

Proposed Selwyn District Plan



Section 42A Report

Report on submissions and further submissions

Rezoning: Malvern

Jon Trewin

3 March 2023

Contents

List of submitters and further submitters addressed in this report	3
Abbreviations.....	4
1. Purpose of report.....	5
2. Qualifications and experience	5
3. Scope of report and topic overview.....	6
4. Statutory requirements and planning framework.....	7
5. Procedural matters	7
6. Consideration of submissions	8
7. Overview of Malvern	8
8. Arthur's Pass Village.....	9
9. Bealey Spur	13
10. Castle Hill Village.....	17
11. Coalgate	32
12. Darfield.....	44
13. Flock Hill.....	95
14. Hororata.....	103
15. Kirwee	108
16. Lake Coleridge.....	121
17. Springfield	131
18. Waddington	137
19. Conclusion.....	144
Appendix 1: Table of Submission Points.....	145
Appendix 2: Recommended amendments	155
Appendix 3: Supporting Technical Reports.....	196

List of submitters and further submitters addressed in this report

Submitter ID	Submitter Name	Abbreviation
DPR-0007	David Thompson	
DPR-0032	Christchurch City Council	CCC
DPR-0036	Tony Edney	
DPR-0055	Kathryn Taylor	
DPR-0097	Flock Hill Holdings	FHH
DPR-0125	BE Faulkner	
DPR-0136	Lynn and Malcolm Stewart, Lynn and Carol Townsend and Rick Fraser	Stewart, Townsend and Fraser
DPR-0140	Keith Jenkins	
DPR-0157	Kevin and Bonnie Williams	
DPR-0178	Carey Manson	
DPR-0180	Peter and Christine Bond	
DPR-0192	Merf Ag Services Ltd and Matthew Reed	Merf Ag Services
DPR-0207	Selwyn District Council	SDC or Council
DPR-0209	Manmeet Singh	
DPR-0211	William Trolove	
DPR-0298	Trices Road Re-zoning group.	TRRG
DPR-0301	Upper Waimakariri/Rakaia Group	UWRG
DPR-0302	Alison Smith, David Boyd and John Blanchard	Smith, Boyd and Blanchard
DPR-0345	Porters Alpine Resort	PAR
DPR-0361	Rupert Jack Wright and Catherine Elizabeth Wright	The Wrights
DPR-0366	MB Property Holdings (2002) Ltd and Mitchell Bros Sawmillers Ltd	MB Property
DPR-0375	Waka Kotahi NZ Transport Agency	Waka Kotahi
DPR-0376	Fox & Associates	
DPR-0391	Castle Hill Adventure Tours Ltd	CHAT
DPR-0392	CSI Property Ltd	CSI
DPR-0395	Castle Hill Adventure Tours Ltd	CHAT
DPR-0403	Stuart Gillanders	
DPR-0407	Royal Forest and Bird Protection Society of New Zealand Inc.	Forest and Bird
DPR-0414	Kāinga Ora – Homes and Community	Kāinga Ora
DPR-0416	Alistair John Dugald Cameron	
DPR-0428	Ascot Park Limited	APL
DPR-0429	Cressy Properties Limited	CPL
DPR-0442	Castle Hill Community Association Ltd	CHCA
DPR-0446	Transpower New Zealand Limited	Transpower
DPR-0449	Bealey Developments Ltd	BDL
DPR-0451	Kirwee Central Properties Ltd	KCPL
DPR-0461	Dunweavin 2020 Ltd	Dunweavin
DPR-0476	Murray Boyes	
DPR-0483	Castle Hill Property Investment Ltd	CHPI
DPR-0486	Coleridge Downs Ltd	CDL
DPR-0488	Dally Family Trust and Julia McIlraith	Dally and McIlraith
DPR-0491	Paul and Sue Robinson	
DPR-0492	Kevler Development Ltd	Kevler
DPR-0493	Gallina Nominees Ltd and Heinz-Wattie Ltd Pension Plan	Gallina and Heinz-Wattie
DPR-0504	Henry McKay	
DPR-0522	Stephen Joy	
DPR-0580	Kersey Park Limited	KPL

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
APP	Appendix
CE	Coastal Environment
CMUZ	Commercial and Mixed Use Zone
CRC	Canterbury Regional Council
CRPS	Canterbury Regional Policy Statement 2013
DPZ	Dairy Processing Zone
EI	Energy and Infrastructure
EIB	Ecosystems and Indigenous Biodiversity
EW	Earthworks
GIZ	General Industrial Zone
GRUZ	General Rural Zone
GRZ	General Residential Zone
HH	Historic Heritage
IMP	Mahaanui Iwi Management Plan 2013
LLRZ	Large Lot Residential Zone
LUC	Land Use Class
MAP	Malvern Area Plan
NATC	Natural Character
NES-F	National Environmental Standards for Freshwater
NES-PF	National Environmental Standards for Plantation Forestry
NESCS	National Environmental Standard for Assessing and Managing Contaminants in Soil
NFL	Natural Features and Landscapes
NH	Natural Hazards
NPS	National Planning Standards
NPS-ET	National Policy Statement on Electricity Transmission
NPS-HPL	National Policy Statement on Highly Productive Land
NPS-REG	National Policy Statement on Renewable Electricity Generation
NPS-UD	National Policy Statement on Urban Development
NZCPS	New Zealand Coastal Policy Statement
ODP	Outline Development Plan
ONL	Outstanding Natural Landscapes
PDP	Proposed Selwyn District Plan
PORTZ	Port Zone
RESZ	Residential Zone
RMA	Resource Management Act 1991
SASM	Sites and Areas of Significance to Maori
SD	Strategic Directions
TRAN	Transport
VAL	Visual Amenity Landscapes

1. Purpose of report

- 1.1 This report is prepared under s42A of the RMA in relation to submissions seeking to rezone land in the PDP. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on this topic and to make recommendations on either retaining the PDP provisions without amendment or making amendments to the PDP in response to those submissions.
- 1.2 In preparing this report I have had regard to the [s42A report on Strategic Directions](#) prepared by Mr Robert Love, including the [Right of Reply Report](#), the [Overview s42A report](#) that addresses the higher order statutory planning and legal context, also prepared by Mr Love; the [s42A report on Urban Growth](#) prepared by Mr Ben Baird, including the [Right of Reply Report](#); and the [Rezoning Framework s42A report](#) also prepared by Mr Baird (updated version dated 1 July 2022). The recommendations are informed by both the technical information provided by those listed below (see also **Appendix 3**) and the evaluation undertaken by myself as the planning author.
 - 1.2.1 Murray England – Water, Wastewater, Stormwater. (Asset Manager – SDC).
 - 1.2.2 Mat Collins – Transport (Flow Transportation Specialists).
 - 1.2.3 James Bentley – Landscape (Boffa Miskell).
 - 1.2.4 Roland Payne – Ecology (Wildlands Consultants).
 - 1.2.5 Derek Foy – Economics (Formative)
 - 1.2.6 Rowan Freeman – Environmental/Contamination (Pattle Delamore Partners)
 - 1.2.7 Ben Baird – Housing and Business Land Demand (Strategy Team Leader – SDC). Addendum to S42a Report – Rezoning Framework.
- 1.3 I have also received advice from Andrew Boyd (Council Solid Waste Manager) and Andrew Mazey (Strategic Transport Lead), both of SDC.
- 1.4 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 Jon Trewin. I am employed by the Council as a Policy Planner. My qualifications include a MSc in Development Planning from Reading University, UK.
- 2.2 I have 15 years' experience as a resource management planner, with this including working in the UK and New Zealand on a variety of policy and planning related work concerning natural resource management, transport planning, economic development and land use planning.
- 2.3 I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 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 the Malvern Area of the Selwyn District including the townships of Arthur's Pass, Castle Hill Village, Coalgate, Darfield, Hororata, Kirwee, Lake Coleridge, Springfield and Waddington. In addition, there is a rezoning request for Flock Hill Station and a submission on Bealey Spur. The package of rezoning requests spans residential, industrial and proposed special purpose zones.

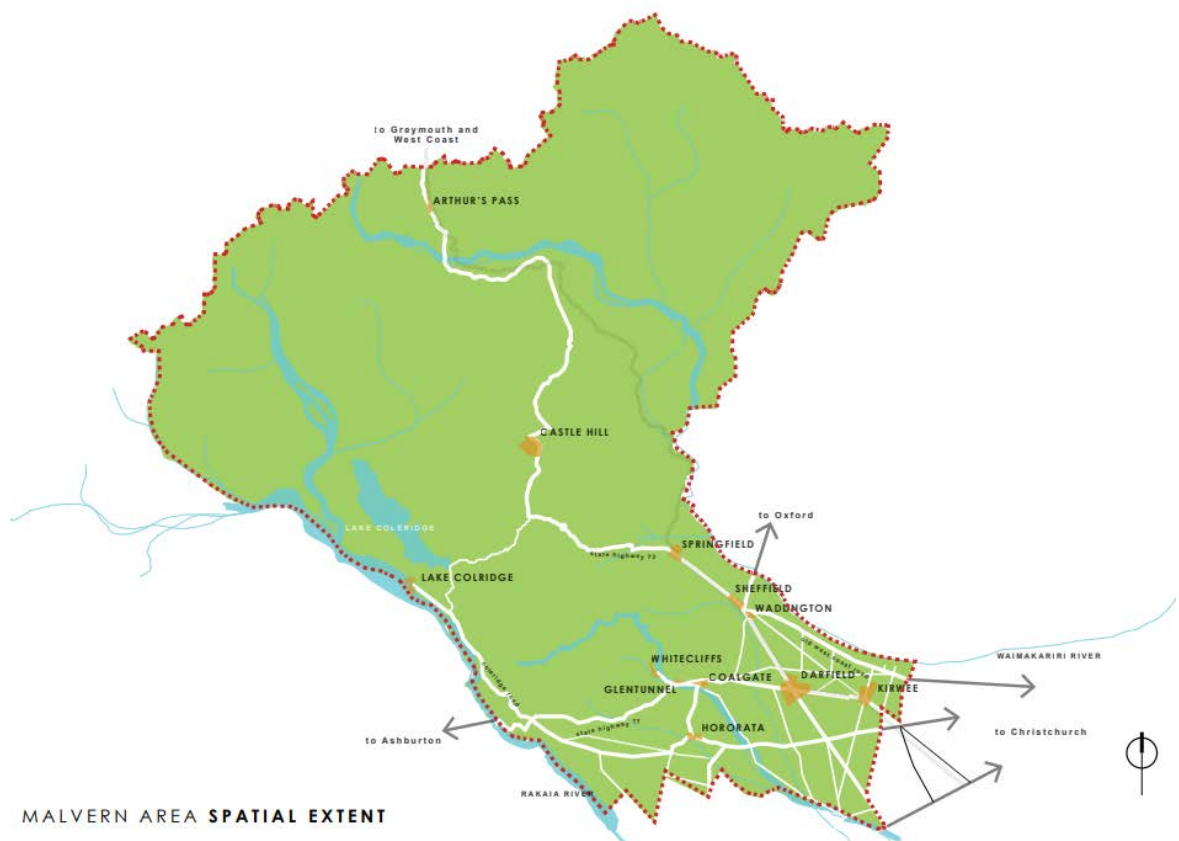


Figure 3.1: Malvern Area of Selwyn District; Source MAP.

- 3.2 Recommendations are made to either retain provisions without amendment, or delete, add to or amend the provisions, including any changes to the Planning Maps. All recommended amendments are shown by way of strikeout and underlining in **Appendix 2** to this Report. Footnoted references to a submitter number, submission point and the abbreviation for their title provide the scope for each recommended change. Where no amendments are recommended to a provision, submissions points that sought the retention of the provision without amendment are not footnoted. **Appendix 2** also contains a table setting out any recommended spatial amendments to the PDP Planning Maps.

4. Statutory requirements and planning framework

Resource Management Act 1991

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

Planning context

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

5. Procedural matters

- 5.1 At the time of writing this s42A report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic.
- 5.2 The following submission points, while also tagged to the Malvern rezoning topic have been addressed through other topics:
- 5.2.1 DPR-0361.002-016 The Wrights. This has been addressed in the UG S42a hearing report. DPR-0361.001 is addressed in the below report.
 - 5.2.2 DPR-0373.016. Foodstuffs South Island Ltd. This has been addressed in the CMUZ S42a hearing report.
- 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

¹ Paragraph 1.1, Rezoning Framework Report

report, by 5 August 2022. Further submitters supporting or opposing any rezoning request were similarly requested to file their expert evidence by 2 September 2022. Evidence received within these timeframes, or as otherwise agreed by the Chair, has been considered in the preparation of this s42A report. Any evidence received outside of these timeframes may not have been taken into account in formulating recommendations. However, submitters do have an opportunity to file rebuttal evidence no later than 10 working days prior to the commencement of the relevant hearing, following receipt of the Council's s42A report.

- 5.4 **Minute 29** of the Hearing Panel requires that S42a reports include an assessment of each rezoning request against the requirements of the NPS-HPL based on the information available, where relevant. If any information gaps relating to the NPS-HPL assessment are identified in the s42A report, or if the submitter disagrees with the s42 author's assessment, the submitter will have an opportunity to supply this information through rebuttal evidence. Submission points addressed in this report are not affected by the Council's Intensification Planning Instrument (IPI), which is currently being progressed through a streamlined planning process.

6. Consideration of submissions

- 6.1 This report considers submissions that were received by the Council in relation to the zoning of land in the Malvern area and forms part of the submissions seeking rezoning across the PDP. Provisions relating to subdivision and land use activities within these zones have been dealt with in separate s42A reports considered in earlier hearings. As such, the scope of this report is limited to the geographic extent and appropriateness of the zone that is subject to submission, unless a new zone and/or set of provisions is proposed as part of the rezoning request.

7. Overview of Malvern

- 7.1 The Malvern area takes its name from the foothills at the base of the Torlesse Range, the namesake of which was taken from the Malvern Hills area in the Worcestershire county of England. The Malvern area is geographically diverse, incorporating the Southern Alps, high country, foot hills and the Canterbury Plains. Darfield is the primary settlement in the Malvern area, being categorised as a service township in Selwyn 2031 and as a Key Activity Centre in the PDP. The remaining townships include Arthur's Pass Village, Castle Hill Village, Coalgate/ Glentunnel, Hororata, Kirwee, Lake Coleridge Village, Sheffield/Waddington, Springfield and Whitecliffs, which are recognised as rural townships in Selwyn 2031.
- 7.2 The following statutory and non-statutory planning documents are relevant for rezoning requests in the Malvern Area:
- 7.2.1 Canterbury Regional Policy Statement (CRPS).
 - 7.2.2 Proposed Selwyn District Plan.
 - 7.2.3 Selwyn 2031 – District Development Strategy.
 - 7.2.4 The Malvern Area Plan (MAP) 2016.

- 7.3 In addition, a number of private plan changes have recently had Council decisions issued and these decisions were issued after the PDP was notified. These include PC60 (Kirwee) and PC's 61 and 63 (Darfield). All three private plan changes have become operative in the Operative District Plan.
- 7.4 The following is a summary of the key issues that have been identified in the MAP as being significant to the Malvern area townships:
- 7.4.1 Sustainable management of natural resources, including preserving groundwater quality and managing the treatment and disposal of wastewater and stormwater discharges. ·
 - 7.4.2 Retaining the unique aspirations of the people that reside in what are varied and often discrete settlements. ·
 - 7.4.3 Better recognition, preservation and enhancement mana whenua cultural identity and values.
 - 7.4.4 Promoting growth that reflects the form and function of townships, while preserving the elements that characterise each township. ·
 - 7.4.5 The need to provide for a range of lot sizes and housing types to better meet the wider needs of the community, particularly in Darfield. ·
 - 7.4.6 Sufficient zoned and developable land has been identified to accommodate projected residential growth for each township to 2031.
 - 7.4.7 Provision of safe and efficient transport networks and promoting opportunities for walking and cycling and access to public transport.
 - 7.4.8 Recognising and promoting tourism opportunities. ·
 - 7.4.9 Resilience to natural hazard risks, including those that may be exacerbated by variations in climatic cycles.

8. Arthur's Pass Village

Overview

- 8.1 Arthur's Pass is located approximately 153km from Christchurch and 5km from the mountain pass of the same name. It is surrounded by the Arthur's Pass National Park. The village has a population of approximately 50, according to the NZ Census (2018). A satellite view is available in **Figure 8.1** below and the zoning of the land in the notified PDP is available in **Figure 8.2**.



Figure 8.1: Map of the Arthur's Pass township. Source: Canterbury Maps

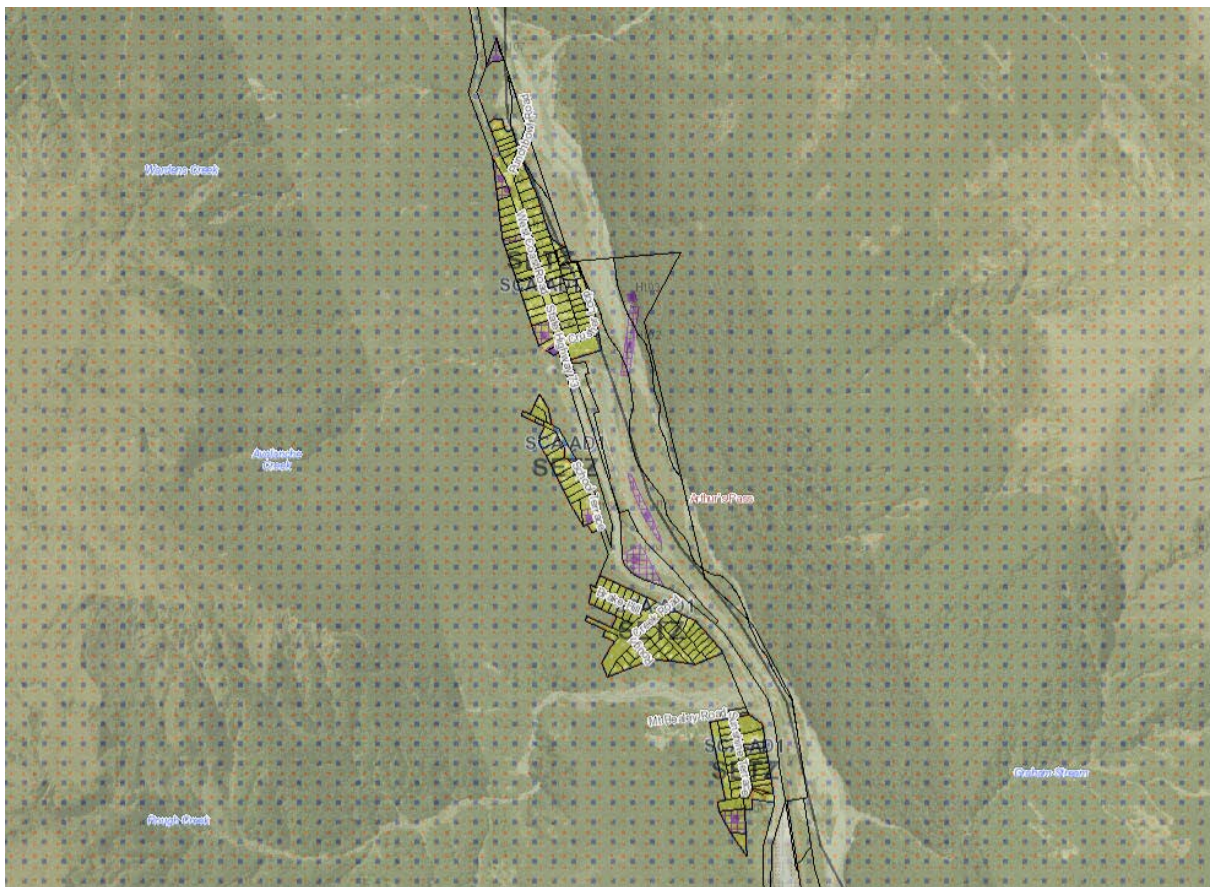


Figure 8.2: Map of the Arthur's Pass township (zoning as notified in PDP). Source: PDP

- 8.2 The MAP outlines that the population of the village is not anticipated to increase to 2031 and is expected to remain static. According to the MAP, 28 people are employed in the general vicinity. The village is considered to be a rural township under Selwyn 2031 whose function is *'based on village characteristics with some services offered to the surrounding rural area'*. The PDP Township Network also considers Arthur's Pass to be a rural township.
- 8.3 The MAP found that there were approximately 143 sections within the Arthur's Pass Village settlement of which 14 had the potential to be further developed for residential purposes. These sections comprise 3.3 hectares with a potential yield of 29 additional households. In addition, the MAP found that there were 18 vacant lots available in Arthur's Pass.
- 8.4 Arthur's Pass does not have dedicated business zoning, with retail and commercial growth developing in a piecemeal fashion along State Highway 73, predominantly within a central core close to the train station and the Department of Conservation visitor centre. These business activities are predominantly food and beverage outlets and a restaurant serving the limited needs of local residents, visitors to the National Park or those travelling along the state highway. An expert retail assessment established that there was no demand identified for additional business or industrial land in the township. This is not believed to have changed at the time of writing.

Submissions

- 8.5 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-0211	William Trolove	003	Oppose	Amend the planning maps so that Arthur's Pass be accorded its own zone that reflects the markedly different character of the village.
DPR-0407	Forest and Bird	FS409	Oppose in Part	Accept the submission so land as the values of the ONFL are protected.
DPR-0446	Transpower	FS012	Neither support nor oppose	If the submission is allowed, ensure that the new zone provisions are subject to, and do not prevail over, the provisions in the proposed District Plan that enable and protect the National Grid.

William Trolove

Analysis

- 8.6 William Trolove² seeks that Arthur's Pass Village is rezoned from SETZ to a zone that is specific to the character and function of the village. The reason for this request is that in his view the other villages subject to SETZ are residential locations where people reside and raise families. Arthur's Pass by contrast is a residential location where people visit and holiday. Additionally, he considers that Arthur's Pass is a tourist village, which is not the case for other villages where the zone is applied. The submitter states that the objective and policies focus on the requirement to serve the needs of the local community, but Arthur's Pass is different from other communities in this regard.
- 8.7 The other communities presently subject to this zone in the PDP are Coalgate, Glentunnel, Hororata, Kirwee, Lake Coleridge, Rakaia Huts, Sheffield, Springfield, Springston, Tai Tapu, Waddington and

² DPR-0211.003 William Trolove

Whitecliffs. These are all considered to be rural townships in the Township Network in the PDP. I agree however with the submitter that Arthur's Pass is distinct from those other settlements in that it is located in a national park and caters more to passing tourists and visitors than full time residents, however I do not believe enough evidence has been provided for a specific zone, taking into account Part 8, Cl.3. of the NPS. I do accept that some minor changes to the SETZ Chapter are appropriate.

8.8 I therefore recommend this submission is accepted in part for the following reasons:

8.8.1 The Overview for SETZ discusses the zone being flexible for townships to respond to the changing needs of the community by enabling limited commercial and community activities, provided they are small scale, primarily serve a local convenience purpose and maintain the character and amenity of the residential area. In the case of Arthur's Pass, the convenience needs seem to support passing travellers and visitors more than a local community (the permanent population is less than 50). The Overview should therefore be amended slightly to reflect that activities may support visitors to the local area, which would better recognise the function of Arthur's Pass Village.

8.8.2 SETZ-O1 seeks that the zone provides primarily for suburban residential activities and small-scale non-residential activities that serve the need of the local community. SETZ-P2 requires that non-residential activities are of a scale and function consistent with the role of the township as a local service centre supplying a range of goods and services to the local community, the surrounding district and visitors to the area. In my opinion, SETZ-P2 is broad enough to encompass Arthur's Pass role as a settlement primarily geared towards serving visitors and passing traffic. SETZ-O1 on the other hand does not link to SETZ-P2 by recognising that, in some instances, small townships may have a role in servicing visitors and passing traffic. SETZ-O1 should therefore be amended slightly to better link to SETZ-P2.

8.9 The rules of SETZ are broadly applicable to the nature and intensity of activities that may establish in Arthur's Pass. This includes visitor accommodation where five guests may reside on site, commercial activities up to 300m² and residential development at an average minimum size of 1000m² per site. I do not therefore consider any bespoke rules are required to facilitate activities at Arthur's Pass.

8.10 Overall, all the changes I believe are necessary to reflect the unique status of Arthur's Pass can be accommodated as changes to the explanation or zone objective without requiring an entirely new bespoke zone.

Recommendations and amendments

8.11 I recommend, for the reasons given above, that the Hearings Panel, as set out in **Appendix 2**:

a) Amend the Overview to SETZ and SETZ-O1 to recognise that, in some instances, small townships such as Arthur's Pass may have a role in servicing visitors and passing traffic.

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

8.13 The scale of change does not require a s32AA evaluation.

9. Bealey Spur

Overview

- 9.1 Bealey Spur is located approximately 13km southeast of Arthur's Pass Village, off of SH73. It is formed of one road, Cloudesley Road, and is comprised of bach accommodation associated with the surrounding recreational opportunities. It is a former Existing Development Area (EDA). EDA's are small pockets of higher density developments that currently exist throughout the rural area. The majority of the 13 EDA's were formalised through changes to the Transitional District Plan, or via resource consents, others were already included in the transitional plan and have been rolled over to the current District Plan. In the 1990 version of the Malvern County Scheme, Bealey Spur was subject to 'Residential Mountain' zoning. Specific provisions were in place for the design of buildings and location of fences for this small cluster of houses around a popular recreational spot. The Operative District Plan specifically references 'Bealey Spur' in the Rural Building and Subdivision Chapters. A reference is made to there being no further subdivision potential in the EDA and that any dwelling on a vacant lot within the EDA boundaries must comply with the bulk and location requirements of the rural zone. Under the PDP, to comply with the requirements of the NPS, the term 'EDA' is not used but Bealey Spur is classed as a Specific Control Area (SCA-RD8).
- 9.2 A satellite view is available in **Figure 9.1** below and the zoning of the land in the notified PDP is available in **Figure 9.2**.



Figure 9.1: Map of Bealey Spur. Source: Canterbury Maps



Figure 9.2: Map of Bealey Spur (zoning as notified in PDP). Source: PDP

- 9.3 The immediate surrounding area is characterised by dense bush. There is only one dead end road available for all dwellings to access. The Bealey Spur walkway carpark is located at the base of the hill. Houses are all of a similar era and design, being small, bach type housing probably erected in the 1960s and 1970s and of a similar architectural style and character to Arthur's Pass.

Submissions

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

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0036	Tony Edney	001	Oppose	Amend to reinstate the Bealey Spur EDA
DPR-0036	Tony Edney	002	Oppose	Insert additional rules to the EDA at Bealey Spur (once reinstated): - Any rebuild of, or addition to an existing bach should follow the design aesthetic of the Spur. Maximum gross floor areas should be 60m ² (apart from existing use rights). - No boundary fences and no separate garages to be erected. - Ancillary structures limited to 10m ² and to be built in the same materials as the main structure.
DPR-0504	Henry McKay	FS001	Oppose	Disallowed in part. Do not place restrictions on the style of architecture and, if a maximum floor area is to be specified, suggest 100m ² .

Tony Edney

Analysis

- 9.5 Tony Edney³ seeks that there are bespoke rules within Bealey Spur that protect its unique character. The main issue appears to be that, under the rules of the Operative District Plan, development in the Spur is limited to 40m² Gross Floor Area (GFA), 4m in height and a reflectivity value requirement of no more than 37%⁴ due to being located within the High Country ONL overlay. This requires most development to consider landscape effects through the resource consent process, which would include consideration of the surrounding residential environment. It is of note that there have not been many resource consents sought to exceed bulk and location requirements in this location with only six since 2005, noting that most sites already contain small bachs.
- 9.6 Under the PDP, the ONL overlay remains, however the rules in the NFL Chapter have become more enabling in one sense as residential development up to 300m² and 9m in height (with a 30% reflectance value requirement) in a building node is permitted. However, the entirety of the Spur would be subject to NFL-REQ4 which would effectively require a resource consent as a non-complying activity for any structure within 300m of SH73 (the Spur falls within the 300m setback). This is more restrictive than the Operative District Plan which permits 40m² GFA up to 4m in height, defaulting to a restricted discretionary activity where this requirement is not met. In the NFL Chapter S42a report, I recommended to the Hearing Panel some exemptions to this rule requirement that would allow certain structures (such as an ancillary structure) to be permitted activities, in order to enable normal farming activities to occur.
- 9.7 Taking everything together, I consider that the rule framework as it applies to Bealey Spur in the notified PDP does not strike the right balance and should be amended to enable some development to occur whilst taking into account the unique aesthetic of the spur by restricting building size and height to that currently enabled under the Operative District Plan. This would limit redevelopment or expansion as most sites in the Spur already contain an existing dwelling. This does not require the 'reinstatement' of the EDA as sought by the submitter as the rule framework of the PDP can be amended to incorporate bespoke rules for Bealey Spur in the NFL Chapter (SCA-RD8). I note the submitter has proposed some standards for development however using the existing standards in the Operative District Plan would appear to be appropriate as they do not appear to be overly onerous (having resulted in few consents) and a restricted discretionary activity status would allow appropriate consideration of the landscape effects of development which is what is of concern to the submitter.
- 9.8 A site visit was undertaken 23 September 2022.

³ DPR-0036.001 and 002 Tony Edney

⁴ Operative District Plan, Rural Volume. Rule 3.2.1.1



Figure 9.3: Photo of typical 'bach' style development at Bealey Spur. Source: Report author.



Figure 9.4: A typical streetscene on Cloudesley Road at Bealey Spur, Source: Report author.

Recommendations and amendments

- 9.9 I recommend, for the reasons given above, that the Hearings Panel, as set out in **Appendix 2**:
- a) Amend NFL-REQ1, NFL-REQ2, NFL-REQ3 and NFL-REQ4 to exclude SCA-RD8 and insert bespoke rule requirements that limit building/structure size to 40m² GFA and building/structure height to 4m.
- 9.10 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.
- 9.11 No s32AA assessment was provided by the submitter. I have therefore included a s32AA assessment below:

s32AA evaluation

- 9.12 The following points evaluate the recommended changes under Section 32AA of the RMA.

Effectiveness and efficiency

- 9.13 The proposed amendment to rules in Bealey Spur to reinstate those in the Operative District Plan is the most effective means of achieving the objective(s) for NFL and GRUZ as it reflects the existing typology of development at Bealey Spur whilst avoiding development being unnecessarily restricted by the 300m setback from SH73. As the amendment reflects the status quo, it is considered compliance costs will be neutral.

Costs and benefits

- 9.14 As stated above, it is considered that the cost will be neutral overall. The benefit of the change is that the unique characteristics of Bealey Spur will be protected in line with existing rules in the Operative District Plan.

Risks of acting or not acting

- 9.15 A risk of not acting is that development will be heavily restricted through the setback requirements, even small-scale development, appropriate to Bealey Spur's aesthetic.

Conclusion as to the most appropriate option

- 9.16 The recommended amendments are more appropriate in achieving the relevant objectives of the PDP and the purpose of the RMA because it provides better for appropriate development at Bealey Spur.

10. Castle Hill Village

Overview

- 10.1 Castle Hill Village is located just over an hour and a half west of Christchurch on State Highway 73, lying between the Torlesse and Craigieburn Ranges. The village is an alpine settlement located at an altitude of 720m above sea level. The village began as a development in 1982, ten years after then owner of Castle Hill Station, John Reid, conceived a plan to create a high alpine village on an area of farmland beneath the Craigieburn Range.

