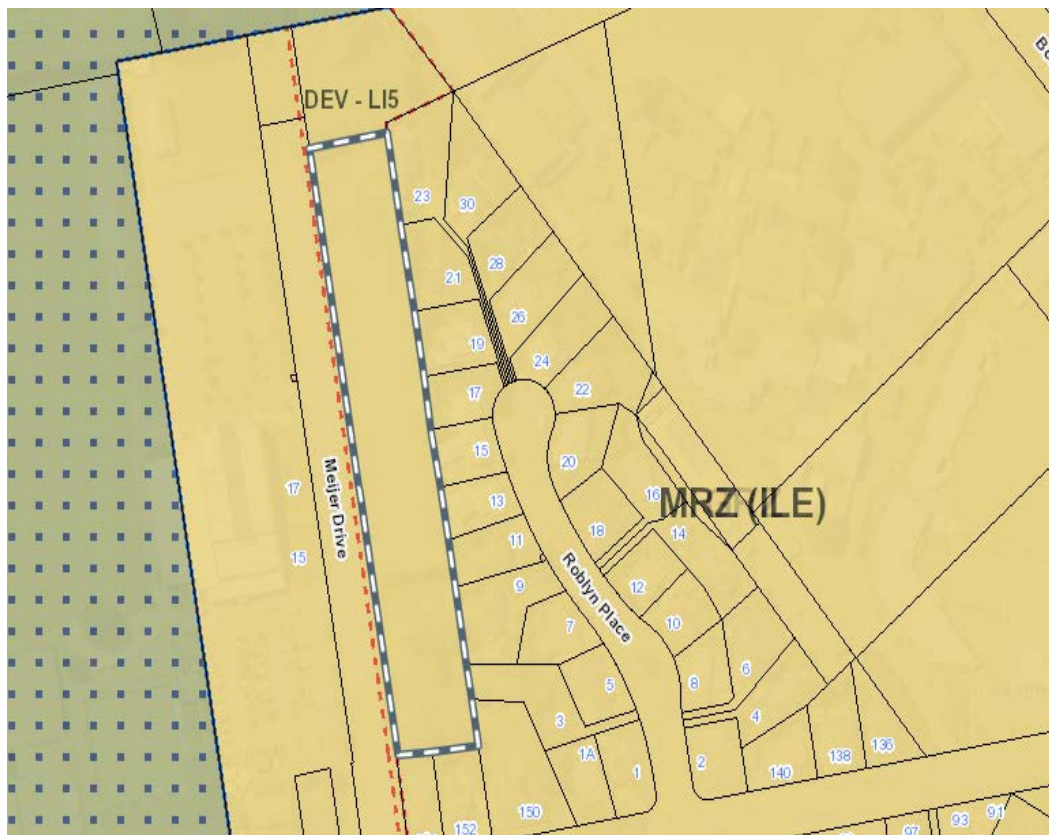
Submissions

- 7.1 Two submissions points and no further submission points were received in relation to this subtopic.

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested |
|--------------|----------------|------------------|----------------|----------|--|
| DPR-0024 | Heather Jonson | 001 | DEV L15 | Oppose | Rezone DEV-LI5 from residential to recreational amenities. |
| DPR-0024 | Heather Jonson | 002 | DEV L16 | Oppose | Rezone DEV-LI6 from residential to provide for health and associated services. |

Analysis

- 7.2 Heather Jonson⁷ seeks to rezone DEV-LI5 - Lincoln 5 Development Area from GRZ to recreational amenities. This area incorporates the balance of land not required for Local Purpose (Community and Recreation Facilities) Reserve as part of the designation for the Lincoln Events Centre (SDC-20). The land has an area of approximately 1ha and the PDP states that the area is proposed to be developed for medium density housing, consistent with the Lincoln Structure Plan. The PDP also states that due to the proximity of the Lincoln Recreation Reserve and the Lincoln Events Centre, the provision of separate open space is not warranted.
- 7.3 No submitter evidence has been provided in support of this submission point. Residential zoning is considered the most appropriate for this area consistent with the Lincoln Structure Plan and the PDP. Variation 1 to the PDP has superseded this submission point and the MRZ is now in immediate legal effect in the DEV-LI5 area. Therefore, I recommend that the submission point be rejected .



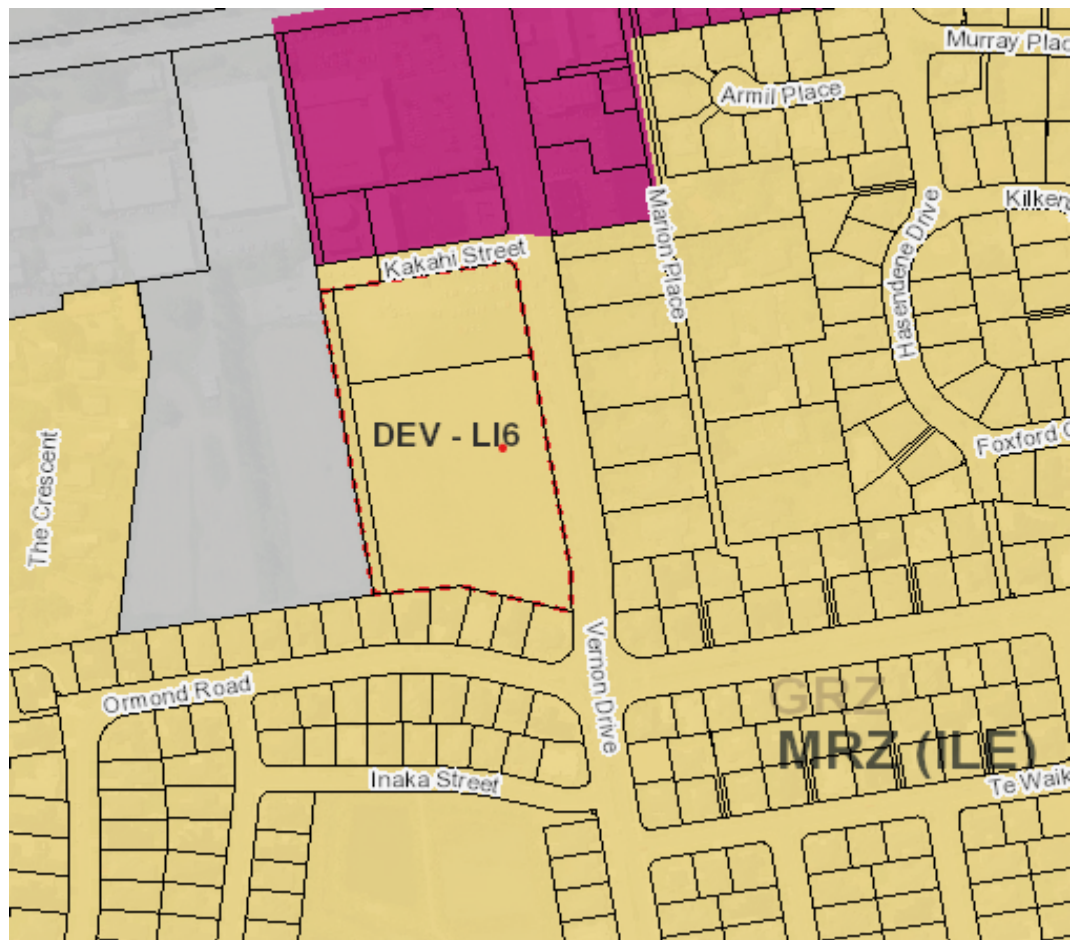
- 7.4 Heather Jonson⁸ seeks to rezone DEV-LI6 - Lincoln 6 Development Area from GRZ to medical and associated services. This area is in close proximity to retail, the Town Centre and University and is recognised as suitable for higher density housing.
- 7.5 No submitter evidence has been provided in support of this submission point. It is of note that this area in part is subject to a submission from Broadfield Estates Limited⁹ seeking to

⁷ 0024.1-Heather Jonson

⁸ 0024.2-Heather Jonson

⁹ 0056.1 and 0056.2 Broadfield Estates Limited

amend the zoning at 12 Vernon Drive (Lot 1 DP 523433) which is the northern most lot fronting Kakahi Street from GRZ to TCZ, which is recommended to be accepted (refer to section 8 below for the relevant analysis of this submission). TCZ provides for community facilities (i.e. medical services) as a permitted activity and therefore Ms Jonson's relief is somewhat met in part in that there is the potential for medical and associated services to establish within this northern lot should the Broadfield submission be accepted. The remainder of the site (Lot 2 DP 523433) is proposed to remain as GRZ (which is now MRZ(ILE)) and resource consent has been granted to subdivide the site to create 41 comprehensive medium density lots (RC215006). Therefore, overall I recommend that the submission point be rejected on the basis of the recommendation in relation to DPR-0056, and given the recently approved subdivision consent aligns with MRZ which has immediate legal effect.



Recommendation

- 7.6 I recommend, for the reasons given above, that the Hearings Panel retain the zoning as notified and subject to the amendment recommended in section 8 below.
- 7.7 It is recommended that the submissions are rejected as shown in **Appendix 1**.
- 8 Amend from GRZ to TCZ at 12 Vernon Drive

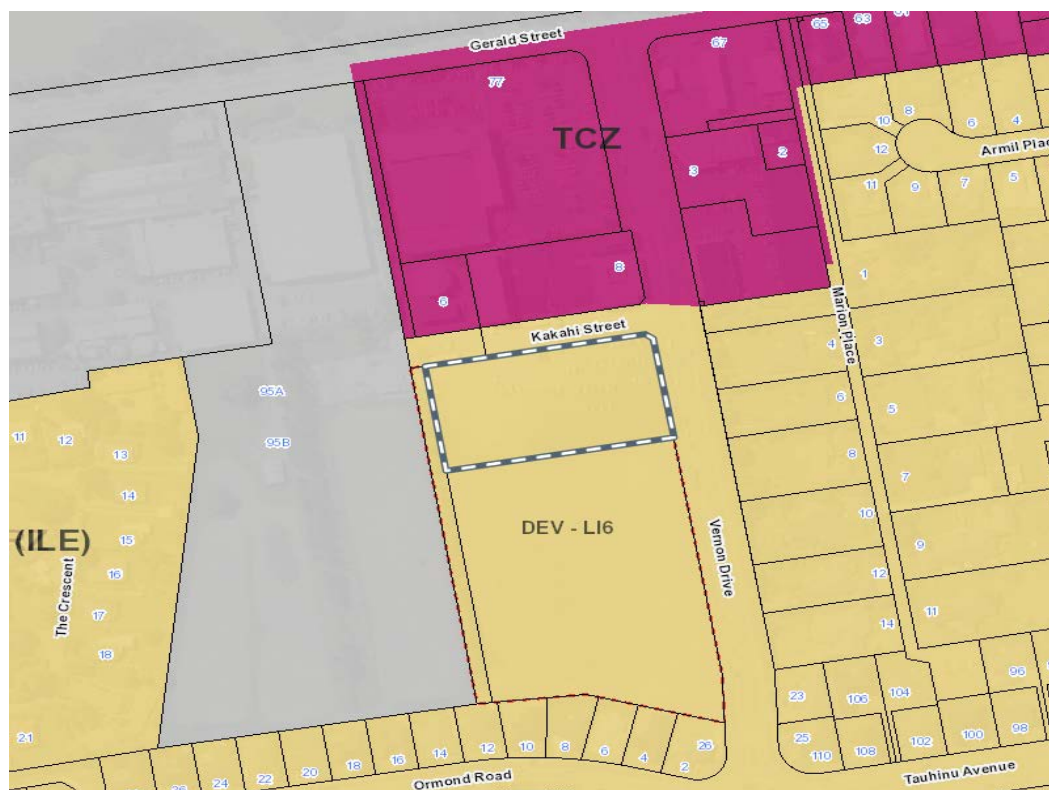
Submissions

- 8.1 Two submissions points and one further submission point were received in relation to this subtopic.

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested |
|--------------|---------------------------------|------------------|----------------|----------|---|
| DPR-0056 | Broadfield Estates Limited | 001 | Rezoning | Oppose | Amend zoning at 12 Vernon Drive, Lincoln (Lot 1 DP 523433) from GRZ to TCZ. Extend PREC5-Urban Fringe to include the subject property. |
| DPR-0056 | Broadfield Estates Limited | 002 | DEV-L16 | Oppose | Amend DEV-L16 provisions to: 1. exclude 12 Vernon Drive, Lincoln, comprising Lot 1 DP 523433; or 2. cater for the development of the subject property for commercial, visitor accommodation and/or purposes specified in the submission; or 3. delete the provisions relating to Lincoln 6 Development Area from the Plan. |
| DPR-0375 | Waka Kotahi NZ Transport Agency | FS294 | DEV | Oppose | <i>The proposed Lincoln Development Area 6 should be assessed in its entirety to understand the potential effects before consideration is given to accept it into the District Plan.</i> |

Analysis

- 8.2 Broadfield Estates Limited¹⁰ are seeking that the zoning at 12 Vernon Drive (Lot 1 DP 523433) be amended from GRZ to TCZ, and consequential amendments are made to exclude 12 Vernon Drive from DEV-LI6, and to include it in KAC PREC5. The site is now zoned MRZ(ILE) and is within DEV-LI6 in accordance with the PDP. The site has an area of 0.6 hectares and fronts Kakahi Street and Vernon Drive.



¹⁰ 0056.1 and 0056.2-Broadfield Estates Limited

- 8.3 The site is located to the south of the existing Lincoln TCZ, which includes recently completed commercial development. The applicant applied for a resource consent to use the subject site for temporary car parking (RC205325), however the application was withdrawn. The site is currently being used for car parking and is void of any built development.
- 8.4 To the west is vacant KNOZ land which is owned by AgResearch. Existing residential development is located to the east on the opposite side of Vernon Drive. Resource consent was granted on 19 March 2021 to subdivide the adjoining site to the south (Lot 2 DP 523433), which is also within the DEV-LI6 area, to create 41 comprehensive medium density lots (RC215006). Copy of approved subdivision plan below.



- 8.5 The submitter has included an indicative development plan with their evidence to demonstrate potential development within the site, including built development totalling 2,401m² GFA which could be occupied by a range of permitted TCZ activities. Access is shown to both Vernon Drive and Kakahi Street, with internal car parking, and a 4m wide landscaping strip along the southern boundary adjacent to the recently approved residential subdivision to the south.



Transport

- Section 42A Report

s42a officer for the Transport Hearing recommends retention of TRAN-R8 and the associated policy (TRAN-P3) with some amendment. I also accept the advice of Mr Collins that the proposed changes to the KAC PREC5 ODP address pedestrian and cyclist connectivity. This would also be another matter considered by an ITA at the time of development.

Economics

- 8.10 Ms Natalie Hampson of Market Economics has produced economic evidence for the submitter. Ms Hampson considers that Lincoln is heading for a shortfall of TCZ capacity and that the TCZ is dominated by potential rather than actual vacant land where: redevelopment of existing buildings is required; demand for business land in Lincoln is growing strongly and the demand is not expected to be met due to the absence of readily available zoned greenfield land; and that 12 Vernon Drive is the only large vacant site adjoining the Lincoln KAC which will provide much needed development capacity.
- 8.11 Mr Derek Foy of Formative has peer reviewed Ms Hampson's economic evidence on behalf of Council. Mr Foy agrees there is very little vacant TCZ land available in Lincoln and that the rezoning and increase in TCZ land (by approximately 5%) would have no more than minor adverse effects on established businesses in the Lincoln KAC or other Selwyn centres. Mr Foy also considers that the loss in residential capacity is mitigated by residential activity being able to establish in a broader range of locations compared to TCZ, and that the strategic value of the site adjacent to existing TCZ activities outweighs the loss of residential zoned land. Mr Foy also refers to PC69 and the proposal for 2,000 residential sites, which is subject to Variation 1 and the proposed MRZ, which if approved will substantially increase the dwelling yield and mitigate the loss at this site. Mr Foy also agrees that the rezoning will provide greater functional and social amenity for the community, new business opportunity, and increased local employment. Mr Foy supports the rezoning request from an economics perspective. I rely on Mr Foy's economic peer review and conclusions.