- 10.2 Castle Hill Village is approximately 100km from Christchurch and 50km from Arthur's Pass. The village has a permanent population of approximately 18 as at the 2018 NZ Census as much of the population is non-permanent with the settlement having a large number of holiday homes. There are 126 houses and, according to the MAP, these can accommodate 352 people. According to the MAP, the population of Castle Hill is expected to remain static to 2031 although additional dwellings are expected along with an increase in tourist numbers to the area. The number of people employed is around 10.
- 10.3 Mr Baird has updated these figures based on the Selwyn Capacity for Growth Model. He calculates there is capacity for an additional 233 dwellings, although 88 of these dwellings would be within the current business zone. He estimates that there are 141 dwellings as of 2021 and there will be demand for 226 dwellings by 2031 (constrained, based on land availability) and 250 (unconstrained) by 2051. Based on this, there appears to be sufficient capacity in the short-medium and long term to meet the estimated requirement for 85 dwellings by 2031 and 109 dwellings by 2051.
- 10.4 A satellite view is available in **Figure 10.1** below and the zoning of the land in the notified PDP is available in **Figure 10.2**.



Figure 10.1: Map of Castle Hill Village. Source: Canterbury Maps



Figure 10.2: Map of Castle Hill Village (zoning as notified in PDP). Source: PDP

Submissions

10.5 Five submission points and three further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0391	CHAT	002	Oppose In Part	Delete GRUZ and replace with a Special Recreation and Visitor Accommodation Precinct.
DPR-0395	CHAT	001	Oppose	Amend the planning maps to rezone Rural Sec 40841 from GRUZ to Castle Hill Rural Visitors Zone (CHYZ) or similar. Refer to original submission for full decision requested, including attachments.
DPR-0345	PAR	FS001	Support	Accept the submission point DPR-0395-001 by rezoning the land concerned and ensuring that the rules enable visitor accommodation to be developed
DPR-0395	CHAT	003	Neither Support or Oppose	Insert new Castle Hill Rural Visitors Zone or similar. Refer to original submission for full decision requested, including attachments.
DPR-0345	PAR	FS002	Support	Accept the submission point DPR-0395-003 by rezoning the land concerned and ensuring that the rules enable visitor accommodation to be developed
DPR-0442	CHCA	001	Support	Not specified.
DPR-0483	CHPI	001	Neither Support Nor Oppose	Amend the zoning for Castle Hill from LCZ to L1A to reflect underlying consented receiving environment.
DPR-0391	CHAT	FS015	Oppose In Part	Retaining Lots 1 - 5 as LCZ.

CHAT

Analysis

- 10.6 CHAT⁵ seek a Special Purpose Zone for land to the east of Castle Hill Township. The site area is shown in **Figure 10.3** below and is legally described as RURAL SEC 40841 PT RURAL SEC 38335 BLK X VI HARPER SD. It is 17.36ha in size.



Figure 10.3: Location of the proposed special purpose zone. Source: CHAT Submission

⁵ DPR-0391.002 and DPR-0395.001 and 003 CHAT



Figure 10.4: Special Purpose Zone – Outline Development Plan: Source: CHAT Submission.

10.7 CHAT have included expert evidence from:

- 10.7.1 Tera Tech Coffey (Ben Chau) – Geotechnical Evidence. Peer reviewed by Ian McCahon of Geotech Consulting Limited.
- 10.7.2 Planning Solutions Ltd (John Cook) – Landscape Evidence. This has not been peer reviewed due to concerns that the assessment is out of date (discussed further below).
- 10.7.3 Carriageway Consulting (Andy Carr) – Transport Evidence. Peer reviewed by Mat Collins of Flow.
- 10.7.4 Statement of Donald Reid (Director).

10.8 The site has been subject to several resource consents. RC145279 granted through a publicly notified hearing on 28 May 2015 was to establish holiday park accommodation and to upgrade the existing golf course. On 20th March 2020 an extension of time was granted to the original resource consent under RC205126. Unless given effect to by 28th May 2023, RC145279 will lapse. RC205401 sought to amend the original plans from RC145279, including changes to the positioning of the buildings on site and other changes to the site layout. The effects of this were assessed as being less than minor and the consent was approved on 10 August 2020. The approved amended plans include the elements in **Figure 10.4** above, with the exception of the visitor accommodation component, the area of which was left blank on the original plans.

- 10.9 Policy 8 of the NPS-UD is not relevant to this rezoning request as the site is located outside of Greater Christchurch⁶. I also consider that the NPS-HPL is not relevant as there are no LUC 1 – 3 soils shown as being located on the site. Following direction in the Rezoning Framework S42a report, the nature and location of the request means that Planner discretion can be applied to how it is assessed⁷. As the activity is for mixed use tourism business/residential activity, I have used the Business Land Framework as a tool to assess the proposal to the extent that it is relevant for this proposal. This is not a perfect fit as the rezone request includes a residential element, however the residential element is to be provided for visitors which forms part of the commercial enterprise.
- 10.10 The bulk of what is offered through the rezoning request has been subject to the resource consent process and subsequently approved (subject to conditions). It is of note however that, at the time of writing, the resource consent has not yet been exercised and therefore it is possible that the consent could lapse before a decision is reached on the rezoning request. For the purposes of assessing the rezoning request however, it is appropriate that the consented baseline is acknowledged and what is additional to that consented baseline is considered through the below assessment. The Hearing Commissioner for RC145279 identified the following effects from the resource consent proposal: rural character and amenity, traffic safety, servicing and reverse sensitivity. The positive effects of the proposal to the social and cultural wellbeing of the wider community were also recognised.
- 10.11 A notable change to the existing environment is that the whole site is now considered to be ONL in the PDP. At the time the consent was granted, only the western most margins of the site were considered to be ONL. I also note that a number of key conditions of the resource consent have not yet been implemented, including the provision of a comprehensive landscape plan, prior to the establishment of any building (this is discussed in more detail below). The rezoning request, taken as a whole, appears to be more open-ended than existing resource consents in enabling development.
- 10.12 A site visit was undertaken on 23 September 2022. The site was viewed from the road (SH73) to the south and west of the site.

⁶ Which is considered to be an 'urban environment' under the NPS-UD.

⁷ https://www.selwyn.govt.nz/__data/assets/pdf_file/0018/515151/Re-Zoning-Framework-s42A-report.pdf



Figure 10.5: The site from SH73 looking east. Source: Report author.



Figure 10.6: Looking northwest towards the site from SH73. The site is located behind the row of trees on top of the terrace on the right-hand side of the photograph. Source: Report author.

Business Land Framework

Criteria	Assessment
Provides a diverse range of services and opportunities.	The package taken as a whole includes a range of employment opportunities including a golf course, commercial activities and accommodation options. The proposal provides wider benefits to the economic and social wellbeing community.
The request responds to the demographic changes and social and affordable needs of the district.	The MAP identified in 2015 that there was no demand identified for additional business or industrial land in the township. There is presently land zoned Business 1A (Operative District Plan) in Castle Hill Village. The same land is zoned LCZ in the PDP, although part of this land has resource consent for residential development.
It is consistent with the Activity Centre Network	Castle Hill Village has the function of a rural township based on village characteristics with some services offered to the surrounding rural area. The rezoning request would not be consistent with this function given its scale and the type of facilities that are proposed. However, it is recognised that part of the site has been deemed suitable for tourism development (through the resource consent process).
The location, dimensions and characteristics of the land are appropriate to support activities sought in the zone.	The resource consent hearing in 2015 found that tourism development was an appropriate use of the site. The rezoning request differs from this resource consent (and its amendments) as it contemplates built development in the southern portion of the site and greater permitted building heights. In addition, there do not appear to be any limits placed on building numbers (apart from terraced housing), site coverage and the like. As such it is materially different to the resource consent and these elements need to be assessed de novo.
An ODP is prepared.	An ODP has been prepared. The ODP does indicate where the different land use activities are located on site and includes a road layout. The road layout is not shown for the sub-area shown as visitor accommodation.
Achieves the built form and amenity values of the zone sought.	<p>The submitter is proposing an entirely new zone with bespoke objectives and policies. However, it is not clear that the proposed zone meets the criteria for a new zone in Standard 8, Cl.3 of the NPS:</p> <ul style="list-style-type: none"> - Are significant to the district, region or country. - Are impractical to be managed through another zone. - Are impractical to be managed through a combination of spatial layers. <p>I am unable to locate a s32AA evaluation in the submission and therefore it is not clear whether a new zone would be appropriate option compared to other options such as a precinct or specific control area.</p>

Criteria	Assessment
	<p>The ONL overlay in the PDP is also an important consideration. Mr Bentley discussed the importance of protecting ONL values in his evidence in the NFL Hearing. He did not support ‘carveouts’ of ONL to enable particular activities to occur but rather that the provisions of the PDP should recognise a particular land use activity and provide appropriate rules to enable development to be in accordance with those special values. The suite of rules proposed by the submitter includes consideration of design and appearance which would be subject to the resource consent process. However, it is not immediately clear how these will integrate with the provisions in the NFL Chapter (discussed in more detail below), based on Mr Bentley’s advice that the ONL overlay should remain. I note that the submitter originally challenged the basis for the expanded ONL on the site, which would suggest why this was not addressed by the submitter.</p>
<p>Creates and maintains connectivity through the zoned land, including access to parks, commercial areas and community services.</p>	<p>The ODP shows some of the connections proposed through the zone which would primarily be through road access. The ODP does not include detail of the sub-area zoned for visitor accommodation. The primary access to Castle Hill Village by walking and cycling would be by crossing SH73.</p>
<p>Promotes walking, cycling and public transport access.</p>	<p>Castle Hill Village does not currently support any frequent scheduled public transport services and the proposal will likely not change this. The site can be accessed by foot and bicycle via the main entranceway and is in easy walking distance to Castle Hill Village, although this would involve crossing SH73.</p>
<p>Does it maintain a consolidated and compact urban form?</p>	<p>The site is immediately to the east of SH73 and Castle Hill Village. Whilst the Operative District Plan (Policy B4.3.16) seeks to encourage land rezoned for new residential or business development to be located on the west side of SH73, the granting of RC145279 would appear to indicate that some development east of SH73 is appropriate (noting that that was a resource consent and not a rezoning request).</p>
<p>Does not affect the safe, efficient and effective functioning of the strategic transport network.</p>	<p>A transport assessment has been provided by Mr Carr of Carriageway Consulting. Mr Carr concluded that under his analysis, even under the most extreme development scenarios for the site, adverse effects on efficiency and road safety were unlikely. In addition, an integrated transport assessment could be required under TRAN-R8 and approval from Waka Kotahi will be needed to access the State Highway. Mr Collins reviewed Mr Carr’s assessment and agreed with his assessment, subject to the inclusion of a ‘trigger’ rule that provides confidence that site access to SH73 will be upgraded in the future if required.</p>
<p>Is not completely located in an identified High Hazard Area,</p>	<p>The site is located entirely within the Waimakiriri Catchment ONL. This is a change to the existing environment at the time the</p>

Criteria	Assessment
<p>Outstanding Natural Landscape, Visual Amenity Landscape, Significant Natural Area or a Site or Area of Significance to Maori.</p>	<p>resource consent was granted in 2015 where only a small portion of the western part of the site was mapped as ONL. The Hearing Commissioner agreed with Mr John Cook at the time that the landscape effects of the proposal would be no more than minor, providing a comprehensive landscape plan is produced before the first building is established. This condition has not yet been exercised. The absence of a comprehensive landscape plan accompanying the rezoning request appears to be addressed by the submitter by including a requirement that each individual building consent includes a landscaping plan (CHRVZ-REQ5).</p> <p>The submitter has included the original planning assessment by Mr Cook (dated 2014) which addressed landscape effects that accompanied RC145279. As stated, the Hearing Commissioner accepted Mr Cook's evidence and agreed that landscape effects could be appropriately addressed through the (as yet) uncompleted landscape plan. However Mr Cook's assessment is based on the original consent proposal, not the rezoning request which includes a visitor accommodation component in the southern part of the site.</p> <p>The resource consent contemplates building heights up to 8m in height (which is compliant with the rural zone permitted heights in the Operative District Plan)⁸. The rezoning request however potentially enables taller buildings, up to 15m in height for residential accommodation. This is greater than permitted height for GRUZ (9m). Being in the Waimakiriri Catchment ONL, the site is also subject to the 300m setback from SH73 which restricts structures. It is important to note that the ONL overlay, which now applies across the whole site, can 'override' more permissive standards in the zone. It is therefore necessary to integrate the proposed zone into the PDP, building in exceptions where necessary (for example as has been undertaken with GRAZ and SKIZ/PRZ in the NFL Chapter).</p> <p>In my view, the assessment of landscape effects is out of date for this proposal and needs to be updated to demonstrate that there are no unacceptable landscape effects on the ONL from the rezoning request. The proposed landscaping rule requirement (CHRVZ-REQ5) represents, in my opinion, a more piecemeal approach as opposed to the provision of a comprehensive landscaping plan upfront prior to development as required through the resource consent. This raises the question whether this approach appropriately mitigates effects even the consented baseline established through the resource consent. I also have concerns with the landscape plan being submitted with a building</p>

⁸ Mr Cook's evidence – P29.

Criteria	Assessment
	consent – in my opinion this should accompany each resource consent application where it would be properly assessed.
The loss of highly productive land,	Not applicable – no LUC Class 1-3 land is shown as present on site.
Preserved the rural amenity at the interface through landscape, density or other development controls.	<p>Rural amenity was an issue raised in the original resource consent hearing in 2015. At the time, it was considered by the Commissioner that the proposal provided an: <i>'opportunity to integrate recreation and tourist facilities into a site that has already been at least partially modified by previous farming, recreation and consented (equestrian) activities. It is also in close proximity to SH73 and the existing Village, which currently dominate the character of the immediate locality. The proposal is predicated on the implementation of a comprehensive landscape plan that will involve the removal of wilding pines and reintroduction of endemic plant species, whilst minimising the extent to which the proposed buildings will be visible from SH73 and from adjoining properties. The proposed buildings are otherwise sufficiently separated from SH73 to avoid undue visual dominance, as well as being sympathetically designed so as to complement the alpine characteristics of the Village'</i>⁹.</p> <p>As discussed above, in relation to landscape, the rezoning request does not include an amended landscape assessment and does not propose a comprehensive landscape plan. It is therefore unclear whether these landscape improvements will be implemented and the extent to which the new elements of the proposal enabled by the rezoning request will erode rural amenity and ONL values.</p>

10.13 Geotechnical evidence was provided by Mr Chau on behalf of Tera Tech Coffey. The essential conclusion was that the site is suitable for development subject to further investigation within the site to confirm subsurface conditions and additional geotechnical assessment and design will be required at the building consent stage. Mr McCahon accepted this evidence and noted that on-site testing would be a pre-requisite for future buildings or any subdivision within the zone. I accept Mr McCahon's advice and consider that geotechnical issues are adequately addressed.

10.14 I have also received advice from Mr England on the feasibility of servicing the proposal. He has noted the following:

10.14.1 The Castle Hill Water Supply provides treated surface water sourced from the Thomas River to the Village. There is limited spare capacity to service the proposed development and the water supply intake and reticulation would require upgrading along with potentially obtaining amendments to the CRC resource consent to abstract additional water to service the development.

⁹ Hearing Commissioner's Decision, 28 May 2015, Para 45.

- 10.14.2 Castle Hill is serviced by a reticulated wastewater network which is treated via oxidation ponds and disposal to land. There is limited capacity to service new development. Wastewater upgrades would be required along with obtaining amendments to the CRC resource consent to treat and dispose of wastewater from the proposed development.
- 10.15 Taking the proposal as a whole, the resource consent(s) granted and the established principle of tourism development on the site, the rezoning may have some merit in this location. However as stated, this is not evaluated in the submission through Standard 8, Cl.3 of the NPS. Whilst it is also not necessary to relitigate those effects that have been assessed through earlier resource consents, the level of development enabled through the rezoning request appears to exceed this consented baseline. Whilst the transport effects from the new rezoning proposal have been assessed, landscape effects have not and there is reliance on the original landscape planning assessment from the original resource consent. In my view, the landscape assessment needs to be updated to take into account the potential for a higher intensity of development than enabled through the resource consents granted and to assess these elements against the values of the (now more expansively mapped) ONL. I also have concerns that a comprehensive landscape plan as originally envisaged by a condition of consent to mitigate landscape effects is being replaced by less holistic individual landscape assessments submitted at the time of building consent.
- 10.16 Under the NPS, the overlay takes precedence over the underlying zone. Therefore, the more restrictive provisions in the NFL Chapter which include height, building coverage, building footprint and building setback apply instead of the zone unless there is a specific exception. The submitter has not proposed alternative standards for building footprint or building coverage and therefore it is assumed the ONL standard will apply. As stated, the submitter originally challenged the basis for the land being an ONL as mapped in the PDP which would suggest why this was not addressed by the submitter¹⁰. In addition, no earthwork or subdivision standards are proposed and therefore the more restrictive standards for the ONL overlay will also apply.
- 10.17 In making a recommendation on this proposal, other than recommending it is accepted or rejected, the option exists to recommend accepting it in part. In this regard, those elements already consented could be included in the new zone. However, given that the package needs to function as a whole (the proposed objectives, policies, rules and ODP) I am not convinced this is an efficient or effective planning outcome. It would require adopting some of the package proposed, but not others and, as discussed, I have concerns with a piecemeal approach to designing landscaping on a per building basis rather than the site as a whole and how the zone will function generally with the ONL overlay.
- 10.18 I therefore recommend that the submission points are rejected for the following reasons:
- 10.18.1 There is no assessment as to why a new zone is necessary when compared to alternatives (Standard 8, Cl.3 of the NPS) or an assessment of costs and benefits under s32AA of the Act.
- 10.18.2 It is unclear how the proposed zone will function with other Chapters of the PDP (for example NFL), creating a plan integration issue.

¹⁰ DPR-0391.001 CHAT

10.18.3 The submitter has not provided enough evidence that the level of development enabled by the rezoning request is compatible with the values of the ONL values through appropriate assessment and minimisation of any effects that will impact on those values. This is inconsistent with NFL-O1 and NFL-P1 and CRPS Objectives 5.2.1, 12.2.1 and Policies 5.3.2 and 12.3.2.

10.18.4 There are both water and wastewater capacity issues at Castle Hill. Whilst the wastewater and water reticulated network could be upgraded with appropriate development contributions, it is unclear from evidence presented that there is a sufficient water resource. This is inconsistent with UG-O1, UG-P12 and CRPS Objective 5.2.1 and Policy 5.3.5.

Recommendations

10.19 I recommend, for the reasons given above, that the Hearings Panel:

- a) Retain GRUZ at land legally described as RURAL SEC 40841 PT RURAL SEC 38335 BLK X VI HARPER SD, Castle Hill Village.

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

CHCA

Analysis

10.21 CHCA¹¹ in their submission consider that subdivision and development should be restricted to the western side of SH73 to preserve the special character of the village and that GRUZ should be maintained on the eastern side of the highway. The CHAT submission seeking that the land to the eastern side of SH73 be rezoned to facilitate tourism and visitor development would be in direct conflict with this. Whilst I am recommending that the rezone request by CHAT is declined, this is not based on maintaining the special character of the village, rather uncertainty of effects on landscape, servicing arrangements, consistency with the NPS and plan integration. The principal of some development on the eastern side of the village has in my view been established with the earlier resource consent. However it is important to ensure that development is designed to in a way that integrates with Castle Hill Village, including by adopting the design principles of an alpine village.

10.22 On the basis that no change is recommended to the zoning to the eastern side of SH73, I recommend that the submission point is accepted.

Recommendations

10.23 I recommend, for the reasons given above, that the Hearings Panel retain the zoning as notified, east of SH73 at Castle Hill Village.

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

¹¹ DPR-442.001 CHCA

CHPI

Analysis

- 10.25 The proposal by CHPI¹² seeks that the notified zoning of LCZ at Castle Hill Village is reduced, and a portion of the land is rezoned to GRZ. According to the submitter, this would ensure the zone boundaries are consistent with the existing and consented environment (RC215255 and RC215191) which cover a larger area of land as can be seen in **Figure 10.7** below. RC215255 is for 113 residential allotments and 3 commercial lots. 59 of these allotments are to be located in the notified LCZ. Inclusive of RC215191, this increases the number of residential allotments from 59 to 89 in the LCZ.
- 10.26 RC215191 is a certificate of compliance that confirms that residential development, including on the ground floor (on Lots 1-4 and 65), complies with the current B1A zoning in the Operative District Plan. In the submitter's view, the PDP provisions that would apply to the replacement to B1A, LCZ, would be somewhat restrictive and the objectives, policies and rules do not reflect the consented environment which is for residential development, including residential development on the ground floor which would not be enabled in the LCZ. They consider that the rezoning better reflects the demand for residential development in Castle Hill, with the extent of the commercial zoning not warranted from a demand perspective.
- 10.27 The exact relief sought is for all of LCZ to be rezoned GRZ with the exception of the area coloured light blue on **Figure 10.8** below. This corresponds with land legally described as Lot 509 DP 559213, Lot 106 DP 559213, Lot 107 DP 551837 and Lot 105.
- 10.28 I agree with the submitter's reasoning that, given that a large portion of the area covered by LCZ is consented for residential development, the zone should reflect the underlying consented environment. The proposal will retain approximately 1.5ha of unencumbered commercial land available to develop, noting that no commercial development has been undertaken or proposed so far and the current demand appears to be for residential development. I therefore recommend that the area currently zoned as LCZ in the PDP be reduced to the area shown in **Figure 10.8**.

¹² DPR-0483.001 CHPI

[illegible]

Source:CHPI.

Recommendations and amendments

10.29 I recommend, for the reasons given above, that the Hearings Panel, as set out in **Appendix 2**:

- a) Amend all LCZ zoning to GRZ except LCZ at Lots 105, 106, 107 and 509.

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

10.31 The submitter has provided an assessment of costs and benefits and an evaluation against higher order planning objectives and policies¹³ consistent with the requirements of S32 of the Act. I consider is thorough and appropriate and adopt it for the purposes of this recommendation as a s32AA evaluation.

11. Coalgate

Overview

11.1 Coalgate is located just over an hour west of Christchurch on State Highway 77. It is approximately 60km from Christchurch and 12km from Darfield. The town name stems from it being the historical gateway to lignite coal fields in the district.

11.2 The village has a population of approximately 340 as at the 2018 NZ Census although with nearby Glentunnel and Whitecliffs this rises to over 1,100. The MAP projected the population of the Coalgate/Glentunnel and Whitecliffs area to increase to 1,364 by 2031. There were 388 households in the wider settlement area in 2015 and, according to the MAP, this is projected to increase to 487 by 2031. According to the MAP available sections in Coalgate could yield another 262 residential sections, therefore it is considered that there is sufficient land available to accommodate growth in Coalgate through to 2031. The MAP also found that there was 1.4ha business land and 7.4ha of industrial land available. Although there was a 1000m² business land shortfall, the MAP concluded this was likely to be sufficient through to 2031 without Council proactively rezoning land.

11.3 Mr Baird has provided an update since the MAP based on the Selwyn Capacity for Growth Model. According to his assessment there is capacity in the Coalgate, Glentunnel and Whitecliffs area for 316 dwellings. An average of 3.4 new dwellings have been constructed based on a 10-year average of building consent data. Constrained dwelling growth (based on land availability) through to 2031 is from 454 to 569 and thereafter (unconstrained) to 665 by 2051. Therefore, there is an expected demand of 115 to 2031 and 211 dwellings to 2051 which can be met from existing capacity.

¹³ Evidence of Liz Stewart, 22 October 2022 for CHPI.



Figure 11.1: Map of Coalgate. Source: Canterbury Maps

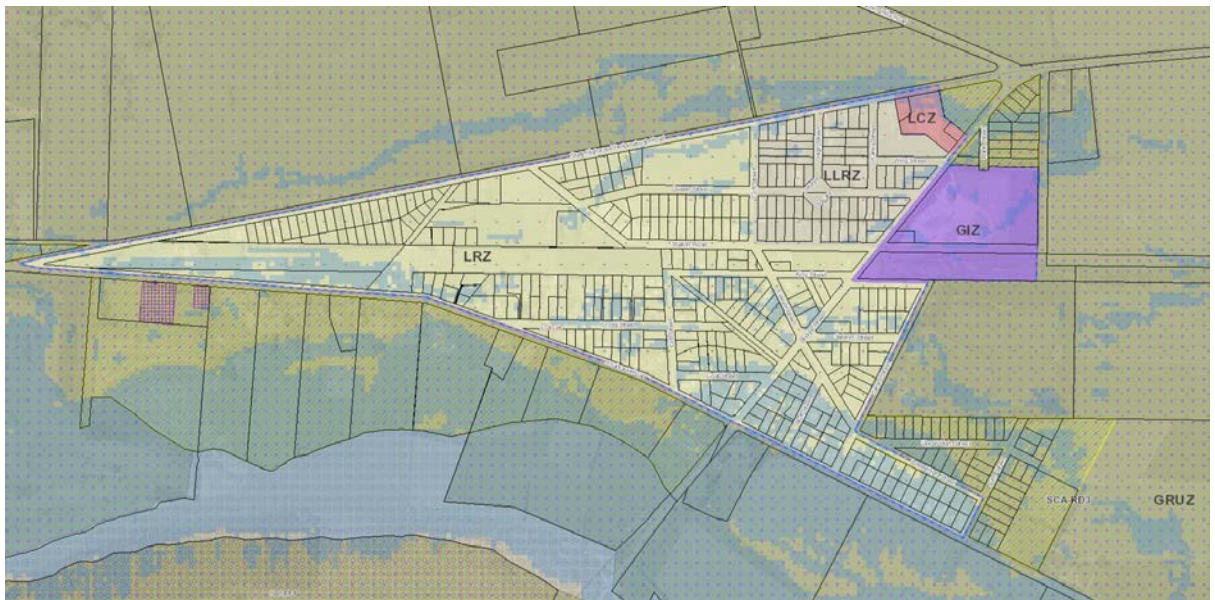


Figure 11.2: Map of Coalgate (zoning as notified in PDP). Source: PDP

Submissions

11.4 Two submission points and two further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0007	David Thompson	001	Oppose	Amend Large Lot Residential Zoning to Low Density Residential Zoning in Coalgate (appears to relate to an area bound by Cliff St, Station Rd, Bridge St, and Homebush Road).
DPR-0180	Peter and Christine Bond	FS001	Support in Part	Support the submission to the extent it is consistent with the relief sought in our submission (180)

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0180	Peter and Christine Bond	001	Oppose	Rezone Lot 3 DP 27698 Low Density Residential, and any neighbouring or other land as appropriate including for sound resource management reasons and as is in the interests of the submitter.
DPR-0522	Stephen Joy	FS001	Oppose	<i>Deny the request. Refer to original further submission for full decision requested.</i>

David Thompson

Analysis

- 11.5 David Thompson¹⁴ seeks intensification of Coalgate township from LLRZ to LRZ. He states that there are a large number of sites that do not fit within the current L2 zone in the Operative District Plan and this will also apply to the successor LLRZ. No further evidence was submitted on the need for the intensification.
- 11.6 Under the L2 in Coalgate, an allotment must be 1ha in size to support a residential unit. Under LLRZ, a site must have a minimum size of 3000m² and an average size of 5000m². Most allotments in the area shown as LLRZ are 1,000m² in size however sites in some cases extend over several allotments forming one area of title. When this is taken into account, the average site area is 3-5000m², consistent with LLRZ. Complicating the matter is that building footprints extend over legal boundaries of allotments into neighbouring allotments across the title area and some roads are unformed. Additionally, the area is not serviced by a wastewater network, meaning that sewage will have to be disposed of on site. This will require resource consent from CRC.
- 11.7 Given the above, I consider that LLRZ is appropriate until such time that roads are properly formed and appropriate servicing is in place to support greater intensification in this area. In my view, there is insufficient information and no evidence has been provided to determine whether the actual and potential effects of the rezoning are satisfactory and to enable the substantive merits of the rezoning request to be evaluated. I therefore recommend that the submission point is rejected.

¹⁴ DPR-0007.001 David Thompson



Figure 11.3: Image of typical street in Coalgate within area zone LLRZ. Source: Report author.

Recommendations

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

Peter and Christine Bond

Analysis

- 11.10 Peter and Christine Bond¹⁵ seek the rezoning of Lot 3 DP 27698 from GRUZ to LRZ. The site is approximately 9,000m². The land is subject to an urban growth overlay in the PDP and the MAP contemplates that the site could be used for business land, as a 1,000m² shortfall was identified for Coalgate. The MAP highlights three possible issues with the development area (CG5) including reverse sensitivity effects from the industrial zone to the south, reverse sensitivity effects from the tavern site to the west and site access and possible effects on the road network.
- 11.11 Policy 8 of the NPS-UD is not relevant to this rezoning request as the site is located outside of Greater Christchurch. I also consider that the NPS-HPL is not relevant as there are no Class 1 – 3 soils mapped on the site and the site is identified for future urban growth, which is exempt from the application of the NPS-HPL under cl.3.5.7(b)(i).

¹⁵ DPR-0180.001 Peter and Christine Bond

11.12 The submission includes the following evidence:

- 11.12.1 Planning evidence from Richard Johnson (Aston Consultants).
- 11.12.2 Servicing report from Andrew Brough (Courtenay Environmental) – Murray England (Council Asset Manager) has provided Council's comment on the feasibility of servicing the site.
- 11.12.3 Real estate commentary from Gareth Cox (Property Brokers).
- 11.12.4 A statement from the landowner, Peter Bond.

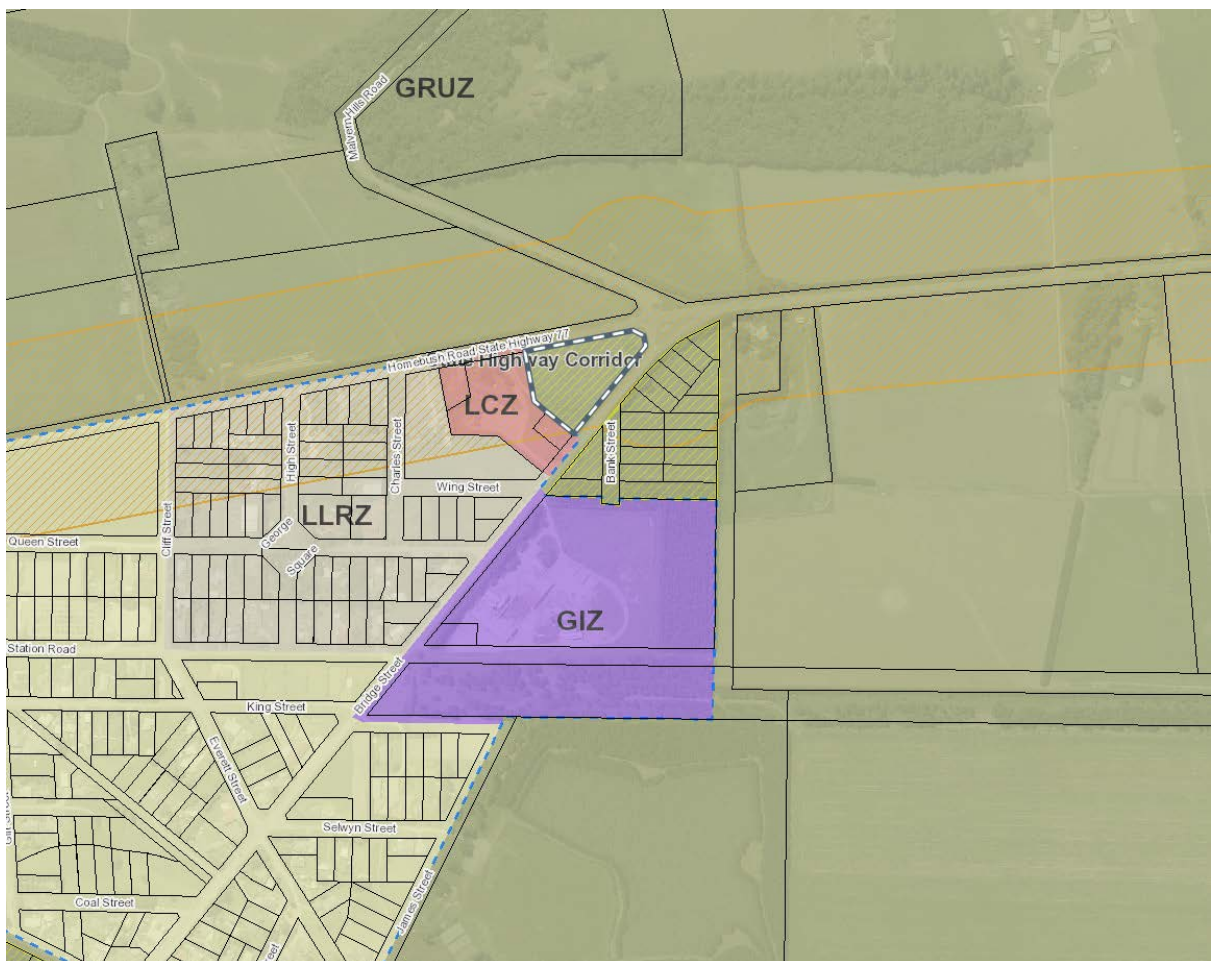


Figure 11.4 Location of site with notified PDP zoning (black and white border). Source: PDP.



Figure 11.5: Subdivision concept plan included in evidence. Source: Bond evidence.

11.13 A site visit was undertaken on 23 September 2022. The site was viewed from Bridge Street.

11.14 For re-zoning requests that are within the Urban Growth Overlay or meet the significance criteria, the request is balanced against a greenfield framework. This framework reflects the objectives and policies, as altered by s42A Urban Growth recommendations, within the Urban Growth Chapter and the outcomes sought by overarching strategic planning documents.

Greenfield Framework

Criteria	Assessment:
Does it maintain a consolidated and compact urban form?	The site is adjacent to and contiguous with the Coalgate township and development is anticipated by the MAP. The development is generally consistent with the low-density nature of the surrounding township and there is a strong containment boundary with Bridge Street and SH77.
Does it support the township network?	The development is proposed for four new allotments although the actual quantum of development could be up to 10, taking into the minimum average site size of 750m ² and 10% of the site given over to access and servicing. The site is identified as being suitable for business land in the MAP but it is also stated that residential development could be appropriate. The overall size of the

Criteria	Assessment:
	development is consistent with the scale and function of the township as a rural township.
If within the Urban Growth Overlay, is it consistent with the goals and outline development plan?	The proposal does align with a suitable alternative use of the site posited in the MAP which is for low density residential development.
Does not affect the safe, efficient, and effective functioning of the strategic transport network?	No transport assessment has been provided. The site is next to SH77 which is a low volume state highway of around 1000vpd. According to the concept plan, access will be from Bridge Street, a local road. A resource consent will be required if access is subsequently sought off the State Highway at a later date (which will require agreement from Waka Kotahi). Access will also need to be a minimum distance from any intersection, for example from Bridge Street/SH77. Bridge St, at the point where access is sought, transitions from 50kph to 100kph. A greater distance from any neighbouring intersection will be required if access is sought in the higher speed zone. A noise control overlay is over the site which will require noise mitigation or appropriate setbacks to be provided from the state highway. The submitter is proposing to address this through compliance with the Noise Chapter in the PDP.
Does not foreclose opportunity of planned strategic transport requirements?	There are no strategic transport improvements planned that will be foreclosed by the development.
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 not in any of these areas.
Does not locate noise sensitive activities within the 50 db Ldn Air Noise Contours	The site is not within the 50 db Ldn Air Noise Contour.
The loss of highly productive land	The site is not mapped as having LUC 1-3 soils according to Canterbury Maps.
Achieves the built form and amenity values of the zone sought	The proposed zone, LRZ, is for lower traditional suburban densities. The densities proposed are greater than the average minimum density for the zone (750m ²) and no site is smaller than the minimum density (600m ²). However, this is based off a subdivision concept plan and therefore, it is possible under the zoning up to 10 sites could be created.
Protects any heritage site and setting, and notable tree within the re-zoning area	There are no heritage sites or notable trees within the site area.
Preserves the rural amenity at the interface through landscape,	The site is bound by two roads to the north, south and east and the tavern to the west. Taking into account the potential development

Criteria	Assessment:
density, or other development controls	yield from LRZ, I consider that there is sufficient space to incorporate necessary setbacks required by the zoning and include any necessary noise mitigation, to mitigate noise from the State Highway. The roads additionally provide a strong containment boundary with the rural area.
Does not significantly impact existing or anticipated adjoining rural, dairy processing, industrial, inland port, or knowledge zones	The site is not located near any of these zones except the rural zone and industrial zone. In respect of the rural zone, there are no intensive farming activities or mineral extraction activities in close proximity to the site which could give rise to reverse sensitivity effects.
Does not significantly impact the operation of important infrastructure, including strategic transport network	Other than SH77, no other strategic infrastructure is affected by the proposed rezoning. An old water race crosses the western portion of the site however this is no longer in use.
How it aligns with existing or planned infrastructure, including public transport services, and connecting with water, wastewater, and stormwater networks where available	<p>Public transport</p> <p>There are no regularly scheduled public transport services in Coalgate. The development is not of a scale that will increase the viability of such a service.</p> <p>Water supply</p> <p>Mr England offers the following commentary on the site from a water supply perspective:</p> <ol style="list-style-type: none"> 1. This site is within the Coalgate township which is serviced by the Malvern Hills Rural Water Supply (MHRWS). Water supply capacity is limited in this area. 2. Connection of the proposed rezoned site to the MHRWS supply would need to be via the 80mm PVCu water main that crosses Malvern Hills Road. 3. One unit of water (1000 litres per day) can be supplied to each proposed section. A rural water charge is payable for each lot to be serviced. <p>Alternatively, it is suggested by Mr Bond that groundwater can be taken to service the site and that CRC records suggest the water table can be encountered at 14m below ground level (at the nearby Bentonite Plant). Mr Brough on the other hand states in his evidence that nearby bore logs record that the shallowest usable aquifer for water abstraction is approximately 27m below ground. Based on Mr England's evidence, I consider that the site can be serviced by reticulated water, however it is noted that 1 unit per day can be somewhat restrictive for a family home. Based on Mr Brough's evidence, if derived from a bore, the groundwater depth suitable for water abstraction may be in the order of 27m+.</p> <p>Wastewater disposal</p> <p>Mr England notes that:</p> <ol style="list-style-type: none"> 1. There is no reticulated wastewater servicing the Coalgate

Criteria	Assessment:
	<p>community. Onsite wastewater treatment and disposal is the only option available for this site. Consents will need to be sort from CRC prior to subdivision consent being granted.</p> <p>2. Site inundation during flood events will need to be taken into consideration when designing and locating disposal fields.</p> <p>Mr Brough states that there is ample space in each lot to incorporate a disposal field and separation from groundwater can be maintained.</p> <p>Stormwater disposal</p> <p>Both Mr England and Mr Brough concluded that stormwater could adequately be managed on site.</p>
Ensuring waste collection and disposal services are available or planned	Refuse disposal is provided by Council collection.
Creates and maintains connectivity through the zoned land, including access to parks, commercial areas and community services	The proposal is adjacent to the existing township boundary of Coalgate.
Promotes walking, cycling and public transport access	The site does not promote public transport services however these are extremely limited in Coalgate. A footpath extends along Bridge Street as far as the access to the Coalgate Tavern. Ideally the footpath would be extended to reach the access to the site. Given that the quantum of development could extend to 10 allotments, a walking and cycling connection should be shown on the ODP.
The density proposed is 15hh/ha or the request outlines the constraints that require 12hh/ha	The proposal is outside of Greater Christchurch – N/A.
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 request does not propose a range of typologies. However, the proposal is of a very small scale and therefore it may only be feasible to provide one typology.
An ODP is prepared	A subdivision concept plan is included in the submission. No ODP is provided. An ODP should ideally be provided to show and give confidence that primary access will be from Bridge Street, a local road, and not SH77 and that there will be a connection to the existing footpath at the Coalgate Tavern.

11.15 Mr England suggests that surface flooding however could be an issue (there is evidence of recent flooding in proximity to the site as shown in **Figure 11.6** at the intersection) during extreme flood events although the intersection does not appear as flood susceptible on the Canterbury Flood Model. This appears to be in addition to a flow path across the site. Mr Brough addresses flooding in his evidence, noting the presence of the flow path, and considers the subdivision can be

developed in a manner consistent with the CRPS. For proposed Lots 2 to 4, dwellings can be located outside the predicted area of inundation. For Lot 1 a dwelling would be located in the margins of the area of inundation and can be built to have an appropriate floor level above the 0.5% AEP design flood event. This is based on the subdivision concept plan however, not the full quantum of development enabled through the rezoning.



Figure 11.6: Bridge St/SH77 intersection flooded during the June 2022 flood event. The site is to the left. Source: Selwyn District Council.

- 11.16 Gareth Cox in his evidence states that there is likely strong buyer demand for new residential sections in Coalgate. Mr Baird's assessment is that there is ample capacity for additional dwellings in Coalgate, Glentunnel and Whitecliffs. The proposed development is however very small and would yield at most 9-10 lots, once servicing and required setbacks are factored in. Although the location is primarily suited for commercial development according to the MAP, another area is also identified in Coalgate to the southwest of this site should demand emerge. It is notable that there does not seem to have been any resource consents or speculative plan changes to date to establish additional commercial activities in Coalgate. Overall, there does not appear to be compelling evidence that there is pressure for a commercial use of the site, nor that allowing a residential use of the site would foreclose the opportunity for commercial development in Coalgate in the future.
- 11.17 Reverse sensitivity is an issue raised in the MAP in relation to the tavern site and the industrial land to the site. Mr Johnson addresses this in his evidence. In relation to the industrial land to the south, he states that due to the scale of the operation, there is a low risk of reverse sensitivity effects and that the site is screened by trees. The operation involves processing mineral products for use in

industrial processes. An effective buffer of 70m exists between the edge of the subject site and the industrially zoned land across Bridge St. Coupled with the low density of the residential development and building setbacks required, even if the tree screening is removed in future, I consider the likelihood of reverse sensitivity effects with this activity are low.

11.18 Turning to the tavern site, the activity is immediately to the west of the proposed development area. The submitter states that this is a low risk activity because of the scale and nature and any noise effects can be managed through the noise provisions of the PDP. I note that a further submission has been lodged in opposition to the proposal from Mr Joy, the owner of the Coalgate Tavern¹⁶. Generally, I note that the expectation in the PDP is that TCZ/LCZ/NCZ co-exists with residential zones without any bespoke setbacks. I therefore consider that any reverse sensitivity effects can be managed through the standard zone rules in the PDP.

11.19 There is no geotechnical or contamination assessment accompanying the evidence for the rezoning request. The site is within the area identified by Council as not requiring a geotechnical assessment for subdivision proposals under 15 lots, therefore is at low risk of liquefaction. Mr Johnson references the evidence of Mr Brough as providing confidence that there are unlikely to be any geotechnical or contamination issues that cannot be addressed through a resource consent. However, Mr Brough does not explicitly address these issues in his evidence (I do note Mr Bond's statement included confirmation that CRC did not have the site recorded on its Listed Land Use Register (LLUR)). I consider it would be beneficial for these matters to be clarified prior to, or at the Hearing.

11.20 I therefore recommend that the submission point is accepted in part subject to:

11.20.1 An ODP is included that shows the location of primary access into the site on Bridge Street and an indicative pedestrian link is shown to the existing footpath near the Coalgate Tavern.

11.20.2 The submitter confirms that only four allotments are sought through a notation on an ODP, or further information is supplied on servicing and flood risk as if the full development potential of the site under LRZ was to be realised.

11.20.3 Confirmation that there are not likely to be any geotechnical or site contamination issues.

Recommendation and amendments

11.21 I recommend that, for the reasons given above and as set out in **Appendix 2**, the Hearings Panel rezone land at Lot 3 DP 27698 to the east of Coalgate from GRUZ to LRZ subject to:

- a) An ODP is included that shows the location of primary access into the site on Bridge Street and an indicative pedestrian link is shown to the existing footpath near the Coalgate Tavern.
- b) The submitter confirms that only four allotments are sought through a notation on an ODP, or further information is supplied on servicing and flood risk as if the full development potential of the site under LRZ was to be realised.
- c) Confirmation that there are not likely to be any geotechnical or site contamination issues.

¹⁶ DPR-0522 FS Stephen Joy

- 11.22 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.
- 11.23 The submitter has provided a s32AA evaluation (Appendix 3 of Mr Johnson's evidence). I consider that it appropriately assesses the costs and benefits of the proposed rezoning and consistency with higher order planning documents and adopt it for the purposes of this report.

12. Darfield

Overview

- 12.1 Darfield is located just over half an hour west of Christchurch on State Highway 73. It is approximately 40km from Christchurch. It is defined as both a Service Township and Key Activity Centre in Selwyn 2031 and the PDP.
- 12.2 The town has a population of approximately 3,120 as at the 2022 Population Estimate (Statistics NZ). The MAP projected the population of the Darfield area to increase to 4,141 by 2031. There were 1,039 households in the town in 2015 and, according to the MAP, this is projected to increase to 1,479 by 2031. According to the MAP available sections in Darfield could yield another 2,274 residential sections, therefore it was considered that there was sufficient land available to accommodate growth in Darfield through to 2031. The MAP also found that there was 19ha business land and 59ha of industrial land available. The MAP concluded this was likely to be sufficient through to 2031 without Council proactively rezoning land.
- 12.3 Recently, Council approved Plan Change 61 in east Darfield (11 August 2021) to rezone 30ha of rural land to a mix of residential (35 allotments) and industrial land and Plan Change 63 in north Darfield (3 November 2021) to rezone 60ha of rural land to residential land to yield 450 residential allotments and a retirement village with capacity for 110 residents.
- 12.4 Mr Baird has more recently reviewed capacity for new households in Darfield under the Selwyn Capacity for Growth Model. He has calculated that there are 180 sites which could yield 2154 dwellings. There has been an average of 36.3 new dwellings constructed a year over the last 10 years based on building consent data. He calculates 1,283 dwellings present in 2021 and projected that there will be a need for 1,628 dwellings (based on constrained land supply) by 2031 and 2,425 dwellings (unconstrained) to 2051 – therefore 345 dwellings are required forward to 2031 and 1,142 dwellings to 2051. Based on this there appears to be ample supply of residential land in the short-medium and long term.
- 12.5 Mr Baird has also commented on industrial capacity at Darfield. There is an anticipated industrial shortfall in Darfield of 5ha in the short-medium term though 12ha sufficient capacity in the long term. Demand is 12ha in the short-medium term and 31ha in the long term; with capacity of 7ha and 44ha respectively. I note that the Selwyn Capacity for Growth Model had not factored in the available industrial land through PC61. Mr Foy addresses this in more detail below.



Figure 12.1 Map of Darfield. Source: Canterbury Maps

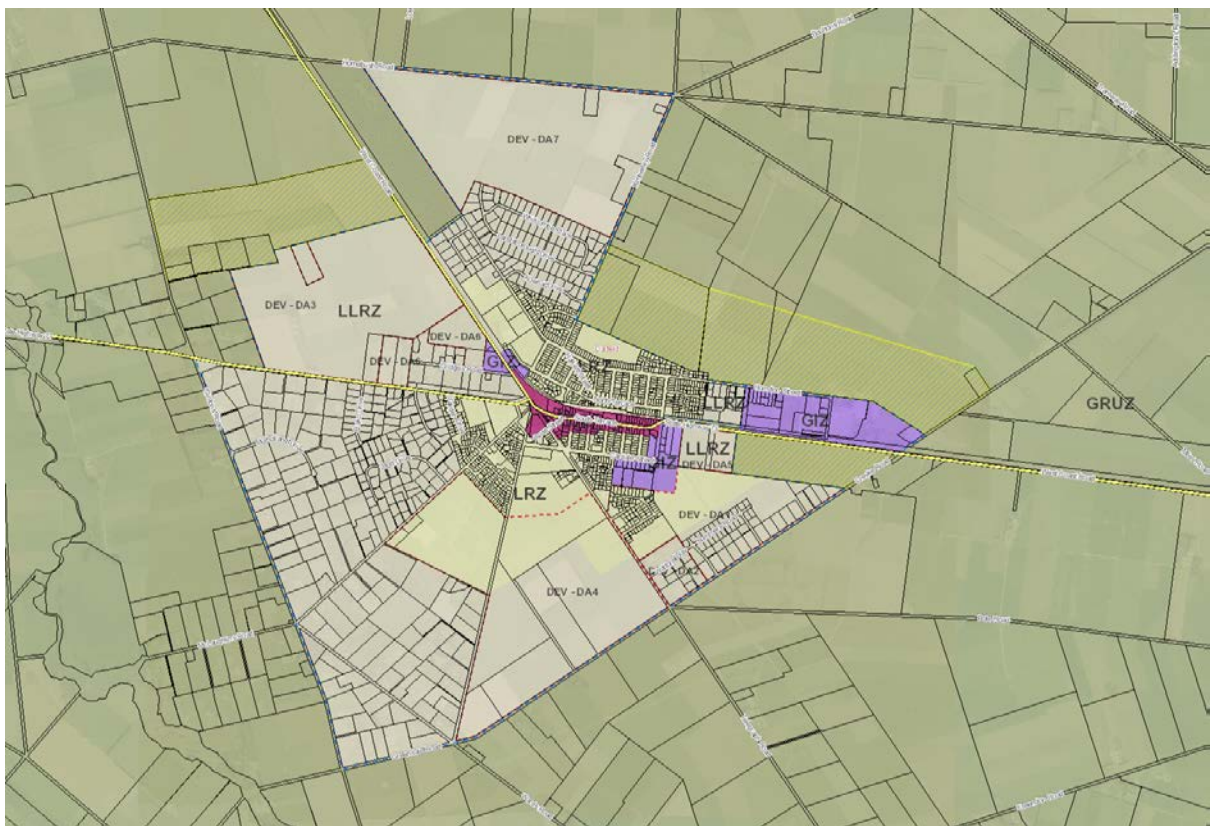


Figure 12.2: Map of Darfield (zoning as notified in PDP). Source: PDP

Submissions

12.6 18 submission points and 40 further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0178	Carey Manson	001	Oppose	<p>Rezone the site comprising the land parcels legally described below either Large Lot Residential; or Rural Lifestyle (minimum average lot size 2 ha) and any neighbouring or other land as appropriate including for sound resource management reasons and as is in the interests of the Submitter.</p> <p>Lot 13 DP 316410 Lot 9 DP 316410 Lot 8 DP 316410 Lot 5 DP 316410 Lot 4 DP 316410 Lot 1 DP 316410 Lot 1 DP 65064 Lot 1 DP 45763 Lot 2 DP 70623 Lot 1 DP 70623 Lot 3 DP 70623 Lot 4 DP 65064 Lot 2 DP 316410 Lot 3 DP 316410 Lot 6 DP 316410 Lot 7 DP 316410 Lot 2 DP 340468 (inferred to be Lot 2 DP 340569) Total 62.03 ha</p>
DPR-0032	CCC	FS107	Oppose	<p><i>Oppose submissions that seek an increase in the amount of residential land or density and/or an increase in the amount of land zoned for industrial purposes.</i></p> <p><i>Refer to original submission for full reasons.</i></p>
DPR-0178	Carey Manson	001	Oppose	<p>Insert a new DEV-DA covering all of:</p> <p>Lots 1, 4, 5, 8, 9 and 13 DP 316410 Lot 1 DP 65064 Lot 1 DP 45763 Lots 1, 2 and 3 DP 70623 Lot 4 DP 65064 Lot 2, 3 6 and 7 DP 316410 Lot 2 DP 340468 and any neighbouring or other land as appropriate including for sound resource management reasons and as is in the interests of the Submitter</p>
DPR-0032	CCC	FS108	Oppose	<p><i>Oppose submissions that seek an increase in the amount of residential land or density and/or an increase in the amount of land zoned for industrial purposes.</i></p> <p><i>Refer to original submission for full reasons.</i></p>
DPR-0192	Merf Ag Services	001	Oppose	<p>Rezone the land subject to Private Plan Change 63 and legally described as Part Rural Section 27204, Lot 24 DP 366007 and Lots 3-4 DP 524058 to General Residential Zone and General Residential Deferred (if necessary), as shown on the map DEV-DA08 attached to the submission.</p>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0032	CCC	FS108	Oppose	Oppose submissions that seek an increase in the amount of residential land or density and/or an increase in the amount of land zoned for industrial purposes. <i>Refer to original submission for full reasons.</i>
DPR-0192	Merf Ag Services	002	Oppose	Amend all PDP objectives, policies, rules and other provisions which relate to the matters addressed in PC63 to achieve the specific relief sought by PC63.
DPR-0032	CCC	FS108	Oppose	Oppose submissions that seek an increase in the amount of residential land or density and/or an increase in the amount of land zoned for industrial purposes. <i>Refer to original submission for full reasons.</i>
DPR-0192	Merf Ag Services	003	Oppose	Add a new Development Plan (DEV-DA08) to Part 3-Area Specific Matters: Development Areas. Refer to original submission for the Development Plan
DPR-0032	CCC	FS108	Oppose	Oppose submissions that seek an increase in the amount of residential land or density and/or an increase in the amount of land zoned for industrial purposes. <i>Refer to original submission for full reasons.</i>
DPR-0192	Merf Ag Services	008	Oppose	Amend provisions including additions, deletions and changes to objectives policies and rules as appropriate to ensure that the PDP is consistent with and gives effect to the National Policy Statement on Urban Development 2020.
DPR-0032	CCC	FS108	Oppose	Oppose submissions that seek an increase in the amount of residential land or density and/or an increase in the amount of land zoned for industrial purposes. <i>Refer to original submission for full reasons.</i>
DPR-0361	The Wrights	001	Oppose	Amend General Rural Zoning (GRUZ) of the subject site at the south-western corner of Creyke Road and SH73 ,SECT 1 SO 1227, rezoning to a mix of Low Density Residential (LRZ) and General Industrial (GIZ) zones in general accordance with Plan Change 61 but substituting the proposed zoning of Living 1 and Business 2 Zones with the aforementioned comparative zones under the Proposed District Plan.
DPR-0428	APL	FS001	Support in Part	Require the submitter to comply with, and undertake the assessments as provided in the 'reasons for submission' column to the extent it is consistent with the interests, and addressed to the satisfaction of APL.
DPR-0032	CCC	FS134	Oppose	Oppose submission.
DPR-0366	MB Property	001	Oppose	Amend proposed zoning on land at 424 Creyke Road (Lot 1 DP 464216), Darfield, from General Rural Zone (GRUZ) to General Industrial Zone (GIZ).
DPR-0428	APL	FS001	Support in Part	If it is considered that further GIZ land is required in Darfield, APL seeks that the submission is accepted, on the basis that this is a more logical site for GIZ land than the currently zoned GIZ land near the

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>centre of Darfield and on APL land (as discussed in the original APL submission).</i>
DPR-0032	CCC	FS139	Oppose	Oppose submission.
DPR-0403	Stuart Gillanders	1	Support	Amend the planning maps so as to rezone Pt Sec 1 Darfield VILL SETT from LLRZ to GIZ.
DPR-0403	Stuart Gillanders	2	Support in Part	Amend the planning maps so that the LRZ zone extends to include all of the area between Greendale Road, Creyke Road and Telegraph Road, Darfield.
DPR-0414	Kāinga Ora	433	Oppose	Amend the planning maps to rezone residential properties proposed to be zoned Low Density Residential Zone to General Residential Zone in Darfield.
DPR-0488	Dally and McIlraith	FS097	Oppose in Part	Reject in part
DPR-0136	Stewart, Townsend and Fraser	FS097	Oppose	Reject submission
DPR-0157	Kevin & Bonnie Williams	FS314	Oppose	Reject the submission in part
DPR-0209	Manmeet Singh	FS263	Oppose In Part	Reject the submission in part
DPR-0492	Kevler	FS677	Oppose In Part	Reject submission points in part
DPR-0302	Smith, Boyd and Blanchard	FS117	Oppose In Part	Reject submissions.
DPR-0493	Gallina and Heinz-Wattie	FS354	Oppose	Reject the submission points in part.
DPR-0461	Dunweavin	FS898	Oppose In Part	Reject submission
DPR-0298	TRRG	FS1050	Oppose In Part	Reject submission
DPR-0414	Kāinga Ora	431	Oppose	Amend the planning maps to rezone the TCZ to LCZ in Darfield.
DPR-0488	Dally and McIlraith	FS098	Oppose in Part	Reject in part
DPR-0136	Stewart, Townsend and Fraser	FS098	Oppose	Reject submission
DPR-0157	Kevin & Bonnie Williams	FS316	Oppose	Reject the submission in part
DPR-0209	Manmeet Singh	FS051	Oppose In Part	Reject the submission in part
DPR-0492	Kevler	FS688	Oppose In Part	Reject submission points in part
DPR-0302	Smith, Boyd and Blanchard	FS115	Oppose In Part	Reject submissions.
DPR-0493	Gallina and Heinz-Wattie	FS355	Oppose	Reject the submission points in part.
DPR-0461	Dunweavin	FS896	Oppose In Part	Reject submission
DPR-0298	TRRG	FS1048	Oppose In Part	Reject submission

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0414	Kāinga Ora	432	Oppose	Amend the planning maps to rezone residential properties within approximately a 400m walkable catchment from the edge of the proposed Local Centre Zone in Darfield from LRZ, and a small area of LLRZ, to Medium Density Residential Zone.
DPR-0488	Dally and McIlraith	FS100	Oppose in Part	Reject in part
DPR-0136	Stewart, Townsend and Fraser	FS100	Oppose	Reject submission
DPR-0157	Kevin & Bonnie Williams	FS318	Oppose	Reject the submission in part
DPR-0209	Manmeet Singh	FS052	Oppose In Part	Reject the submission in part
DPR-0492	Kevler	FS689	Oppose In Part	Reject submission points in part
DPR-0302	Smith, Boyd and Blanchard	FS116	Oppose In Part	Reject submissions.
DPR-0493	Gallina and Heinz-Wattie	FS357	Oppose	Reject the submission points in part.
DPR-0461	Dunweavin	FS897	Oppose In Part	Reject submission
DPR-0298	TRRG	FS1049	Oppose In Part	Reject submission
DPR-0416	Alistair John Dugald Cameron	001	Neither support nor oppose	Amend proposed zoning at Section 4 Darfield VILL SETT, Section 6 Darfield VILL SETT and RS 39127 located at Bangor Road, Darfield from Large Lot Residential (LLRZ) to Low Density Residential Zoning (LRZ).
DPR-0055	Kathryn Taylor	FS001	Oppose in Part	<i>I wish the submission point to be disallowed in part unless roading and pedestrian infrastructure is significantly considered and resolved prior/concurrently to development. Consideration should be given to the surrounding character of rural and lifestyle areas</i>
DPR-0032	CCC	FS157	Oppose	Oppose submission
DPR-0428	APL	001	Oppose	Amend zoning from GIZ to LDZ, where there is GIZ on the 3 hectares of the submitters land, being legally described as Lot 1 Deposited Plan 514294, Lot 168 Deposited Plan 514294 and Lot 154 Deposited Plan 514294, to the south east corner of Darfield township.
DPR-0428	APL	003	Oppose	Amend DEV-DA1 to reflect the requested rezoning of the site, being legally described as Lot 1 Deposited Plan 514294, Lot 168 Deposited Plan 514294 and Lot 154 Deposited Plan 514294, to the south east corner of Darfield township
DPR-0429	CPL	001	Support	Retain as notified.
DPR-0476	Murray Boyes	001	Neither support nor oppose	Amend subject site zoning from GRUZ to enable a mix of Low Density Residential and Large Lot Residential zoned land. The site is legally described as Section 1 Survey Office Plan 1227 (Certificate of Title CB39B/123).
DPR-0580	Kersey Park Ltd	FS001	Support	Accept the relief sought.

Carey Manson

Analysis

- 12.7 Carey Manson¹⁷ seeks that land to the west of Darfield and south of McLaughlins Road as shown in **Figure 12.3** be rezoned as LLRZ or Rural Lifestyle to support development in the 1-2ha lot range. The area (bordered in red) is comprised of a number of lots that are around 4ha (apart from one 2ha lot and two smaller lots at 5000m² and 7800m²). The submitter has provided an initial submission but no expert evidence to support their submission. The reasons given in the submission for the rezone are (in essence):

- 12.7.1 The development meets the requirements of the NPS-UD and provides for a variety of homes.
- 12.7.2 The lots are undersized in the area, too small for productive farming and will achieve a compact and consolidated urban form, including if the area bordered green with the adjoining land along Clintons Road, northwards to Bangor Road is incorporated in the future.
- 12.7.3 The proposal is consistent with the character and zoning of the adjoining land to the east side of Clintons Road (which is LLRZ).
- 12.7.4 Whilst there appears to be large areas available for LLRZ in Darfield, the submitter states that much of this is held by a small number of long term farming families and is not reasonably expected to be available for development in the short/medium term, if at all.

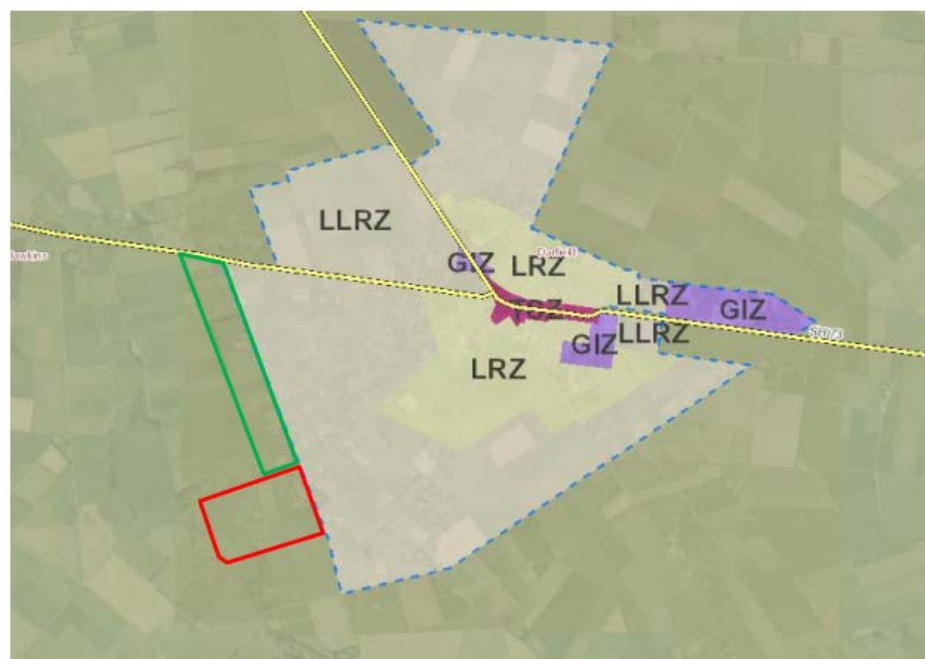


Figure 12.3: Proposed rezoning to the west of Darfield (red border). Green border represents a future extension to this block. Source: Submission.

¹⁷ DPR-0178.001 Carey Manson

- 12.8 A site visit was undertaken on 29 September 2022. The site was viewed from McLaughlins Road.
- 12.9 The land area in question is shown as Class 2 soils in the LUC database. The land is not identified for future urban development (through an urban growth overlay). As such the provisions of the NPS-HPL apply. A rural lifestyle zone would not be consistent with cl.3.7 of the NPS-HPL and the submitter has not provided any evidence to suggest why the land may meet cl.3.10 in terms of being unavailable for productive use due to being subject to a permanent or long-term constraint. The submitter has also not provided enough evidence in my view under cl.3.6. NPS-HPL on how the rezoning of the land from GRUZ to LLRZ (an urban zoning category) is necessary.
- 12.10 There is no expert evidence on the effects of the intensification of the land in this area. These include the potential the rezoning could undermine the efficient operation of infrastructure, gives rise to amenity conflicts and reverse sensitivity effects and undermine the safe and efficient operation of the local transport network.
- 12.11 Due to the lack of expert evidence and apparent conflicts with the NPS-HPL, I recommend the submission points be rejected.