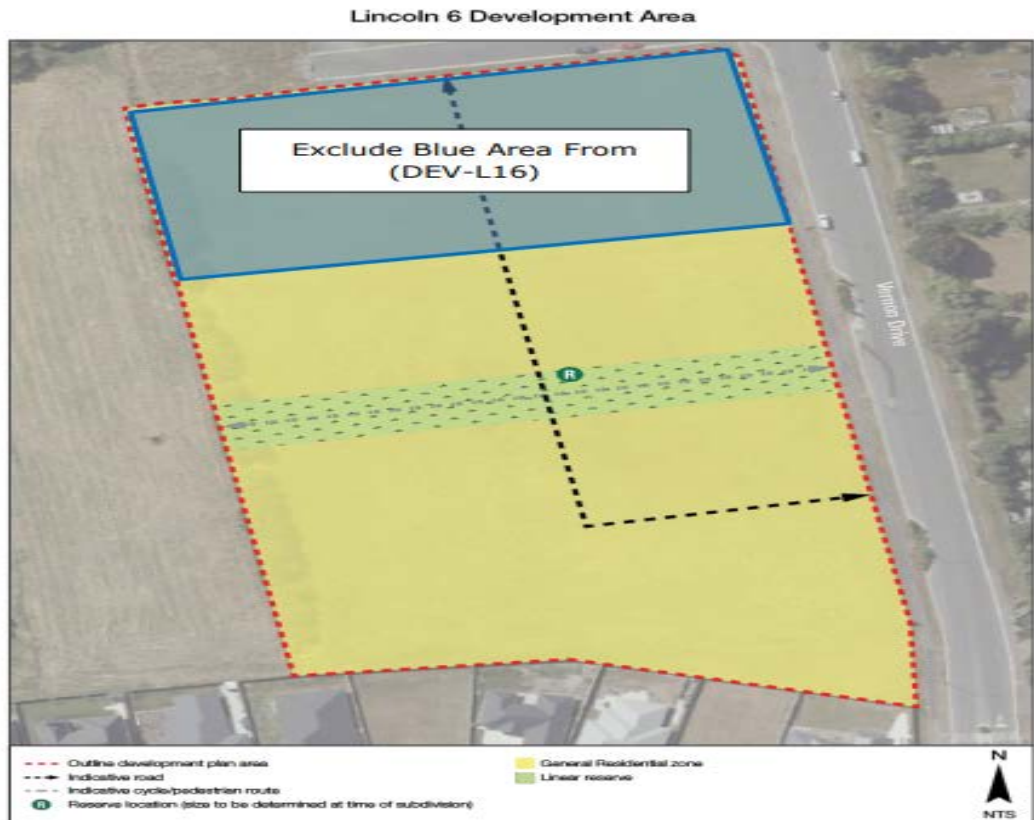
Infrastructure

- 8.12 Ms Clare Dale in her planning evidence for the applicant notes that 12 Vernon Drive is located within an existing urban area, that three waters connections are available, and that PC69 evidence showed there is additional capacity available. Given the urban location of the site near to existing commercial development and the PC69 evidence, infrastructure capacity is not expected to be of issue and can be specifically addressed at the time of any built development.

DEV-LI6 and KAC PREC5 Changes

- 8.13 If the site is rezoned it would need to be excluded from DEV-LI6 - Lincoln 6 Development Area as DEV-LI6 is related to residential development. The submitter proposes that KAC PREC5 - Lincoln Fringe be extended over the site instead. Removing the site from DEV-LI6 does sever the proposed road connection through the site to Kakahi Steet. To address this, Mr Fuller recommends that this becomes a pedestrian and cycle connection from the proposed residential area to the south and that a footpath is included along the Kakahi Street frontage, which Mr Collins supports. It is therefore recommended that the site be removed from DEV-

LI6 and that these changes be included within KAC PREC5 as indicated in the diagrams below. Amendments to the text in DEV-LI6 is also recommended to reflect the recommended changes and to omit detail that is not considered necessary.



TCZ-PREC 4, 5: Lincoln Key Activity Centre (KAC) Precincts





Loss of residential zoned land

8.14 Ms Dale in her planning evidence considers that based on medium density residential development the site could yield around 20 residential units conservatively and possibly up to 30 with consent. As the site is subject to Variation 1 and MRZ (ILE), the potential yield could be more than Ms Dale estimates across this 6,000m² site. However; based on the economic evidence, the loss of residential zoned land is considered to be mitigated by residential development capacity elsewhere, which will be increased by MRZ. It is also agreed that this site is strategically located adjacent to established TCZ, and based on the evidence of Ms Hampson, there is demand for such zoning. Ms Dale also notes that residential units are permitted in TCZ at first floor level and therefore it is viable that first and second floor apartments could potentially also offset the loss of residential zoned land. This is considered feasible, but less likely, and would undermine the commercial demand and capacity. PC69 is subject to appeal so cannot be relied on, but the MRZ which has immediate legal effect will assist with mitigating the loss.

Residential Amenity/Zone Boundary Treatment and Reverse Sensitivity

8.15 12 Vernon Drive adjoins a residential zoned area to the south and the area on the opposite eastern side of Vernon Drive is also zoned residential. It is agreed with Ms Dale that the TCZ provisions in the PDP address the residential interface, including: TCZ-P3; TCZ-REQ3 (height in relation to boundary), TCZ-REQ4 (setbacks) etc., in conjunction with the district-wide provisions which manage light, noise, signs, earthworks, and transport.

- 8.16 The land to the west is zoned KNOZ and is owned by AgResearch Limited. The proposed TCZ is considered to be aligned with KNOZ and it is of note that AgResearch Limited have not submitted in relation to this matter. Therefore, no interface or reverse sensitivity effects are anticipated.

Rezoning Framework

- 8.17 As set out in the Rezoning Framework Report, business land re-zoning requests are balanced against a business land framework. The evidence of Ms Dale assesses the proposal against this framework. I agree with that assessment and therefore the assessment has not been repeated in this report.
- 8.18 On the basis of the above assessment, I recommend that the submission points are accepted for the following reasons:
- 8.18.1 The transport effects can be considered further through TRAN-R8 of the PDP at the time of land use development, which may also include a requirement to signalise the Gerald Street/Vernon Drive intersection;
 - 8.18.2 The proposed changes to the KAC PREC5 ODP will ensure pedestrian and cyclist connectivity;
 - 8.18.3 There is very little vacant TCZ land available in Lincoln and the increase in TCZ land (by approximately 5%) would have no more than minor adverse effects on established businesses in the Lincoln KAC or other Selwyn centres;
 - 8.18.4 The rezoning will provide greater functional and social amenity for the community, new business opportunity, and increased local employment;
 - 8.18.5 The loss in residential capacity is mitigated by residential activity being able to establish in a broader range of locations compared to TCZ, the proposed MRZ (ILE) providing additional capacity, and the strategic value of the site being located adjacent to existing TCZ activities outweighing the loss of residential zoned land;
 - 8.18.6 The site is located within an existing urban area, three waters connections are available, and the PC69 evidence showed there is additional infrastructure capacity available;
 - 8.18.7 Amenity effects can be managed by the TCZ provisions and no reverse sensitivity effects have been identified.

Recommendations and amendments

- 8.19 I recommend, for the reasons given above, that the Hearings Panel:
- a) Amend the zoning of 12 Vernon Drive (Lot 1 DP 523433) from GRZ to TCZ.
 - b) Amend DEV-LI6 to exclude 12 Vernon Drive (Lot 1 DP 523433) to reflect the rezoning proposed.

- c) Amend TCZ-PREC5 to include 12 Vernon Drive (Lot 1 DP 523433) with amended pedestrian and cycle connections to reflect the rezoning proposed.
 - d) Make a consequential amendment to the DEV-LI6- Lincoln 6 Development Area text to reflect the proposed changes to the Development Area.
- 8.20 The amendments recommended to the planning maps, DEV-LI6, TCZ-PREC5, and the DEV-LI6- Lincoln 6 Development Area text are set out in a consolidated manner in **Appendix 2**.
- 8.21 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

Section 32AA evaluation

- 8.22 The expert evidence of Broadfields Estates Limited is accompanied by a s32AA assessment in the evidence of Ms Dale that concludes that the TCZ is the most appropriate method for achieving the objective of the proposal, and that the benefits will outweigh any costs, and the rezoning is an appropriate, efficient and effective means of achieving the purpose of the RMA. Having reviewed this assessment in the context of the outcomes sought by the higher order directions, I agree with these conclusions and adopt the submitter's s32AA evaluation.

9 Rezone from 'High Density' to 'Normal' Housing Development

Submissions

- 9.1 One submission point and no further submission points were received in relation to this subtopic.

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested |
|--------------|----------------|------------------|---------------------------------|----------|---|
| DPR-0083 | Neil Flux | 001 | High Density Housing in Lincoln | Oppose | Rezone this area as 'normal' housing development. |

Analysis

- 9.2 Neil Flux¹¹ is opposed to high density housing in Lincoln as he considers Lincoln is losing its identity. Mr Flux moved from Rolleston as it has overcrowded housing and similar developments in Wigram and Halswell have flooded the market. The submission mentions particular concern with land in Vernon Drive being earmarked for such housing, and anywhere in Lincoln.
- 9.3 No submitter evidence has been provided in support of this submission point. MRZ is now in immediate legal effect in the Lincoln Township in place of GRZ, including Vernon Drive, as directed by the RMA-EHS and therefore Variation 1 has superseded this submission point. Therefore, I recommend that this submission point be rejected.

Recommendation

¹¹ 0083.1-Neil Flux

9.4 I recommend, for the reasons given above, that the Hearings Panel retain the zoning as notified.

9.5 It is recommended that the submission is rejected as shown in **Appendix 1**.

10 Amend from GRUZ to GIZ and GRZ

Submissions

10.1 Two submissions points and nine further submission points were received in relation to this subtopic.

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested |
|--------------|---|------------------|----------------|----------------------------|--|
| DPR-0136 | Lynn & Malcolm Stewart, Lynn & Carol Townsend & Rick Fraser | 001 | Map | Oppose | Amend zoning at: 1137 Springs Road (Lot 1 DP 335366) 1153 Springs Road (Lot 2 DP 335366) 1/1153 Springs Road (Lot 1 DP 67090) 2/1153 Springs Road (Lot 2 DP 70736) By deleting GRUZ and either: 1. Rezone this land General Residential and any neighbouring or other land as appropriate including for sound resource management reasons and as in the interest of the Submitters (including potential land to the north/northwest, to Tancreds Road); or 2. Rezone this land and other neighbouring or other land as appropriate Large Lot Residential (LLRZ) SCA1 - min lot size 1000sqm, average 2000sqm; or Large Lot Residential SCA2 - min lot size 3000sqm, average 5000sqm (less preferred); or 3. Rezone the land and any neighbouring or other land as appropriate, General Industrial, 4. Rezone the land and any other land as appropriate a mix of the above. |
| DPR-0032 | Christchurch City Council | FS094 | Rezoning | Oppose | Oppose submission |
| DPR-0213 | New Zealand Institute for Plant and Food Research Limited (Plant and Food) & Landcare Research (Landcare) | FS006 | Rezoning | Oppose | Reject the submission point |
| DPR-0342 | AgResearch Limited | FS001 | Rezoning | Oppose | Disallow in full |
| DPR-0446 | Transpower New Zealand Limited | FS007 | Rezoning | Neither Support Nor Oppose | If the submission is allowed, ensure that the site can be subdivided and developed in a manner that complies with the relevant rules and therefore avoids sensitive activities in the National Grid Yard and does not compromise the National Grid. |
| DPR-0496 | BHL Trust | FS001 | Rezoning | Oppose | Do not allow a link/connection through Barton Fields Subdivision through an existing residential section |

| | | | | | |
|----------|---|-------|----------|-----------------|--|
| | | | | | <i>which is being proposed. As it is a breach of the landowners covenant on this Lot.</i> |
| DPR-0499 | Phillip Long | FS001 | Rezoning | Support in part | <i>As my land borders housing now on 2 sides I'd like it to be rezoned for potential development as well.</i> |
| DPR-0501 | Susan Hudson | FS001 | Rezoning | Support | <i>Support in full</i> |
| DPR-0502 | Jennifer McLaughlin | FS001 | Rezoning | Support | <i>Allowed</i> |
| DPR-0136 | Lynn & Malcolm Stewart, Lynn & Carol Townsend & Rick Fraser | 013 | DEV-L18 | Oppose | Insert 'DEV-L18' as a development area. This plan to be provided before the hearing. This to include an amended DEV-L14 to make provisions for access to the west and an outline development plan for the existing Barton Fields subdivision which includes provision for access from Barton Fields, potentially via the undeveloped 4ha lot within Barton Fields. |
| DPR-0375 | Waka Kotahi NZ Transport Agency | FS295 | DEV | Oppose in part | <i>The proposed Lincoln Development Area NEW should be assessed in its entirety to understand the potential effects before consideration is given to accept it into the District Plan.</i> |

Analysis

- 10.2 STF¹² originally sought to rezone 1137, 1153, 1/1153 and 2/1153 Springs Road from GRUZ to GRZ, or LLRZ, or GIZ, or any combination of these zones. The submission also mentions other potential neighbouring land being rezoned and the insertion of an ODP with the provision for access from Barton Fields subdivision.
- 10.3 The submitter's relief has since been refined and they now seek to rezone from GRUZ to GIZ west of the high voltage transmission lines, and from GRUZ to GRZ east of the transmission lines, and to also include four lots fronting Tancreds Road. A transmission corridor reserve with a minimum width of 12m is proposed along the alignment of the high voltage transmission line which traverses the site. Separate 'provisional' ODP's have been prepared for the proposed GIZ¹³ and GRZ¹⁴ zones, including an ODP narrative.
- 10.4 The subject site has a total area of approximately 37ha as detailed below. The submitter's planning evidence of 14 September 2022 states that approximately 19.8ha is proposed to be rezoned GIZ, and 15.75ha GRZ (which is a total area of 35.55ha and not 37 ha).¹⁵

| Address | Legal Description | Site Area (ha) |
|-------------------------------|-------------------|----------------|
| 1137 Springs Road | Lot 1 DP 335366 | 5.369 |
| 1153 Springs Road | Lot 1 DP 67090 | 4.954 |
| 1/1153 Springs Road | Lot 2 DP 335366 | 5.415 |
| 2/1153 Springs Road | Lot 2 DP 70736 | 5.085 |
| Corner Springs/Tancreds Roads | Lot 4 DP 26847 | 4.1075 |
| Tancreds Road | Lot 3 DP 26847 | 4.11 |

¹² 0136.001 and 0136.013- Lynn & Malcolm Stewart, Lynn & Carol Townsend & Rick Fraser (STF)

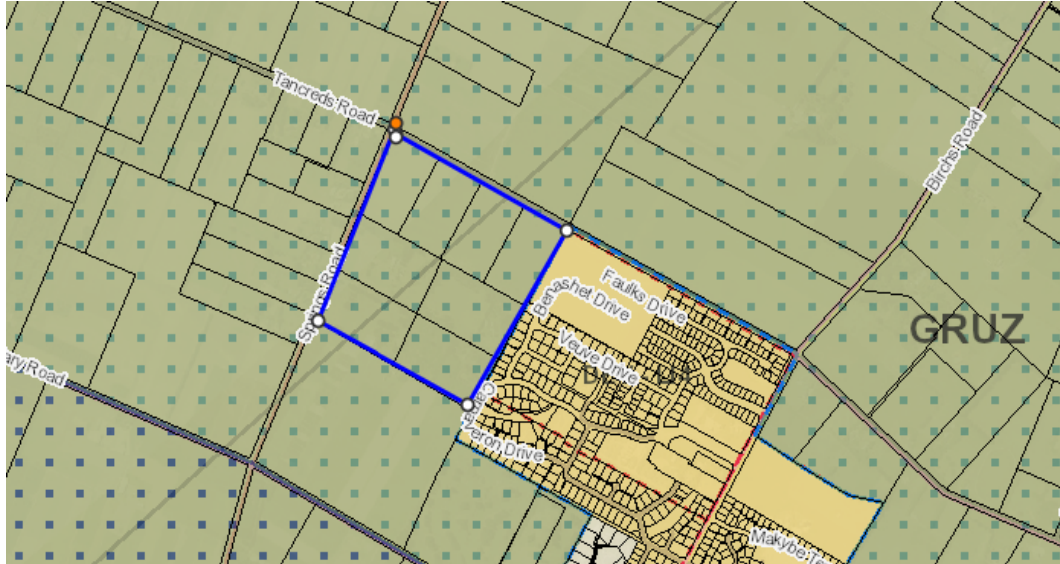
¹³ [Proposed GIZ ODP](#)

¹⁴ [Proposed GRZ ODP](#)

¹⁵ The evidence across the submitters experts is inconsistent in terms of the land areas and the land area attributed to each zone.

| | | |
|---------------|----------------|----------------|
| Tancreds Road | Lot 2 DP 26847 | 4.1075 |
| Tancreds Road | Lot 1 DP 26847 | 4.1088 |
| Total | | 37.2568 |

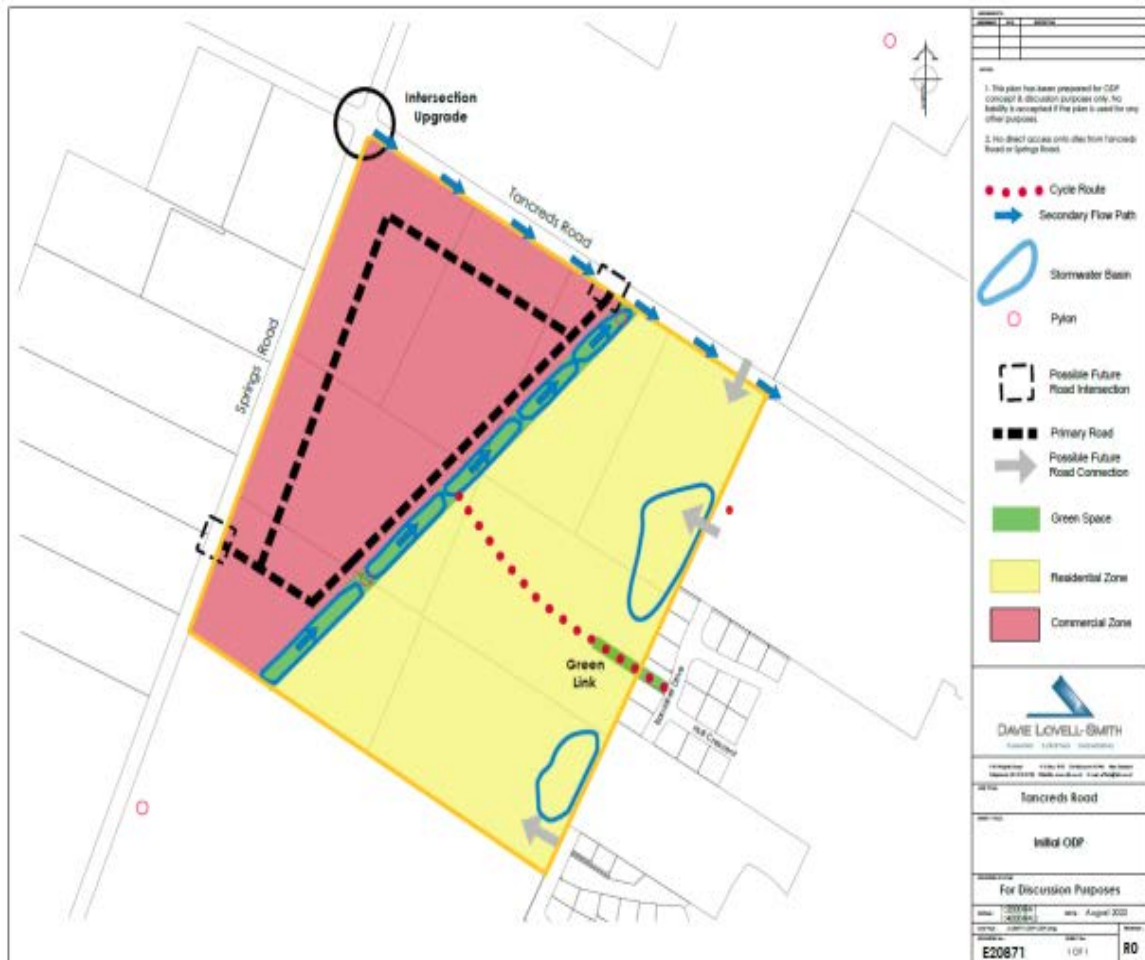
- 10.5 Under the PDP the site is zoned GRUZ and four lots are traversed by the Christchurch - Twizel A transmission line which runs diagonally through the subject site.