Recommendations

- 12.12 I recommend, for the reasons given above, that the Hearings Panel, retain the zoning (GRUZ) on the subject area (bordered in red) as notified.
- 12.13 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

Merf Ag Services

Analysis

- 12.14 Merf Ag Services¹⁸ seek that the development outcome land in north Darfield that was subject to Plan Change 63 (PC63) to the Operative District Plan, approved by Council on 3 November 2021, is effectively incorporated into the PDP. The submitter is proposing that the ODP, currently titled 'E41C ODP-Darfield North' in the Operative District Plan, is inserted into the PDP as DEV-DA8. Whilst the substantive merits of the proposal have already been subject to a Council decision, it is relevant to assess whether there are any other matters that have arisen since then that require further assessment against the Greenfield Framework. In my view, the only other substantive matter is the NPS-HPL. The land is LUC Class 3; however I consider that the NPS-HPL does not apply under Cl.3.5.7(b)(ii). Taking this into account and the fact that all other substantive matters have been addressed through the hearing process on PC63, I recommend the submission point is accepted.
- 12.15 I note that the proposed minimum average allotment size for the majority of the site is 650m², which is consistent with GRZ zoning. GRZ zoning is recommended to replace the LRZ zoning proposed for Darfield in the PDP to give effect to relief sought by Kainga Ora¹⁹ (see the response to Kainga Ora's submission below). The GRZ zoning would therefore be most appropriate zone for this site, although there are discrete areas where different densities are to be applied in the ODP, most

¹⁸ DPR-0192.001-003,008 Merf Ag Services

¹⁹ DPR-0414.433 Kāinga Ora

notably larger site sizes along the boundary with GRUZ and smaller site sizes in three locations in the interior of the plan change area.



Figure 12.4: ODP as approved by Council from PC63. Source: Merf Ag Services evidence.

12.16 The submitter is also seeking that the changes to the provisions of the Operative District Plan that were incorporated to facilitate PC63 are included in the PDP. For simplicities sake, a table is used to compare the text of PC63 and overlapping provisions in the PDP or to identify where a gap exists that requires amendments to the PDP.

PC63 Text	PDP response
Rule 1 Activities Amend Rule 1.1 Status of Activities Discretionary Activities – Status of Activities 1.1.2 The following activities shall be discretionary activities in Living zones: ... 1.1.2.2 Any of the activities listed in (a) to (h) below, irrespective of whether they comply with the conditions for permitted activities in Rules 2 to 11. ... (c) Hospitals, hospices and other facilities providing 24 hour medical care, <u>except where provided for in Rule 4.6.4A</u>	A retirement village is provided for under GRZ-R13 as an RDIS activity. No additional provision is required to cater for PC63.
Rule 4 Buildings <u>4.1.1B. In the case of the Living 1 zone at Darfield as identified on the Outline Development Plan at Appendix E41C, the erection of any dwelling shall be a restricted discretionary activity where it does not achieve all of the following:</u>	Proposed Rule NH-R2.3 manages flood risk. There is no site characteristic that means that a provision more stringent than the district-wide one is required in this location.

PC63 Text	PDP response
<p><u>4.1.1B.1 The building has a minimum freeboard height of 400mm above the 0.5% Annual Exceedance Probability flood event</u></p> <p><u>4.1.1B.2 The building is sited on a building platform to be established prior to the issue of the building consent for the dwelling, which is of sufficient size to accommodate a dwelling and associated curtilage, in accordance with any applicable resource consent conditions for subdivision requiring the provision of building platforms</u></p> <p>4.1.2 Under Rule 4.1.1 <u>and 4.1.1B</u> the Council shall restrict the exercise of its discretion to:</p>	<p>No additional provision is required to cater for PC63.</p>
<p>4.5.1 In the Living zones at Castle Hill, Doyleston, Lake Coleridge Village, Leeston, Lincoln, Prebbleton, Rolleston, Southbridge, Springston, Tai Tapu, and West Melton, <u>and in the Living 1 zone at Darfield as identified on the Outline Development Plan at Appendix E41C</u>, the erection of any dwelling or principal building shall be a permitted activity provided that it is connected to a reticulated sewage treatment and disposal system.</p>	<p>This is a requirement of any residential unit in GRZ under GRZ-REQ1.</p> <p>No additional provision is required to cater for PC63.</p>
<p>Restricted Discretionary Activities – Buildings and Building Density</p> <p>4.6.3 Except as provided in Rule 4.6.6 the erection of not more than two dwellings on an allotment in a Living 1 zone shall be a restricted discretionary activity. ...</p> <p><u>4.6.4A Within the L1 Zone at Darfield a retirement village shall be a restricted discretionary activity where it is located as shown on the Outline Development Plan at Appendix E41C.</u></p> <p><u>4.6.4B Under Rule 4.6.4A the Council shall restrict the exercise of its discretion to consideration of:</u></p> <p><u>4.6.4B.1 Incorporation of Crime Prevention Through Environmental Design (CPTED) principles, including effective lighting, passive surveillance, management of common areas and clear demarcation of boundaries and legible entranceways;</u></p> <p><u>4.6.4B.2 Residential amenity for neighbours, in respect of outlook, scale, privacy, light spill, and access to sunlight, through site design, building, outdoor living space and service/storage space location and orientation, internal layouts, landscaping and use of screening;</u></p> <p><u>4.6.4B.3 Creation of visual quality and interest through the separation of buildings, variety in building form, distribution of walls and openings, and in the use of architectural detailing, glazing, materials, and colour.</u> Discretionary Activities — Buildings and Building Density</p>	<p>GRZ-R13 includes a number of matters of discretion in relation to retirement villages. These include:</p> <ul style="list-style-type: none"> - Effects on character and amenity values. - Building orientation/design - Parking/access. - Outdoor living/servicing/storage - On-site amenity - Fencing/boundary - Landscaping <p>Whilst design is addressed, specific design principles that align with CPTED is not mentioned. (4.6.4B1). The author of the S42a report for the Residential hearing stream is recommending some amendments to GRZ-R13, including that CPTED principles are included. If this is adopted, this would satisfy 4.6.4B1.</p> <p>4.6.4B2 and 4.6.4B3 are addressed through GRZ-R13 (noting the amendments proposed through the S42a report for the Residential hearing).</p>

PC63 Text	PDP response
4.6.5 Except as provided in Rule 4.6.6, the erection on any allotment of any building (other than an accessory building) which does not comply with Rule 4.6.1, 4.6.2.1, or Rule 4.6.3 or Rule 4.6.4A shall be a discretionary activity in Living 1 zones and the Living North WM Zone.	No additional provision is required to cater for PC63.
Permitted Activities — Buildings and Site Coverage <u>Retirement village as identified on the ODP at Appendix E41C.</u> <u>Site coverage will be calculated over the entire retirement village site. 45%</u>	This is addressed by GRZ-REQ13. No additional provision is required to cater for PC63.
<p><u>4.13.2A Any fence in the Living 1 Zone at Darfield as identified on the Outline Development Plan at Appendix 41C as 'Kimberley Rd Restrictions' and located within 4m of Kimberley Road shall be limited to a maximum height of 1.2m, be at least 50% open, and be post and rail, post and wire, or traditional sheep or deer fencing only. ...</u></p> <p><u>4.13.5 Any activity which does not comply with Rule 4.13.2A shall be a restricted discretionary activity.</u></p> <p><u>4.13.6 Under Rule 4.13.5 Council shall restrict the exercise of its discretion to the consideration of: 4.13.6.1 The extent to which the proposed fencing achieves high levels of visual transparency;</u></p> <p><u>4.13.6.2 The extent to which the proposed fencing is in keeping with rural character elements;</u></p> <p><u>4.13.6.3 Whether the proposed fencing is necessary as an integral part of a recreational facility such as a swimming pool or tennis court;</u></p> <p><u>4.13.6.4 Whether the proposed fencing is necessary for the care and management of specialist livestock.</u></p>	<p>This is a bespoke condition unique to the site and GRZ-R6 Fencing should therefore be amended as shown in Appendix 2 to include these provisions for DEV-DAB, with updated matters of discretion for non-compliance, consistent with equivalent provisions elsewhere in the PDP.</p> <p>These provisions should apply in addition to GRZ-R6.1.</p>
<p><u>12.1.3.7 Any allotment created, including any balance allotment, complies with the relevant allotment size requirements set out in Table C12.1</u> <u>Living 1 as identified on the Outline Development Plan at Appendix E41C</u> <u>650m², except for Medium Density (Small-lots) and Retirement Village</u> <u>Medium Density (Small-lots):</u> <u>Maximum average allotment size of 500m², with a minimum individual allotment size of 400m²</u> <u>Retirement Village: no minimum lot size</u></p>	<p>These forms of subdivision are provided for in SUB-R9 Subdivision in Residential Zones to Facilitate Small Site Development and SUB-R10 Subdivision in Residential Zones of Comprehensive Development.</p> <p>No additional provision is required to cater for PC63.</p>
<u>12.1.3.61 Any subdivision of land in the Living 1 zone at Darfield as identified on the Outline Development Plan at Appendix E41C, shall comply with the layout and contents of that Outline Development Plan and shall comply with any standards referred to in the Outline Development Plan.</u>	<p>This is a requirement of SUB-REQ3 Outline Development Plan.</p> <p>No additional provision is required to cater for PC63.</p>

PC63 Text	PDP response
<p>12.1.3.4 Any allotment created in: Castle Hill, Doyleston, Lake Coleridge Village, Leeston, Lincoln, Prebbleton, Rolleston, Southbridge, Springston, Tai Tapu and West Melton, or within a Living 3 zone <u>or within the Living 1 zone at Darfield as identified on the Outline Development Plan at Appendix E41C</u> is supplied with reticulated effluent treatment and disposal facilities; and</p>	<p>This is a requirement of SUB-REQ10 Wastewater Disposal.</p> <p>No additional provision is required to cater for PC63.</p>
<p><u>12.1.4.84A In relation to the land identified on the Outline Development at Appendix E41C : (a) Any adverse effects on safety for users of all transport modes at all existing level crossings in Darfield township (b) Any adverse effects on the operation of the State Highway 73 intersections with Matthias Street and McMillan Street.</u></p>	<p>This requirement is a bespoke requirement for the PC63 and should therefore be carried over into SUB-MAT13 Development Areas, as shown in Appendix 2.</p>
<p>Add Rule 12.1.4.84B <u>In relation to the land identified on the Outline Development Plan at Appendix E41C: (a) Whether the subdivision of land or subsequent use of the land is likely to cause or exacerbate potential risk to people or damage to property; and (b) Any measures proposed to mitigate the effects of a potential natural hazard, including: i. Building platforms within each allotment, of sufficient size to accommodate a dwelling and associated curtilage; and ii. The filling (with inert hardfill) of any low-lying area; and iii. proposed methods and locations for flood offset areas; and (c) How adequate and appropriate any such mitigation measures may be, and the mechanisms to secure any such measures.</u></p>	<p>The site is proposed to be within the recommended amended Plains Flood Management Overlay, and so NH-MAT1 Natural Hazards Generally will be considered as part of any subdivision application.</p> <p>No additional provision is required to cater for PC63.</p>
<p>Add Rule 12.1.6.9 <u>Discretionary Activities – Subdivision</u> <u>12.1.6.9 Any subdivision of land in the Living 1 zone at Darfield as identified on the Outline Development Plan at Appendix E41C as ‘Kimberley Rd Restrictions’ with a minimum allotment size less than 1000m² but not less than 650m²</u></p>	<p>The 1000m² requirement is shown on the outline development plan, and so non-compliance with this minimum is addressed by SUB-REQ3 Outline Development Plan.</p> <p>Non-compliance with general zone site area provisions is addressed by SUB-REQ1 Site Area, which allows sites as small as 500m², provided the average of 650m² is achieved across the site.</p> <p>There is insufficient benefit to be gained by retaining a DIS status for sites in this area that are smaller than 1000m² but greater than 650m² to justify the retention of the PC63 rule – the appropriateness of sites smaller than 1000m² would be assessed through the DIS status arising from SUB-REQ3.</p>

PC63 Text	PDP response
	No additional provision is required to cater for PC63.
Add new definition of Retirement Village <u>Retirement Village means a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired, and any spouses or partners of such people. It may also include any of the following facilities for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities.</u>	NPS definition already included in the PDP. No additional provision is required to cater for PC63.

12.17 At the time of writing, no resource consents have been approved for development since PC63 was approved.

12.18 Given the above, I consider it appropriate that the outcome of PC63 be incorporated into the PDP as requested by the submitter with the appropriate amendments to:

12.18.1 Update the zoning displayed in the ODP to conform with the NPS and most appropriate category which is GRZ whilst retaining within the ODP the different densities around the perimeter and interior of the site.

12.18.2 Incorporate the wording of PC63 into the Development Area section of the PDP where these conditions are bespoke to the site not otherwise addressed by general provisions in the PDP and identified in the table above as being appropriate to carry forward into the PDP.

12.18.3 The recommended amendments are included in **Appendix 2**.

Recommendations and amendments

12.19 I recommend, for the reasons given above, that the Hearings Panel, as set out in **Appendix 2**:

- a) amend the zoning in the area shown as PC63 in north Darfield from GRUZ to GRZ.
- b) insert a new development area – DAR-DEV8 – including the ODP for PC63 and relevant provisions where they relate to the site specifically and otherwise relying on the more general provisions in the PDP.

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

12.21 The submitter has provided the s32AA evaluation accompanying PC63. This I consider is sufficient, given the decision sought is to incorporate Council's decision on PC63 into the PDP.

The Wrights

Analysis

- 12.22 The Wrights²⁰ seek that the development outcome for land in the east of Darfield that was subject to Plan Change 61 (PC61) on the Operative District Plan, approved by Council on 11 August 2021, is effectively incorporated into the PDP. This includes rezoning the land that is subject to PC61 from GRUZ to LRZ and GIZ, which are comparative zones under the NPS for the Living 1 and Business 2 zones that were requested in PC61. I note that the site area is also subject to another submission by Murray Boyes (DPR-0476.001) and further submission by KPL seeking a different development outcome for the site, being a mix of GIZ and LRZ (and LLRZ) at different ratios to PC61. This is dealt with separately below noting that aspects of the submissions overlap. The Wrights relief would see the effective incorporation of the ODP and development outcomes from PC61 into the PDP.



Figure 12.5: ODP as approved by Council from PC61. Source: Decision – PC61.

- 12.23 Since PC61 was adopted, a resource consent has been granted for subdivision of part of the site ('Kersey Park' Stages 1 and 2- RC215792) that would see the development of the most easterly part of the site with larger lots, similar but not entirely consistent with the ODP due to the sites being smaller than the minimum average size of 4,000m².
- 12.24 Whilst the substantive merits of the proposal have already been subject to a Council decision, it is relevant to assess whether there are any other matters that have arisen since then that require

²⁰ DPR-0361.001 The Wrights

further assessment against the Greenfield Framework. In my view, the only other substantive matter is the NPS-HPL. The land is LUC Class 3, however I consider that the NPS-HPL does not apply under Cl.3.5.7(b)(ii). Taking this into account and the fact that all other substantive matters have been addressed through the hearing process on PC61, I recommend the submission point is accepted.

12.25 In terms of converting the zones approved through PC61 to comparative zones that align with the NPS, the easterly part of PC61 in my view most lends itself to LLRZ whilst the westerly portion more appropriately fits LRZ. Notwithstanding the densities prescribed in the PDP, the bespoke densities outlined in the ODP will take precedence. It is relatively straightforward to convert the Business 2 land in the Operative District Plan to GIZ in the PDP.

12.26 In order to give effect to the ODP and the outcomes of PC61, it is necessary to compare the provisions approved in PC61 with the PDP to determine any overlapping provisions and identify where a gap exists that requires amendments to the PDP.

PC61 Amendments	PDP response
Amend Rule 12.1.3.16 as follows: Any subdivision of land within the area shown in Appendix 47 - Living 2A Darfield - Bangor Road Outline Development Plan, and within the area shown in Appendix 41A - Living 2 Darfield - Creyke Road Outline Development Plan, <u>and within the area shown in Appendix 41B – ODP Darfield East</u> , shall comply with the layout and contents of that Outline Development Plan and shall comply with any standards referred to in the Outline Development Plan.	This is a requirement of SUB-REQ3 Outline Development Plan. No additional provision is required to cater for PC61.
<u>12.1.3.16A No subdivision of land in the Living 1 zone shown in the ODP - Darfield East in Appendix 41B shall take place until a potable water supply is available that is capable of serving lots within the subdivision.</u>	This is a requirement of SUB-REQ9 Water. No additional provision is required to cater for PC61.
<u>12.1.3.16B Subdivision design of the land in the Living 1 zone shown in the ODP – Darfield East in Appendix 41B shall result in the creation of a separate allotment for the land identified as Restricted Development Area.</u> Restricted Discretionary Activities — Subdivision – General <u>12.1.5.2A Any subdivision subject to Rule 12.1.1 which does not comply with Rule 12.3.16B</u> New heading ‘Darfield’ <u>12.1.5.5A The exercise of discretion in relation to Rule 12.1.5.2A shall be restricted to the matters listed in Rule 12.1.4.</u> <u>12.1.5.5B Any subdivision application arising from Rule 12.1.5.2A shall not be publicly notified and may only be limited notified on Waka Kotahi NZ Transport Agency.</u>	This is a bespoke requirement for the PC61 area and should therefore be carried over into SUB-REQ3 Outline Development Plan, as shown in Appendix 2 .
<u>12.1.4.84A Development of the land identified in the Restricted Development Area in the Living 1 zone shown in the ODP – Darfield East in Appendix 41B:</u>	This is a MAT that applies where a RDIS subdivision has been applied for – but proposed amendments mean that the

PC61 Amendments	PDP response
<p><u>(a) Whether the subdivision design would limit or foreclose the opportunity for appropriate and safe intersection improvements at the corner of Creyke Road and State Highway 73.</u></p>	<p>subdivision can only be RDIS if the intersection improvements have already been completed (consistent 12.1.3.16B) (otherwise a DIS status applies).</p> <p>No additional provision is therefore required to cater for PC61.</p>
<p><u>16.1.6A Any principal building in that part of the Business 2 Zone located south of the State Highway and west of Creyke Road shown as Business 2 Outline Development Plan (Darfield East) at Appendix 41B if the following standards are met:</u></p> <p><u>All landscaping along the external perimeter of the Business 2 Zone as depicted on the Outline Development Plan at Appendix 41B, shall be landscaped to the following standards:</u></p> <ul style="list-style-type: none"> - <u>A landscaping strip shall be established along the Business 2 Zone side of the common boundary to a depth of either 10, 16 or 40 metres in accordance with the requirements of the ODP at Appendix 41B.</u> - <u>Landscape planting and an irrigation system shall be undertaken in accordance with the Outline Development Plan at Appendix 41B. Irrigation is to be provided for a minimum of 2 years following the establishment of the landscaping.</u> - <u>All landscaping, once matured, shall meet the minimum heights depicted in the ODP East Darfield in Appendix 41B.</u> - <u>The landscaping planted shall be maintained and if dead or diseased or damaged, shall be removed and replaced.</u> - <u>No accessory buildings, fences, or structures shall be erected within the required landscape strips unless such buildings, fences or structures are directly required for the purposes of noise attenuation or other such mitigation.</u> - <u>Before any principal building is erected on any parcel of land subject to Rule 16.1.6A, all of the landscape planting, irrigation system and fencing shown on the Outline Development Plan at Appendix 41B on that allotment shall be completed.</u> 	<p>This is a bespoke requirement for the PC61 area and should therefore be carried over into GIZ-REQ5 Landscaping – Road boundaries and GIZ-REQ6 Landscaping – Internal boundaries, as shown in Appendix 2.</p>
<p><u>4.2.4A For the Living 1 Zone at Darfield identified on the Outline Development Plan in Appendix 41B, the following shall apply:</u></p> <ul style="list-style-type: none"> - <u>Before building any dwelling or any principal building on a site adjoining the State Highway 73, the following standards shall be met:</u> - <u>All landscaping, once matured, shall meet the minimum heights depicted in the ODP East Darfield in Appendix 41B.</u> 	<p>This is a bespoke requirement for the PC61 area and should therefore be carried over into new LLRZ-REQA Development Areas, as shown in Appendix 2. As shown in Appendix 2, LLRZ-REQA should then apply to each of:</p> <ul style="list-style-type: none"> LLRZ-R2 Residential Unit or other Principal Building LLRZ-R3 Minor Residential Unit

PC61 Amendments	PDP response
<p><u>- The landscaping planted shall be maintained and if dead or diseased or damaged, shall be removed and replaced.</u></p> <p><u>- No accessory buildings, fences, or structures shall be erected within the required landscape strips unless such buildings, fences or structures are directly required for the purposes of noise attenuation or other such mitigation.</u></p>	<p>LLRZ-R4 Garages, Accessory Buildings and Structures</p> <p>LLRZ-R5 Ancillary Structures</p> <p>LLRZ-R6 Fencing</p> <p>LLRZ-R10 Supported Residential Accommodation</p> <p>LLRZ-R11 Visitor Accommodation</p> <p>The provision only applies along the state highway, and so no amendment is required in relation to the recommended GRZ zone.</p> <p>Including the provision as a separate line in LLRZ-REQ7 Landscaping would be inappropriate because LLRZ-REQ7 applies to a more limited set of development types. Extending LLRZ-REQ7 to apply to all of the rules above would be beyond the scope of PC61.</p>
<p><u>4.9.44A In the Living 1 Zone identified in the ODP East Darfield, Appendix 41B at Darfield, no dwellings, accessory buildings, or structures other than fences shall be constructed within the area identified as Restricted Development Area.</u></p> <p><u>4.9.55A Any activity which does not comply with Rule 4.9.44A shall be a restricted discretionary activity.</u></p> <p><u>Under Rule 4.9.55A the Council shall restrict the exercise of its discretion to the following:</u></p> <p><u>The extent to which the development of the Restricted Development Area would limit or foreclose the opportunity for appropriate and safe intersection improvements at the corner of Creyke Road and State Highway 73.</u></p> <p><u>Applications under Rule 4.9.55B shall not be publicly notified and may only be limited notified on Waka Kotahi NZ Transport Agency.</u></p>	<p>This is a bespoke requirement for the PC61 area and should therefore be carried over into new LLRZ-REQA Development Areas, as shown in Appendix 2.</p> <p>The provision only applies to the area recommended for LLRZ, and so no amendment is required in relation to the recommended GIZ zone.</p>
<p><u>16.7.2.12 In that part of the Business 2 Zone located at the corner of State Highway 73 and Creyke Roads, Darfield, as depicted on the Outline Development Plan at Appendix 41B:</u></p> <p><u>– Road boundaries: 10 metres</u></p> <p><u>– Internal boundaries adjoining a residential zone: 40 metres</u></p>	<p>This is a bespoke requirement for the PC61 area and should therefore be carried over into GIZ-REQ4 Setbacks, as shown in Appendix 2.</p>
<p><u>22.14 - Development within the Business 2 Zone East Darfield ODP</u></p> <p><u>Permitted activity</u></p> <p><u>22.14.1 Prior to any development within the Business 2 Zone located at the corner of State Highway 73 and Creyke Roads,</u></p>	<p>This is a bespoke requirement for the PC61 area and should therefore be carried over into a new GIZ-REQA Development Areas, as shown in Appendix 2. As shown</p>

PC61 Amendments	PDP response
<p><u>Darfield, as depicted on the Outline Development Plan at Appendix 41B, the intersection of Creyke Road and State Highway 73 shall be upgraded in consultation with Waka Kotahi, The New Zealand Transport Agency.</u></p> <p><u>22.14.2 Prior to any development within the Business 2 Zone located at the corner of State Highway 73 and Creyke Roads, Darfield as depicted on the Outline Development Plan at Appendix 41B, adequate provision for walking and cycle access from the site to Darfield shall be provided.</u></p> <p><u>Discretionary activity</u></p> <p><u>22.14.3 Any activity that does not comply with rules 22.14.1 or 22.14.2 shall be considered as a discretionary activity</u></p>	<p>in Appendix 2, GIZ-REQA should then apply to each of:</p> <p>GIZ-R1 Any building or structure that is not otherwise specified in GIZ-R2</p> <p>GIZ-R2 Residential Unit</p> <p>GIZ-R4 Industrial Activities</p> <p>GIZ-R5 Trade Retail and Trade Supply Activities</p> <p>GIZ-R6 Automotive Activities</p> <p>GIZ-R7 Research Activities</p> <p>GIZ-R8 Retail Activities</p> <p>GIZ-R9 Food and Beverage Activities</p> <p>GIZ-R10 Office Activities</p> <p>GIZ-REQA is recommended for inclusion in each of GIZ-R4 – GIZ-R10, because the activities are not reliant on the establishment of a building, but do constitute development requiring the prior upgrading of transport infrastructure.</p> <p>Because subdivision may precede further development, and is itself a form of development, an equivalent provision should also be included in SUB-MAT13 Development Areas, as shown in Appendix 2.</p>
<p><u>12.1.4.84B/21.1.4.41 In relation to the Living 1 and Business 2 Zones in the Outline Development Plan – Darfield East at Appendix 41B:</u></p> <p><u>(a) Whether the subdivision of land or subsequent use of the land is likely to cause or exacerbate potential risk to people or damage to property; and</u></p> <p><u>(b) Any measures proposed to mitigate the effects of a potential natural hazard, including:</u></p> <p><u>i. Building platforms within each allotment, of sufficient size to accommodate a dwelling and associated curtilage; and</u></p> <p><u>ii. The filling (with inert hardfill) of any low lying area; and</u></p> <p><u>iii. Proposed methods and locations for flood offset areas; and</u></p> <p><u>(c) How adequate and appropriate any such mitigation measures may be, and the mechanisms to secure any such measures.</u></p>	<p>The site is proposed to be within the recommended amended Plains Flood Management Overlay, and so NH-MAT1 Natural Hazards Generally will be considered as part of any subdivision application.</p> <p>No additional provision is required to cater for PC61.</p>
<p><u>12.1.4.84C In relation to the Living 1 Zone in the Outline Development Plan – Darfield East at Appendix 41B:</u></p>	<p>This is a bespoke requirement for the PC61 area and should therefore be carried</p>

PC61 Amendments	PDP response
<u>The provision of adequate walking and cycling access between the site and Darfield.</u>	over into SUB-MAT13 Development Areas, as shown in Appendix 2 .

12.27 GRZ zoning is recommended to replace the LRZ zoning proposed for Darfield in the PDP to give effect to relief sought by Kainga Ora²¹ (see the response to Kainga Ora's submission below). If this recommendation is accepted, then it is recommended that the site be zoned as GRZ whilst retaining the different densities around the site in the ODP.

12.28 Murray Boyes (DPR-0476.001 – addressed below) seeks a different development outcome for this site. If the Panel are minded to accept Mr Boyes submission, then that will supersede the below recommendation to the extent that a different ratio and zone configuration of GIZ/LLRZ/LRZ(GRZ) zoning is sought and changes to the ODP.

12.29 Given the above, I consider it appropriate that the outcome of PC61 be incorporated into the PDP as requested by the submitter with the appropriate amendments to:

12.29.1 Update the zoning displayed in the ODP to conform with the NPS and most appropriate category which, consequential to Kainga Ora's relief, is GIZ/LLRZ/GRZ whilst retaining within the ODP the different densities within the site.

12.29.2 Incorporate the wording of PC61 into the Development Area section of the PDP where these conditions are bespoke to the site and not otherwise addressed by general provisions in the PDP.

12.29.3 The above recommendation is predicated on Mr Boyes submission not being accepted.

Recommendations and amendments

12.30 I recommend, for the reasons given above, that the Hearings Panel:

- a) amend the zoning in the area shown as PC61 in east Darfield from GRUZ to GIZ/LLRZ/GRZ whilst retaining within the ODP the different densities within the site.
- b) insert a new development area – DAR-DEV9 – including the ODP for PC61 and relevant provisions where they relate to the site specifically and otherwise rely on the more general provisions in the PDP.

12.31 The recommended amendments are included in **Appendix 2**.

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

12.33 A s32AA evaluation was provided through PC61. This I consider is sufficient, given the decision sought is to incorporate Council's decision on PC61 into the PDP.

²¹ DPR-0414.433 Kāinga Ora

MB Property Holding

Analysis

- 12.34 MB Property Holding²² seek that land legally described as Lot 1 DP 464216, Creyke Road be rezoned from GRUZ to GIZ. The land of 16.6ha is owned by the submitter who operates a sawmill business in Darfield at the site indicated in red on the map below (**Figure 12.6**) the address of which is 3459 West Coast Road. The area to be rezoned is indicated in blue. The need for the rezoning, as stated by the submitter, is that the current sawmill operation at 3459 West Coast Road is operating at full capacity and is unable to accommodate an increase in activity. The existing sawmill is subject to complaints from neighbours and operations (which are required to operate at night) were found to significantly breach noise limits. The submitter seeks that the parcel of land outside of the township is rezoned GIZ so that ultimately elements of the sawmill operation can be moved away from the site at 3459 West Coast Road.
- 12.35 The submitter has included the following expert evidence:
- 12.35.1 Planning evidence from Andrew Ross (Planz Consultants).
 - 12.35.2 Transport evidence from Andy Carr (Carriageway Consulting), (peer reviewed by Mat Collins of Flow).
- 12.36 As the submission is proposing additional business land, the proposal is assessed using the Business Land Framework. Mr Ross has included an assessment against this framework in his evidence and I comment on this where appropriate below.



Figure 12.6: Location of the existing sawmill (red) and proposed rezoning GRUZ to GIZ (blue).
Source: MB Property Holding evidence.

²² DPR-0366.001 MB Property

Business Land Framework

Criteria	Analysis
Provides a diverse range of services and opportunities	The proposal is to rezone the site as GIZ. Whilst the submitter's intended use of the site is as a sawmill, this potentially allows a wide range of industrial uses to be established under the zone category and the proposal must be assessed as such.
The request responds to the demographic changes and social and affordable needs of the district.	<p>The proposal fulfils a specific need for the submitter by providing an alternative location for the sawmill, or elements of the sawmill operation, further away from sensitive residential activities. However, as noted above, the general zoning of the site as industrial could allow a range of industrial uses to establish.</p> <p>Mr Baird has analysed industrial land capacity in Darfield and found that there is a shortfall of industrial land of 5ha in the medium term and capacity of 12ha in the long term. Mr Foy, in response to the Boyes submission, states that he considers that there is adequate industrial land zoned in Darfield even with the reduction proposed by the Boyes submission of 5ha (as well as the APL submission seeking to rezone 3ha of GIZ to LRZ). Mr Foy has factored in industrial land yielded by PC61. He calculates that even with the Boyes/APL proposed reductions, there will be 16ha of available industrial land in the medium term which is more than the 12ha demand. I do acknowledge that these figures do not always represent 'the facts on the ground' in terms of land availability and Mr Foy acknowledges that this would create a large amount of dependency on the Boyes site coming forward.</p>
Is consistent with the Activity Centre Network.	The proposal is outside of Darfield township. The quantum of industrial land sought is consistent with Darfield's role in the Township Network as a Service Township.
The location, dimensions and characteristics of the land are appropriate to support activities sought in the zone.	The site is close to a state highway and the Midland rail line, located away from sensitive activities. The site is large enough to support a range of industrial activities.
An ODP is prepared.	No ODP is included in the submission. The submitter states that this is not considered necessary as the site is held in one ownership and future development can be appropriately controlled through the PDP. Whilst this may be true at present, the site could be sold in future and a wide range of industrial uses would potentially be enabled at the location. Therefore, this assessment must assume, in the absence of other development controls, that a range of industrial activities could be established.
Does not affect the safe, efficient and effective functioning of the strategic transport network.	<p>The site is located immediately to the north of SH73. A transport assessment has been provided by Mr Carr from Carriageway Consulting. Mr Carr's conclusions were as follows:</p> <ul style="list-style-type: none"> - The traffic generated by the rezoned site can be accommodated without capacity or efficiency issues. Under a worse-case scenario which would

Criteria	Analysis
	<p>be all development being light industrial, delays in the evening peak hour might increase to slightly above the desirable threshold. If development was a mix of light/heavy industrial, delays would diminish to below the relevant threshold. TRAN-R8 will require an integrated transport assessment for industrial development over a certain size and scale through the resource consent process.</p> <ul style="list-style-type: none"> - The crash history in the vicinity of the site does not indicate any adverse safety effects from the proposed rezoning. There is a short distance between the railway tracks and the edge of the state highway which precludes this being used by longer vehicles. Council rezoning in the area (including PC61) is likely to increase pedestrian crossing movements of the highway and this would be exacerbated by the requested site rezoning. - Upgrades to SH73/Creyke Road intersection to provide auxiliary turning lanes are justified. There appears to be sufficient width to facilitate this. Creyke Road may require widening again and the legal width is sufficient for this, although widening will require the relocation of signalling equipment at the railway crossing. <p>Mr Collins, reviewing Mr Carr's assessment, concludes that:</p> <ul style="list-style-type: none"> - Creyke Road widened, relocating parts of the existing rail crossing to accommodate widening, and auxiliary turning lanes on SH73 are required before further development within the site. Mr Collins considers that this could be addressed through an integrated transport assessment, required through TRAN-R8²³. - Mr Collins considers that there is a risk that effects at the level crossing may go unaddressed due to the short stacking distance between SH73 and the railway level crossing and that not enough information has been presented to give confidence this safety risk can be managed. As both Mr Carr and Mr Collins note, this is a latent issue and present at other places along the railway, including at nearby SH73/Horndon Street where there is industrial zoning north of the state highway. However, as this is for new industrial zoning, there is clearly the potential for the existing risk to be increased.
Achieves the built form and amenity values of the zone sought.	The submitter is proposing to utilise the existing development controls in GIZ. I agree that these controls are sufficient to manage development within the zone boundaries itself, if the rezoning is considered appropriate. I note that the existing use of a portion of the site is for storage of bulk logs and other material and therefore already retains some existing industrial characteristics.
Creates and maintains connectivity through the zoned land, including	The site is located outside of Darfield township. There are no proposed connections with parks, other commercial areas and community services. The submitter states that this will be determined at the time of subdivision,

²³ Under notified TRAN-R8, a basic ITA is required at 5,000m² and a full ITA is required at 12,000m² of industrial floorspace. Presently the site is used for storage and there are no industrial buildings on site.

Criteria	Analysis
access to parks, commercial areas and community services.	however subdivision may not be required if the site is to remain unpartitioned under one ownership.
Promotes walking, cycling and public transport access.	The submitter states that public buses run to Darfield however bus services only infrequently pass the site. Pedestrian facilities do not really exist at the site and access would involve walking along the state highway verge. I note if business land is developed at the PC61 site, a shared use path will potentially be required along the frontage of the southern part of SH73 to the west of Creyke Road with an onward connection to Darfield.
Does it maintain a consolidated and compact urban form.	The site is located across Creyke Road from other GIZ to the west. However, this is not really consolidated urban form as it is essentially ribbon development extending to the east of Darfield's township boundaries. The MAP notes that Creyke Road is a strong containment boundary and further residential and business development east beyond Creyke Road could dilute the urban/rural contrast at the eastern gateway to the 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 Maori.	The site is not located in these overlays.
The loss of highly productive land.	The entire site is located on Class 3 soils as shown on LUC mapping. The NPS-HPL is a relevant consideration as the site is on rural land and not anticipated for urban growth in the PDP and therefore cl3.5.7 does not apply. As rezoning to GIZ is considered urban rezoning under the NPS-HPL, cl.3.6 NPS-HPL applies. Whilst I note that the submitter states that part of the site is contaminated, as evidenced by the fact that the site is listed as a HAIL site and through preliminary and detailed site investigations, this relates to 5.22ha and not the balance of the site which is approximately 11.4ha. This could still be utilised as productive land and therefore more evidence is required by the submitter as to how rezoning of the site meets cl.3.6.
Preserves the rural amenity at the interface through landscape, density or other development controls.	The submitter is proposing to utilise the existing development controls in GIZ. This includes a requirement for a 3m landscape strip around the site, including an (up to) 10m high shelterbelt or 3m when adjacent to a railway reserve. I consider this is appropriate for this area and other controls relating to light and noise will also apply. Whilst the site is close to new residential development on the eastern most extent of the PC61 site (which is about 200m to the southwest), PC61 also includes GIZ in much closer proximity (40m) and to the north across SH73. Therefore I do not consider that the rezoning would significantly affect the amenity of the surrounding area.



Figure 12.7: Photo of Creyke Road towards rail crossing adjacent to SH73. The subject site is to the left. Source: Report author.



Figure 12.8: Photo of Creyke Road looking east between the railway line and the site. Source: Report author.

- 12.37 The submitter has commented briefly on servicing arrangements for the site. In essence the site is capable of being serviced by the recently constructed reticulated wastewater network in Darfield. The submitter also states that water supply will be provided from a nearby source to the northwest of Creyke Road and that stormwater will be disposed of on-site. Stormwater is currently managed under regional consent CRC169705. Mr England comments that water can be sourced from the Darfield Water Supply network, with a restricted connection for industrial usage. He agrees that the wastewater network in Darfield is capable of servicing the site, via a connection on the south side of SH73 and that stormwater is capable of being disposed of on-site.
- 12.38 No geotechnical evidence has accompanied the submission. The site is in an area identified as not requiring a geotechnical assessment for subdivisions less than 15 lots²⁴, however this is not for residential subdivision but large-scale industrial use. Typically a greenfield rezoning request (or plan change) of this nature would be accompanied by a geological assessment for site stability and hazard risk²⁵.
- 12.39 There may be a merits-based reason for this area to be rezoned, despite the MAP, due to the very specific needs of the submitter and proposed single use of the site. Alternatively, it would diversify industrial capacity in the short-medium term. However, this needs to be more explicitly reasoned, noting the requirements of the NPS-HPL and cl.3.6.
- 12.40 Based on the above analysis, I recommend the submission point is rejected for the following reasons:
- 12.40.1 There is not enough evidence that the traffic generated by the proposed rezoning will not pose unacceptable safety risks to the railway level crossing on Creyke Road. This is inconsistent with CRPS Objectives 5.2.1, 5.2.2, Policies 5.3.1 and 5.3.2 and UG-O1 and UG-P11.
 - 12.40.2 There is not enough evidence that the rezoning to an urban zone category is appropriate, taking into account cl.3.6 of the NPS-HPL and the presence of highly productive land within the entire site area. The proposal is also not consistent with the MAP as the development would lead to ribbon development and could dilute the urban/rural contrast at the eastern edge of the town. This is also inconsistent with CRPS Objective 5.2.1, Policy 5.3.1 and UG-O2 and UG-P7.
 - 12.40.3 There is no evidence of a geotechnical assessment which is considered to be good practice, particularly as the rezoning proposal is for large-scale industrial use.
 - 12.40.4 No ODP is provided. Whilst the submitter states the site will be held in single ownership with one use, the zoning is enabling and the site could be repurposed for more general industrial usage.

Recommendations

²⁴ https://www.selwyn.govt.nz/__data/assets/pdf_file/0004/113746/LowGeotechnicalRiskArea_Sept2013.pdf

²⁵ <https://www.building.govt.nz/assets/Uploads/building-code-compliance/canterbury-rebuild/repairing-and-rebuilding-houses/canterbury-guidance-part-d.pdf>

- 12.41 I recommend, for the reasons given above, that the Hearings Panel retain Lot 1 DP 464216, Creyke Road as notified (GRUZ).
- 12.42 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

Stuart Gillanders

Analysis

- 12.43 Stuart Gillanders²⁶ seeks two areas of relief, first that the planning maps are amended so as to rezone Pt Sec 1 Darfield VILL SETT from LLRZ to GIZ due to its proximity to the Mitchell Brothers sawmill and the second is to amend the planning maps from LLRZ so that the LRZ zone extends to include all of the area between Greendale Road, Creyke Road and Telegraph Road, Darfield. In both cases, no expert evidence has been presented to support either rezoning proposal. Based on this, I recommend that both submission points are rejected as insufficient information and no evidence has been provided to determine whether the actual and potential effects of the rezoning are satisfactory and to enable the substantive merits of the rezoning request to be evaluated.

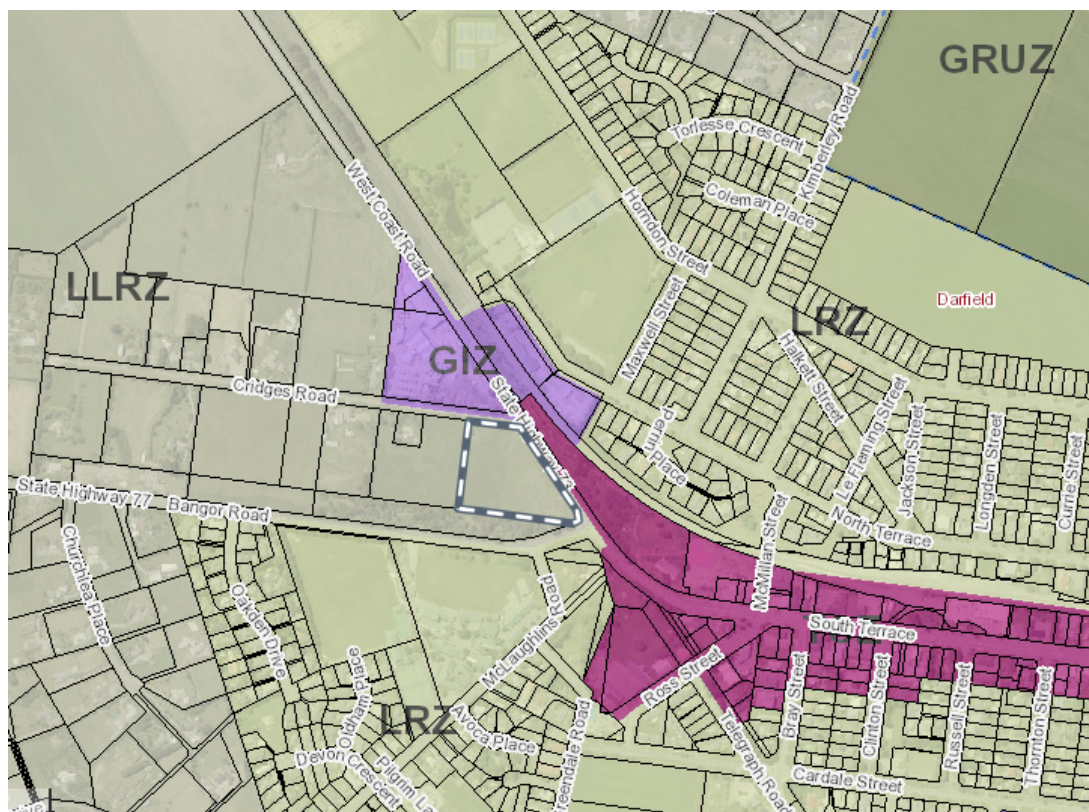


Figure 12.9: Proposed site for rezoning LLRZ to GIZ. Source: PDP.

²⁶ DPR-0403.001. 002 Stuart Gillanders

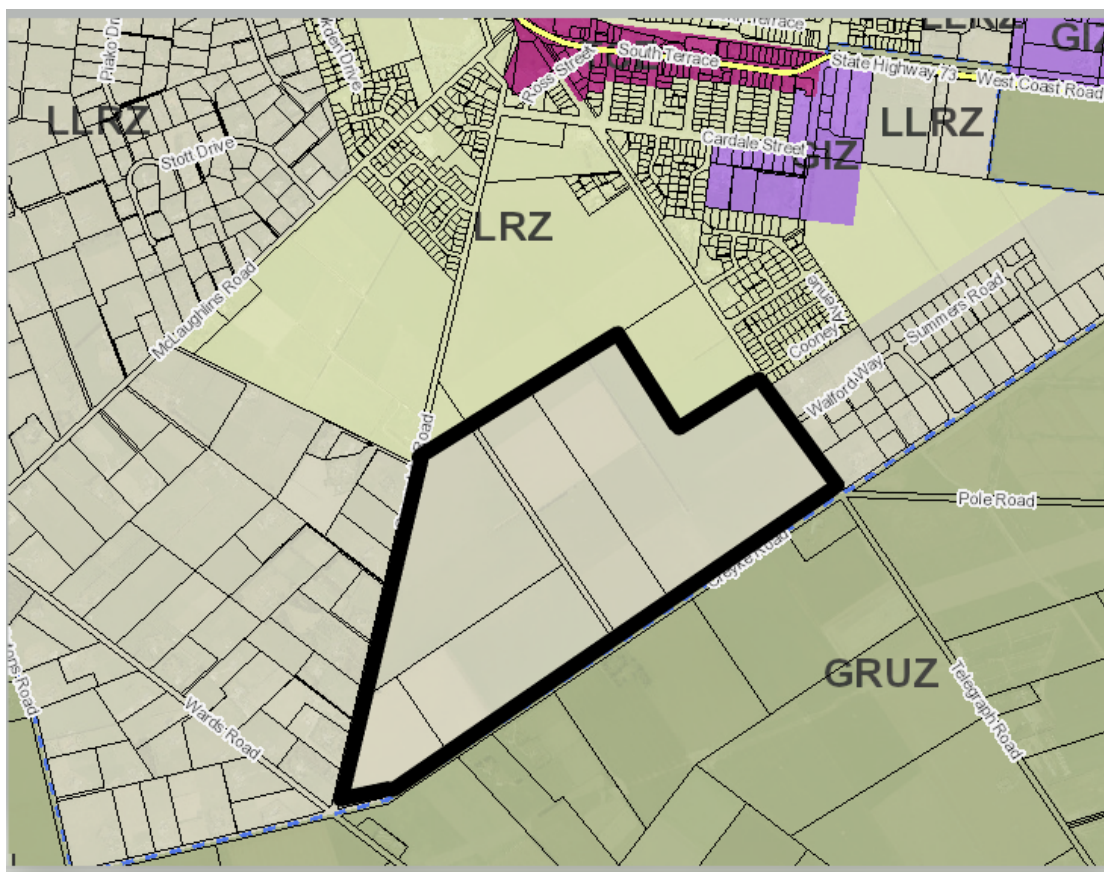


Figure 12.10: Proposed area for rezoning LLRZ to LRZ. Source: PDP.

Recommendations

12.44 I recommend, for the reasons given above, that the Hearings Panel:

- a) Retain Pt Sec 1 Darfield VILL SETT as notified (LLRZ).
- b) Retain the area bound by Greendale, Telegraph and Creyke Roads as notified (LLRZ).

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

Kainga Ora

Analysis

12.46 Kainga Ora²⁷ seek several changes to the zoning in Darfield as follows:

- 12.46.1 Amend the planning maps to rezone the TCZ to LCZ in Darfield.
- 12.46.2 Amend the planning maps to rezone residential properties within approximately a 400m walkable catchment from the edge of the proposed LCZ in Darfield from LRZ, and a small area of LLRZ, to a Medium Density Residential Zone.
- 12.46.3 Amend the planning maps to rezone residential properties proposed to be zoned LRZ to GRZ in Darfield.

²⁷ DPR-0414.431-433 Kāinga Ora

12.47 Planning evidence has been received from Joe Jefferies on behalf of Kainga Ora.

TCZ – LCZ

12.48 The submitter has not provided any further evidence as to why they are seeking a LCZ in Darfield. A similar submission point was made for Leeston which is recommended to be rejected by the author of the S42a Ellesmere Rezoning Report. I largely agree with their reasoning which is as applicable to Darfield as it is to Leeston²⁸.

The outcomes sought for the Town Centre Zone are described in TCZ-O1 as being “the primary focus for commercial activities within the District and provides a diverse range of commercial activities, along with recreation, cultural and community activities and civic services, with associated residential activity.” The outcomes for the LCZ are described in LZ-O1 as providing “primarily for commercial and community activities that service the convenience needs of residents of the town and the surrounding residential area.” The PDP anticipates the LCZ acting in a supporting role to the TCZ. The rule framework in the PDP seeks to limit the scale of retail, office, trade supply and other commercial activities establishing in LCZ, to ensure the primary role of the KACs are not undermined.

12.49 I consider that a TCZ is appropriate in that it gives effect to the Township Network as described in Selwyn 2031 and Darfield’s function in the PDP as a Key Activity Centre (KAC). As noted in the Baseline Report, the use of precincts in Lincoln and Rolleston has been used to reinforce the primacy of those centres in comparison to Darfield. I consider that this is sufficient to ensure the network of centres operates effectively, whilst also appropriately enabling commercial development in Darfield. I do not consider that the relief sought is the most appropriate way to achieve the objectives and policies of the PDP, including Strategic Objective SD-D1-05 and Objective CMUZ-O1. Rather, I consider that a TCZ achieves the strategic outcomes of the PDP more efficiently and with less restrictions on the activities that can take place in the town centre.

12.50 Based on the above assessment, I recommend that the submission point is rejected as the relief sought is not the most efficient or effective way to implement the objectives and policies of the PDP, including Strategic Objective SD-D1-05 and Objective CMUZ-O1. In addition, insufficient information and no evidence has been provided to determine whether the actual and potential effects of the rezoning are satisfactory and to enable the substantive merits of the rezoning request to be evaluated.

LRZ - MRZ

12.51 Turning to the request to rezone approximately a 400m walkable catchment from the edge of the proposed LCZ in Darfield from LRZ, and a small area of LLRZ, to a Medium Density Residential Zone. To be clear about where this applies, Kainga Ora have included a map in their evidence which is included as **Figure 12.11** below.

²⁸ https://www.selwyn.govt.nz/_data/assets/pdf_file/0010/1552888/s42A-Rezoning-Report-Ellesmere-Final.pdf para 10.47



Figure 12.11: Kainga Ora proposed zoning in Darfield. Source: Kainga Ora submission.

12.52 Mr Jefferies, in his planning evidence, provides the following rationale for the rezoning proposal:

- 12.52.1 Darfield is identified as a KAC under the Township Network definition in the PDP. The Activity Centre Network definition states that the KAC of Darfield will “have a range of retail and commercial services” and “will serve a large rural area and in some cases smaller townships in the surrounding area”. A residential zoning that is more enabling of different housing typologies within walking distance of the Darfield Centre would be consistent with the Key Activity Centre status. This zoning would help support the commercial centre of Darfield and would better enable it to maintain a wide range of services.
- 12.52.2 A Medium Density Residential zoning within walking distance of the Darfield centre that enables the development of more compact and affordable housing typologies in close access to services, would also enable more people to stay in the Darfield community through different life stages
- 12.52.3 Enabling a greater density of residential development within the existing urban area will reduce the need for the town to expand outwards over time, and would therefore reduce the potential loss of productive land. This is consistent with Policy UG-P9 of the PDP which seeks to recognise and provide for the finite nature of versatile soil when zoning land to extend township boundaries.
- 12.52.4 A Medium Density Residential zoning within walking distance of the Darfield centre would be consistent with the Strategic Direction of the PDP around urban form and development,

notably SD-UFD-O1 which encourages urban growth to be in or around existing townships, in a compact and sustainable form.

- 12.52.5 A Medium Density Residential zoning within walking distance of the Darfield centre would also be consistent with the Urban Growth Objectives and Policies of the PDP. Objective UG-O2 of the PDP directs that Townships maintain a consolidated and compact urban form; and Policy UG-P17 encourages the intensification of urban activities to achieve higher residential densities in and around Key Activity Centres and Town Centres.
- 12.52.6 Though Darfield may be interpreted as being outside of Greater Christchurch and outside of the areas where the MDRS is required to be applied, it is a distinct urban area with its own need to provide for residential development. Although SDC may not be required to apply the MDRS in this area, it does have discretion to provide a Medium Density Residential zoning.
- 12.53 Whilst it is true that Darfield is identified as a KAC, it does not have the primacy of Lincoln and Rolleston in the Township Network. I acknowledge however that Prebbleton, which holds the same status as Darfield in the Township Network but is not yet a KAC, is zoned MRZ in the Variation to the PDP required to give effect to the Government's Enabling Housing legislation²⁹. However, this is due to its position within Greater Christchurch, not the Township Network. Nevertheless, I do accept that the PDP, particularly UG-P17, points towards achieving higher residential densities in and around KAC, TCZ, Core Public Transport Routes and in locations where there is safe and convenient access to public transport.
- 12.54 The MAP, at a finer grain, also suggests that medium density housing may be appropriate either through intensification criteria developed through the District Plan review or, alternatively, through rezoning residential land to a mix-density Living 'Z'³⁰ zone, which is preferred to spot zoning as it would provide flexibility and recognises the presence of older housing stock that could accommodate multi-lot developments. The MAP identified an area where more intense residential development could be contemplated ('DAR 5') which is directly to the south of the town centre. The area has a number of advantages according to the MAP which includes older housing stock and larger sections and proximity to existing services and transport connections.
- 12.55 I also note that one of the key constraints for Darfield until 2021 was the lack of a reticulated wastewater network. With this now being in place, more intense development can proceed without the need to discharge directly to land.
- 12.56 The main issue, as I see it, is whether there is an imperative to zone a blanket 400m walkable catchment in Darfield, as if there were the same housing pressures in Darfield as in Greater Christchurch. Mr Baird's recent analysis suggests that there is ample capacity in the Darfield market and this is supported by Mr Foy's evidence. Whilst medium density does open the door to different housing typologies, it is not clear that there is the demand for such housing in Darfield. Whilst I appreciate this can be a 'chicken or egg' scenario, it is important to note that under both GRZ and LRZ, the mechanism exists for both small and comprehensive site development to take place where the market demands it. Comprehensive site development will allow consideration of well thought

²⁹ Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021

³⁰ Under the Operative District Plan, this enables medium density residential development.

out design-led medium density development, appropriate to the locality whilst giving effect to UG-P17. It is unclear from Mr Jefferies evidence whether the Medium Density Residential Standards would apply within the proposed MRZ in Darfield.

12.57 There is also a finely balanced argument about whether such a fundamental change should proceed without a community spatial planning exercise which is anticipated through UG-P17 (either an Urban Intensification Plan or Development Plan). Whilst Darfield is a KAC, the surrounding typology is comprised of low density living – it is essentially a rural service town. Whilst the rationale for MRZ in Greater Christchurch is nationally directed and the townships in Greater Christchurch are functionally linked to the city, it may be less clear to those living in Darfield who may perceive there to be adverse effects on character and amenity. The town lacks frequent public transport and other services, common to other areas which are to be rezoned MRZ. There is also an argument that new infrastructure needs to ‘bed in’ as many existing dwellings will remain on septic tanks for the time being.

12.58 I therefore recommend the submission point is rejected for the following reason:

12.58.1 The rezoning of Darfield into MRZ within a 400m walkable catchment is in my view premature and any application of MRZ in Darfield in future should be conducted with a high degree of community consultation through a spatial planning exercise to determine the appropriate tool to promote intensification. In the interim, it is possible to develop medium density housing typologies through small and comprehensive site development rules in the GRZ/LRZ. This mechanism allows consideration of design in the context of the locality, whereas this is less clear with blanket application of MRZ, especially if the Medium Density Residential Standards are to be applied.

LRZ – GRZ

12.59 Turning to amending the LRZ to GRZ in Darfield, I note similar relief was requested by the submitter in Leeston and Southbridge and this has been addressed in the S42a report for the Ellesmere Rezoning requests. In relation to Darfield, I consider that some of the conclusions in that report are also relevant here. For instance, while the zone objectives differ - LRZ-O1 is for residential activity that is spacious consistent with a suburban character and GRZ-O1 is for a range of typologies at higher densities at higher densities than is anticipated in other residential zones – the rules and rule requirements are the same with the exception of an average minimum lot size which is 750m² for LRZ and 650m² for GRZ. The difference between these two densities is not great and is unlikely to result in adverse character and amenity effects.

12.60 Similar to Leeston, I agree that the development enabled by GRZ would align with Darfield’s role in the Township Network and as a KAC, that there are sufficient development controls under GRZ to ensure high quality development that is consistent with the character and amenity of the town and that the change in density is able to be serviced by infrastructure (most notably due to the construction and operation of a reticulated wastewater network). I consider that the rezoning would be consistent with Chapter 5 of the CRPS and the Strategic Direction and Urban Growth Chapters of the PDP.

12.61 On the basis of the above assessment, I recommend that the submission point is accepted for the following reasons:

12.61.1 The proposed relief is consistent with Chapter 5 of the CRPS and is the most appropriate way to implement the Strategic Directions and Urban Growth provisions of the PDP.

12.61.2 The proposal would reduce the need to develop land subject to the NPS-HPL.

12.61.3 The proposed relief aligns with Darfield's role in the Township Network and as a KAC.

Recommendations and amendments

12.62 I recommend, for the reasons given above, that the Hearings Panel:

a) Retain the TCZ in Darfield as notified.

b) Amend the Planning Maps as shown in **Appendix 2** to rezone areas of LRZ to GRZ in Darfield.

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

12.64 The expert evidence of Kāinga Ora³¹ is accompanied by a robust s32AA evaluation that concludes that the proposed GRZ in Darfield is the most appropriate way to achieve the objectives of the PDP and give effect to higher order planning documents. I therefore adopt the s32AA evaluation to the extent that it finds that GRZ is more appropriate than LRZ in Darfield.

Alistair John Dugald Cameron

Analysis

12.65 Alistair John Dugald Cameron³² seeks that the proposed zoning at Section 4 Darfield VILL SETT, Section 6 Darfield VILL SETT and RS 39127 located at Bangor Road, Darfield be amended from LLRZ to LRZ. The site is shown on **Figure 12.12** below. The submitter has not presented any expert evidence to support the rezoning proposal although a planning case was made in the original submission. The submitter states that based on their calculations of a 3.6ha site, the rezoning will yield an additional 39 lots versus the 6 lots afforded if it was to stay LLRZ.

12.66 The site is part of the area contemplated for intensification in the MAP, shown as 'DAR 3'. The MAP states that DAR 3 may be suitable for intensification and notes that the area has the advantage that it is in close proximity to the town centre, other community services and provides for a compact and concentric urban development pattern. The MAP also states that the area is suitable from a servicing perspective and there is good access from adjoining SH73 and SH77. The presence of GIZ and TCZ to the east of the site may give rise to reverse sensitivity effects that would need to be managed.

³¹ Evidence of Joe Jeffries for Kainga Ora – P10.

³² DPR-0416.001 Alistair John Dugald Cameron

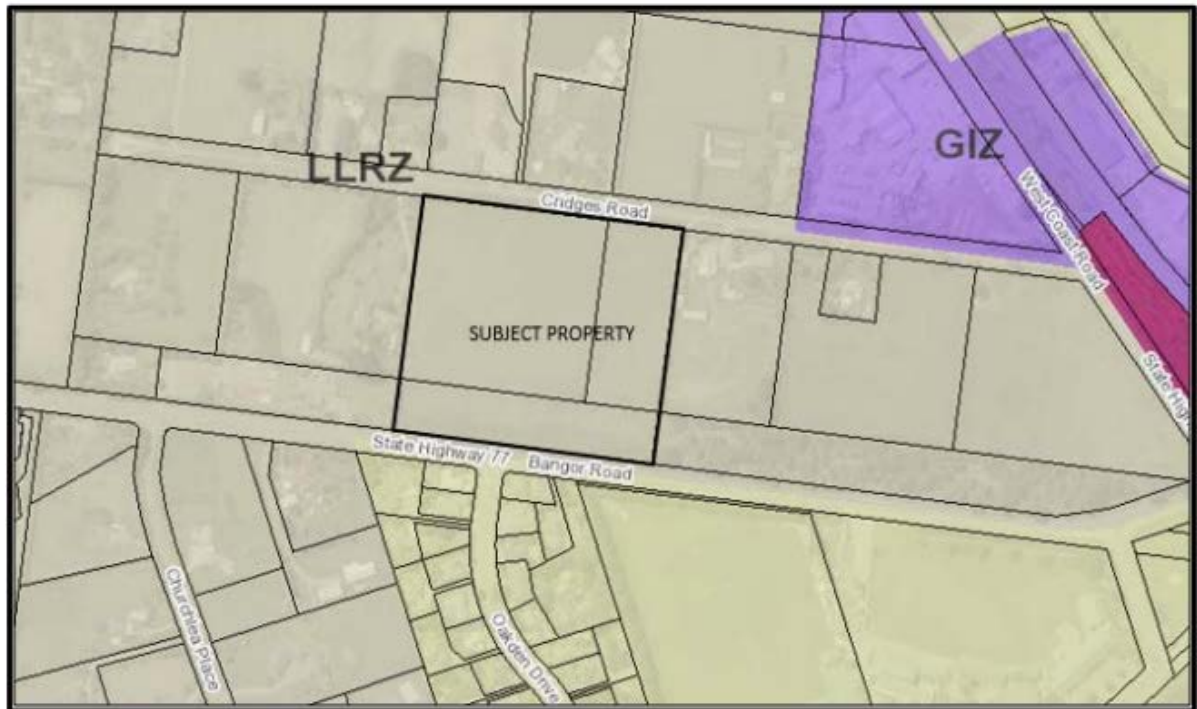


Figure 12.12: Subject site proposed for rezoning. Source: Submitter.

12.67 As the proposal is for intensification of an existing residential zone, the intensification framework is applied to assess the proposal:

Intensification Framework

Criteria	Analysis
Helps the efficient use of infrastructure	The proposal, being within Darfield township, has the capability to be connected to the Darfield reticulated wastewater collection. From this standpoint, it would be more efficient to utilise the potential for this infrastructure by employing a more intense form of residential zoning. Mr England has commented on the demand for potable water in Darfield. He notes that, in general for Darfield, there is additional capacity in the network for residential development and future capacity upgrades are proposed and planned.
The request responds to the demographic changes and social and affordable needs of the district	Mr Baird has provided an update on demand for residential sections in Darfield and found that there is sufficient provision through to 2031. Mr Foy also concludes there is enough capacity in the Darfield market. Therefore, the rezoning is not considered to be needed to meet anticipated demand for new households in Darfield.
Does it improve self-sufficiency for the town centres	The proposal would (cumulatively with other developments) improve self-sufficiency for the Darfield town centre by intensifying the land use in reasonably close proximity (900m) to the town centre.
Promotes the regeneration of buildings and land	This is not relevant for the proposal.
Does not significantly impact the surrounding environment	The surrounding environment is LLRZ and, across Bangor Road, LRZ. The development of the site as LRZ presents somewhat of a 'peninsular'

Criteria	Analysis
	effect with LLRZ to the north, east and west. This would continue until rezoning occurs to the east of the site which would form more comprehensive and concentric development. The Mitchell Brothers sawmill is approximately 90m from the nearest point of the site boundary. I agree with the submitter that this is a suitable buffer from the site to avoid reverse sensitivity effects.
Does not undermine the operation of infrastructure	The site would be able to be adequately serviced by three waters infrastructure.
Does not affect the safe, efficient and effective functioning of strategic infrastructure	The site is proposing primary access of SH77. Any vehicle crossing utilising the state highway would require a resource consent and consultation will be required with Waka Kotahi. No transport assessment has been provided nor evidence of discussions with Waka Kotahi or Council, therefore it is difficult to determine whether the proposal will have any adverse effects on the safety and performance of the strategic road network.
Achieves the built form and amenity values of the zone sought	The proposal is for LRZ and the development would default to the underlying zone rules for any subdivision and land use activities. I consider this is appropriate noting that appropriate noise mitigation will be required from SH77 as per the Noise Chapter of the PDP as more than half the site is in a noise control overlay.
Creates and maintains connectivity through the zoned land, including access to park, commercial areas and community services.	As stated above, the site is located close to Darfield town centre. The proposal seeks to increase connectivity in a north – south axis through the site and utilising existing roads and footpaths in an east-west axis.
Promotes walking and cycling and public transport access.	The proposal would create new access in a north-south axis which could promote walking and cycling opportunities (refer to Figure 12.13 below).