- 10.6 Submitter evidence has been received which includes Transport, Economics, Infrastructure, Geotechnical, Land Contamination, Versatile Soils, and Planning evidence. All of the technical submitter evidence has been peer reviewed by Council as it relates to GIZ, except for the Versatile Soils evidence as it was not anticipated to be submitted by the extended deadline of 14 September 2022 (refer to the procedural matters section of this report for further explanation). The peer reviews focused on the GIZ rezoning request only and not GRZ as GRZ is not a zone afforded by the RMA-EHS and planning analysis can address this component of the request.

Transport

- 10.7 Mr Chris Rossiter, Principal Transportation Engineer, Stantec, has produced transport evidence for the applicant, which includes an ITA. Mr Rossiter's assessment is based on the proposed GRZ enabling 300 households (average density of 15 households per ha) and the GIZ providing approximately 12ha of developable land. Access to the GRZ is proposed in three locations (grey arrows on the ODP below), and access to GIZ is proposed via both Springs Road and Tancreds Road. A Springs/Tancreds intersection upgrade is also proposed.

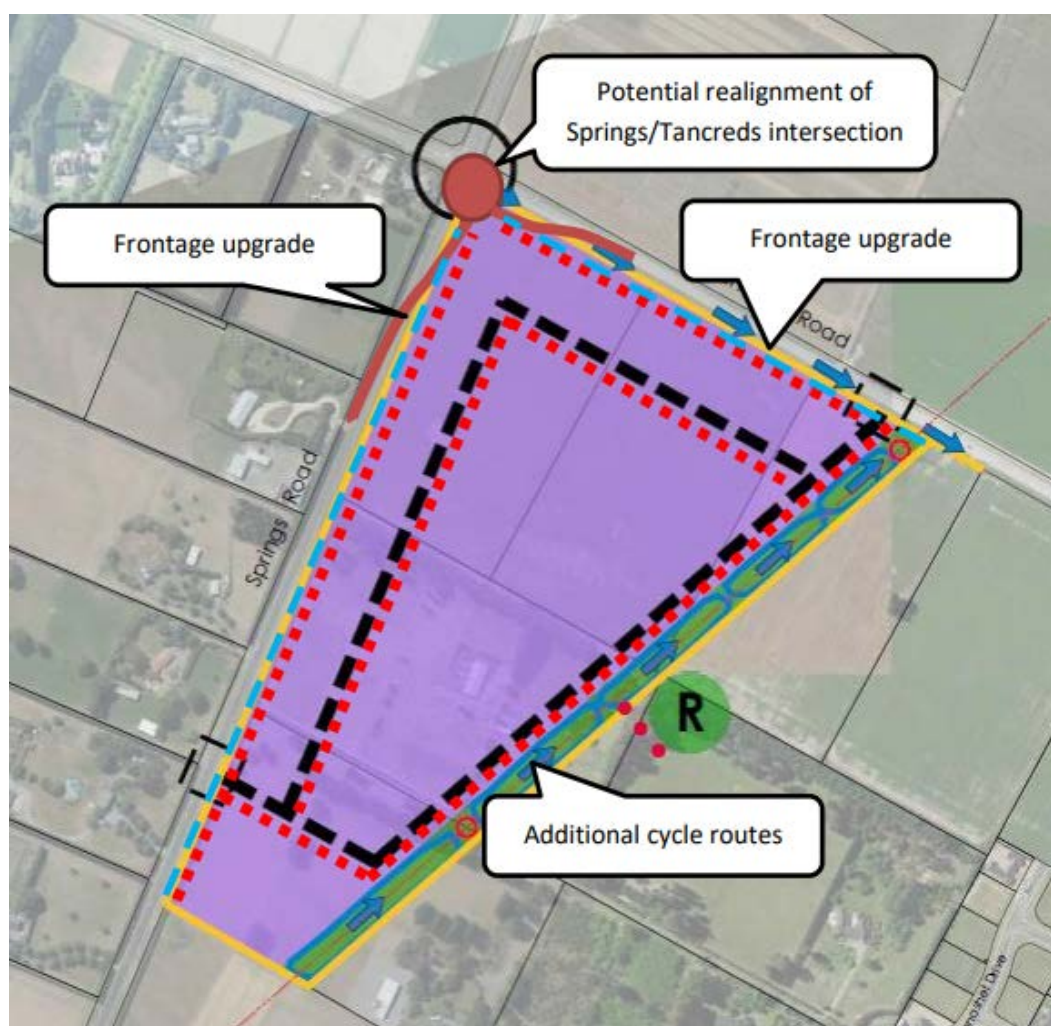


- 10.8 Mr Rossiter's analysis of the expected traffic generation and its distribution on the road network indicates that the rezoning would generate increases in traffic volumes on Springs Road between the proposed GIZ and Lincoln of up to 1,800 vehicles per day (vpd), and up to 1,500 vpd on Birchs Road south of Barton Fields Drive. Mr Rossiter considers that the resulting traffic volumes remain within the capacity of the two roads, but will contribute to an increase in delays at side roads.
- 10.9 Mr Rossiter considers that any increase in delays at intersections along Birchs Road are unlikely to be noticeable to drivers because of the urban environment and because peak hour volumes will remain relatively low. The greatest effect in his opinion will be at the Springs/Boundary Road intersection to the south, but also at the Springs/Tancred's Road intersection. The higher speed environment on this section of Springs Road means that there could be an increased incidence of injury crashes.
- 10.10 Mr Rossiter recommends the following mitigation measures:
- a reduction in the speed limit from 80 km/h to 50km/h on Springs Road, from north of Tancred's Road to Lincoln, to contribute to reducing the risk of injury crashes arising;
 - new accesses being formed on Tancred's and Springs Road;

- c. safety improvements at the Springs/Boundary Road and Springs/Tancreds Road intersections - roundabout or signalisation if sufficient road reserve is not available for a roundabout (at the Springs/Boundary Rd intersection).
- 10.11 Mr Mat Collins, Flow Transportation, peer reviewed Mr Rossiter's transport evidence on behalf of Council. Mr Collins agrees that the proposed rezoning will likely lead to an increased incidence of crashes at the Springs/Tancreds and Springs/Boundary intersections if the current intersection forms are retained, and that they should be upgraded to roundabouts. Mr Rossiter's evidence notes that third party land would be required to construct a roundabout at the Springs/Boundary intersection, but that traffic signals could be constructed instead. Mr Collins does not support Mr Rossiter's view that these intersections could be upgraded to signalised intersections, as in Mr Collins's view, this would not be appropriate in terms of safety and legibility of the Springs Road corridor and it is unclear whether sufficient corridor width is even available.
- 10.12 Mr Collins considers the ODP could incorporate an upgrade to the Springs/Tancreds intersection by showing a realignment of the intersection within Lot 4 DP 26847, which is the Springs/Tancred corner lot which forms part of the subject site (owned by G & R Andrews). However; Ms Aston's evidence states that this landowner is not an active participant in the submission. Therefore, this land owner may not be willing to vest the additional land needed for a realigned intersection, and therefore the feasibility of such an upgrade at the Springs/Tancreds intersection is unconfirmed.
- 10.13 Mr Collins agrees with Mr Rossiter that a reduction in the speed limit along Springs Road would contribute to reducing the risk of injury crashes near the rezoned sites, however notes there is approximately 2km between the southern portion of the site frontage with Springs Road and the Lincoln township which is surrounded by GRUZ where the speed limit may be precluded from being reduced to 50 km/hr.
- 10.14 Mr Andrew Mazey, Council's Transportation Manager, was asked for comment on the feasibility of reducing the speed limit. Mr Mazey commented in email correspondence dated 29 November 2022 that *"Springs Road is an arterial road that connects Lincoln to Prebbleton and beyond to Christchurch. Until recent times it was 100 km/hr but was reduced to 80km/hr for safety benefits. Council has made the point previously when discussing the speed limits that it did not want to see travel times diminish further through lower speed limits on the rural sections of these main arterials like Springs and Shands Rd. While obviously speed limit reductions will generally support safety benefits, in this case a 50km/hr would be out of context with the wider rural/arterial roading environment and very likely would not meet the national guidelines on the setting of speed limits needed to achieve this."* Mr Mazey also commented: *"I also note the discussion about the use of traffic signals. Traffic signals are an urban intersection solution where overall network and intersection approach speeds are lower. They are not for use in higher speed rural environments. So for the same reason a lower speed limit is not seen as viable, equally this then means neither are traffic signals. Should intersection upgrades be needed then roundabouts are the only option. This aligns*

with the similar rural intersection upgrades Council has undertaken on Shands and Springs Rd using rural roundabouts that meet Waka Kotahi requirements."

- 10.15 Overall, Mr Collins does not support the rezoning request from a transport perspective based on uncertainty about the feasibility, timing, and responsibility for necessary intersection upgrades, and uncertainty about the feasibility of a reduction in the speed limit to address traffic safety effects. This view is supported by Mr Mazey's comments about roundabouts being the only option (which have not been demonstrated as being feasible), and that it's unlikely that a reduced speed limit of 50km/hr is feasible in this location.
- 10.16 However should the Panel support the rezoning, Mr Collins recommends that development be delayed until intersection upgrades are completed and support for lowered speed limits are legally established. He also suggests amendments to the proposed ODP to include frontage upgrades to Springs and Tancred Roads, and additional cycling routes within the ODP and along the site frontages (potential revisions to proposed ODP outlined below).



- 10.17 Based on the advice of Mr Collins and Mr Mazey regarding the unconfirmed feasibility of the proposed intersection upgrades (which would likely directly impact on Lot 4 DP 26847) and the likely impracticable reduction in the speed limit to 50km/hr on Springs Road, the proposed

rezoning cannot be supported from a transport perspective given the anticipated adverse traffic safety effects and lack of verified mitigation.

Economics

- 10.18 The applicant has submitted economics evidence prepared by Mr Adam Thompson of Urban Economics Limited. Mr Thompson notes that Hornby and Rolleston are the main locations for regional, sub-regional and international industrial firms. Lincoln and Templeton both have small industrial areas of 11ha and 6ha respectively that are of a size to service the local market. Mr Thompson notes there is currently no activity occurring on the existing small GIZ area in Lincoln.
- 10.19 Based on 22.7ha of GIZ¹⁶, Mr Thompson calculates that Lincoln would have industrial land of 3.8ha per 1,000 population ratio, indicating it would be generally consistent with the normal size of a small industrial node. Mr Thompson considers that as at 2021 there is total demand for 13ha of industrial land in Lincoln, which is forecast to increase to 18ha by 2031. Mr Thompson therefore considers the proposal would ensure there is enough GIZ land available to meet demand in Lincoln over the short-term, which would result in a competitive land and development market.
- 10.20 Mr Thompson also considers the proposal would respond to the proposed rezoning of the existing GIZ in Lincoln to GRZ¹⁷, and ensure there is a sufficient quantity of industrial land available should the rezoning of the existing GIZ occur. He also considers the proposal would provide an efficient location for industrial businesses on the main entrance/exit road to Lincoln and that the location is more efficient than the existing GIZ.
- 10.21 Mr Thompson considers that the proposal has several significant economic benefits and only one minor economic cost (displacing a small amount of rural land which has limited productive potential) and recommends approval. While all of the proposed land could be rezoned for GIZ, in his view there are potential economic benefits from having a small residential buffer zone between the proposed GIZ and the existing residential zone to the east (now zoned MRZ(ILE)) to enable the developer to internalise and address any adverse amenity costs to future adjacent residents.
- 10.22 Mr Derek Foy of Formative has peer reviewed Mr Thompson's evidence on behalf of Council. Mr Foy accepts that Lincoln is currently not serviced by industrial activities in the town and that it would be efficient and appropriate to provide for some industrial zoned land in Lincoln for the community's needs. However, Mr Foy considers that the size of the Lincoln population is not an appropriate metric to use in isolation to assess demand for industrial land and that there is no evidential support to adopt the demand for 13ha of GIZ. Mr Foy considers that given the proximity to other GIZ land in Rolleston and Christchurch, and the non-local role of most industrial activity (most industrial activities such as warehouses, manufacturing, storage, transport depots etc. do not need to locate near a specific local population), that the demand would be much less than 13ha.

¹⁶ The submitters planning evidence refers to 19.8ha of GIZ

¹⁷ This submission point (DPR-0352.1) is addressed in section 13 of this report

- 10.23 Mr Foy also notes that some of the activities identified in Mr Thompson's assessment are very space extensive activities that have established in an area because of the locational attributes of that place (i.e. proximity to rail and state highways), meaning the industrial zoned land per capita is of limited comparative relevance to Lincoln.
- 10.24 Mr Foy accepts that being on the Christchurch side of Lincoln and on a main road is efficient in terms of access, but there are other industrial areas in Rolleston and Christchurch that have better access, meaning Lincoln GIZ land is unlikely to play a major role in the wider sub-regional market.
- 10.25 Mr Foy also notes there is no assessment of the potential economic effects on the further submitters (Plant & Food and AgResearch). The agricultural research activities which directly adjoin and are immediately opposite the site are described as being time, labour, and capital intensive, with nationally significant implications, where interruption to those activities may have more than minor adverse economic effects.
- 10.26 No economic evidence is provided to support the request for residential activity and whether the site is needed to assist with growth. The significant residential capacity of the PC69 area will contribute to providing additional residential capacity in Lincoln, if approved
- 10.27 Overall, Mr Foy does not accept that the site is appropriate for industrial activity. I adopt the expert evidence of Mr Foy in this regard, and specifically note that the approximate 19ha of proposed GIZ is in significant excess of demand when combined with the existing GIZ. The rezoning request has been largely premised on the rezoning of the existing Lincoln GIZ land to GRZ being recommended. However the recommendation is to retain the existing GIZ at 1056 Springs Road (refer to section 13 of this report) which meets the estimated demand for GIZ in Lincoln.

Infrastructure

- 10.28 The applicant has submitted infrastructure evidence prepared by Mr Andrew Hall of Davie Lovell, which includes an Infrastructure Report dated September 2022.
- 10.29 With respect to stormwater Mr Hall notes that a portion of the site is underlain with deep gravels suitable for direct soakage of stormwater to ground, which is able to meet CRC discharge standards, but a discharge consent will be required. Over the remainder of the site there is a deep layer of silts that are not conducive to soakage. The stormwater from this area is proposed to be treated and then attenuated in stormwater management basins before being discharged to a waterway along Tancreds Road, or discharged via a 225mm pipe running through the adjacent urban area. Secondary flow over the site flows from the northwest and would be directed to Tancreds Road or the street and reserve network in the adjacent urban area. The stormwater management area proposed under the transmission line will act as a barrier for the residential area.
- 10.30 With respect to wastewater, a new pump station is proposed to be constructed at a suitable location to receive wastewater from a catchment that includes both the GIZ and GRZ. The

wastewater is proposed to be pumped to the existing SDC rising sewer on Springs Road and then to the Lincoln wastewater facility, before being pumped to the Pines Treatment Plant in Rolleston.

- 10.31 SDC has a water supply well close by in the Barton Fields development. Initial connection will be to the existing infrastructure. If additional water is required, then a new well would be installed as part of the development.
- 10.32 Mr Murray England, Asset Manager - Water Services, Selwyn District Council has peer reviewed the infrastructure related evidence. Mr England has commented that with respect to water capacity, upgrades are proposed to meet growth including additional water sources (bores), storage and pipeline infrastructure. The 2021 Long Term Plan includes budget for these planned capacity upgrades. To ensure growth is integrated with infrastructure, priority of water allocation needs to be given to those areas already zoned for development. As this area is outside of the UGO, consented water would need to be vested in Council. Mr England states *“there is potential for this zone change request which is outside of the Lincoln growth boundary to be recommended for decline due to water availability limitations.”* However, if CRC223745¹⁸ is vested in Council, Mr England is satisfied that sufficient water could be made available to service this area.
- 10.33 Mr England also notes there is a water race flowing through and adjacent to the site. The Council water race closure process requires 80% of downstream users approval prior to consultation and the Council decision to close the race or otherwise. I note this matter has not been addressed in the submitter’s evidence. Mr England notes that the matter could be determined at the consent stage.
- 10.34 Mr England also notes that the discharge of stormwater to ground should be encouraged where appropriate. The closure of the water race would need to be approved prior to the water race pipeline being utilised for stormwater conveyance, and stormwater consent would be required from CRC. Overall Mr England considers there is a viable means to dispose of stormwater.
- 10.35 Mr England considers wastewater servicing is feasible and it would be subject to an engineering approval process.
- 10.36 Overall, potential water availability limitations have been identified and there could be issues with the closure of the water race and subsequent stormwater disposal; however on balance infrastructure provision is considered feasible. I adopt Mr England’s expert evidence in this regard.

¹⁸ CRC223745 is a consent held by Selwyn District Council to take and use groundwater from a new bore (BX23/1862) and three consented bores for community water supply in Lincoln.

Geotechnical

- 10.37 The applicant has submitted geotechnical evidence prepared by Abilio Nogueira of KGA Geotechnical, which includes a Geotechnical Engineering Investigation Report. Mr Nogueira concludes that the site is suitable for the proposed rezoning in terms of geotechnical constraints and that identified geotechnical hazards *“can be managed using common engineering solutions”*.
- 10.38 Mr Ian McCahon, Geotech Consulting Ltd, peer reviewed Mr Nogueira’s evidence on behalf of Council. Mr McCahon considers that the report adequately characterises the geotechnical conditions and the extent of testing meets the recommendations of the Ministry of Business, Innovation and Employment (MBIE) Guidance for Plan Changes. Overall, Mr McCahon considers the evidence is sufficient to demonstrate that the proposed GIZ land is geotechnically suitable for development. I adopt Mr McCahon’s expert evidence in this regard.

Contaminated Land

- 10.39 Ms Hollie Griffith, Momentum Environmental Ltd, has produced contaminated land evidence for the applicant, which includes a Preliminary Site Investigation (PSI) Report dated September 2022. Ms Griffith’s assessment has identified three areas where confirmed or likely Hazardous Activities and Industries List (HAIL) activities have been undertaken on the site where there may be a risk to human health from contaminated soils:
- a. Potential heavy metal contamination within burn areas at 1/1153 Springs Road (HAIL G5);
 - b. Potential heavy metal and/or asbestos contamination within a possible historical pit at 1137 Springs Road (HAIL G5);
 - c. Potential heavy metal and/or asbestos contamination associated with historical buildings at 1137 Springs Road (HAIL Class I).
- 10.40 A diesel aboveground storage tank identified on the site (HAIL A17) is considered highly unlikely to pose a risk to human health or the environment due to its modern era and no evidence of spills or leaks observed during the site inspection. The potential impacts of an on-site nut orchard have also been discounted due to the era of operation and knowledge of limited spraying occurring on the property. The potential risks associated with the migration of hazardous substances to the site from surrounding horticultural activities have also been discounted due to separation distances and dense shelterbelts present at the site.
- 10.41 Ms Griffith considers the identified HAIL activities/risks do not preclude eventual residential/commercial subdivision of the land and do not require any further investigation for the purposes of the rezoning request. Ms Griffith recommends that as each stage of the area is developed, the need for an updated PSI and/or site inspections should be considered, along with Detailed Site Investigations (DSI’s) on the identified risk areas prior to development occurring.

- 10.42 Rowan Freeman, Pattle Delamore peer reviewed Ms Griffiths evidence on behalf of Council. Mr Freeman agrees with the findings and conclusions of the PSI Report and with the statements of Ms Griffiths. It is also of note that resource consent would be required for any future change of use, subdivision and soil disturbance.

Versatile Soils

- 10.43 The applicant has submitted versatile soils evidence prepared by Mr Victor Mthamo, Reeftide Environmental and Projects Ltd. Refer to the Procedural Matters section of this report (section 5) for comment on the filing of this evidence and whether it is within scope. This evidence has been considered setting aside scope, however it has not been peer reviewed by an expert.
- 10.44 Mr Mthamo identifies that the site consists of LUC 1 and 3 soils, but in his opinion the use of LUC classes in defining soil versatility is only a first step, and where site specific information is available this should be taken into account. He states that this is confirmed by the proposed NPS-HPL¹⁹ which recognises that the use of LUC classes is a starting point pending the availability of site-specific information when this becomes available from councils; and a High Court decision in *Canterbury Regional Council v Selwyn District Council* which recommended consideration of a wide range of factors beyond the LUC classification.
- 10.45 Mr Mthamo considers the effect of the proposed rezoning on the district and regional agricultural productivity potential is insignificant because:
- a. >53% of the site has potential wetness issues depending on the crops and may require mitigation (e.g. artificial drainage) as the soils are imperfectly drained;
 - b. Stoniness is a significant issue on most of the site making it difficult to cultivate the land for productive purposes. For this reason the land is primarily suited or is used for light grazing;
 - c. While there appears to be some irrigation water available, the consented rates may not be sufficient to ensure full productivity across the individual blocks making up the site;
 - d. Statutory planning rules affect the use of nitrogen fertilisers to enhance productivity. Yield reductions as high as 50% are possible depending on the nitrogen reductions that might be required for the site.
- 10.46 Overall, Mr Mthamo considers drainage to be a major issue which makes the site soils less productive than assumed by the LUC classes. He also considers the reduction of highly productive land in the region and district would be 0.004% and 0.027% respectively, with a cumulative potential loss in productive soils in the district from 2018 to July 2022 (Plan Changes 49-82) to be 1.11% (based on the CRPS definition) or 0.73% (based on the proposed NPS-HPL definition).

¹⁹ The NPS-HPL was proposed and not in legal effect at the time of Mr Mthamo's evidence.

10.47 Mr Mthamo's evidence was submitted prior to the NPS-HPL coming into legal effect on 17 October 2022. The NPS-HPL applies to the subject site GRUZ land and the site has LUC 1 and 3 soils. In the interim in the absence of any other mapping being available, the existing Canterbury Maps LUC soil information has been relied on. It has not been demonstrated in the evidence that the zoning is required to provide sufficient development capacity to meet demand for housing to give effect to the NPS-UD (3.6(1)(a)), or that there are no other reasonably practicable and feasible options for providing capacity (3.6(1)(b)). It has also not been shown that the benefits of rezoning outweigh the costs associated with the loss of highly productive land (3.6(1)(c)). Furthermore, the exemptions in the NPS-HPL (3.10) have not been specifically addressed, nor has the management of reverse sensitivity effects (3.13). In summary, it is considered that there has been insufficient assessment against the NPS-HPL to conclude that the proposed development is not inconsistent with the NPS-HPL.



Reverse Sensitivity

10.48 Plant & Food²⁰ are a further submitter and oppose the rezoning request as they have significant assets and operational interests in land at Lincoln, including the 'Smith's Block' immediately adjoining the subject site to the south. Plant & Food undertake research activities of local, regional and national importance related to the sustainable production of high quality produce within the Smiths Block, and the farm is critical to ongoing operations. Plant & Food's land holdings are shown with a green border (copied from their further submission).

²⁰213.FS006 Plant & Food

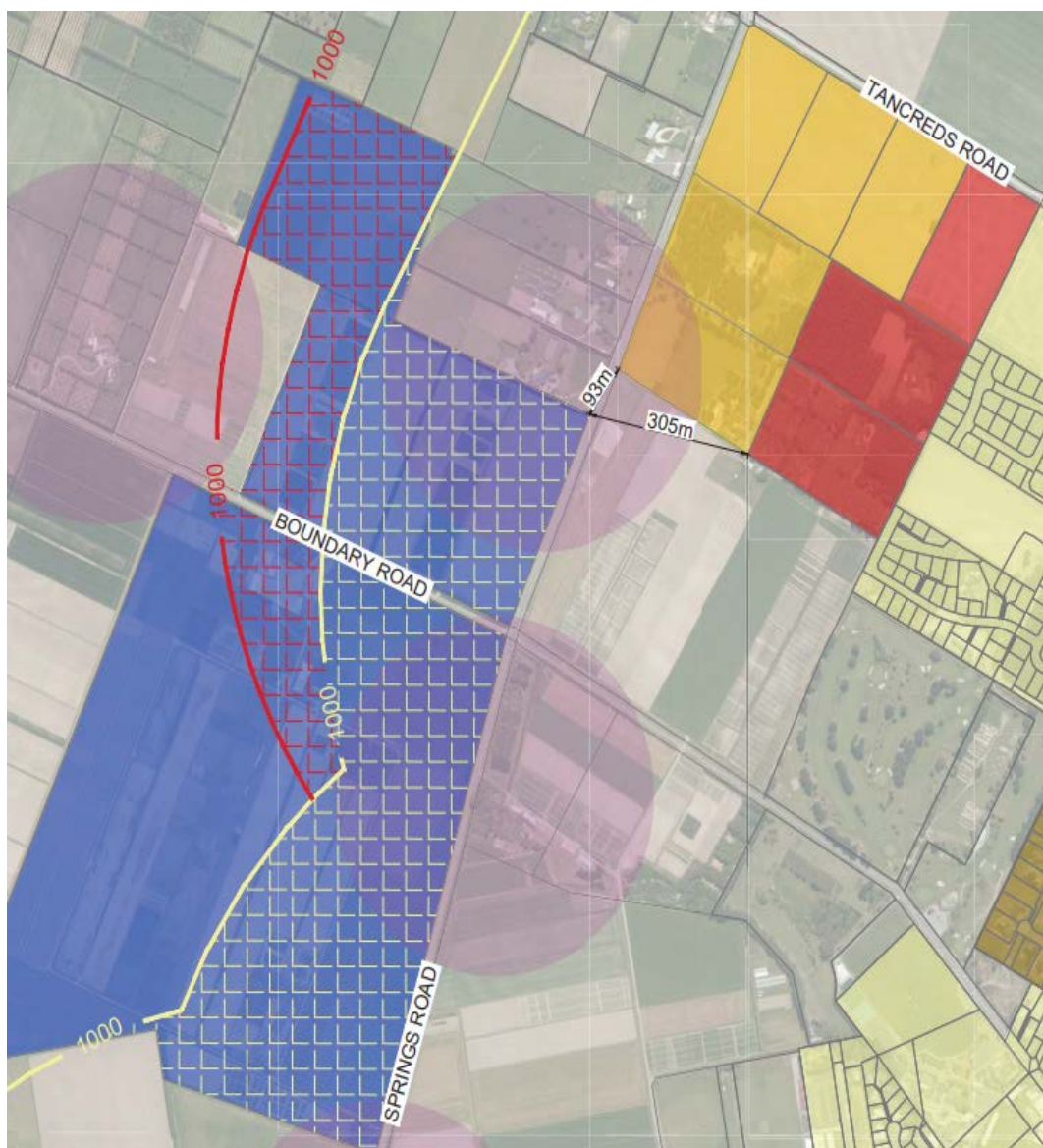


10.49 Plant & Food consider their operations are not 'standard' farm practices as stated by Ms Aston, and that the proposed rezoning will result in reverse sensitivity effects that are not able to be appropriately mitigated. Security is also of high concern where incompatible activities adjoin their research farms. Plant & Food state that they already field complaints about their operations even when in the GRUZ, and in their opinion the proposed rezoning will exacerbate such issues and impact on future approvals.

10.50 Plant & Food also note that: the subject site is located outside of the greenfield priority areas identified on Map A, as well as the UGO; the requested rezoning is inconsistent with the Business and Greenfield Frameworks and the objectives and policies of the PDP; and in their view, the costs outweigh the benefits.

10.51 AgResearch²¹ is also a further submitter in opposition where the primary concern is reverse sensitivity effects. AgResearch has significant assets and operational interests in Selwyn including a 101.5ha Research Farm to the west, a minimum of 93m from the subject site. AgResearch's purpose is to use science to enhance the value, productivity, and profitability of New Zealand's pastoral, agri-food and agri-technology sector value chains to contribute to economic growth and beneficial environmental and social outcomes for New Zealand. The AgResearch Farm is shown in blue on the figure below in relation to the subject site shown in yellow and red (copied from the AgResearch evidence).

²¹342.FS001 AgResearch



10.52 AgResearch estimate that approximately 47% of the farm is currently affected by the PDP 1,000m permitted setback rule for 'intensive primary production' activities in relation to any Residential Zone (GRUZ-REQ8) and the Canterbury Air Regional Plan 1,000m setback requirements, which would increase to 67% if the rezoning is approved. AgResearch consider that Ms Aston has not adequately assessed the potential reverse sensitivity effects on potential or anticipated activities at the Lincoln Research Farm contrary to the Greenfield Framework. They also consider that the proposal is inconsistent with the CRPS (Policies 6.3.1, 6.3.9), the UDS (6.17.3, 6.19.3, 6.25.3), Selwyn 2031, and the Lincoln Structure Plan.

10.53 I agree that reverse sensitivity effects have not been adequately assessed in the STF evidence and that there is the potential for more than minor reverse sensitivity effects with respect to both Plant & Food and AgResearch's established operations given the close proximity to both established operations and the nature of these activities. However; I do question whether the AgResearch operations would be defined as 'intensive primary production' and whether GRUZ-R18 and GRUZ-REQ8 which applies a 1km setback from a residential zone would apply

as detailed by AgResearch. It is considered that their operations would better fit the definition of ‘research activity’ which is permitted in accordance with GRUZ-R13 subject to GRUZ-REQ6 Hours of Operation only. Regardless, reverse sensitivity effects have not been fully assessed in the STF evidence.

Access to Barton Fields

10.54 The existing Barton Fields ODP (DEV-L14) does not include any connection from Barton Fields to the subject site (as the subject site is zoned GRUZ where residential development was not envisaged at the time of the Barton Fields development). The STF submission seeks amendment to the Barton Fields ODP to connect Barton Fields with the proposed residential zoning within the subject site.

10.55 BHL²² are a further submitter in opposition who oppose any link or connection through the Barton Fields subdivision via the lots identified in the submission, or any others, as it is a breach of the land owners covenants. The further submission also states that a future link was not identified on the Barton Fields subdivision plans.

10.56 Ms Aston’s evidence dated 1 August 2022 states that 15 Benashet Drive provides a potential access link as this lot is owned by one of the submitters (the Stewart’s); however, that the proposed development is not dependent on securing access to Barton Fields. Ms Aston has provided a copy of the covenant pertaining to Lots 9 to 34 DP 537457 of the Barton Fields subdivision (attached as Appendix D to her evidence), and states that there is no covenant restricting an access link. This appears to be the case from reviewing the covenant, but it is also of note that Ms Aston has confirmed that future development is not dependent on such a link. Therefore, it is recommended that no such amendment be made to the ODP to provide for such a link, and based on the other issues identified with the proposed rezoning. However, should the Panel recommend that the subject site be rezoned, this is a matter that would need to be revisited and considered further.

Rezoning Framework

10.57 As set out in the Rezoning Framework Report, for rezoning requests outside of the UGO the first test is whether the proposal meets the NPS-UD Policy 8 significance criteria including: it contributes to a well-functioning urban environment; and is well connected along transport corridors. Well-functioning urban environment is defined as Policy 1 of the NPS-UD which outlines 6 factors (minimum). ‘Well-connected along transport corridors’ is not defined within the NPS-UD.

²²496.FS001 BHL

Policy 8 Criteria

| Criteria | The request, at a minimum: |
|---|--|
| Has a variety of homes that meet the needs in terms of type, price, and location | <ul style="list-style-type: none"> • Demonstrates a range of typologies and site sizes or outlines why this is not appropriate. • Outlines the demographic need that is supported. |
| If applicable, enables Māori to express their cultural traditions and norms | <ul style="list-style-type: none"> • Outlines the cultural tradition and norms that is supported. |
| Has a variety of sites that are suitable for different business sectors in terms of location and site size | <ul style="list-style-type: none"> • Demonstrates where business locations and sizes are provided or outlines why this is not appropriate. |
| Has good accessibility for all people between housing, jobs, community services, natural and open spaces, including by public or active transport | <ul style="list-style-type: none"> • Demonstrates how it connects to current or planned or will support future public transport systems. • Demonstrates how it provides for active transport accessibility. • Demonstrates how it links to jobs, open spaces, and community services. |
| Supports the competitive operation of land and development markets | <ul style="list-style-type: none"> • Outlines how this supports competition. |
| Supports the reduction in greenhouse gas emissions | <ul style="list-style-type: none"> • Demonstrates how greenhouse gas emissions will be reduced. |
| Resilient to likely current and future effects of climate change | <ul style="list-style-type: none"> • Demonstrates what natural hazards it avoids or mitigates. • Outlines how it improves resilience. |
| Well-connected along transport corridors | <ul style="list-style-type: none"> • Demonstrates how it is connected to key strategic transport routes. |

10.58 Ms Aston has not addressed the Policy 8 significance criteria. A key issue identified in the peer review is that the proposed site access is anticipated to result in adverse traffic safety effects which are not able to be appropriately mitigated. Accordingly the site cannot be described as being 'well-connected' along transport corridors and therefore is arguably inconsistent with Policy 8.

10.59 The request also needs to be balanced against the Greenfield and Business Frameworks. An assessment against these frameworks is addressed in Ms Aston's evidence, however I do not fully agree with this assessment and therefore I have not relied on it and have undertaken an assessment below.