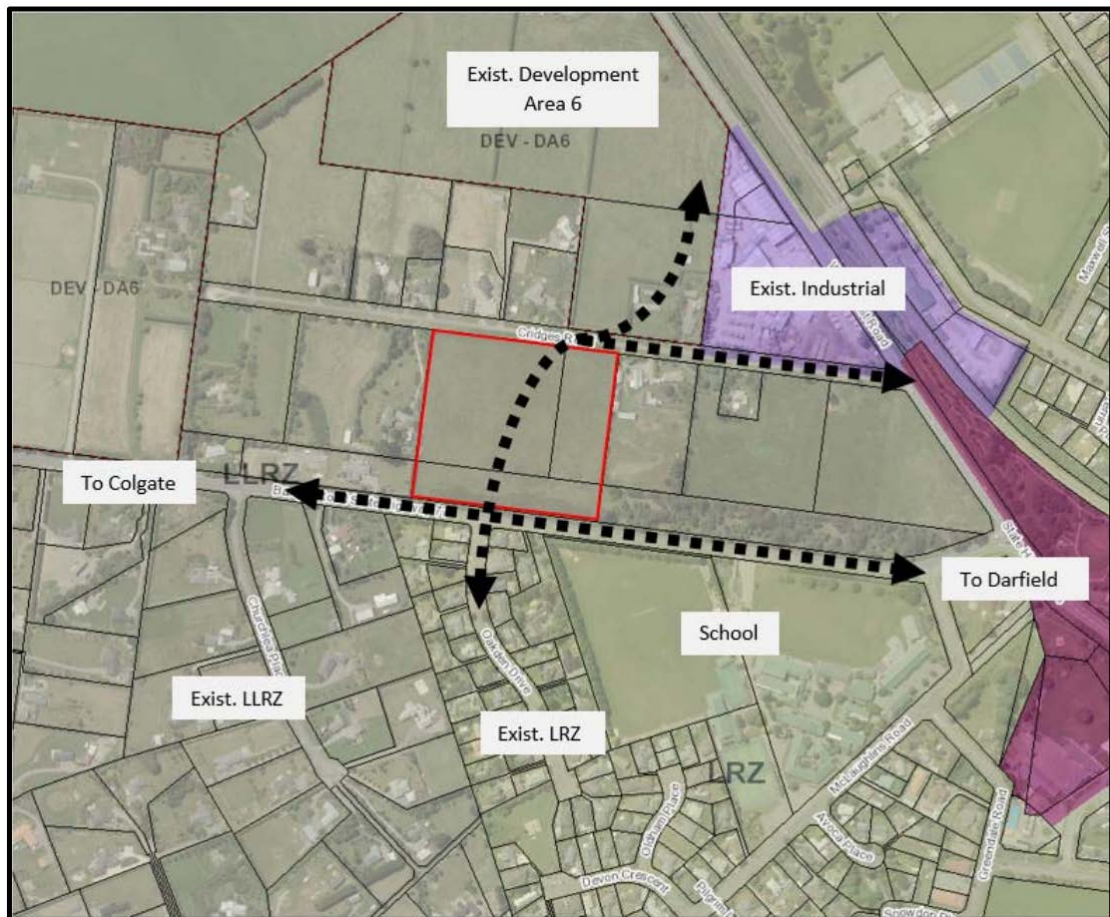


Figure 12.13: Proposed ODP accompanying the submission. Source: Submitter.



Figure 12.14: Looking north east from Bangor Road (SH77). Source: Report author.

- 12.68 The submitter has not provided any geotechnical evidence or evidence of past site contamination issues. However, I note that the site is already zoned for residential development, suggesting that it is suitable for residential use in principle, however more detailed investigations will be required prior to subdivision consented being granted. The site is within the area that Council have deemed at low risk of liquification – although this applies to subdivision consents that are smaller than 15 allotments.
- 12.69 Based on the above analysis, I recommend that the submission point is rejected for the following reasons:
- 12.69.1 The proposal, while in part consistent with the MAP, by itself does not form concentric and compact urban development because the land to the east will remain as LLRZ. The rezoning does not appear to be required as there is a sufficient supply of sites to develop this typology of housing based on foreseeable demand in locations that are more compact and consolidated. It could be considered that the proposal is therefore out of sequence and comprehensive development of the area would be better achieved through a spatial planning exercise to ensure a concentric and compact urban form is achieved. In my opinion, allowing the rezoning would be inconsistent with CRPS Objectives 5.2.1, Policy 5.3.1, and UG-O2 and UG-P17.
- 12.69.2 I consider that there is insufficient information and evidence to determine whether the actual and potential effects of the rezoning are satisfactory and to enable the substantive merits of the rezoning request to be evaluated. In particular, there is a lack of evidence to determine any transport effects on the performance and safety of the state highway (including any evidence of discussion with Waka Kotahi and Council), as direct access is sought on to the state highway network. This is inconsistent with CRPS Objectives 5.2.1, 5.2.2, Policies 5.3.1 and 5.3.2 and UG-O1 and UG-P11.

Recommendations

- 12.70 I recommend, for the reasons given above, that the Hearings Panel retain Section 6 Darfield VILL SETT and RS 39127 as notified (LLRZ).
- 12.71 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

APL

Analysis

- 12.72 APL³³ seek that the zoning of land legally described as Lot 1 DP 514294, Lot 168 DP 514294 and Lot 154 DP 514294 be amended from GIZ to LRZ to the southeast corner of Darfield township (**Figure 12.15**). They also seek that the current development plan, expressed as 'DEV-DA1', is amended for the site. The site is approximately 3ha in size. The site forms part of the larger 58ha Ascot Park development ('Torlesse Subdivision') which includes a mix of LRZ and LLRZ, itself a product to Plan Change 24 (Silverstream) from the Operative District Plan.

³³ DPR-0428.001, 003 APL

12.73 Subdivision resource consent has previously been granted by Council in May 2017 for the staged development of 171 lots (referenced RC175060) and which included the Site as a 'superblock' to be developed at a later stage. An amendment to this existing subdivision consent was recently sought by lodging a new subdivision application on 15 May 2022 with Council (referenced RC225353). This amended subdivision seeks to create a total of 221 residential lots over 26 stages, with the Site being contained within a 'superblock'.

12.74 The submitter is now seeking that the GIZ portion of the subdivision be rezoned for the following reasons:

12.74.1 It will create consolidated, well designed and high-quality development that will contribute to urban consolidation.

12.74.2 It will increase housing choice and provide for 46-49 residential allotments and enable the provision of housing stock of a range of typologies.

12.74.3 It will provide integrated transport options being close to the township, will not cause reverse sensitivity effects with neighbouring GIZ and will maintain character and amenity.

12.75 The submitter has produced expert evidence from the following:

12.75.1 Kerstin Ghisel (Barker and Associates) (Planning)

12.75.2 Andrew Leckie (Stantec) (Transport) – Peer reviewed by Mat Collins (Flow).

12.75.3 Brendan Hurring (Calibre Consulting Ltd) (Servicing) – Peer reviewed by Murray England (Council Asset Manager).

12.75.4 Christopher Flanagan (Bayleys) (Real Estate)

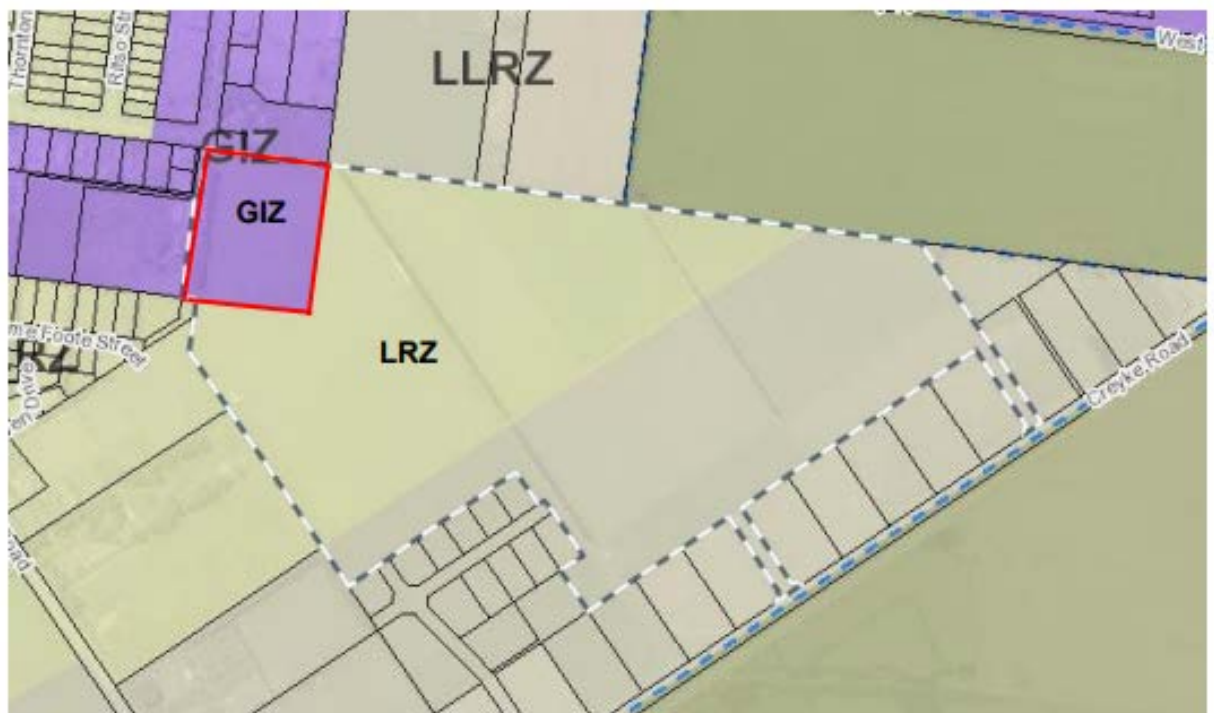


Figure 12.15: Proposed rezoning GIZ to LRZ. Source: APL submission.

12.76 Given the proposal is for a change from industrial to residential use, the rezoning framework allows an element of discretion as to how it should be assessed. For the purposes of this assessment, I have used the Residential Greenfield Framework as a benchmark.

Greenfield Framework

Criteria	Analysis
Does it maintain a consolidated and compact urban form?	The proposal is immediately adjacent to other LRZ and GIZ. It therefore forms part of concentric and compact development with Darfield township.
Does it support the township network?	As the site is proposing additional residential development in close proximity to Darfield town centre, I consider that it could improve self-sufficiency of the township by creating additional demand for goods and services. It will not be a of a scale that undermines the township network.
If within the Urban Growth Overlay, is it consistent with the goals and outline development plan?	The site is not within an Urban Growth Overlay however is already zoned for urban development, being GIZ.
Does not affect the safe, efficient and effective functioning of strategic transport network.	There is no indication the proposal will impact on the safety and performance of the state highway network.
Does not foreclose opportunity of planned strategic transport requirements.	The proposal will not impact on any improvements to the state highway network.
Is not completely located in an identified High Hazard Area, ONL, VAL, SNA or SASM.	The site is outside of these areas.
Does not located noise sensitive activities with the 50 db Ldn Air Noise Contour	The site is not located in the noise contour.
The loss of highly productive land.	The site is already zoned for urban development so the NPS-HPL is not considered to apply under cl3.4.
Achieves the built form and amenity values of the zone sought	The proposal utilises the underlying zoning provisions which are suitable for managing the amenity and character of the zone sought. The 40m buffer from GIZ will reduce the risk of reverse sensitivity effects.
Protects any heritage site and setting, and notable tree within the re-zoning area.	No heritage area or notable tree is located in the site area.
Preserves the rural amenity at the interface through landscape, density or other development controls.	The site is not adjacent to a rural area. The submitter is proposing a 40m buffer setback from the nearby GIZ to the immediate north and west of the site. This is essentially a transference of the 40m buffer that currently exists, adjacent to the subject site, at the interface with the residential component of the Torlesse Estate under notified DEV-DA1. Regardless of where the residential/industrial interface sits (and

Criteria	Analysis
	if the proposal is accepted, it would move to the west) the logic of having a 40m buffer remains.
Does not significantly impact the operation of important infrastructure, including the strategic transport network.	The proposal will not impact on important infrastructure.
How it aligns with existing or planned infrastructure, including public transport networks and connecting with water, wastewater and stormwater networks where available.	<p>The submitter has provided expert evidence on servicing arrangements for the site. In essence. The submitter notes that the change from industrial to residential activity will lesson demand on the wastewater network as GIZ allows for a variety of uses that have varying impact on wastewater discharges. The expected discharge load from wastewater would be expected at around 3l/s whereas for residential use (at up to 36 lots) would be 1.2l/s. With regard to stormwater, the submitter states that industrial uses tend to have a higher level of hardstand, contribute to greater run-off and will require bigger soakage systems than residential land use to cater for storm events.</p> <p>Mr England concludes that the site is able to be serviced through Darfield's reticulated water and wastewater network. Additional water capacity upgrades are programmed and planned for. Overall I accept Mr England's advice that the development will be able to effectively use the reticulated water and wastewater system in Darfield.</p> <p>The submitter has included a transport assessment by Mr Leckie. To summarise, he states that:</p> <ul style="list-style-type: none"> - The road connection to Mathias Street from Torlesse Estate has not been constructed although is planned at a future stage of subdivision. The detailed road design process will ensure this is designed appropriately and the change from industrial to residential zoning will not contribute to any extra requirements from this road. The Mathias/Cardale Street intersection may need to be redesigned to prioritise north-south access into the site which would have been the case if the site was to remain as GIZ. - A pedestrian or possibly shared-use path should be required on at least one side of the road. Pedestrian crossing points will be required on Mathias Street to allow access to the town centre and schools along Cardale Street. This would be required for the wider subdivision regardless. - The surrounding transport infrastructure, including that proposed from the wider subdivision, remains appropriate regardless of whether the 3ha site is zoned GIZ or LRZ. <p>Mr Collins is concerned that if residential land use displaces employment, retail and services from the site, it is likely to increase</p>

Criteria	Analysis
	peak hour movements on the wider transport network if there is insufficient resulting GIZ within Darfield. At the core of this issue is whether there is sufficient industrial land in Darfield. As previously stated, Mr Baird has analysed industrial land capacity in Darfield and found that there is a shortfall of industrial land of 5ha in the medium term and capacity for 12ha in the long term. Mr Foy, in response to the Boyes submission below, states that he considers that there is adequate industrial land zoned in Darfield, factoring in PC61, even with the reduction proposed by the Boyes submission of 5ha and 3ha from the Ascot Park submission. However, he cautions that this will place a dependency on one landowner for there being available industrial land in the short-medium term. If there is sufficient GIZ in Darfield, Mr Collins is of the view that transport impacts can be adequately managed through the resource consent process.
Ensuring waste collection and disposal services are available or planned.	Waste disposal is available via Council collection services.
Creates and maintains connectivity through the zoned land, including access to parks, commercial areas and community services.	The site is part of the wider Torlesse Estate and therefore connectivity can be maintained through the larger subdivision. Residentially zoned land may be easier to maintain access across than industrially zoned land as residential zoning is expected to facilitate a high degree of amenity.
Promotes walking, cycling and public transport access.	There are a limited range of public transport services to Darfield and the rezoning is unlikely to increase demand sufficiently to warrant service enhancements. Walking and cycling access to, from and through the site will be possible connecting directly to Darfield township, the details of which can be finalised at subdivision consenting stage.
The density proposed is 15hh/ha or the request outlines the constraints that require 12hh/ha.	The site is outside of Greater Christchurch therefore this is not a relevant criterion.
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.	According to Mr Baird's analysis, there is sufficient residential capacity in Darfield to meet the needs of the township through to 2031. Mr Foy is also of the view that additional residential land is not required in Darfield to meet expected demand, although he considers that the Boyes submission rezoning proposal has little economic downside unless the land is required for an alternative land use. The APL proposal is smaller than the Boyes proposal rezoning for 109 additional allotments and would yield potentially around 45-50 additional allotments. Both proposals could be considered to be trading off a relatively small amount of GIZ in exchange for a relatively small amount of LRZ.
An ODP is prepared.	An ODP has been included in evidence by the submitter.

Proposed Darfield 1 Development Area



Figure 12.16: ODP proposed by submitter to replace DEV-DA1. Source: APL evidence.

12.77 Based on the above analysis, I consider that the site is able to be serviced by infrastructure, will not place an unacceptable burden on important infrastructure, can avoid or minimise reverse sensitivity effects on neighbouring land uses and will maintain or enhance connectivity between Darfield township and the wider Ascot Park subdivision.

12.78 I note that the submitter is seeking rezoning to LRZ. I am recommending that Kainga Ora's submission point³⁴ that seeks that LRZ is rezoned to GRZ in Darfield be accepted. As such, if the Panel

³⁴ DPR-0414.433 Kāinga Ora

are minded to accept the submission point from APL, I recommend for consistency that the site be rezoned GRZ.

- 12.79 Whilst this does represent a loss of industrial land in Darfield where a shortfall has been identified by Mr Baird, I note the evidence from Mr Eaqub in relation to the Murray Boyes submission (see below) and analysis by Mr Foy and consider that it is relevant here given both submissions are effectively seeking similar relief. Essentially, Mr Foy concludes that a small loss of industrial land in exchange for residential land can be accommodated in Darfield, given the decision to rezone land industrial through PC61 (even with a loss of 3ha and 5ha from Ascot Park and Murray Boyes respectively). However, as previously stated he notes this would place a large amount of dependency on one parcel of land owned by Kersey Park Ltd. I am not aware that the intention is to immediately develop any industrial land within the PC61 site. This is borne out by Mr Boyes statement of evidence for DPR-0476:

KPL intend to continue to retain the remainder of the business zoned land on the ODP. While our intention is to have solely recreation-based activities in this zoned area which would support the residential activities, I understand that a number of business activities could possibly occur in this zone (such as trade retail and trade supply activities, automotive activities, retail activities, food and beverage activities and office activities). Any such activities would need to have appropriate interfaces with the residential zoned land in accordance with the proposed ODP.

- 12.80 This does create some uncertainty as to whether sufficient industrial land will be available in the short-medium term should the need arise. However, I do not believe there is a strong enough imperative to decline the Ascot Park relief on this basis as, under NPS-UD Policy 2 and Cl.3.3, the PC61 zoned industrial land meets the test of being sufficient (plan enabled, infrastructure ready, suitable and meets the expected demand + the required competitiveness margin).

- 12.81 Based on the reasoning for that rezoning request, I recommend that the submission point is accepted for the following reasons:

- 12.81.1 The proposal can be serviced by existing infrastructure and will not place an unacceptable burden on important infrastructure.
- 12.81.2 The proposal will not give rise to reverse sensitivity effects on the neighbouring GIZ, through the inclusion of a suitable landscape buffer.
- 12.81.3 The proposal will form concentric and compact development with the Darfield township and presents an opportunity to improve connectivity to Mattias and Cardale Streets through to the wider Ascot Park development.

Recommendations and amendments

- 12.82 I recommend, for the reasons given above, that the Hearings Panel, as set out in **Appendix 2**:

- a) Amend the zoning at Lot 1 Deposited Plan 514294, Lot 168 Deposited Plan 514294 and Lot 154 Deposited Plan 514294 from GIZ to GRZ.
- b) Amend the Planning Maps as shown in **Appendix 2** to rezone areas of GIZ to GRZ in Darfield and amend DEV-DA1 as set out in the submitter's evidence.

- 12.83 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.
- 12.84 The planning evidence of APL³⁵ is accompanied by a robust s32AA evaluation that concludes that the proposed rezoning to residential is the most appropriate way to achieve the objectives of the PDP and give effect to higher order planning documents. I therefore adopt the s32AA evaluation.

Cressy Properties Limited

Analysis

- 12.85 CPL³⁶ supports the zoning of Pt Lot 7 DP 55341 McLaughlins Road, Darfield as LRZ and seeks that it is retained as per the mapping in the notified PDP. I recommend this submission point is accepted in part as I am recommending that LRZ in Darfield be amended to GRZ as a result of the submission from Kainga Ora.

Recommendations and amendments

- 12.86 I recommend, for the reasons given above, that the Hearings Panel, as set out in **Appendix 2**:
- a) Amend the zoning from LRZ to GRZ (inclusive of Pt Lot 7 DP 55341 McLaughlins Road, Darfield).
- 12.87 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

Murray Boyes

Analysis

- 12.88 Murray Boyes³⁷ seeks a change to the outcome of PC61 which is on land to the east of Darfield. The legal description of the land block is SECT 1 SO 1227. The entire site is approximately 30.7ha. The area zoned as industrial land ('Business 2' under the Operative District Plan), is 16.85ha in size and the area zoned as residential land ('Living 1' under the Operative District Plan) is 7.09ha. The rest of the site is reserved for servicing and a potential future intersection upgrade at Creyke Road/SH73. The proposed change would alter the ratio of residential/industrial land by increasing the residential component by 5ha, along with smaller section sizes and decreasing the industrial component to 11.6ha. The larger lots, to the east of the site area, would remain, proposed to be zoned LLRZ as the nearest complying zoned under the NPS. The submitter has prepared an ODP and this is shown as **Figure 12.17** below next to the ODP for PC61 in **Figure 12.18**.
- 12.89 Since PC 61 became operative on 20 October 2021, a resource consent for subdivision (RC215792) was approved by Council on 25 August 2022. The subdivision consent, creates 15 lots across two stages in the most easterly area of the area zoned as 'Living 1', the average minimum lot size being below the 4000m² indicated in that area in the ODP but above the minimum site size of 3000m². The site is now known as 'Kersey Park'.
- 12.90 The proposal could effectively yield an additional 109 lots, beyond the 35 permitted through PC61. The total within the site area would thus be 144 lots.

³⁵ Evidence of Kerstin Ghisel for Ascot Park – P18.

³⁶ DPR-0429.001 CPL

³⁷ DPR-0476.001 Murray Boyes

12.91 The submitter wishes to change the ratio approved under PC61 as they consider (supported by economic evidence from Mr Eaqub and anecdotal evidence from the developer, Mr Boyes) that there is a demand for additional residential development in Darfield of a typology that would support family living. This would outweigh the need 16.85ha of industrial land as envisaged in PC61.

12.92 The full suite of expert evidence presented by the submitter in support of the rezoning is as follows:

12.92.1 Anna Bensemann (Baseline Group) (Planning).

12.92.2 Andy Carr (Carriageway Consulting) (Traffic) – Peer reviewed by Mat Collins of Flow.

12.92.3 Brendan Hurring (Calibre Consulting) (Servicing) – Murray England from Council has commented on servicing arrangements.

12.92.4 Shamubeel Eaqub (Sense Partners) (Economics) – Peer reviewed by Derek Foy of Perspective.

12.92.5 Statement from Murray Boyes (Developer).

12.93 Given the proposal is for a change from industrial to residential use, the rezoning framework allows an element of discretion as to how it should be assessed. For the purposes of this assessment, I have used the Residential Greenfield Framework as a benchmark. I note that Ms Bensemann's evidence also includes an assessment against this criteria and I have commented on this where appropriate.

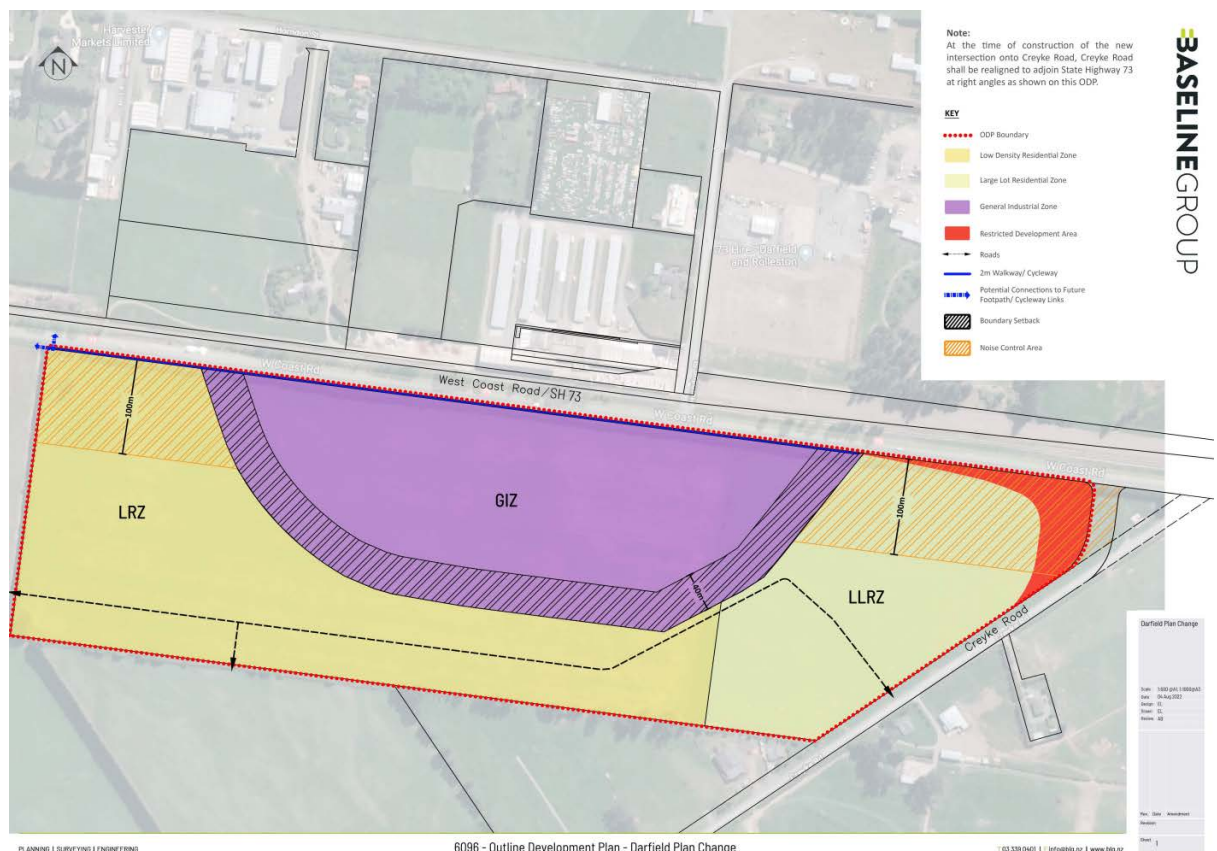


Figure 12.17: Proposed amended ODP to PC61: Source Boyes evidence.



Figure 12.18: ODP for PC61. Source – PC61 Decision.

Greenfield Framework

Criteria	Analysis
Does it maintain a consolidated and compact urban form.	The proposal represents an intensification of residential development that was previously approved by Council under PC61. The proposal adjoins Ascot Park to the south, a part of which is of a similar density to the proposed area to be rezoned. To the west is an area zoned LLRZ. Therefore, this criterion is only partially given effect to as the proposal is not truly consolidated and compact urban form.
Does it support the township network	The development is of a size and scale that is consistent with Darfield's place in the Township Network.
If within the Urban Growth Overlay, is it consistent with the goals and outline development plan.	The site is shown as an Urban Growth Overlay in the PDP. The site is also described in the MAP as DAR6 and is envisaged as being suitable for low density residential development or, alternatively, industrially zoned land. The development proposed in terms of intensifying the residential component of PC61 is inconsistent with the MAP, however I acknowledge that the environment has changed since the MAP was adopted with the advent of a reticulated wastewater network to Darfield.
Does not affect the safe, efficient and effective functioning of strategic infrastructure	Effects on the safety and performance of the intersection at Creyke Road/SH73 was one of the key issues identified in PC61. Under the PC61 scenario of 35 residential lots and 16ha of industrial land, it was agreed between the proponent of that Plan Change, Waka Kotahi and Council that,

Criteria	Analysis
	<p>prior to development taking place within PC61, the intersection between Creyke Road (south) and SH73 would be 'squared up' such that it meets SH73 at an angle of 90 degrees. Prior to the development of the 'Business 2' land, the intersection on SH73/Creyke Road is to be upgraded in consultation with Waka Kotahi.</p> <p>Subsequent to the granting of PC61, the proponent of this rezoning request through Mr Carr has consulted with Waka Kotahi on whether a change to the balance of the zoning on the site would be agreeable and what improvements they would seek on SH73/Creyke Road. Waka Kotahi have advised that:</p> <ul style="list-style-type: none"> - In the case of any development on the site, the intersection between Creyke Road (south) and SH73 is to be 'squared up' as set out in PC61. - Prior to the issuance of title on the 26th lot of the subdivision, auxiliary turning lanes will be required on SH73 to provide safe access onto Creyke Road. Waka Kotahi could support up to 85 residential lots with this arrangement. They reserved their position on any additional residential lots over and above this. - In the event of the Business 2 land being developed, the PC61 provisions would prevail and a substantive (roundabout) upgrade of the Creyke Road/SH73 intersection will be required. <p>Mr Carr acknowledges that this proposal is for up to 144/145 lots which is an increase of 60 above the threshold of 85 residences accepted by Waka Kotahi. However his calculations suggest that any impact on the intersection would be minor and that the increased residential yield can be easily accommodated by the roading infrastructure agreed by PC61 (inclusive of auxiliary turning lanes).</p> <p>Mr Collins has reviewed Mr Carr's assessment and modelling and agrees with the conclusions reached. In order to secure the outcome sought in the above letter to Waka Kotahi, Mr Collins recommends that a clause be added to the ODP that requires auxiliary turning lanes at the issuance of title for the 26th allotment.</p> <p>I note that the 100m noise contour from the State Highway is identified on the ODP. This is helpful in my view as it identifies the area where mitigation is required from noise and vibration from SH73.</p> <p>As a final note, Waka Kotahi have not lodged a further submission, opposing this rezoning request.</p>
Does not foreclose opportunity of planned strategic transport requirements.	The proposal retains the reserved allotment for any future roading upgrade at SH73/Creyke Road should the industrial component of the site be developed.
Is not completely located in an identified High Hazard Area, ONL, VAL, SNA or SASM.	The site is outside of these areas.

Criteria	Analysis
Does not locate noise sensitive activities within the 50 db Ldn Air Noise Contours.	The site is outside of this area.
The loss of highly productive land.	The site is subject to Cl.3.5.7(b)(ii) under the NPS-HPL and therefore I consider the NPS-HPL does not apply.
Achieves the built form and amenity values of the zone sought	The proposal utilises the underlying zoning provisions which are suitable for managing the amenity and character of the zone sought. The 40m buffer from GIZ will reduce the risk of reverse sensitivity effects and a 10m landscaping strip will be established alongside the State Highway, inclusive of both the residential and industrial zones that border it. This largely mirrors the ODP for PC61, except that the landscape strip will not be established at the most westerly part of the site. However, this is appropriate as the most westerly part of the site is now proposed to be residential zoning and not industrial as per the outcome of PC61.
Protects any heritage site and setting and notable tree within the re-zoning area.	The site does not contain any heritage sites or notable trees.
Preserves the rural amenity at the interface through landscape, density or other development controls.	The site will retain lower density development to the east and therefore a transition into the rural area. The eastern portion of the site is contained by the boundary of Creyke Road.
Does not significantly impact existing or anticipated adjoining rural, dairy processing, industrial, inland port or knowledge zones.	<p>The site contains adequate landscape buffers and setbacks that were agreed to during examination of PC61. Within the site, the submitter is proposing a 40m buffer setback from the nearby GIZ to the immediate north, west and east of that part of the site where residential zoning is proposed. This is essentially a transference of the 40m buffer that currently exists in the ODP to the south and east of the GIZ, to the new proposed zoning arrangement. Regardless of where the residential/industrial interface sits the logic of having a 40m buffer remains.</p> <p>An approximate 300m buffer from the poultry farm (roughly the curtilage of the sheds) to the north of SH73 is maintained from the residential component of the site. I note the submitter is proposing 'no-complaints' consent notices on the titles of the residential sections in favour of the clay brick factory and poultry farm, both to the north of SH73.</p>
Does not significantly impact the operation of important infrastructure, including the strategic transport network.	The impact on the strategic transport network is discussed above. The proposal will not impact on other important infrastructure.
How it aligns with existing or planned infrastructure, including public transport	The submitter has provided expert evidence on servicing arrangements for the site. In essence the submitter notes that the change from industrial to residential activity will:

Criteria	Analysis
<p>services, and connecting with water, wastewater and stormwater networks where available.</p>	<ul style="list-style-type: none"> - Have a positive effect on the capacity of the wastewater network as GIZ allows for a variety of land use that have varying wastewater discharges. For 1 ha area of the GIZ land the expected flow to be used in wastewater capacity calculations would be 1.0 l/s. The same area in residential land would have an expected yield of up to 12 lots which would result in a maximum flow of 0.4 l/s. The area of land proposed to be changed from industrial to residential zoning is approximately 5 ha. For that area the flows would be 5.0 l/s and 2.1 l/s respectively. - The stormwater system to be designed and constructed for Kersey Park will provide for disposal of stormwater up to and including the critical 1 in 50 year event in accordance with the Canterbury Land and Water Regional Plan requirements. The roading network for the subdivision will be required to be designed to act as the overland flow path in events that exceed the capacity of the stormwater system. These will convey stormwater away from the properties and will be designed to cater for the events up to the 1:100 year event without inundating adjacent properties. - There are known capacity constraints in Darfield on water supply. Council are upgrading capacity in the area. The most significant improvement to the water supply network will be the creation of a new well for public water supply opposite the Kersey Park development in Creyke Road. This well has been constructed. The CRC reference for this well is L35/1163. CRC records show it has been completed and the purpose of the well is for public water supply. Council have not applied for the required consents to enable water to be drawn from the well. It is however, Council's intention to create a community water supply from this well and connect it to the water reticulation network. When this is complete the water supply would be enhanced for the network and in particular the section of the network needed to supply the Kersey Park development. <p>Mr England comments that, broadly speaking, there is capacity (or there are upgrades pending as alluded to above) to service the proposed rezoning both from a water and wastewater perspective.</p>
<p>Ensure waste collection and disposal services are available or planned.</p>	<p>Waste collection can be undertaken through Council collection.</p>
<p>Creates and maintains connectivity through the zoned land, including access to park, commercial areas and community services.</p>	<p>Connectivity to the rest of Darfield township was a significant issue that was raised prior to approval of PC61. There is no access immediately to the west of the site through private undeveloped residential land. In addition, Ascot Park to the south, was not completed to a degree that would enable walking and cycling access to Mathias Street. There was concern that, particularly if the Business 2 land was developed, pedestrians and cyclists would use the</p>

Criteria	Analysis
	<p>state highway corridor along roughly 600m distance to Darfield. Most of this distance does not have a dedicated walking and cycling path and the speed limit is 100km/h.</p> <p>This was addressed in two ways:</p> <ul style="list-style-type: none"> - Prior to any Business 2 land being developed, adequate walking and cycling provision to the township at Darfield shall be provided. - An assessment matter was added to the rule underpinning subdivision on the Living 1 portion of the site. <p>The submitter notes that Kersey Park is working with neighbouring Ascot Park to provide suitable temporary walking/cycling access provisions, until Ascot Park's site is developed to a stage to provide permanent access through the road network. Such an access would provide for those within both Ascot Park and Kersey Park access to the intersection of Cardale and Mathias Streets, thus avoiding the State Highway Network.</p> <p>Additionally, the proposed ODP includes a strip along the State Highway frontage to allow for walking and cycling access along this frontage to the eastern end of the site should it be required to support a future footpath into Darfield. This was a requirement of PC61.</p> <p>The ODP requires that adequate walking and cycling access is achieved before there is any development in the ODP area. I agree that this is appropriate as this condition can be assessed for compliance when future resource consents for land use activity or subdivision in the ODP area are received.</p>
Promotes walking and cycling and public transport access.	<p>There are a limited range of public transport services to Darfield and the rezoning is unlikely to increase demand sufficiently to warrant service enhancements. Walking and cycling is discussed above.</p>
The density proposed is 15hh/ha or the request outlines the constraints that require 12hh/ha.	<p>The site is outside of Greater Christchurch, therefore this is not a requirement.</p>
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	<p>According to Mr Baird's analysis, there is sufficient residential capacity in Darfield to meet the needs of the township through to 2031. However, he identifies that there is a shortfall of industrial land in Darfield of 5ha in the medium term through to 12ha in the long term. Mr Eaube has analysed the supply and demand for industrial and residential land in Darfield and Selwyn. In summary, he concludes that:</p> <ul style="list-style-type: none"> - Using a range of reasonable assumptions, reflecting uncertainty around demand and supply, Selwyn is likely to face consistent housing shortages without Future Urban Development Areas (FUDA) for 2021-2031 and to worsen through to 2051, regardless of the implementation of FUDA's or their density. - Using a range of projections of industrial demand, the recognised oversupply of industrial land will continue to 2051. Any industrial activity that may occur on this site will have ample and more desirable

Criteria	Analysis
	<p>alternatives within Selwyn District. As a result, rezoning will have no impact on industrial employment or output.</p> <p>Mr Foy, reviewing Mr Eaquab's report, concludes that:</p> <ul style="list-style-type: none"> - Additional residential land is not required in Darfield to enable Council to adequately provide for projected demand growth in the town. That notwithstanding, the proposal is for a relatively small amount of additional residential zoned land, with a low dwelling yield, There is little economic downside to enabling that additional capacity, unless the land might be required for some alternative land use. - He agrees with Mr Eaquab that the requested reduction in industrial zoned land to 11.6ha would retain sufficient industrial zoned land in Darfield to meet future demand for such land. There is no evidence to suggest an alternative land use or zoning might be appropriate for the part of the Site that has been requested to change from industrial zone to residential zone, and he agrees with Mr Eaquab's conclusion that the requested change is appropriate from an economics perspective. - He does note that this assumes that the remaining 11.6ha of industrial land on the Boyes site was available for industrial development. If the 11.6ha of remaining Boyes industrial land was not available to be occupied by industrial activities, and the Ascot block became residential, there would be only around 4ha of vacant industrial land in Darfield, compared to 12ha of demand.
An ODP is prepared.	An ODP has been prepared and is shown as Figure 12.17 above.

12.94 Based on the above analysis, I consider that the site is able to be serviced by infrastructure, will not place an unacceptable burden on important infrastructure, can avoid or minimise reverse sensitivity effects on neighbouring land uses and will maintain or enhance connectivity between Darfield township and the area that was subject to PC61. This is predicated in their being suitable walking and cycling connectivity between the site and Darfield town centre, appropriate mitigation of noise from the State Highway, suitable intersection upgrades available, appropriate setbacks and landscaping as indicated on the ODP.

12.95 I acknowledge that the development only partially achieved a compact and consolidated urban form, due to the presence of LLRZ to the west adjoining Darfield township. However, PC61 enabled Living 1³⁸ to be developed (albeit at lower densities than envisaged by this zoning type). Therefore, the precedent appears to have been set. The issues that may have limited intensification before, such as wastewater servicing and availability of water have been, or are in the process of being, addressed. In addition, Waka Kotahi have indicated that a quantum of up to 85 allotments is acceptable providing appropriate roading upgrades are in place. Both transport experts agree that the higher quantum of allotments proposed through the rezoning request (total of 144) can be supported with auxiliary turning lanes.

³⁸ 650m2 average minimum allotment size.

- 12.96 I note that the submitter is seeking rezoning to LRZ. I am recommending that Kainga Ora's submission point³⁹ that seeks that LRZ is rezoned to GRZ in Darfield be accepted. As such, if the Panel are minded to accept the submission point from Mr Boyes, I recommend for consistency that the site be rezoned GRZ. I believe this could yield another 15-20 allotments within the site area⁴⁰. As a caveat to this, I have not received advice from Mr Collins on the effect of this from a transport perspective and given the specific issues of the performance of the Creyke Road/SH73 intersection and development on this site, it may be prudent to receive further advice prior to the Hearing from Mr Collins.
- 12.97 In my view the main issue is loss of industrial land in Darfield, given a shortfall has been identified by Mr Baird. Mr Foy's evidence suggests there is capacity to meet expected demand but this is predicated on sites being available. Mr Boyes evidence suggests that the PC61 zoned land (less the 5ha proposed to be rezoned residential) will remain as recreational land for the time being. Coupled with the proposed rezoning of the neighbouring industrial land by Ascot Park (3ha), this does create some uncertainty as to whether sufficient industrial land will be available in the short-medium term should the need arise. However, I do not believe there is a strong enough imperative to decline Mr Boyes relief on this basis as, under NPS-UD Policy 2 and Cl.3.3, the PC61 zoned land industrial meets the test of being sufficient (plan enabled, infrastructure ready, suitable and meets the expected demand + the required competitiveness margin).
- 12.98 Based on the above analysis, I recommend that the submission point is accepted in part for the following reasons:
- 12.98.1 The proposal can be serviced by existing infrastructure and will not place an unacceptable burden on important infrastructure.
 - 12.98.2 The proposal will not give rise to reverse sensitivity effects on the neighbouring GIZ, through the inclusion of a suitable landscape buffer.
 - 12.98.3 The proposal will, subject to adequate provision of walking and cycling routes, promote connectivity to Darfield town centre from the site.

Recommendations and amendments

- 12.99 I recommend, for the reasons given above, that the Hearings Panel, as set out in **Appendix 2**:
- a) Amend the zoning at SECT 1 SO 1227 from GRUZ (as indicated in **Figure 12.17**) to GRZ⁴¹/GIZ/LLRZ.
 - b) Amend the Planning Maps as shown in **Appendix 2** to rezone areas of GRUZ to GRZ/GIZ/LLRZ in Darfield and insert a new Development Area as set out in the submitter's evidence except that auxiliary turning lanes on SH73 shall be required on the issuance of title for the 26th allotment.
- 12.100 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

³⁹ DPR-0414.433 Kāinga Ora

⁴⁰ Based on 129 allotments x 750m² = 9.6ha of LRZ as put forward by the submitter. Then converted to GRZ 9.6ha/650m² = 148 allotments.

⁴¹ Subject to confirmation that the slightly higher quantum under GRZ can be accommodated by auxiliary turning lanes.

12.101 The planning evidence of Anna Bensemman is accompanied by a robust s32AA evaluation that concludes that the proposed rezoning to residential is the most appropriate way to achieve the objectives of the PDP and give effect to higher order planning documents. I therefore adopt the s32AA evaluation.

13. Flock Hill

Overview

13.1 Flock Hill Station is located in the Waimakariri River basin, 75 minutes and approximately 113km from Christchurch on SH73. The Station holds a long-term lease of approximately 14,500ha of land from the University of Canterbury. The site of relevance to the submission discussed below sits within 140ha of the wider lease area, legally described as Lot 1 & 2 DP 574011 and Lot 4 DP 540426. The site itself is 21.5ha. The wider Flock Hill Station comprises three distinct activities, namely:

- 13.1.1 farming activities located within Lot 4 DP 540426 and Lot 2 DP 574011
- 13.1.2 Flock Hill Lodge a historic tourist facility (established in the 1980's) and a Homestead (currently under construction and nearing completion) located within Lot 1 DP 574011



Figure 13.1: Aerial view of Flock Hill Station with the general area subject to the rezoning request. Source: Canterbury Maps.

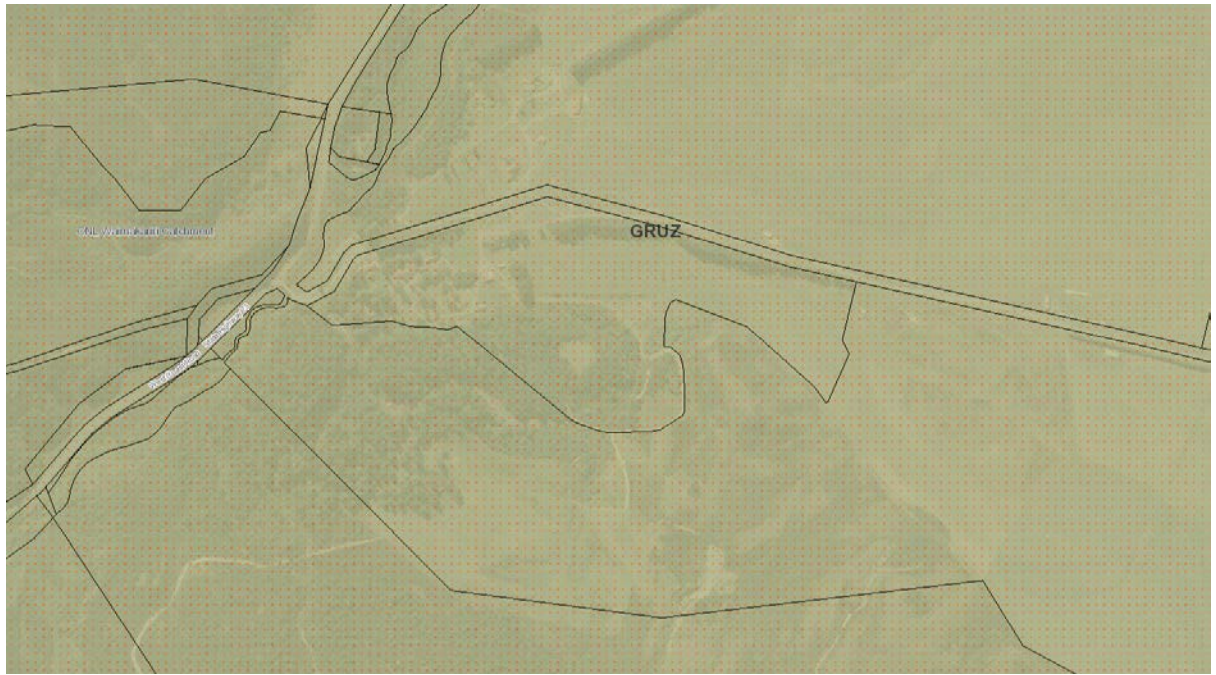


Figure 13.2: Zoning in the PDP at Flock Hill Station within the general area subject to the rezoning request. Source: PDP.

Submissions

13.2 Two submission points and two further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0097	FHH	001	Oppose in Part	Insert a new special purpose zone over Lot 2 DP 546766 and Lots 3-4 DP 540423 at 10128 West Coast Road, Lake Pearson, entitled 'Flock Hill Station Visitor Zone'.
DPR-0301	UWRG	FS001	Oppose	Disallow in Full
DPR-0097	FHH	004	Oppose in Part	Insert new provisions, including an Outline Development Plan, to give effect to the creation of the Flock Hill Station Visitor Zone (FHSVZ). Refer to original submission for full decision requested.
DPR-0301	UWRG	FS004	Oppose	Disallow in Full

FHH

Analysis

13.3 FHH hold a number of resource consents for activities in the area where rezoning is sought. In summary these are:

- 13.3.1 RC216015 – a subdivision consent granted on 16 February 2022 to effectively combine the area of land that contains Flock Hill Lodge with the area of land that contains the Homestead. This is the area subject to the proposed special purpose zone. A consent notice was registered on the title that any tourism and residential use shall operate

together and in cooperation with the experience of the working station. This area of 21ha is now described as Lot 1 DP 574011.

- 13.3.2 RC205557 - granted on 15 October 2020 and enables the use of the Homestead for travelling accommodation for a maximum of 150 nights per year and one group at a time.
- 13.3.3 RC205138 – granted on 26 March 2020 and provides for increasing the dwelling density from 9 to 12, creating a separate Staff Accommodation Area, increasing the built form of guest accommodation and various other changes. RC216029, which was granted on 25 January 2022, changed condition 1 of RC205138 to update the masterplan, increase the overall building footprint to 4,200m² and various other changes to reconfigure the internal layout of the site.
- 13.4 The purpose of the rezoning request by FHH as stated by the submitter is to create a bespoke zone that reflects the use of the Site for long -term tourism related activities – the Flock Hill Station Visitor Zone (FHSVZ). The extent of the FHSVZ and its ODP follow consented and constructed visitor accommodation and is shown in **Figure 13.3** below. The submitter has proposed bespoke provisions to accompany the ODP and proposed new zone chapter. These are discussed in further detail below.
- 13.5 In support of the submission, the submitter has provided expert evidence from the following individuals:
 - 13.5.1 Liz Stewart (Planning)
 - 13.5.2 Andrew Carr (Carriageway Consulting) (Transport) – Peer reviewed by Mat Collins from Flow.
 - 13.5.3 Chris Thompson (Tetra Tech Coffey) (Geotech) – Peer reviewed by Ian McCahon from Geotech Consulting.
 - 13.5.4 David Robotham (ENGEO) (Contamination) – Peer reviewed by Rowan Freeman from Pattle Delamore Partners.
 - 13.5.5 James Lambie (Ecology) – Peer reviewed by Roland Payne from Wildlands.
 - 13.5.6 Paul Smith (Rough Milne Mitchell Landscape Architects) (Landscape) – Peer reviewed by James Bentley from Boffa Miskell
 - 13.5.7 Tim McLeod (Inovo) (Infrastructure) – Peer reviewed by Murray England – Council Asset Manager.



Figure 13.3 Proposed ODP for the Special Purpose Zone (red border). Source: FHH evidence.

13.6 A site visit was undertaken on 23 September 2022 with the permission of FHH.

13.7 Given this is a bespoke rezone request, under the S42a Rezoning Framework Report, how it is assessed is at the discretion of the reporting officer. I consider that, similar to the CHAT proposal above for Castle Hill, a business land framework is the most appropriate way of assessing the proposal given the rezoning request relates to a tourism enterprise. I note that it is not a perfect fit however and some criteria will be less relevant for this proposal.

Business Land Framework

Criteria	Assessment
Provides a diverse range of services and opportunities.	The proposal will enable consented activities, including visitor accommodation, within the proposed Tourist Activity Area. The proposal provides additional accommodation options for visitors to the District and also provides additional employment opportunities to the community.
The request responds to the demographic changes and social and affordable needs of the district.	The visitor accommodation offer itself is aimed at the high-end market and therefore this criterion is less relevant to meeting the affordable needs of the District. The proposal will provide local employment opportunities and diversify the economy.
It is consistent with the Activity Centre Network	Flock Hill is outside of the District's settlements and therefore this criterion does not particularly apply. The offer is unlikely to 'compete' with commercial activities in the District's activity centres.
The location, dimensions and characteristics of the land are appropriate to support activities sought in the zone.	In the PDP, this area is mapped as being part of the ONL Waimakariri Catchment. Therefore, the effects of the proposal on the ONL need to be considered. The submitter has commissioned evidence from Mr Smith, a landscape expert. Mr Smith found that (in essence) the site had been modified to a degree where it does not display a high degree of landscape values internally, future development can be absorbed into the site, the FHSVZ follows the node of consented and existing development and

Criteria	Assessment
	<p>development controls proposed as part of the FHSVZ will protect the landscape values of the wider ONL.</p> <p>Mr Bentley has previously commented through the NFL Chapter Hearing on the mapping of ONL within the Flock Hill Station site. He states that he does not support 'carve outs' of the ONL overlay to support a particular land use but rather the provisions should recognise the ONL and provide appropriate rules to enable development in these areas to be in accordance with the special values.</p> <p>Mr Bentley, reviewing Mr Smith's evidence, has concerns with the most eastern part of the proposed FHSVZ. He states that he is mostly concerned that a large number of additional buildings could erode the landscape values and suggests that numbers of buildings are capped, or a density stated (in line to what has been consented for 'Area 2') for the remaining undeveloped parts of the site titled 'Area 3' in the Landscape Report by Mr Smith. He states that this will need to be referred to within the policies and with specific rules. To be very clear, he suggests that this is stated clearly for both the Tourist Activity Area and the Homestead Activity Area.</p> <p>I agree with Mr Bentley's advice that whilst the activities enabled in the proposed FHSVZ can be accommodated within the ONL, there is a need to adjust the proposed provisions to provide some density restrictions.</p>
An ODP is prepared.	An ODP has been included in the submission. The ODP shows the two sub-zones for Visitor Accommodation and the Homestead.
Achieves the built form and amenity values of the zone sought.	The zone is a bespoke zone and therefore proposes its own built form and amenity values.
Creates and maintains connectivity through the zoned land, including access to parks, commercial areas and community services.	Given the nature of the proposed rezoning, this criterion is not particularly relevant. The interior of the site provides internal connections that can be used by pedestrians, cyclists and vehicle traffic.
Promotes walking, cycling and public transport access.	As above, given the nature of the proposed rezoning, this criterion is not particularly relevant. The interior of the site provides internal connections that can be used by pedestrians, cyclists and vehicle traffic.
Does it maintain a consolidated and compact urban form?	There are already a number of buildings that are present on site and others that are consented. The main issue is, as highlighted by Mr Bentley, the erosion of landscape values through the potential for over-intensification of the more open easterly part of the site.
Does not affect the safe, efficient and effective functioning of the strategic transport network.	<p>Expert transport evidence was provided by Mr Carr which found that it is extremely unlikely that there will be any transport capacity related constraints that would limit the amount of development within the Site.</p> <p>Mr Carr did identify an issue with the intersection of the site with SH73, namely that it is possible that once the 100 ecm/day threshold is reached (at present, between 51-85 ecm/day is estimated to be generated) an upgrade of the intersection (at Waka Kotahi's discretion) may be required.</p>

Criteria	Assessment
	<p>He notes that a concept design for the upgrade of the site has been provisionally approved by Waka Kotahi through an earlier approved consent. He subsequently recommends a rule to accommodate this possibility in the planning framework for the proposed FHSVZ.</p> <p>Mr Collins, reviewing Mr Carr's evidence agrees with his conclusions and the proposed rule structure for a 'trigger' whereby the vehicle crossing from the site onto SH73 will need to be considered for an upgrade. I agree with Mr Collins advice that the effects on the strategic transport network will be minimal.</p>
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 Maori.	<p>The site is within the Waimakariri Catchment ONL. It is not located in any VAL or SASM or identified high hazard area. No Significant Natural Areas are identified in the PDP however ecological evidence has been provided by the submitter through Mr Lambie. Mr Lambie concludes that effects on naturally occurring vegetation from the proposed rezoning is very low. The proposed provisions for the FHSVZ, in Mr Lambies view, will likely result in a net gain in indigenous biodiversity.</p> <p>A review of the ecological assessment by Mr Payne agreed with the fundamental conclusion that the ecological values of the naturally occurring indigenous vegetation are low and the potential negative effects on the naturally occurring indigenous vegetation is very low and the considerable amount of indigenous planting will result in a net gain. Mr Payne did express some concerns about the methodology and assumptions in the report but this did not change the overall conclusion.</p>
The loss of highly productive land,	<p>The site is not located on land that is mapped as LUC 1-3 according to information displayed on Canterbury Maps and therefore the provisions of the NPS-HPL do not apply.</p>
Preserved the rural amenity at the interface through landscape, density or other development controls.	<p>This issue largely overlaps with concerns around landscape above and the recommendation by Mr Bentley to implement some form of density control over the eastern portion of the site.</p>

13.8 As the submitter is proposing a new special purpose zone, Standard 8, Cl.3 of the NPS is of relevance. It is necessary to apply the following tests to determine whether a new zone is necessary:

- 13.8.1 Are significant to the district, region or country.
- 13.8.2 Are impractical to be managed through another zone.
- 13.8.3 Are impractical to be managed through a combination of spatial layers.

13.9 The S32AA evaluation included in Ms Stewart's evidence does cover some of this ground by alluding to alternatives to the option of a special purpose zone. This includes managing the activity through site specific provisions and exemptions whilst retaining GRUZ zoning. In her view this is overly complex and not consistent with the purpose of GRUZ being reserved for rural activities in the PDP

with tourism related high country activities managed through special purpose zoning⁴². Overall, I agree with this based on the approach Council took to Terrace Downs⁴³ where it was assessed as being impractical to manage through another zone, has a distinct set of objectives and policies and is significant to the district due to its scale. Flock Hill has consented development that will similarly develop into a significant tourist activity (at a district-wide scale).

13.10 I have reviewed the proposed suite of objectives, policies and methods (rules) proposed by the submitter and generally consider that they are appropriate, subject to the following matters being addressed:

13.10.1 Based on the above assessment, the most significant effect would be on landscape values and the need to restrict over-development in those areas of the site that are vacant (Area 3 of the landscape report). The existing building coverage adheres to the GRUZ standard of less than 5% of the site area covered in buildings⁴⁴. This could be replicated in the proposed FHSVZ. In the alternative, the submitter could propose a suitable building coverage for the site and this could be discussed with Mr Bentley.

13.10.2 I also note there are no proposed controls on helicopter movements. As this was a concern of Mr Bentley in his evidence and I understand there will be helicopter movements associated with the activity, I am proposing to include some controls around this based on those for Terrace Downs.

13.11 The proposed zoning enables the homestead to potentially be used all year round for accommodation. The resource consent restricted this to 150 days per calendar year and one group at a time. The rest of the year was to be used for residential accommodation for the owners of Flock Hill. Given the bespoke proposed controls proposed by the submitter, coupled with generic PDP standards on noise and lightspill, I consider that the effects of this will be minor and consistent with the purpose of the zone.

13.12 I note that site contamination issues have been raised by Mr Freeman's peer review. The contamination assessment by David Robotham found that the proposed rezoning of the site was appropriate from a site contamination perspective. This is because, in his view, the potential for contamination effects for potential new land uses associated with the proposed zoning is highly unlikely and any localised contamination that may be present at the location of an identified sheep-dip or around any of the asbestos/lead containing buildings on Site will be appropriately assessed and managed under the NESCS framework.

13.13 Mr Freeman, reviewing Mr Robotham's report raised the following concerns

13.13.1 All reports referenced by Mr Robotham's evidence as being undertaken by ENGEO are provided for peer review to inform the suitability of the site for rezoning.

13.13.2 Information gaps highlighted in relation to the current unknown contamination status of the historical livestock dipping area are addressed

⁴² Liz Stewart Evidence – P31

⁴³ https://www.selwyn.govt.nz/_data/assets/pdf_file/0005/354767/37.Terrace-Downs.pdf - P5

⁴⁴ (As stated in RC216015 p11 of the resource consent application).

13.13.3 The status of soils surrounding pre-2000 buildings at the site is investigated with respect to potential soil contamination by lead.

13.14 My understanding is that a preliminary site investigation was undertaken by ENGEO as part of the application for subdivision (RC216015). I am uncertain if this report was peer reviewed as part of that application, however as a subdivision consent it was considered that the NESCS did not apply. The report concluded that: *Based on the information gathered, our site walkover and sampling results, we conclude that the potential for soil impact at the site in its existing state, which will affect the change of zoning, is highly unlikely. Some localised impact may have occurred at the site of the sheep-dip or around the buildings on-site.* Taking this into account, I agree that the above matters need to be clarified prior to or at the Hearing. Mr Freeman has not had the opportunity to peer review the ENGEO report at the time of writing.

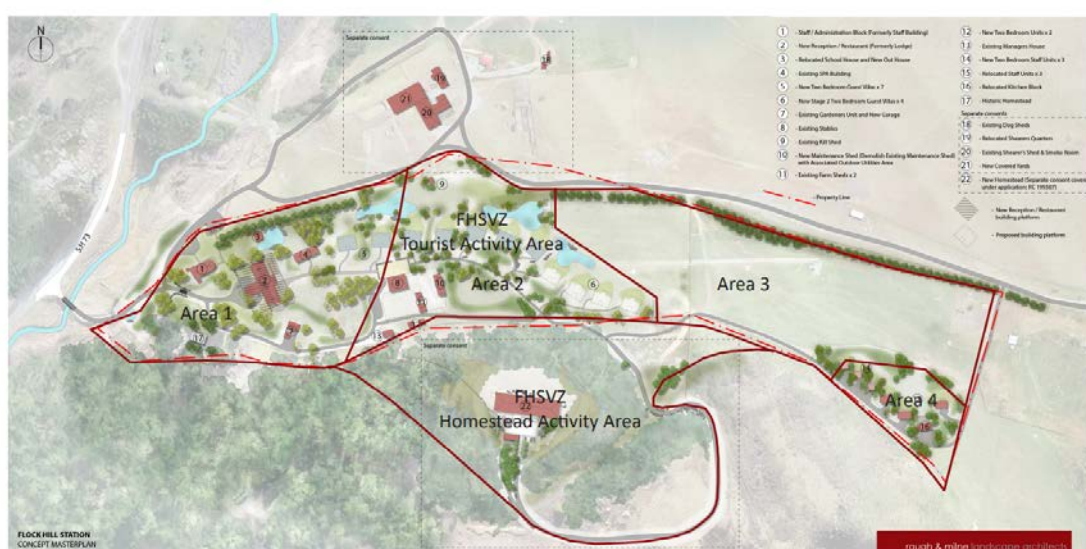


Figure 13.4: Plan of site from submitter's landscape assessment. Source: FHH evidence.

13.15 Turning to the other assessments undertaken by experts, I offer a brief commentary on this below as they are largely uncontentious:

13.15.1 The assessment of geotechnical issues by Chris Thompson found that the site was low risk due to the underlying geology and the fact that buildings can be designed to cope with the seismic demands of the region. This has been demonstrated through previously granted building consents on the site. Mr McCahon who peer reviewed this report agreed with the author's conclusions. I do note that Mr McCahon's assessment is based on the test pits on the western part of the site and not the eastern. As the proposed zoning is enabling, buildings could be developed further to the east.

13.15.2 The servicing assessment by Tim McLeod found that the site was able to be serviced by a nearby potable water supply from a bore and both wastewater and stormwater could be disposed on site. Mr England does not disagree with this.

13.16 Overall, I recommend the submission points are accepted in part, subject to:

- 13.16.1 The above contamination issues that Mr Freeman highlights are addressed through additional information either prior to or at the Hearing.
- 13.16.2 Given the potential for building platforms to be established in the eastern portion of the site⁴⁵, further information is provided on the site suitability of this area.
- 13.16.3 A site coverage threshold being applied to buildings and structures of 5% or another suitably agreed threshold.
- 13.16.4 A rule and rule requirement managing helicopter movements based on that at Terrace Downs is included.

Recommendations and amendments

13.17 I recommend, for the reasons given above, that the Hearings Panel, as set out in **Appendix 2**:

- a) Amend the zoning at Lot 1 DP 574011 and as shown in **Figure 13.3** from GRUZ to SPZ Flock Hill Station Visitor Zone (FHSVZ).
- b) Insert a Development Plan (DEV-FH), as shown in **Figure 13.3**, including provisions proposed by the submitter and as set out in **Appendix 2**. subject to:
 - i. The above contamination issues that Mr Freeman highlights are addressed through additional information either prior to or at the Hearing.
 - ii. Given the potential for building platforms to be established in the eastern portion of the site, further information is provided on the site suitability of this area.
 - iii. A site coverage threshold being applied to buildings and structures of 5% or another suitably agreed threshold.
 - iv. A rule and rule requirement managing helicopter movements based on that at Terrace Downs is included.

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

13.19 The planning evidence of FHH⁴⁶ is accompanied by a robust s32AA evaluation that concludes that the proposed rezoning to residential is the most appropriate way to achieve the objectives of the PDP and give effect to higher order planning documents. I therefore adopt the s32AA evaluation.

14. Hororata

Overview

14.1 Hororata is located at the northwestern edge of Canterbury Plains. It is located 15km southwest of Darfield and 50km west of Christchurch. According to the MAP, the population of Hororata was 263 in 2015 and is predicted to increase to 333 by 2031. The MAP states there were 92 households in 2015 and projected to be 119 in 2031. There is a zoned household capacity of 196. The conclusion of the MAP is that there is sufficient residential land available in the township until 2031. In terms of commercial and industrial land, the MAP noted that there is a shortfall of 1000m² for both

⁴⁵ Mr Cochrane discusses this possibility at para 10 of his evidence.