Greenfield Framework

| Criteria | Assessment: |
|--|--|
| Does it maintain a consolidated and compact urban form? | The rezoning would extend the urban form by extending beyond the township boundary to the west of Barton Fields. |

| | |
|--|--|
| Does it support the township network? | It has not been demonstrated that there is demand for additional residential land and which supports the township network. |
| If within the Urban Growth Overlay, is it consistent with the goals and outline development plan? | The site is not within the UGO. |
| Does not effect the safe, efficient, and effective functioning of the strategic transport network? | The transport peer review has identified traffic safety effects with respect to the strategic transport network which have not been appropriately mitigated. |
| Does not foreclose opportunity of planned strategic transport requirements? | Potential speed limit reductions on Springs Road to facilitate the development are considered likely to be impracticable. |
| Is not completely located in an identified High Hazard Area, Outstanding Natural Landscape, Visual Amenity Landscape, Significant Natural Area, or a Site or Area of Significance to Māori? | The site is outside of these areas. |
| Does not locate noise sensitive activities within the 50 db Ldn Air Noise Contours | The site is outside of the 50 dB Air Noise Contour relevant to Christchurch International Airport. |
| The loss of highly productive land | The site has LUC 1 and 3 soils and will result in a loss of highly productive land, which the applicant argues is not as productive as the land class would indicate. However, the assessment against the NPS-HPL is considered insufficient to draw this conclusion. |
| Achieves the built form and amenity values of the zone sought | This can be achieved through an ODP. |
| Protects any heritage site and setting, and notable tree within the re-zoning area | No heritage features or notable trees identified. |
| Preserves the rural amenity at the interface through landscape, density, or other development controls | The site directly adjoins a Plant & Food Farm and is near to an AgResearch Farm where reverse sensitivity could be an issue that is not able to be mitigated. |
| Does not significantly impact existing or anticipated adjoining rural, dairy processing, industrial, inland port, or knowledge zones | The site directly adjoins a Plant & Food Farm and is near to an AgResearch Farm where reverse sensitivity could be an issue that is not able to be mitigated. |
| Does not significantly impact the operation of important infrastructure, including strategic transport network | No important infrastructure is identified, however the site directly adjoins Springs Road which is an arterial road and part of the strategic transport network. The Transport peer review has identified significant safety concerns associated with the strategic transport network. |

| | |
|---|--|
| How it aligns with existing or planned infrastructure, including public transport services, and connecting with water, wastewater, and stormwater networks where available | Water provision and the closure of the water race could be a limitation; however this could potentially be overcome. |
| Ensuring waste collection and disposal services are available or planned | Could feasibly be provided. |
| Creates and maintains connectivity through the zoned land, including access to parks, commercial areas and community services | Connectivity can be achieved with additional linkages. |
| Promotes walking, cycling and public transport access | Walking and cycling can be promoted with additional linkages. Bus services are available. |
| The density proposed is 15hh/ha or the request outlines the constraints that require 12hh/ha | A minimum density of 15hh/ha is proposed. |
| The request proposes a range of housing types, sizes and densities that respond to the demographic changes and social and affordable needs of the district | The proposed zoning can accommodate a range of housing types, sizes and densities. |
| An ODP is prepared | An ODP has been prepared. |

Business Framework

| Criteria | Assessment: |
|--|---|
| Provides a diverse range of services and opportunities. | The economic peer review has concluded that there is not the demand for the amount of GIZ land proposed. There is also 12ha of GIZ land already available in Lincoln, which is not recommended to be rezoned residential. |
| The request responds to the demographic changes and social and affordable needs of the district. | The economic peer review concludes that the proposed GIZ land is not needed. |
| Provides for the needs of the catchment that the activities serves | The economic peer review concludes that the proposed GIZ land is not needed. |
| Is consistent with the Activity Centre Network. | The economic peer review concludes that the proposed GIZ land is not needed and is therefore inconsistent with the existing Activity Centre Network. |
| The location, dimensions, and characteristics of the land are appropriate to support activities sought in the zone. | The land is not appropriately located due to traffic safety, economic, and reverse sensitivity effects. |
| An ODP is prepared. | An ODP has been prepared. |
| Does not effect the safe, efficient, and effective functioning of the strategic transport network? | The transport peer review has identified traffic safety issues with respect to the strategic transport network. |

| | |
|--|---|
| Achieves the built form and amenity values of the zone sought | This can be achieved through an ODP. |
| Creates and maintains connectivity through the zoned land, including access to parks, commercial areas and community services | Connectivity can be achieved with additional linkages. |
| Promotes walking, cycling and public transport access | Walking and cycling can be promoted with additional linkages. |
| Does it maintain a consolidated and compact urban form? | The rezoning would extend the urban form by extending beyond the township boundary to the west of Barton Fields and the proposed GIZ would introduce additional GIZ land further removed from the Lincoln township. |
| Is not completely located in an identified High Hazard Area, Outstanding Natural Landscape, Visual Amenity Landscape, Significant Natural Area, or a Site or Area of Significance to Māori? | The site is outside of these areas. |
| The loss of highly productive land | The site has LUC 1 and 3 soils and will result in a loss of highly productive land, which the applicant argues is not as productive as the land class would indicate. However, the assessment against the NPS-HPL is considered insufficient to draw this conclusion. |
| Preserves the rural amenity at the interface through landscape, density, or other development controls | The site directly adjoins a Plant & Food Farm and is near to an AgResearch Farm where reverse sensitivity could be an issue that is not able to be mitigated. . |

10.60 On the basis of the above assessment I recommend that the submission points be rejected for the following reasons:

10.60.1 The adverse traffic safety effects, which have not been demonstrated as being practicable to mitigate;

10.60.2 The adverse economic effects including: a lack of evidential basis to support the demand for 13 ha of GIZ or the need for additional residential development to assist with growth; other industrial areas have better access meaning the site is unlikely to play a major role in the wider sub-regional market; and the potential economic impact on the neighbouring agricultural research activities;

10.60.3 The impact on LUC 1 and 3 soils and the insufficient assessment against the NPS-HPL;

10.60.4 Potential reverse sensitivity effects with respect to the Plant & Food and AgResearch Farms and their operations, which have not been demonstrated as being able to be appropriately mitigated;

10.60.5 Inconsistency with the NPS-UD Policy 8 significance criteria and with the Greenfield and Business Frameworks in several respects.

Recommendation

10.61 I recommend, for the reasons given above, that the Hearings Panel retain the zoning as notified.

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

11 Zoning around Lincoln Township

Submissions

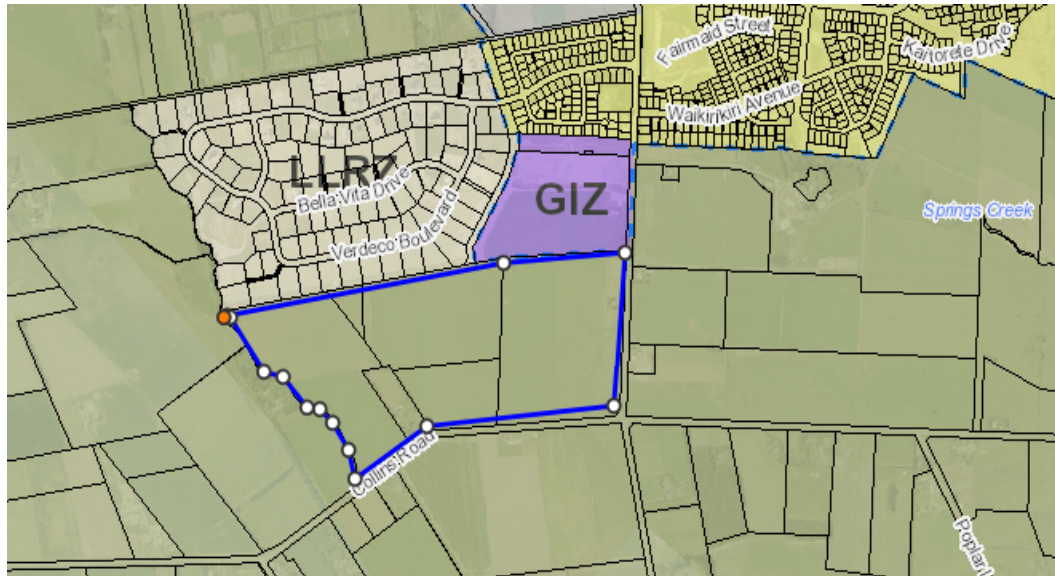
11.1 One submission point and two further submission points were received in relation to this subtopic.

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested |
|---------------------|---------------------------|-------------------------|-----------------|--|
| DPR-0150 | Barry Moir | 002 | Oppose in Part | Request that Council consider the Lincoln boundary as suitable for residential or large lot residential zoning and that land down to Collins Road be considered as industrial, if not rural residential. |
| DPR-0032 | Christchurch City Council | FS097 | Oppose | Oppose submission. |
| DPR-0209 | Manmeet Singh | FS074 | Support in Part | Accept submissions in part |

Analysis

11.2 Barry Moir²³ considers that historical land use has changed and pressure from township growth has made traditional uses more difficult to sustain, exacerbated by compliance issues. Mr Moir requests that Council consider the Lincoln boundary as suitable for GRZ or LLRZ, and that land down to Collins Road be considered as GIZ, if not rural residential. The area marked below is assumed to be the area Mr Moir is referring to.

²³ 0150.2-Barry Moir



- 11.3 The Lincoln boundary has been identified as suitable for MRZ or LLRZ as is reflected in the current zoning. There is also an area of LLRZ to the south-west outside of the township boundary. Further GIZ or LLRZ land in the vicinity of Collins Road has not been justified by evidence, is outside of the UGO, and has not been identified in the RRS14 as suitable for rural residential development. Variation 1 to the PDP has also superseded this submission point and the MRZ is now in immediate legal effect in the township. Therefore, I recommend that the submission point be rejected.

Recommendation

- 11.4 I recommend, for the reasons given above, that the Hearings Panel retain the zoning as notified.
- 11.5 It is recommended that the submission is rejected as shown in **Appendix 1**.

12 Amend from GRUZ to GRZ

Submissions

- 12.1 Seventeen submissions points and fifty one further submission points were received in relation to this subtopic.

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested |
|--------------|--|------------------|----------------------|----------|---|
| DPR-0163 | Mikyung Jang | 001 | Urban Growth Overlay | Support | Amend GRUZ at 33 Allendale Lane (Lot 121 DP 329124 BLK V Halswell SD), Lincoln to a residential category with alternative access to Allendale Lane. |
| DPR-0032 | Christchurch City Council | FS101 | Rezoning | Oppose | Oppose submission |
| DPR-0209 | Manmeet Singh | FS075 | Rezoning | Support | Accept the submission |
| DPR-0384 | Rolleston Industrial Developments Limited (RIDL) | FS303 | Rezoning | Support | Adopt |

| | | | | | |
|----------|---|-------|----------------------|-----------------|--|
| DPR-0392 | CSI Property Limited | FS023 | Rezoning | Oppose | Reject |
| DPR-0164 | Inwha Jung | 001 | Urban Growth Overlay | Support | Amend GRUZ at 33 Allendale Lane, Lincoln to a residential category with alternative access to Allendale Lane. |
| DPR-0032 | Christchurch City Council | FS102 | Rezoning | Oppose | Oppose submission |
| DPR-0209 | Manmeet Singh | FS077 | Rezoning | Support | Accept the submission |
| DPR-0384 | Rolleston Industrial Developments Limited (RIDL) | FS302 | Rezoning | Support | Adopt |
| DPR-0392 | CSI Property Limited | FS022 | Rezoning | Oppose | Reject |
| DPR-0176 | Brent Macaulay & Becky Reid | 001 | | Oppose | Rezone the 33.7ha site comprising the land parcels legally described below General Residential, and any neighbouring or other land as appropriate including for sound resource management reasons and as is in the interests of the submitter: Lot 2 DP 323286 Lot 1 DP 323286 Lot 3 DP 33959 Lot 4 DP 26021 Lot 3 DP 26021 |
| DPR-0032 | Christchurch City Council | FS104 | Rezoning | Oppose | Oppose submission |
| DPR-0246 | Craig Robertson | FS002 | Rezoning | Support in Part | Support the submission subject to the rezoning proposal providing for appropriate integration and connectivity with residential development of my land. |
| DPR-0176 | Brent Macaulay & Becky Reid | 011 | | Oppose | Add a Development Area ODP to cover the site (Lot 1 DP 323286, Lot 2 DP 323286, Lot 3 DP 33959, Lot 3 DP 26021, Lot 4 DP 26021) |
| DPR-0032 | Christchurch City Council | FS105 | DEV-LI | Oppose | Oppose submission |
| DPR-0246 | Craig Robertson | FS012 | DEV-LI | Support in Part | Support the submission subject to the rezoning proposal providing for appropriate integration and connectivity with residential development of my land. |
| DPR-0176 | Brent Macaulay & Becky Reid | 012 | | Oppose | Amend DEV-LI3 Development Area ODP to make provision for access to the north (i.e. to Lot 1 DP 323286, Lot 2 DP 323286, Lot 3 DP 33959, Lot 3 DP 26021, Lot 4 DP 26021). |
| DPR-0032 | Christchurch City Council | FS106 | DEV-LI | Oppose | Oppose submission |
| DPR-0246 | Craig Robertson | FS013 | DEV-LI | Support in Part | Support the submission subject to the rezoning proposal providing for appropriate integration and connectivity with residential development of my land. |
| DPR-0202 | T & K Hopper, B & R Jacques, B & F McKeich, R & S Silcock, D & K Perrott, T | 001 | Map | Oppose | Rezone the properties in Allendale Lane that are subject to the Urban Growth Overlay to a Residential Zone, namely: Lot 1 DP 371976 Lot 2 DP 371976 |

| | | | | | |
|----------|--|-------|----------|----------------|---|
| | Richardson & H Carmichael | | | | Lot 3 DP 371976 Lot 4 DP 371976 Lot 5 DP 371976 Lot 6 DP 371976 Lot 120 DP 329124 Lot 121 DP 329124 |
| DPR-0032 | Christchurch City Council | FS113 | Rezoning | Oppose | Oppose submission |
| DPR-0209 | Manmeet Singh | FS079 | Rezoning | Support | Accept the submission |
| DPR-0384 | Rolleston Industrial Developments Limited (RIDL) | FS301 | Rezoning | Support | Adopt |
| DPR-0392 | CSI Property Limited | FS021 | Rezoning | Oppose | Reject |
| DPR-0209 | Manmeet Singh | 001 | Map | Oppose | Rezone the following land General Residential, together with any neighbouring or other land as appropriate including for sound resource management reasons: Lot 1 DP 371976 Lot 2 DP 371976 Lot 3 DP 371976 Lot 4 DP 371976 Lot 5 DP 371976 Lot 6 DP 371976 Lot 120 DP 329124 Lot 121 DP 329124 |
| DPR-0032 | Christchurch City Council | FS116 | Rezoning | Oppose | Oppose submission |
| DPR-0384 | Rolleston Industrial Developments Limited (RIDL) | FS300 | Rezoning | Support | Adopt |
| DPR-0392 | CSI Property Limited | FS020 | Rezoning | Oppose | Reject |
| DPR-0209 | Manmeet Singh | 002 | DEV | Oppose | Insert a new Outline Development Plan to DEV-LI covering all of: Lot 1 DP 371976 Lot 2 DP 371976 Lot 3 DP 371976 Lot 4 DP 371976 Lot 5 DP 371976 Lot 6 DP 371976 Lot 120 DP 329124 Lot 121 DP 329124 and any neighbouring or other land as appropriate including for sound resource management reasons and as is in the interests of the Submitter |
| DPR-0032 | Christchurch City Council | FS117 | New | Oppose | Oppose submission |
| DPR-0219 | Lester & Dina Curry | 002 | Map | Oppose in Part | Rezone land around the Lincoln township, inside the boundaries of Springs Road, Carters Road, Lincoln Tai Tapu Road, Perrymans Road, Tancreds Road, to provide for more residential development. |

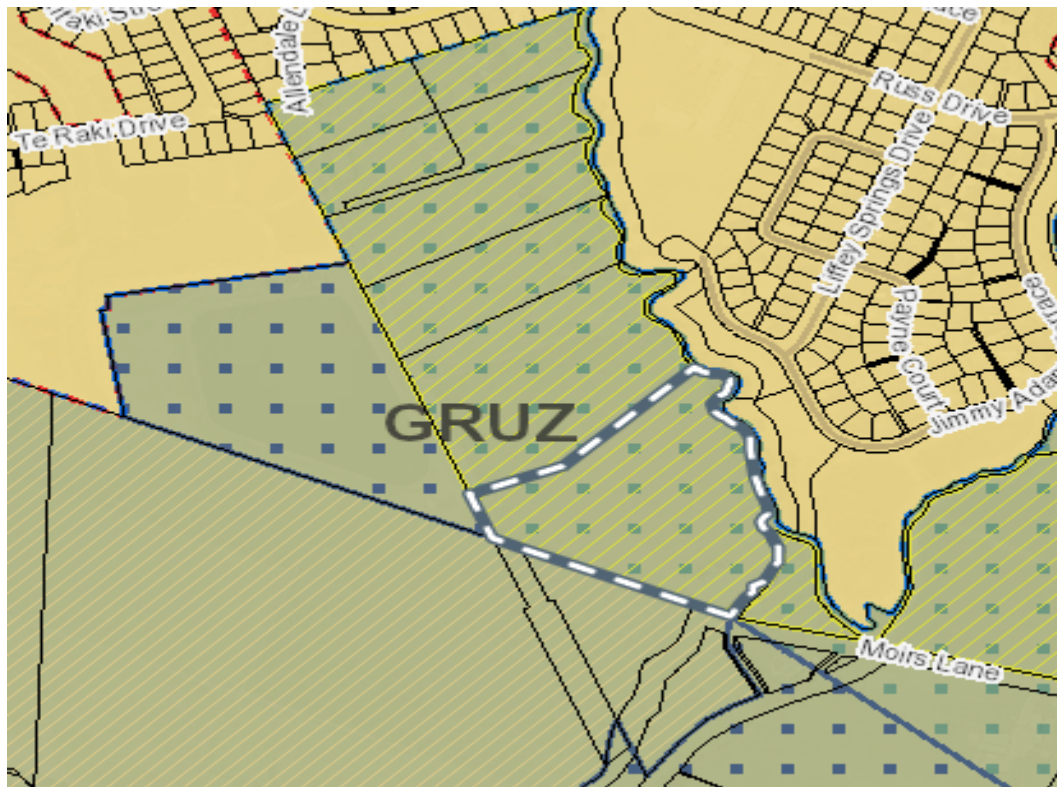
| | | | | | |
|----------|-----------------------------|-------|----------|----------------------------|---|
| DPR-0032 | Christchurch City Council | FS118 | New | Oppose | Oppose submission |
| DPR-0246 | Craig Robertson | 001 | Map | Oppose | Amend zoning at 481 Birchs Road (Lot DP 58865), Prebbleton and surrounding neighbours as appropriate and in the interest of the submitter from General Rural Zoning to General Residential or Large Lot Residential of up to 1.5ha in lot size. |
| DPR-0032 | Christchurch City Council | FS120 | Rezoning | Oppose | Oppose submission |
| DPR-0273 | Derek Hann | 001 | Map | Support | Amend the zoning of LOT 2 DP 83562 from GRUZ to residential. |
| DPR-0032 | Christchurch City Council | FS124 | Rezoning | Oppose | Oppose submission |
| DPR-0275 | E Salins | 001 | Map | Support | Requests this redesignation be approved (staff note: this appears to be requesting the rezoning of 624 Ellesmere Road, Lincoln from General Rural Zone to General Residential Zone as per the neighbouring land). |
| DPR-0032 | Christchurch City Council | FS125 | Rezoning | Oppose | Oppose submission |
| DPR-0351 | Next Level Developments | 004 | Map | Neither Support Nor Oppose | Rezone identified sites, including 407, 447, 467 and 487 Tancreds Road to GRZ. |
| DPR-0176 | Brent Macaulay & Becky Reid | FS001 | Rezoning | Support in Part | Support the submission subject to the submitter being fully consulted on the rezoning proposal and any changes thereto, which includes our land; and the rezoning being consistent with our interests. |
| DPR-0246 | Craig Robertson | FS001 | Rezoning | Support in Part | Support the submission subject to amendments to the rezoning proposal including rezoning plan to ensure integration and connectivity with residential development of my land. |
| DPR-0392 | CSI Property Limited | 001 | Map | Oppose | Amend the planning maps so as to rezone the following properties from GRUZ to GRZ: Lot 1 DP4864 Lot 2 DP 455360 |
| DPR-0032 | Christchurch City Council | FS143 | Rezoning | Oppose | Oppose submission. |
| DPR-0245 | Brendan Herries | FS008 | Rezoning | Support | Allow the expansion of the lincoln township south. Support overlay |
| DPR-0519 | Dee-Ann Bolton | FS004 | Rezoning | Oppose | Keep 185 Collins Road as GRUZ as outlined in the proposed district plan |
| DPR-0528 | Nicole and Ben Schon | FS004 | Rezoning | Oppose | Disallow. Keep 185 Collins Rd as GRUZ as outlined in the proposed district plan. |
| DPR-0562 | Richard Bolton | FS006 | Rezoning | Oppose | Keep 185 Collins Road as GRUZ as outlined in the proposed district plan |
| DPR-0589 | Richard George Barratt | FS004 | Rezoning | Oppose | Keep 185 Collins Road as GRUZ as outlined in the proposed district plan |
| DPR-0590 | Margaret Elizabeth Barratt | FS004 | Rezoning | Oppose | Keep 185 Collins Road as GRUZ as outlined in the proposed district plan |
| DPR-0392 | CSI Property Limited | 009 | Map | Oppose | Amend the planning maps to rezone the following land from GRUZ to GRZ: |

| | | | | | |
|----------|--|-------|----------|-----------------|--|
| | | | | | Lot 2-7 DP 70466 Lot 2 DP 361975 Pt RS 2456 Lot 3 DP 2086 Pt Lot 4 DP 2086 Lot 1 DP 361975 Pt Lot 1 and 2 DP 2086 |
| DPR-0032 | Christchurch City Council | FS149 | Rezoning | Oppose | Oppose submission. |
| DPR-0205 | Lincoln University | FS009 | Rezoning | Oppose | Disallow the submission |
| DPR-0302 | Alison Smith, David Boyd & John Blanchard | FS002 | Rezoning | Support in Part | Accept submission points in part |
| DPR-0434 | Lincoln University | FS009 | Rezoning | Oppose | Disallow the submission |
| DPR-0493 | Gallina Nominees Ltd & Heinz-Wattie Ltd Pension Plan | FS014 | Rezoning | Support in Part | Accept submission in part: Rezone land with frontage to Dunns Crossing Road (RS 25807 & RS 23644) GRZ subject to this being consistent with the relief sought by submission 493 |
| DPR-0589 | Richard George Barratt | FS006 | Rezoning | Oppose | Reject the rezoning request as part of the district plan process, make any future decision based on the private plan change request 69 |
| DPR-0431 | Lance Roper | 001 | Map | Oppose | Amend the planning maps so as to rezone the following properties from GRUZ to an appropriate residential zone: PT RS 6377 Lot 1-7 DP 70466 Lot 2 DP 361975 Pt RS 2456 Lot 3 DP 2086 Pt Lot 4 DP 2086 Lot 1 DP 361975 Lot 1 and 2 DP 2086 |
| DPR-0032 | Christchurch City Council | FS162 | Rezoning | Oppose | Oppose submission. |
| DPR-0245 | Brendan Herries | FS002 | Rezoning | Support | Allow the expansion of the lincoln township south. Support overlay |
| DPR-450 | Lance Roper | 001 | Map | Oppose | Amend the planning maps so as to rezone the following properties from GRUZ to an appropriate residential zone: -Lot 1 DP 4864 -Lot 2 DP 455360 |
| DPR-0032 | Christchurch City Council | FS170 | Rezoning | Oppose | Oppose submission. |
| DPR-0245 | Brendan Herries | FS005 | Rezoning | Support | Allow the expansion of the lincoln township south. Support overlay |
| DPR-0519 | Dee-Ann Bolton | FS001 | Rezoning | Oppose | Keep 185 Collins Road as GRUZ as outlined in the proposed district plan |

| | | | | | |
|----------|----------------------------|-------|----------|--------|--|
| DPR-0528 | Nicole and Ben Schon | FS001 | Rezoning | Oppose | Disallow. Keep 185 Collins Rd as GRUZ as outlined in the proposed district plan. |
| DPR-0560 | Verity Allen | FS001 | Rezoning | Oppose | For the land to maintain its GRUZ zone classification |
| DPR-0562 | Richard Bolton | FS003 | Rezoning | Oppose | Keep 185 Collins Road as GRUZ as outlined in the proposed district plan |
| DPR-0589 | Richard George Barratt | FS001 | Rezoning | Oppose | Keep 185 Collins Road as GRUZ as outlined in the proposed district plan |
| DPR-0590 | Margaret Elizabeth Barratt | FS001 | Rezoning | Oppose | Keep 185 Collins Road as GRUZ as outlined in the proposed district plan |

Analysis

- 12.2 Mikyung Jang²⁴ and Inwha Jung²⁵ seek to rezone 33 Allendale Lane (Lot 121 DP 329124) from GRUZ to GRZ, with alternative access to Allendale Lane. No submitter evidence has been provided in support of this submission point.



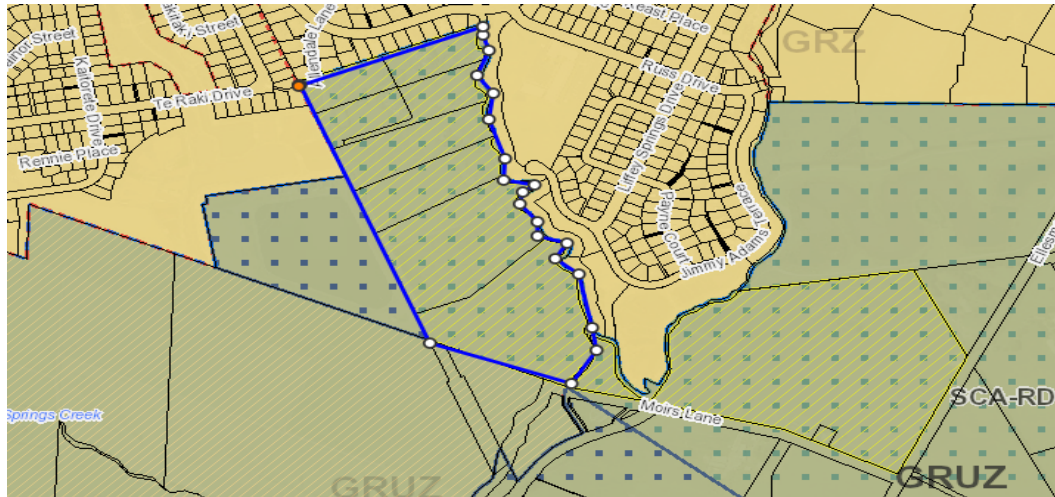
- 12.3 In addition, T & K Hopper, B & R Jacques, B & F McKeich, R & S Silcock, D & K Perrott, T Richardson & H Carmichael²⁶ (Hopper & Others), and Manmeet Singh²⁷, are also seeking to rezone properties in Allendale Lane from GRUZ to GRZ. This rezoning request includes 7, 9, 11, 13, 17, 21, 27 and 33 Allendale Lane.

²⁴ 0163.01-Mikyung Jang

²⁵ 0164.01-Inwha Jung

²⁶ 0202.001-T & K Hopper, B & R Jacques, B & F McKeich, R & S Silcock, D & K Perrott, T Richardson & H Carmichael

²⁷ 0209.01-Manmeet Singh



- 12.4 Hopper & Others have not provided evidence, but Manmeet Singh has provided geotechnical, servicing, odour, infrastructure, transport and planning evidence, as well as an ODP (copied below). The ODP shows a road connection though to the PC69 area, an odour buffer area in relation to the adjacent Council wastewater treatment facility (red dashed line), an esplanade reserve adjacent to the Liffey Stream (green), and an indicative stormwater management area (purple).

APPENDIX 1 OUTLINE DEVELOPMENT PLAN

DEV-LI2 - Lincoln 2 Allendale Lane Development Area



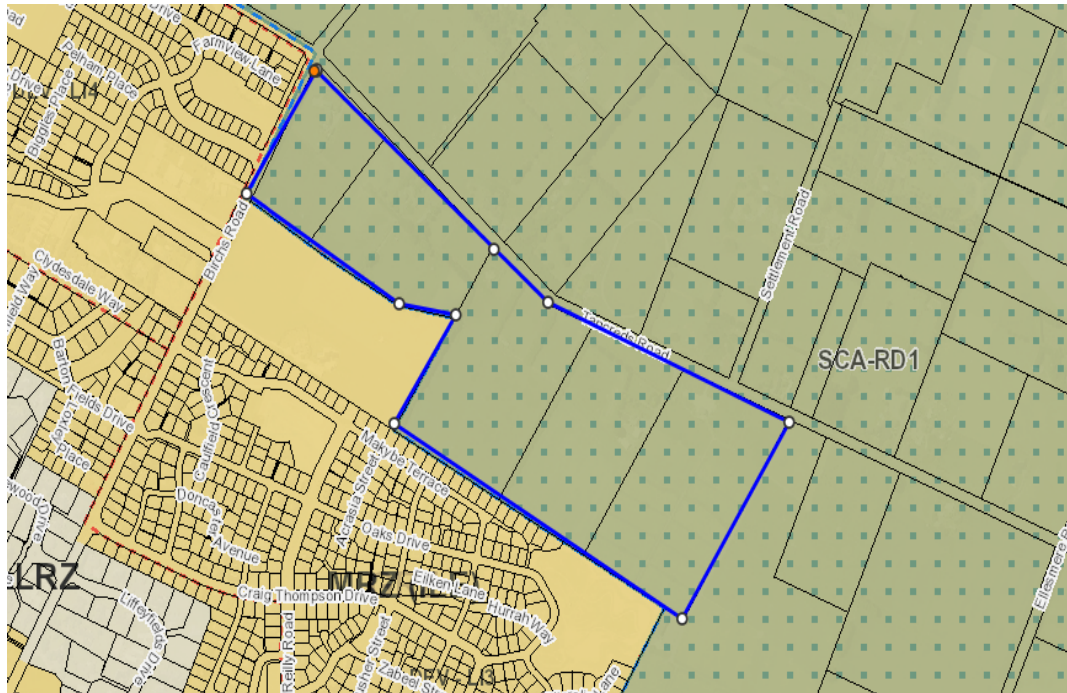
- 12.5 The submitters planning evidence acknowledges that the submission seeks to rezone the GRUZ land to GRZ, and that Mr Singh will also submit on Variation 1 requesting MRZ. However, if MRZ is rejected via the Variation 1 process, the planning evidence seeks a fallback position of LLRZ to be considered as part of this rezoning request. The evidence states that it is unclear if the fallback position of LLRZ is within the scope of Variation 1. LLRZ is not within the scope of the Variation 1 as the RMA-EHS only allows for the intensification of land and not for the provision of other zones.
- 12.6 The scope of the submission is that the site be rezoned GRZ. The requested GRZ is not an available zone in Lincoln through the RMA-EHS process and is therefore recommended to be rejected. With respect to the fallback provision of LLRZ, there is a question of scope as the submission sought GRZ and not LLRZ, however LLRZ has been considered. The sites are within the UGO, but are outside of proposed MRZ and Variation 1. The Lincoln Structure Plan identifies the northern half of the site as suitable for conventional residential development and the southern half for a stormwater management wetland system. The sites are identified within the RRS14 as being suitable for rural-residential (i.e. LLRZ), but this is a high-level analysis of suitability which was prepared some eight years ago. PC69 is located immediately to the south of the subject area and is subject to appeal.
- 12.7 The eight lot areas range from a minimum of approximately 1ha (7, 9, 11 and 13 Allendale Lane) at the northern end of the area to over 4ha (27 and 33 Allendale Lane) to the south of the area, adjacent to PC69. The total land area is approximately 17ha or 170,000m². The smaller lot sizes to the north are commensurate with the Lincoln Structure Plan which has identified the northern half of the site as being suitable for conventional residential development. If rezoned LLRZ, subdivision is provided for to 3,000m² (minimum net site area) and 5,000m² (minimum average site area). Based on a total site area of approximately 17ha, this would enable a yield of approximately thirty four lots in total without factoring in other site constraints such as an odour buffer.



- 12.8 Mr Hugh Nicholson, Urban Designer has prepared an Urban Design and Landscape Review on behalf of Council. In Mr Nicholson's view the key issue associated with this area being rezoned is connectivity. Mr Nicholson considers that if PC69 is not approved the connectivity of the site is low, but could be improved by: providing a mid-site pedestrian and cycle connection from the local road access across the Liffey Stream to connect with the Jimmy Adams Terrace walkway and to provide direct access to the town centre; pedestrian/cycle access along the full length of the northern edge of the stormwater basin connecting the northern end into the existing track network on the eastern side of Liffey Stream; realigning the southern end of the local road to connect directly with Moirs Lane in the southern corner of the site to future-proof a connection. Overall, in Mr Nicholson's opinion if PC69 is approved the connectivity would be moderate/high, but in the absence of PC69 being approved it remains low.
- 12.9 The Transport evidence of Chris Rossiter for the applicant states that from a transport perspective the worst-case scenario would occur if the residential zone was developed without the additional connection to the PC69 road network and all new residential development utilised Allendale Lane, as this would contribute to noticeable effects to the existing residents on Allendale Lane. However overall, Mr Rossiter concludes that LLRZ can be supported from a transport perspective.
- 12.10 In the odour evidence of Ms Cathy Nieuwenhuijsen for the submitter, she expects less than minor potential odour effects, and that based on the limited information provided, the operational use appears to have limited potential to result in offsite odours which would indicate a buffer of around 50m may be required to mitigate against reverse sensitivity odour effects. However, Ms Nieuwenhuijsen accepts that knowledge of the actual and expected use of the Council wastewater pond is required to understand the odour potential and allow her to recommend a setback distance to mitigate against odour effects on proposed residences on Allendale Lane Land or reverse sensitivity effects.
- 12.11 Overall, on the basis of the connectivity issues identified by Mr Nicholson, the amenity effects on the residents of Allendale Lane as a result of increased traffic in the absence of PC69 and an alternative traffic connection being confirmed, and the lack of a firm recommendation regarding a setback suitable to mitigate odour effects, LLRZ is not recommended. The merits of MRZ will need to be pursued at the Variation 1 Hearing with site connectivity being a key issue.
- 12.12 Brent Macaulay & Becky Reid²⁸ are seeking that 401, 407, 447, 467 and 487 Tancreds Road be rezoned from GRUZ to GRZ. In addition, Next Level Developments²⁹ are seeking that 407, 447, 467 and 487 Tancreds Road be rezoned from GRUZ to GRZ. No submitter evidence has been provided in support of these submission points. This land is outside of the UGO and is not subject to Variation 1. The area is also outside of the Lincoln Structure Plan boundary. Furthermore, the area contains LUC 1 and 2 soils where the NPS-HPL directs that the rezoning and development of highly productive land is to be avoided unless the consent authority can be satisfied that the exemptions in the NPS-HPL apply. Therefore, I recommend that the submission points be rejected.

²⁸ 0176.1, 0176.11, and 0176.12- Brent Macaulay & Becky Reid

²⁹ 0351.4 Next Level Developments

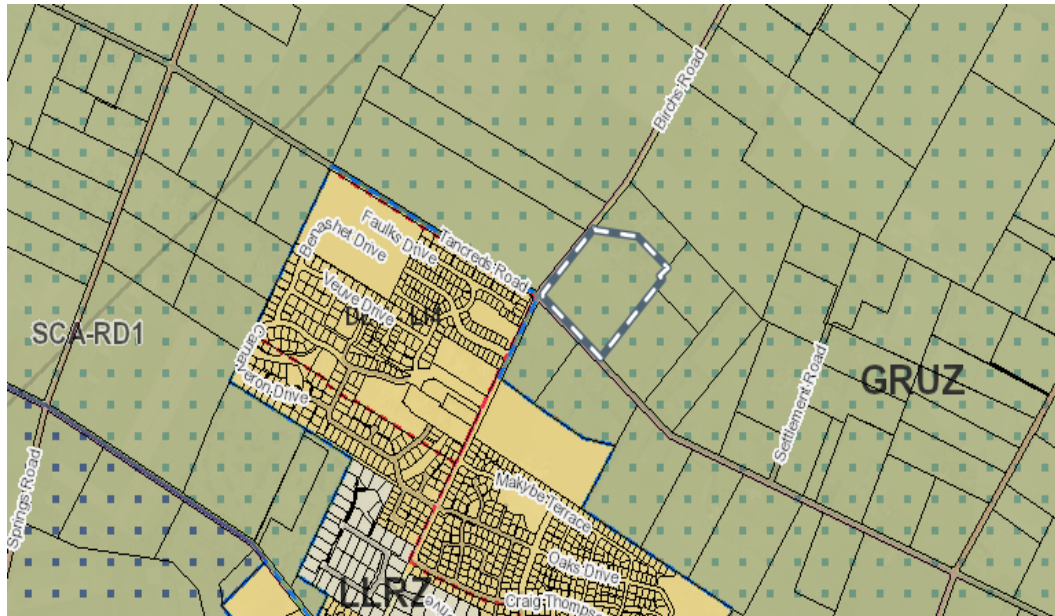


12.13 Lester & Dina Curry³⁰ are seeking that the land around the Lincoln township, inside the boundaries of Springs Road, Carters Road, Lincoln Tai Tapu Road, Perrymans Road, and Tancred Road be rezoned to provide for more residential development. This area is zoned GRUZ and is outside of the UGO and no submitter evidence has been provided to support this request. Furthermore, the area contains LUC 1, 2 and 3 soils where the NPS-HPL directs that the rezoning and development of highly productive land is to be avoided unless the consent authority can be satisfied that the exemptions in the NPS-HPL apply. Therefore, I recommend that the submission point be rejected.

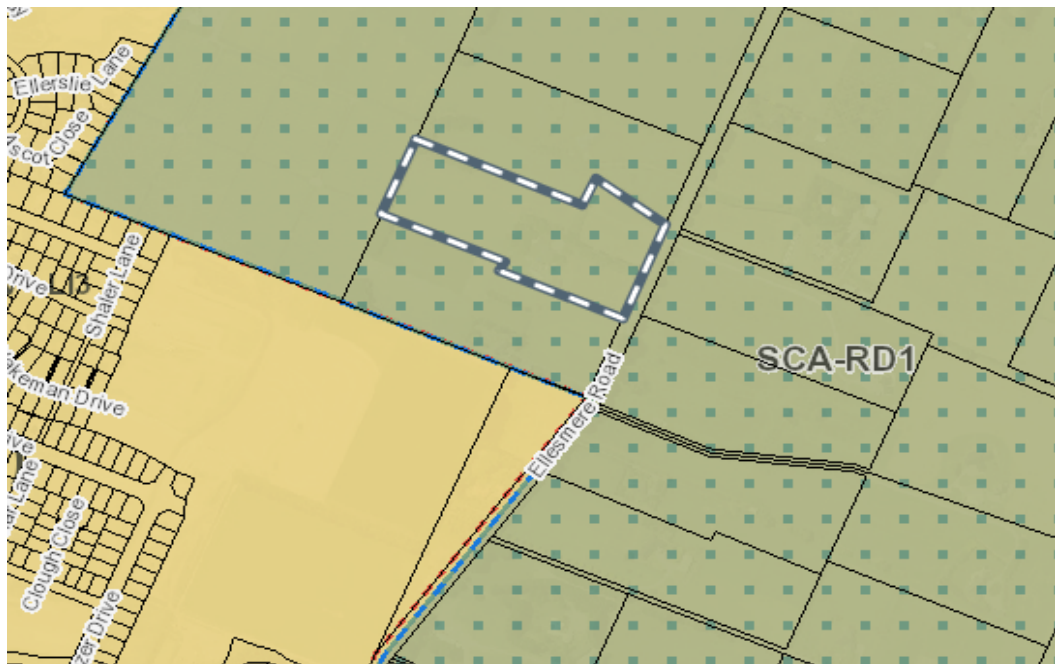
12.14 Craig Robertson³¹ is seeking to rezone 481 Birchs Road and surrounding neighbours as appropriate from GRUZ to GRZ or LLRZ of up to 1.5ha in lot size. This area is outside of the UGO and no submitter evidence has been provided to support this request. The area is not identified as suitable for rural-residential development as per the RRS14. Furthermore, the area contains LUC 1 and 2 soil where the NPS-HPL directs that the rezoning and development of highly productive land is to be avoided unless the consent authority can be satisfied that the exemptions in the NPS-HPL apply. Therefore, I recommend that the submission point be rejected.

³⁰ 219.2 Lester & Dina Curry

³¹ 0246.1-Craig Robertson



12.15 Derek Hann³² is seeking to rezone 608 Ellesmere Road (Lot 2 DP 83562) from GRUZ to GRZ. This area is outside of the UGO and no submitter evidence has been provided to support this request. Furthermore, the area contains LUC 2 soil where the NPS-HPL directs that the rezoning and development of highly productive land is to be avoided unless the consent authority can be satisfied that the exemptions in the NPS-HPL apply. Therefore, I recommend that the submission point be rejected.

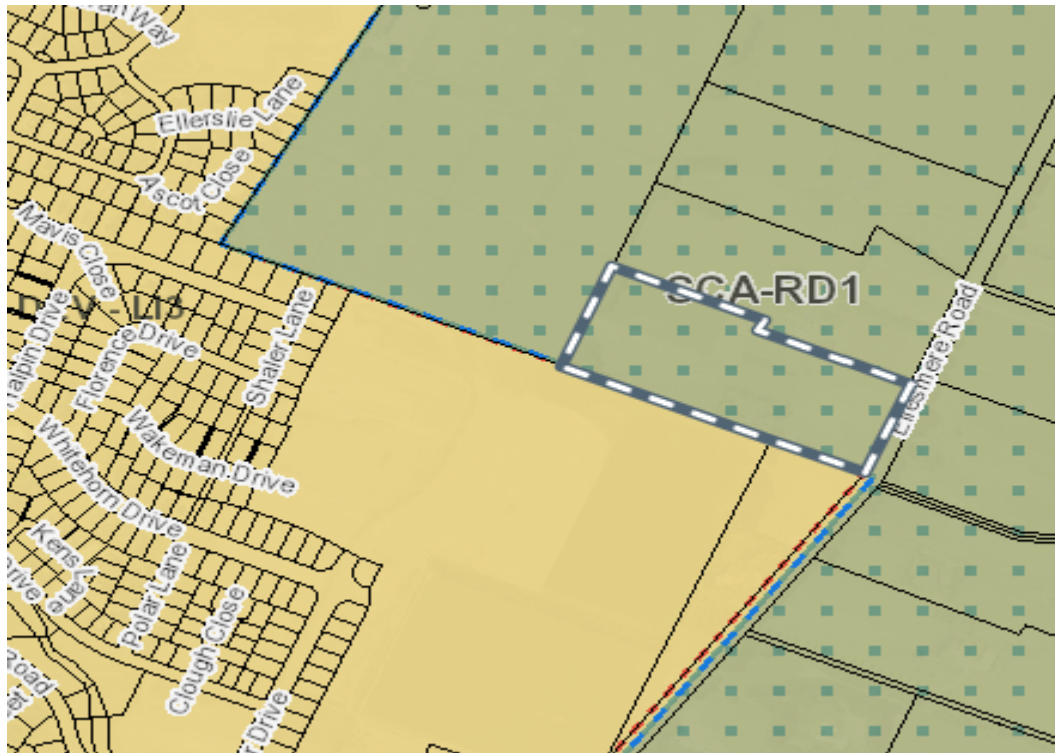


12.16 E Salins³³ is seeking that 624 Ellesmere Road be rezoned from GRUZ to GRZ. This area is outside of the UGO and no submitter evidence has been provided to support this request. Furthermore, the area contains LUC 2 soil where the NPS-HPL directs that the rezoning and

³² 0273.1- Derek Hann

³³ 0275.1- E Salins

development of highly productive land is to be avoided unless the consent authority can be satisfied that the exemptions in the NPS-HPL apply. Therefore, I recommend that the submission point be rejected.



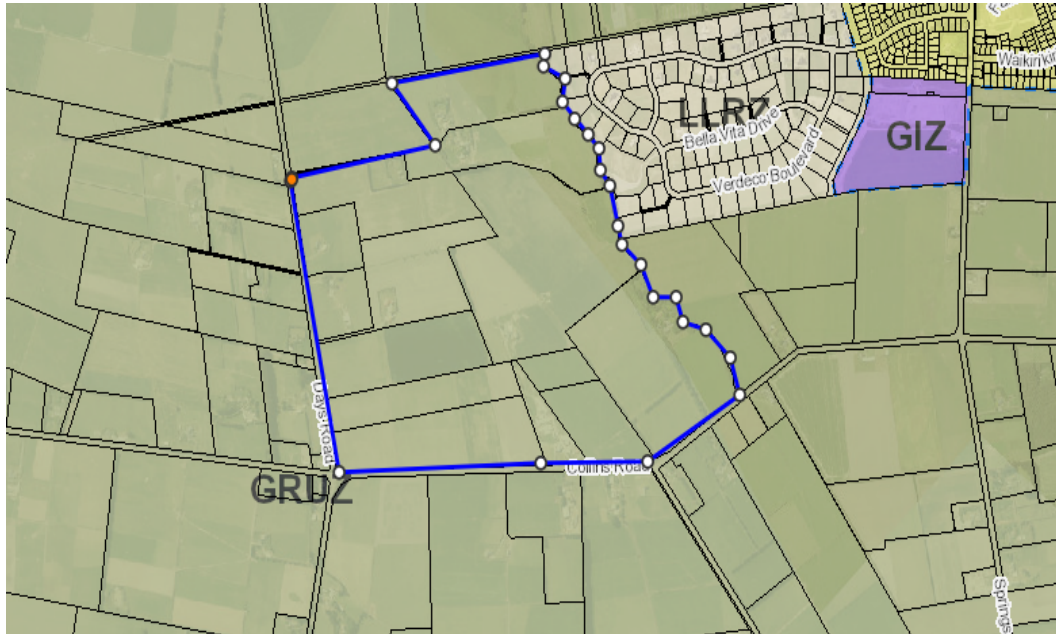
12.17 CSI Property Limited³⁴ and Lance Roper³⁵ are seeking to rezone 185 Collins Road (Lot 1 DP 4864 and Lot 2 DP 455360) from GRUZ to GRZ. This area is outside of the UGO and no submitter evidence has been provided to support this request. Furthermore, the area contains LUC 1, 2, and 3 soil where the NPS-HPL directs that the rezoning and development of highly productive land is to be avoided unless the consent authority can be satisfied that the exemptions in the NPS-HPL apply. Therefore, I recommend that the submission points be rejected.



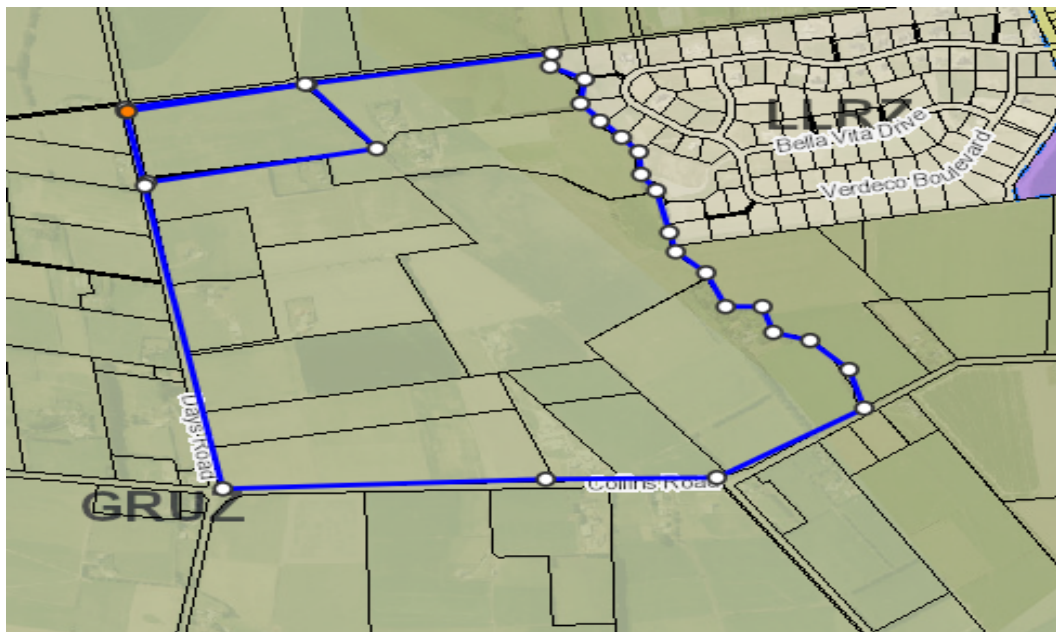
³⁴ 0392.1-CSI Property Limited

³⁵ 0450.1-Lance Roper

12.18 CSI Property Limited³⁶ are seeking to rezone land located at the northeast corner of Collins Road and Days Road from GRUZ to GRZ. This area is outside of the UGO and no submitter evidence has been provided to support this request. Furthermore, the area contains LUC 2 soil where the NPS-HPL directs that the rezoning and development of highly productive land is to be avoided unless the consent authority can be satisfied that the exemptions in the NPS-HPL apply. Therefore, I recommend that the submission point be rejected.



12.19 Lance Roper³⁷ also seeks to rezone the same land as CSI Property Limited, with the addition of the north-western corner lot. For the same reasons as in paragraph 12.18 I recommend that the submission points be rejected.



³⁶ 0392.009 - CSI Property Limited

³⁷ 0431.1-Lance Roper

Recommendation

12.20 I recommend, for the reasons given above, that the Hearings Panel retain the zoning as notified.

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

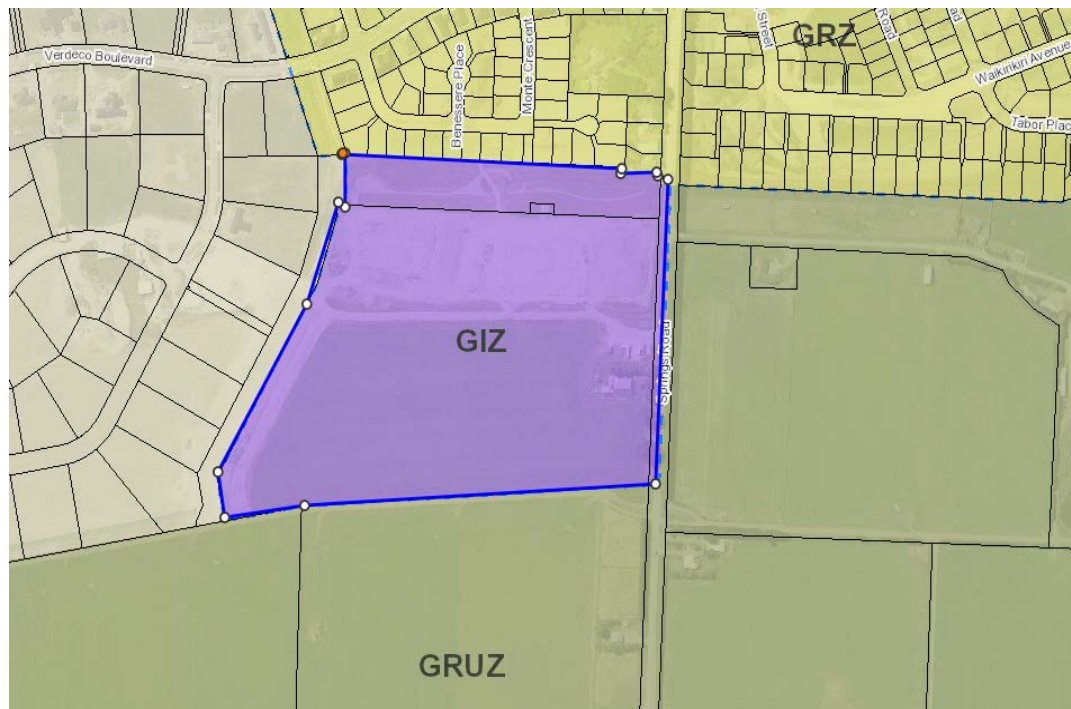
13 Rezone from GIZ to GRZ

Submissions

13.1 One submission point and one further submission point was received in relation to this subtopic.

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested |
|--------------|-------------------------|------------------|----------------|----------------------------|--|
| DPR-0352 | Next Level Developments | 001 | Map | Neither Support Nor Oppose | Rezone 11ha of 1506 Springs Road to GRZ. |
| DPR-0566 | Arvida Group Limited | FS001 | Rezoning | Support | Support. |

13.2 Next Level Developments³⁸ are seeking that 11ha of land at 1506 Springs Road be rezoned from GIZ to GRZ. Transport and Planning evidence has been lodged by the submitter, including an ODP. The site is bordered to the west and north by the Verdeco Park development and Te Wharaki is to the north east. PC69 is located to the south and east.



³⁸ 0352.1 Next Level Developments

13.3 The requested GRZ is not a zone afforded by the RMA-EHS and therefore the submitters evidence has not been peer reviewed. Future residential zoning will need to be considered as part of the Variation 1 process.

13.4 It is also of note that the proposed alternative GIZ land at Springs Road is not supported as discussed in section 10. The economic evidence of Mr Foy is that some GIZ is required in Lincoln. There is an absence of a viable alternative to this GIZ site. Future MRZ will need to be considered subject to Variation 1 and it is of note that the submitter has submitted on Variation 1 seeking MRZ (V1-0091). Therefore, it is recommended that the submission point be rejected.

Recommendation

13.5 I recommend, for the reasons given above, that the Hearings Panel retain the zoning as notified.

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

14 Amend from GRZ to NCZ and GRZ

Submissions

14.1 Two submissions points and fourteen further submission points were received in relation to this subtopic.

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested |
|--------------|--|------------------|----------------|----------------------------|--|
| DPR-0351 | Next Level Developments Ltd – Shane Kennedy | 001 | Map | Neither Support Nor Oppose | Rezone portion of 555 Birchs Road to Neighbourhood Centre Zone with remaining area to be developed in accordance with General Residential Zone rules and the Lincoln 3 Development Area. |
| DPR-0396 | Woolworths New Zealand Limited | FS005 | Rezoning | Support | Allow in full |
| DPR-0535 | Sue Hobby | FS001 | Rezoning | Oppose in Part | Decline request for re zoning . Do not approve part of the land at 555 Birchs Rd to be zoned Neighbourhood Centre Zone; zone the whole area as GRZ |
| DPR-0572 | Cooke Family Trust | FS001 | Rezoning | Oppose | Do not approve part of the land at 555 Birchs Road to be zoned Neighbourhood Centre Zone. |
| DPR-0384 | Rolleston Industrial Developments Limited (RIDL) | 008 | Map | Oppose | Amend the planning maps so as to zone as GRZ and NCZ, rather than GRUZ, so as to enable the equivalent outcomes as sought by private Plan Change 69: RS 38994 RS 40021 Pt RS 2456 Pt RS 2933 Pt RS 2951 Pt RS 5844 Pt Lot 1 DP 4157 Lot 8 DP 68631 Lot 1 DP 5095 Lot 2 DP 5095 |

| | | | | | |
|----------|------------------------------|-------|----------|----------------------------|--|
| | | | | | Pt Lot 2 DP 4157 Lot 1 DP 16247 Lot 2 DP 494430 Pt Lot 3 DP 4157 Lot 1 DP 55313 Lot 1 DP 20660 Lot 1 DP 494430 Lot 7 DP 68631 |
| DPR-0032 | Christchurch City Council | FS142 | Rezoning | Oppose | Oppose submission. |
| DPR-0205 | Lincoln University | FS011 | Rezoning | Oppose in Part | Reject the submission if it is reliant on the Weedons Road (Potential Bypass Road)' illustrated on the outline development plan. |
| DPR-0209 | Manmeet Singh | FS059 | Rezoning | Support in Part | Accept in part. Adopt the ODP with the proposed road layout and require the indicative road linking to Allendale properties the subject of my submission (209) to be mandatory. |
| DPR-0245 | Brendan Herries | FS009 | Rezoning | Support | Allow the expansion of the lincoln township south. Support overlay |
| DPR-0378 | The Ministry of Education | FS010 | Rezoning | Neither Support Nor Oppose | That the Proposed Plan is consistent with the final decision on Private Plan Change 69 |
| DPR-0434 | Lincoln University | FS011 | Rezoning | Oppose in Part | Reject the submission if it is reliant on the Weedons Road (Potential Bypass Road)' illustrated on the outline development plan. |
| DPR-0519 | Dee-Ann Bolton | FS005 | Rezoning | Oppose | Reject the rezoning request as part of the district plan process, make any future decision based on the process around Private Plan Change 69 |
| DPR-0520 | Ron van Toor and Ruth Butler | FS001 | Rezoning | Oppose | Disallow the submission point in full until all these considerations are addressed. Then allow the expansion of Lincoln to occur within the constraints of those considerations. |
| DPR-0528 | Nicole and Ben Schon | FS006 | Rezoning | Oppose | Reject the rezoning request as part of the district plan process, make any future decision based on the process around Private Plan Change request 69. |
| DPR-0531 | M & A Wright | FS001 | Rezoning | Oppose | Disallow in full |
| DPR-0562 | Richard Bolton | FS001 | Rezoning | Oppose | Reject the rezoning request as part of the district plan process, make any future decisions based on the process around private plan change request 69 |
| DPR-0590 | Margaret Elizabeth Barratt | FS005 | Rezoning | Oppose | Reject the rezoning request as part of the district plan process, make any future decisions based on the process around private plan change request 69 |

Analysis

14.2 Next Level Developments³⁹ seek to rezone approximately 1.4ha of land at 555 Birchs Road (Lot 2 DP 33959) to NCZ and that the remaining area be developed in accordance with GRZ and the Lincoln 3 Development Area. It is intended that the land accommodate a supermarket

³⁹ 0351.1 Next Level Developments

and café. Amendment is also sought to the NCZ rules to provide for a supermarket with a GFA of no more than 3,600m² to a maximum height of 10m as a permitted activity (not subject to this report).



Figure 3 – Proposed Zoning Plan

- 14.3 The site is zoned MRZ(ILE) (formerly GRZ) under the PDP. No submitter evidence has been provided in support of this submission point. GRZ is not a zone supported by the RMA-EHS which directs that the site be rezoned MRZ, and given no submitter evidence has been provided to support an alternative zoning of NCZ in part, it is recommended that this submission point be rejected.



14.4 RIDL⁴⁰ are seeking zoning of the PC69 area as GRZ and NCZ. The scope of this submission seeking GRZ is not a zone supported by the RMA-EHS which directs that the site be rezoned MRZ. The PC69 area is within the UGO and is proposed to be zoned MRZ subject to Variation 1. The proposed MRZ should be evaluated through the hearing of submissions and evidence on Variation 1 that are scheduled to take place at a later date. Therefore, it is recommended that this submission point be rejected.

14.5 A letter was received from Chapman Tripp on behalf of RIDL dated 1 December 2022 outlining their legal analysis of the NPS-HPL relevant to this submission point. Chapman Tripp identify that the land contains LUC 1, 2 and 3 soil but that the NPS-HPL does not apply to the rezoning request as the land is subject to a PC to rezone and is identified for future urban development. It is agreed that the NPS-HPL does not apply given the land is subject to a PC to rezone and is identified for future urban development, however this matter will be considered as part of the Variation 1 process.

Recommendation

14.6 I recommend, for the reasons given above, that the Hearings Panel retain the zoning as notified.

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

15 Amend from GRUZ to LLRZ

Submissions

15.1 Four submissions points and eight further submission points were received in relation to this subtopic.

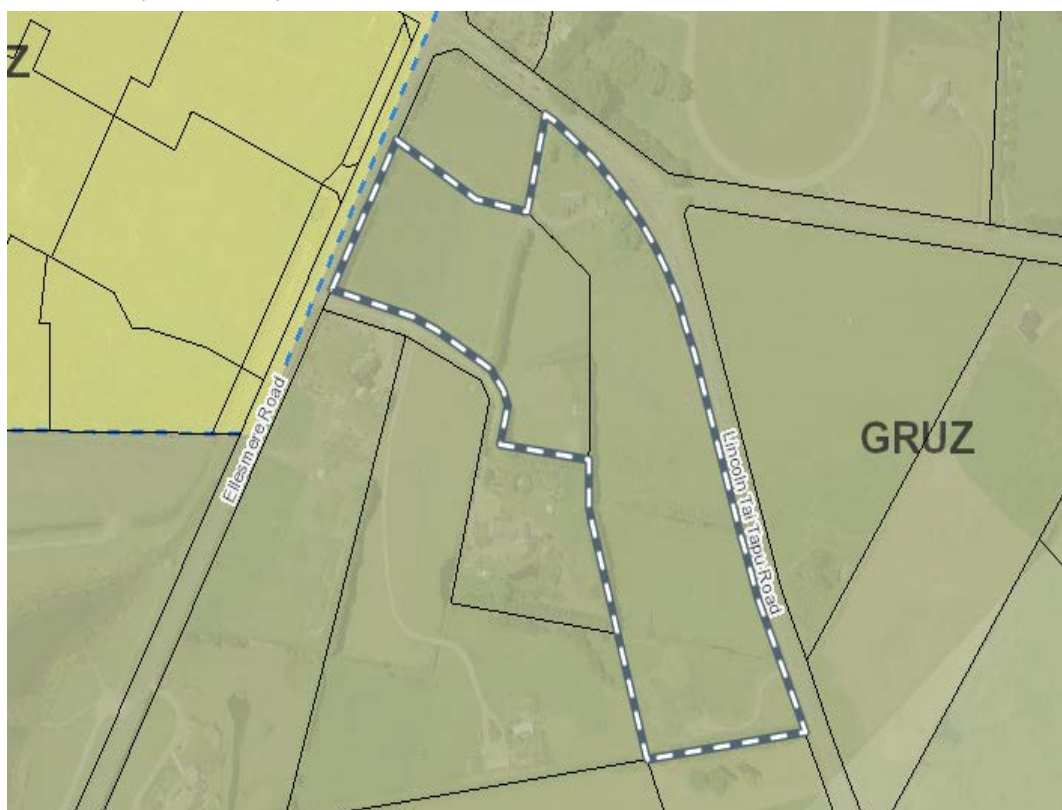
| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested |
|--------------|------------------------------|------------------|----------------|----------|---|
| DPR-0191 | Alastair King | 001 | Map | Oppose | Amend zoning from GRUZ to LLRZ at 719 Ellesmere Road (405 Lincoln Tai Tapu Road). Lot 4 DP 391803 Lot 1 DP 540165 |
| DPR-0032 | Christchurch City Council | FS109 | Rezoning | Oppose | Oppose submission. |
| DPR-0435 | Daire Limited, Alistair King | FS002 | Rezoning | Support | Allow the submission and rezone the site. |
| DPR-0435 | Daire Limited, Alistair King | 001 | Map | Oppose | Rezone Lot 4 DP 391803 and Lot 1 DP 540165 from GRUZ to LLRZ |
| DPR-0032 | Christchurch City Council | FS164 | Rezoning | Oppose | Oppose submission. |
| DPR-0191 | Alastair King | FS001 | Rezoning | Support | Allowed in full. Please rezone the site to LLRZ. |
| DPR-0438 | Robert Barker | 001 | Map | Oppose | Amend the planning maps to rezone the following parcels from GRUZ to LLRZ: Lot 4 DP 391803 Lot 1 DP 540165 |
| DPR-0032 | Christchurch City Council | FS166 | Rezoning | Oppose | Oppose submission. |

⁴⁰ 384.8-RIDL

| | | | | | |
|----------|---------------------------------|-------|----------|---------|--|
| DPR-0191 | Alastair King | FS002 | Rezoning | Support | Allowed in full. Please rezone the site to LLRZ. |
| DPR-0435 | Daire Limited, Alistair King | FS001 | Rezoning | Support | Allow the submission and rezone the site |
| DPR-0438 | Robert Barker | 002 | Map | Oppose | Insert an additional GRUZ-SCA area for Lot 4 DP 391803 and Lot 1 DP 540165 to allow for a minimum of 5,000m ² allotments as a controlled activity |
| DPR-0032 | Christchurch City Council | FS330 | Rezoning | Oppose | That this submission be rejected. |

Analysis

- 15.2 Alastair King⁴¹, Daire Limited - Alastair King⁴² and Robert Barker⁴³ seek to rezone 719 Ellesmere Road (405 Lincoln Tai Tapu Road) from GRUZ to LLRZ. Robert Barker⁴⁴ also seeks a minimum of 5,000m² allotments. The site is outside of the UGO and no submitter evidence has been provided in support of this submission point. The site is also outside of the Lincoln Structure Plan Area and is not identified as a rural residential area in the RRS14. Furthermore, the area contains LUC 1 and 2 soil where the NPS-HPL directs that the rezoning and development of highly productive land is to be avoided unless the consent authority can be satisfied that the exemptions in the NPS-HPL apply. Therefore, I recommend that the submission points be rejected.



⁴¹ 0191.1-Alastair King

⁴² 0435.1- Daire Limited, Alastair King

⁴³ 0438.1-Robert Barker

⁴⁴ 0438.2-Robert Barker

Recommendation

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

16 Amend from GRUZ/KNOZ to GRZ/KNOZ

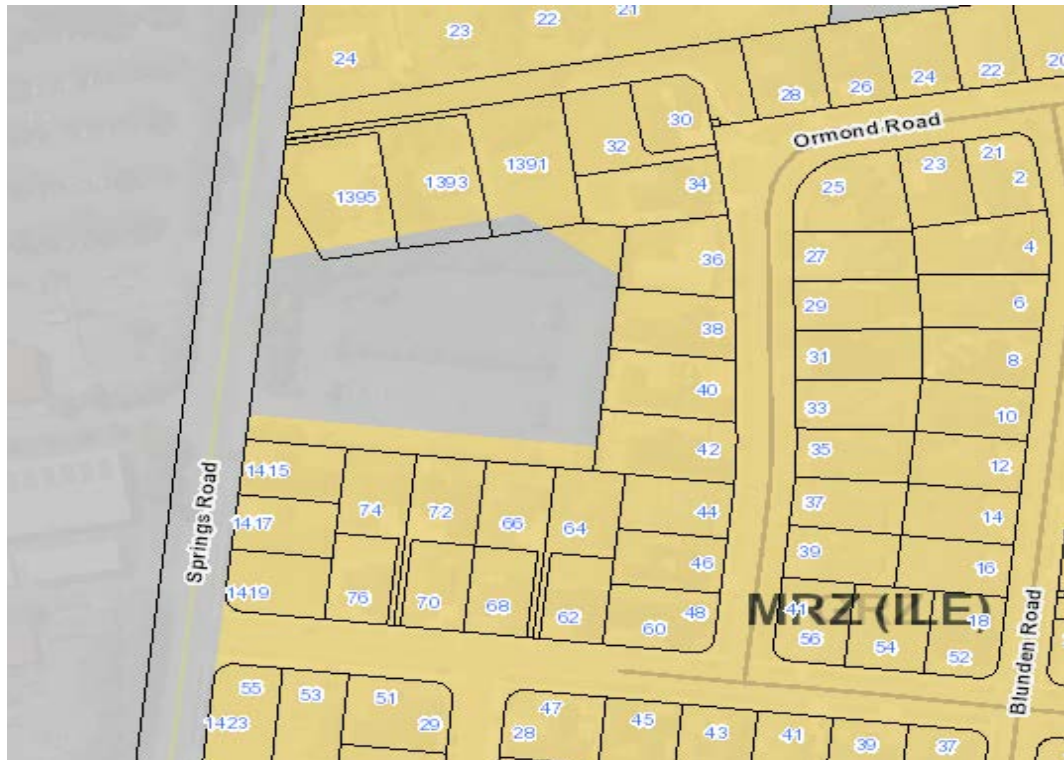
Submissions

- 16.1 One submissions point and no further submission points were received in relation to this subtopic.

| Submitter ID | Submitter Name | Submission Point | Plan Reference | Position | Decision Requested |
|--------------|--------------------|------------------|----------------|----------------|--|
| DPR-0205 | Lincoln University | 017 | Map | Oppose in Part | Amend the Planning Map as follows: Zone all of the University car park (Lot 4 DP 538546) Special Purpose Knowledge Zone and the properties at 1395, 1393 and 1391 Springs Road (Lots 1, 2 and 3 DP 538546) General Residential. |

Analysis

- 16.2 Lincoln University⁴⁵ seek that the zone boundaries are amended to align with the cadastral boundaries with respect to three properties at 1391, 1393 and 1395 Springs Road and that these sites are zoned GRZ, and the University car park site is zoned KNOZ.



⁴⁵ DPR0205.017-Lincoln University

- 16.3 The KNOZ extends over the cadastral boundaries of 1391, 1393 and 1395 Springs Road which are zoned MRZ(ILE) (formerly GRZ). No submitter evidence has been provided in support of this submission point. It is recommended that this amendment is made to align the KNOZ zoning with the University cadastral boundaries and the residential zoning of 1391, 1393 and 1395 Springs Road with the residential cadastral boundaries. This is considered to be more of a technical mapping error than a zoning issue.

Recommendations and amendments

- 16.4 I recommend, for the reasons given above, that the Hearings Panel:
- a) Amend the planning maps to zone 1391, 1393 and 1395 MRZ(ILE) and the Lincoln University car park KNOZ as shown in **Appendix 2** to ensure the zone boundaries follow the cadastral boundaries.
- 16.5 The amendments recommended to the planning maps are set out in a consolidated manner in **Appendix 2**.
- 16.6 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.
- 16.7 The scale of change does not require a s32AA evaluation.

17 Conclusion

- 17.1 For the reasons set out in the Section 32AA evaluations and included throughout this report, I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of this plan and other relevant statutory documents.