⁴⁶ Evidence of Liz Stewart for FHH.

business and industrial land uses however there is insufficient demand to proactively rezone new areas of business and industrial land.

- 14.2 Mr Baird has more recently moderated the above figures based on the Selwyn Capacity for Growth Model so that the capacity of the township is 11 sites with 54 dwelling additional capacity. The take-up of new dwellings has been an average of two a year according to building consent data. Constrained dwelling growth (based on land availability) is 256 to 2031 and then unconstrained to 297. Based on the calculation of 218 dwellings present in 2021, a demand of 38 dwellings exists to 2031 and 79 dwellings to 2051. Based on this there appears to be enough supply of residential land in the short-medium term.



Figure 14.1: Aerial view of Hororata. Source: Canterbury Maps.

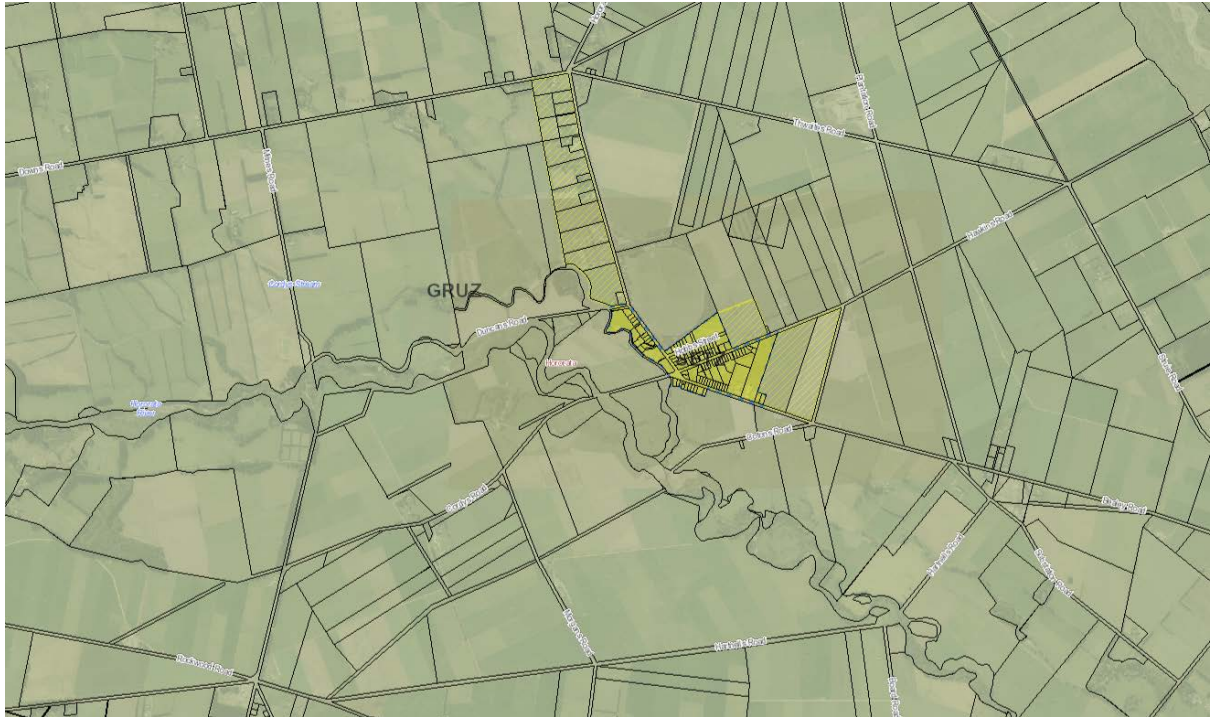


Figure 14.2: Zoning in the PDP at Hororata. Source: PDP.

Submissions

14.3 Three submission points and four further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0376	Fox & Associates	001	Oppose in Part	Rezone Pt RS 22968 as SETZ.
DPR-0392	CSI	FS030	Oppose	Reject
DPR-0032	CCC	FS141	Oppose	Oppose submissions that seek an increase in the amount of residential land or density and/or an increase in the amount of land zoned for industrial purposes. Refer to original submission for full reasons.
DPR-0376	Fox & Associates	009	Neither Support Nor Oppose	Add a Development Area ODP for Pt RS 22968 (if required).
DPR-0392	CSI	006	Oppose	Amend the planning maps to rezone the following land from GRUZ to residential and commercial. Pt Lot 3 DP 5202, Lot 1 DP 321259, Pt Lot 2 DP 5205, RS 38459, Lot 1 DP 626, Pt Rural Sec 22205 SO 5202.1
DPR-0446	Transpower	FS038	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-0032	CCC	FS146	Oppose	Oppose submission.

Fox and Associates

Analysis

- 14.4 Fox & Associates⁴⁷ seek the rezoning of GRUZ land to SETZ to the east of Hororata township on land legally described as Pt RS 22968 – approximately 11.7ha in size. The parcel of land is shown in **Figure 14.3** below. No expert evidence has been supplied to support the rezoning of the land through the District Plan Review process. The submission does include an infrastructure servicing report prepared by Fraser Thomas which was used to support a submission on the MAP in 2015.
- 14.5 Whilst there are small areas of highly productive land in the northern (LUC 2) and southernmost (LUC 3) portions of the site, the area has been identified as a future development area in the MAP ('HOR 3') and is identified with an Urban Growth Overlay notation in the PDP. I therefore consider that the NPS-HPL does not apply under cl3.5.7(b)(i) NPS-HPL as the land is identified for future urban development. The site proposed for rezoning is approximately two thirds of the HOR-3 area with a further site to the east (RS 26484) bordering Cotons Road not subject to this rezoning request. The MAP suggests that HOR-3 could be redeveloped as low density 'Living 2' rural residential development. The proposal for SETZ is therefore inconsistent with the overall direction of the MAP as SETZ is of a greater density of residential development than envisaged in that document.

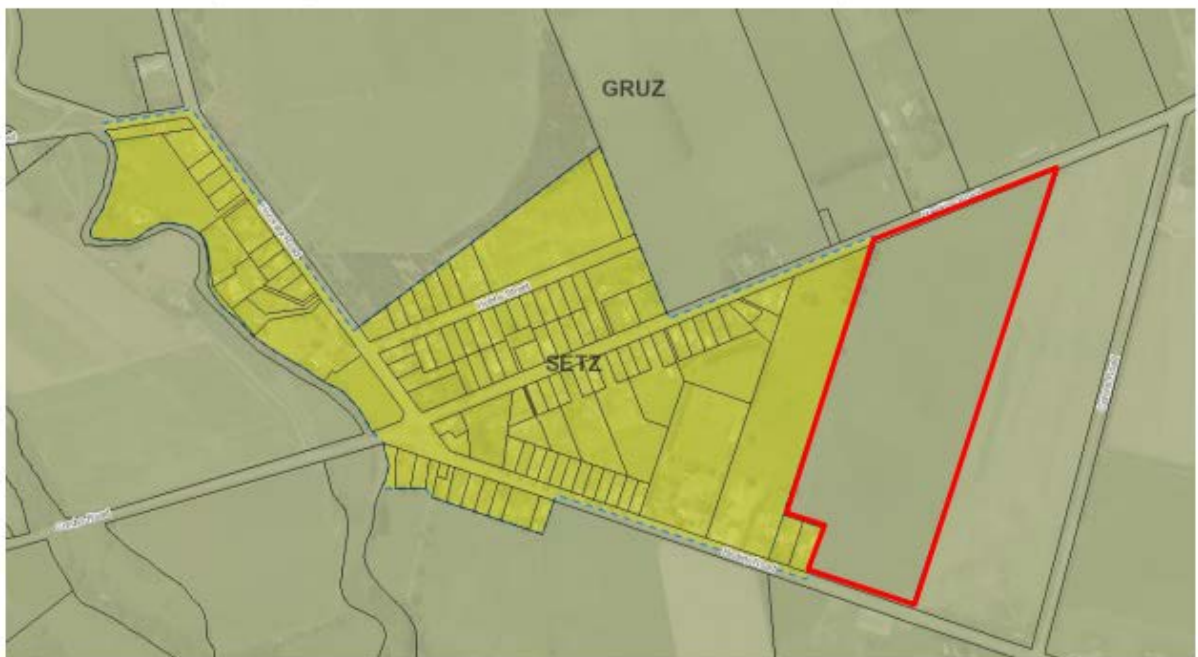


Figure 14.3: Location of land subject to Fox & Associates submission. Source: Submission.

- 14.6 The MAP notes that the area is generally suitable from an infrastructure servicing perspective and could be integrated with the urban area of Hororata, provides a consolidated concentric form and limits the loss of productive land and visual outlooks and is well contained by the existing road network. This final point does not quite apply to the submitter's proposal as the site does not abut Cotons Road to the east due to RS 26484 not being part of this rezoning request. A challenge to development identified by the MAP is that water, stormwater and wastewater servicing would have

⁴⁷ DPR-0376.001,009 Fox & Associates

to be established by the developer. The Fraser Thomas report concludes that the site can be adequately serviced for water supply and disposal of stormwater providing that the necessary investigations and capital works are adopted and implemented. Wastewater could be disposed of on-site however this would require resource consent from CRC.

- 14.7 Mr England notes that there is limited water supply in the area from the Hororata Rural Water Supply. Whilst physical upgrades are proposed and consent variations have been applied for from CRC which will increase the availability of water, the first priority of water availability must be given to land that is currently zoned and has the potential for subdivision. On this basis, Mr England considers that it is unlikely the proposal could be serviced.
- 14.8 The submission does not include expert evidence to determine the extent of other potential effects from the proposed rezoning including transport, geotechnical and land contamination. The infrastructure servicing report dates to 2015 and references various investigations and works required in order to facilitate development of the site. It noted at the time that a major constraint is water supply, but this is not updated to the current context to determine whether this is still an issue. A subdivision concept plan has been included in the submission but this is subject to a number of caveats by the submitter and may not form a valid development blueprint. No ODP has been included although the submitter suggests that one can be included, if required.
- 14.9 I consider that there is insufficient information and no evidence has been provided to determine whether the actual and potential effects of the rezoning are satisfactory and to enable the substantive merits of the rezoning request to be evaluated. I therefore recommend the submission point is rejected.

Recommendation

- 14.10 I recommend that the Hearings Panel retain the zoning of Pt RS 22968 as notified (being GRUZ).
- 14.11 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

CSI

Analysis

- 14.12 CSI⁴⁸ seek that the following land to the west of Hororata is rezoned from GRUZ to residential and commercial zoning: Pt Lot 3 DP 5202, Lot 1 DP 321259, Pt Lot 2 DP 5205, RS 38459, Lot 1 DP 626, Pt Rural Sec 22205 SO 5202.1. The submitter has provided no expert evidence or justification to support their submission point.
- 14.13 I consider that there is insufficient information and evidence has been provided to determine whether the actual and potential effects of the rezoning are satisfactory and to enable the substantive merits of the rezoning request to be evaluated. I therefore recommend the submission point is rejected.

⁴⁸ DPR-0392.006 CSI

Recommendation

- 14.14 I recommend that the Hearings Panel retain the zoning at Pt Lot 3 DP 5202, Lot 1 DP 321259, Pt Lot 2 DP 5205, RS 38459, Lot 1 DP 626, Pt Rural Sec 22205 SO 5202.1 as notified (being GRUZ).
- 14.15 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

15. Kirwee

Overview

- 15.1 Kirwee is located about 40km west of Christchurch on SH73. It is 9km from Darfield. According to the MAP, the 2015 population was 1,186 and is projected to increase to 1,711 by 2031 (a 44% increase). There were 424 households in 2015 with 611 projected in 2031 (an increase of 187 households). The MAP estimates a 218 zoned household capacity.
- 15.2 PC60 to the Operative District Plan was approved by Council on 14 October 2020. The plan change had the theoretical capacity to deliver 164 sites with a minimum average site size of 800m². During the hearing, the Commissioner took the view that the MAP figures were out of date⁴⁹ and preferred evidence from the proponent of PC60 that there was 365 dwellings and 29 vacant residential sections in Kirwee. It was concluded by the proponent and accepted by the Commissioner that there was a shortfall of between 217 and 305 dwellings to accommodate the anticipated growth over the next 20 years.
- 15.3 It is noted large areas of land zoned as SETZ is for civic purposes including the A&P Showgrounds, reserve and cemetery with some of this covered by designations. These act as constraints on the use of the land for residential purposes. The conclusion of the MAP was that there was sufficient zoned land for the uptake of residential development without the requirement for Council to proactively zone more.
- 15.4 Mr Baird has more recently identified, through the Selwyn Capacity for Growth Model, a 31-site capacity which equates to an additional 227 dwellings which would include spare capacity made available by PC60. He calculates that there are 380 dwellings in Kirwee with a need for 423 by 2031 (constrained based on land availability) and 584 dwellings by 2051. Based on this, there is demand for 43 dwellings to 2031 (constrained based on land availability) and 204 to 2051 (unconstrained). This would suggest there is capacity to meet demand in the short-medium and long term. Take-up of new dwellings has averaged 14.5 a year based on ten-year building consent data.

⁴⁹ https://www.selwyn.govt.nz/data/assets/pdf_file/0008/355823/Private-Plan-Change-60-Pages-from-PUBLIC-Agenda-Council-14-October-2020.pdf p89.



Figure 15.1: Aerial view of Kirwee. Source: Canterbury Maps



Figure 15.2: Zoning in the PDP at Kirwee. Source: PDP.

Submissions

15.5 Eight submission points and four further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested
DPR-0207	SDC	054	MAP	Oppose in Part	Amend the current zoning of the PC60 area (Large Lot Residential Zone) to a Settlement Zone.
DPR-0449	BDL	001	MAP	Support in Part	Amend zoning of Lots 46 and 1002 DP 489829 from Large Lot Residential to Settlement in east Kirwee.
DPR-0032	CCC	FS169	REZONING	Oppose	Oppose submission
DPR-0449	BDL	002	DEV	Support in Part	Add Development Plan to Part 3 - Area Specific Matters - Development Areas
DPR-0375	Waka Kotahi	FS289	DEV	Oppose	<i>The proposed Development Area NEW in Kirwee should be assessed in its entirety to understand the potential effects before consideration is given to accept it into the District Plan.</i>
DPR-0451	KCPL	001	MAP	Oppose	Amend the planning maps so as zone the area of Plan Change 60 SETZ rather than LLRZ, to reflect the outcome of Plan Change 60.
DPR-0032	CCC	FS171	REZONING	Oppose	Oppose submission
DPR-0451	KCPL	002	DEV	Oppose	Insert the ODP for Kirwee, approved as part of Plan Change 60, into the PDP.
DPR-0451	KCPL	004	MAP	Oppose	That the proposed reserves and open space areas of the Plan Change 60 area are recognised by a separate zone for that purpose.
DPR-0491	Paul and Sue Robinson	001	MAP	Oppose	Rezone Lot 2 DP 303903 and Lot 2 DP 487910, shown outlined red on Figure 1 of the submission, and any neighbouring land as appropriate, Large lot residential zone. Refer to original submission for full decision requested.
DPR-0032	CCC	FS177	REZONING	Oppose	Oppose submission
DPR-0491	Paul and Sue Robinson	002	DEV	Support	Insert a Development Area ODP for Lot 2 DP 303903 and Lot 2 DP 487910.

SDC and KCPL

Analysis

15.6 SDC⁵⁰ seek that the area subject to Council's decision to on PC60 is included in the PDP as SETZ. The notified PDP zoning is LLRZ. KCPL⁵¹ seek similar relief and submit that the ODP for Kirwee, approved as part of PC60, be included in the PDP and that the proposed reserves and open space areas of PC60 are recognised by a separate zone for that purpose. The area subject to PC60 is shown below:

⁵⁰ DPR-0207.054 SDC

⁵¹ DPR-0451.001, 002, 004 KCPL

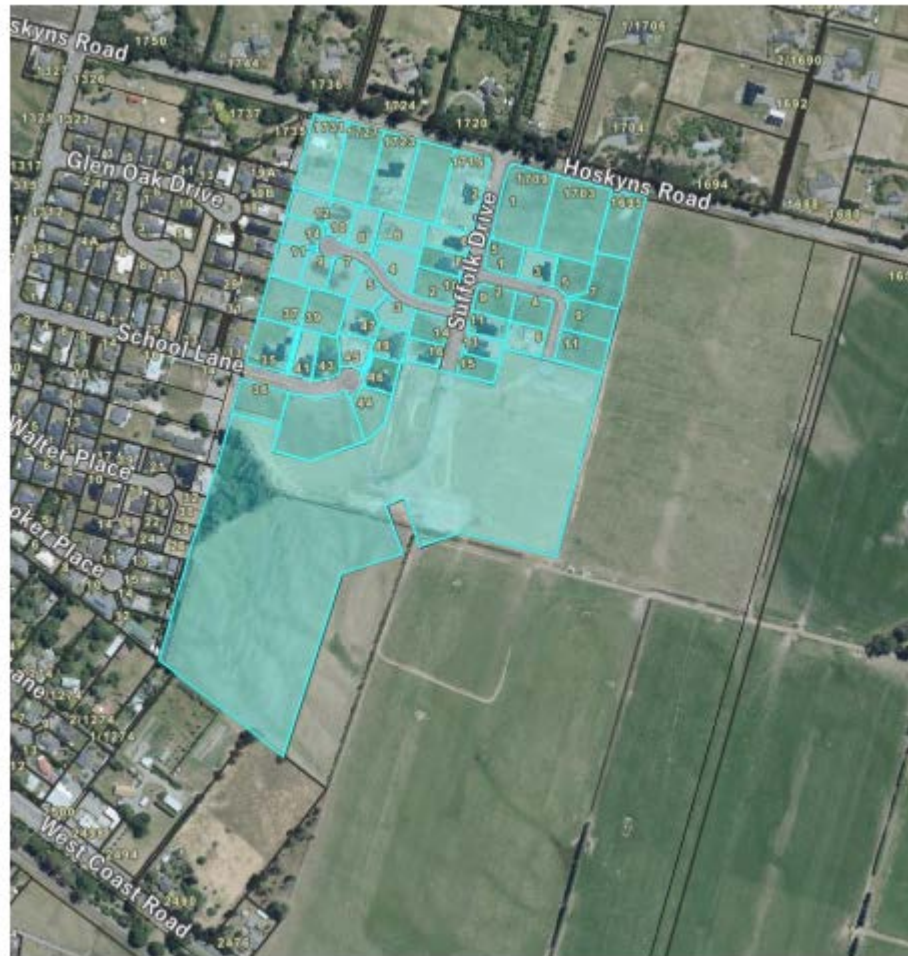


Figure 15.3: Area subject to PC60. Source: KCPL evidence.

- 15.7 The area subject to PC60 has been fully consented by way of subdivision (RC205711 being the most recent subdivision consent for the final stages of the development). The subdivision layout is consistent with the SETZ average minimum lot size of 1000m² with a number of lots smaller than the minimum site size of 800m². However no minimum site size was required at the time PC60 was approved. Given the fact that the development is now fully consented, I do not believe it is necessary to include an ODP in the PDP as this has now clearly been overtaken by events. I therefore recommend that the submission point to include the ODP be rejected.
- 15.8 Whilst the substantive merits of the proposal have already been subject to a Council decision, it is relevant to assess whether there are any other matters that have arisen since then that require further assessment against the Greenfield Framework. In my view, the only other substantive matter is the NPS-HPL. The land is LUC Class 3, however I consider that the NPS-HPL does not apply under Cl.3.4. Taking this into account and the fact that all other substantive matters have been addressed through the hearing process on PC60, I recommend that the submission points seeking that the land be rezoned be accepted.
- 15.9 I do not agree that the open spaces and reserved be rezoned to a zone for that purpose. The existing approach is to rely on designations with the underlying zoning being the same as neighbouring land use (e.g. residential). Whilst I note that other district plans have open space zones, the Council

reserves team have commented that the use of designations as the primary tool to manage activities in reserves was working well and in their opinion no change was required. Therefore I recommend that this submission point be rejected.

Recommendations and amendments

- 15.10 I recommend that the Hearings Panel, as set out in **Appendix 2**, rezone land within the PC60 area from LLRZ to SETZ.
- 15.11 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.
- 15.12 A s32AA evaluation was provided through PC60. This I consider is sufficient, given the decision sought is to incorporate Council's decision on PC60 into the PDP

BDL

Analysis

- 15.13 BDL⁵² seek that land legally described as Lots 46 and 1002 DP 489829 is rezoned from LLRZ to SETZ in east Kirwee. The submitter has provided the following evidence to support their submission:
- 15.13.1 Planning Assessment – Julie Comfort from Davie Lovell-Smith
 - 15.13.2 Infrastructure and servicing report – Andy Hall from Davey Lovell-Smith (peer reviewed by Murray England – Council Asset Manager).
 - 15.13.3 Traffic Assessment – Novo Group (peer reviewed by Mat Collins from Flow)
 - 15.13.4 Geotechnical Assessment – Davey Lovell Smith (peer reviewed by Ian McMahon of Geotech Consulting Limited).
 - 15.13.5 Contamination report – Sephira Environmental (peer reviewed by Rowan Freeman of Pattle Delamore Partners).
- 15.14 The site is located in the area highlighted below. A site visit was conducted on 29th September 2022. The site was viewed from both SH73 and Hoskyns Road. The site is located immediately to the east of the area of land that was subject to PC60. The MAP simply shows the site as undeveloped residential land. The MAP notes that there is a limited capacity for the township to support more intensive housing typologies given the limited range of services. The proposal is for a lower density housing typology however.

⁵² DPR-0449.001 and 002 BDL



15.16 The site is not for new residential greenfield but rather for intensification, therefore the intensification framework applies for the assessment of this rezoning request. This is recognised by Ms Comfort who provides an assessment against this framework in her Statement of Evidence. I provide my own assessment below however, where I have agreed with her, I have noted this. The rezone would provide for 230 residential lots against the 60 enabled under the current LLRZ.

Criteria	Analysis
Helps the efficient use of infrastructure	Ms Comfort notes that the Bealey Development (including the intensification) was taken into account when the modelling and decision-making for the Darfield-Kirwee wastewater pipe was undertaken. Mr England agrees that there is capacity through this connection. I consider that now that there is the capacity at Kirwee for reticulated wastewater collection, it would be more efficient to

Criteria	Analysis
	<p>utilise the potential for this infrastructure by employing a more intense form of residential zoning.</p> <p>Mr England states that the Kirwee water supply is reaching its consented limits and should this re-zoning proposal be approved a transfer of ground water abstraction consented water, adequate to service this development, will need to be vested in Council. Mr Hall's infrastructure report accompanying the submission was of the view that there was now sufficient water available from water abstracted from a new Council bore plus residual capacity in Kirwee.</p>
<p>The request responds to the demographic changes and social and affordable needs of the district</p>	<p>The proposed intensification does have the potential to provide more affordable section sizes than would otherwise be provided through the existing LLRZ. There would however appear to be adequate existing capacity to 2031 based on take-up of new dwellings and the availability of sites within the township, according to Mr Baird's analysis.</p>
<p>Does it improve self sufficiency for the town centres</p>	<p>Kirwee is defined as a Rural Township in the MAP and PDP. It does not have a defined commercial centre. The growth in Kirwee through PC60, combined with, potentially, this rezoning request could increase the demand and viability for services in the Kirwee township. This will thus increase the self-sufficiency of the town and reduced the need to travel to other centres for goods and services.</p>
<p>Promotes the regeneration of buildings and land</p>	<p>I agree with Ms Comfort that this is not relevant to this site.</p>
<p>Does not significantly impact the surrounding environment</p>	<p>The submitter has provided an effects assessment to determine the extent to which there will be adverse effects on the environment. Of key concern is the rural/urban interface. In this regard the site will be enclosed by roads on two sides (Hoskyns's and SH73) and existing urban residential zoning to the west. The key interface is the eastern part of the site which the submitter states will not be subject to any particular requirements in the ODP to provide flexibility with the design of the subdivision. The submitter also owns land to the east which the submitter states will allow some control over this interface. Whilst this may be true, the land may be sold in future and therefore this may obviate this protection. Under SETZ, a dwelling may be placed up to 2m from the internal boundary of the site. However, I note that the approach in the PDP has been to not, as a general rule, include setbacks from GRUZ from within existing residential zones as confirmed by Ms Lewes in the S42a report for the Residential hearing stream⁵³. This is on the basis that there is limited space within a residential zone and the approach is to put the burden of setbacks on other zones. I note there are no intensive farming or mineral extraction activities within close proximity to the site.</p>

⁵³ Para 10.186 in response to HortNZ.

Criteria	Analysis
	<p>I note also that there are no areas of ONL, VAL, SNA's, SASM or other matters of importance under s6 RMA within or next to the site area. There are two overland flow paths displayed as running through the site, as noted by the submitter and as shown by flood modelling. I consider that this is not an impediment to intensified use of the site and appropriate mitigation and finished floor levels can be designed at the consenting stage.</p>
Does not undermine the operation of infrastructure	<p>There is no important infrastructure (refer to transport separately below) that will be affected by the rezoning request.</p>
Does not affect the safe, efficient and effective functioning of strategic infrastructure	<p>The submitter includes a transport assessment within the submission. The transport assessment concludes that the development of 230 lots would generate in the order of 207 vehicle movements per hour at peak and 1,886 movements in total. The ODP shows a primary connection between SH73 and Hoskyns Road with connections to adjoining land to the east and west. The submitter is proposing an intersection design incorporating a right-turn bay on SH73 operating at an appropriate level of service. The transport assessment concludes that no specific rules are required as the transport provisions of the PDP are sufficient to assess any future subdivision proposal.</p> <p>I note that a further submission has been lodged by Waka Kotahi in opposition to this rezoning request. The further submission relates to cumulative effects from this development and others and the potential traffic impacts which in their view has not been fully assessed. In my view this is a general objection rather than specific to this rezoning request and Waka Kotahi make similar objections across a number of proposals in Greater Christchurch and outside. Primary access to the development of the State Highway will require the approval of Waka Kotahi however. The submitter has stated that preliminary consultations have been undertaken with Waka Kotahi who did not express any objections to an intersection with SH73. Additional evidence has been received from Waka Kotahi clarifying their position. In relation to State Highway access, they highlighted the potential need for the formation of an intersection with a right turn bay or possibly a roundabout. In addition, Waka Kotahi is currently considering potential state highway safety improvements between West Melton and Darfield. If a 'left in, left out' arrangement was to occur, the development of the site, subject to this submission, could result in an increased reliance onto Hoskyns Road as, in their view, there are no internal roading connections. If more reliance is put onto Hoskyns Road, then this is likely going to result potential effects further east at the intersection with SH73 (to the west of West Melton). Overall, they seek that further consideration is given to the design and implications of the proposal on the local roading network</p>

Criteria	Analysis
	<p>and that the submitter further discusses the details of any potential connections to the State Highway with Waka Kotahi.</p> <p>As I understand it, internal road access is proposed through PC60 land but this would not connect with School Lane. Rather the connection would be via Suffolk Drive and Hoskyns Road. Hoskyns Road is unsealed east of Kirwee, therefore it is clearly more preferable to have access to SH73 when travelling east from Kirwee.</p> <p>Mr Collins in reviewing this assessment concludes that he generally agrees with the findings and that the transport effects can be further considered through TRAN-R8 and asset approval processes with Waka Kotahi for the proposed intersection on SH73. I accept Mr Collins advice, noting that Waka Kotahi have given indicative approval for an intersection, a connection is shown on the ODP and that the substantive design of the intersection can be addressed through further assessment under TRAN-R8.</p> <p>Residential development will also be required to maintain adequate setbacks from SH73 or demonstrate that noise can be mitigated in line with the provisions of the Noise Chapter. This should be shown as a constraint area on the ODP.</p>
Achieves the built form and amenity values of the zone sought	<p>I agree with Ms Comfort that the rezoning of the land can be achieved in a manner that achieves the built form and amenity values of the SETZ. No development has yet occurred in the LLRZ and therefore there is a 'blank template' for development on the site.</p>
Creates and maintains connectivity through the zoned land, including access to park, commercial areas and community services.	<p>Mr Collins expresses the opinion that the rezoning of the site should be delayed as residential capacity may be realised in more accessible locations (such as Rolleston, Prebbleton and Lincoln). There is a finely balanced argument here as the site is already zoned for residential development. The development of the site would enable enhanced walking and cycling options as well as enable the establishment of services. The ODP shows that connectivity to neighbouring PC60 and thus the wider Kirwee settlement can be achieved.</p>
Promotes walking and cycling and public transport access.	<p>Mr Collins recommends that the ODP identify the walking and cycling connections along the north/south and east/west primary roads. I agree with Mr Collins that this should be more clearly demonstrated on the ODP. While limited, there is an express bus services operating between Darfield, Kirwee and Christchurch. However, based on current patterns, it is likely that the majority of trips to and from the development to areas outside of Kirwee will be by private transport.</p>



Figure 15.5: Looking north across the site from SH73. Source: Report author.

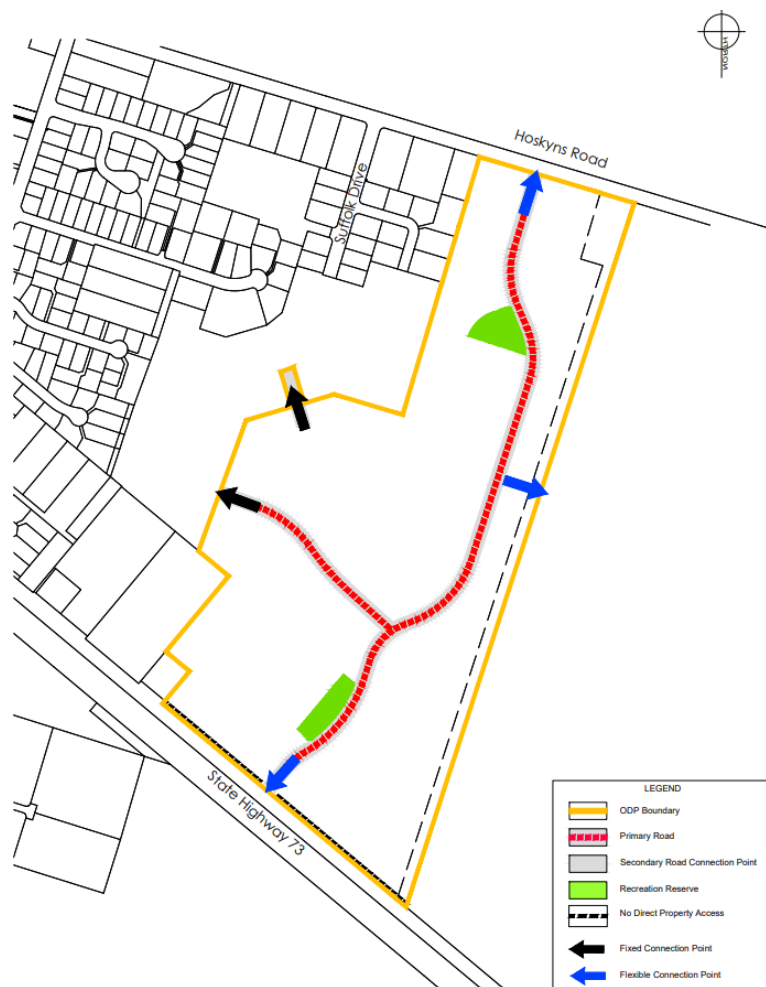


Figure 15.6: Proposed ODP for the rezoning request. Source: Submitter.

15.17 Turning to the other assessments undertaken by experts, I offer a brief commentary on this below as they are largely uncontentious:

15.17.1 The geotechnical report by Davie Lovell-Smith found that overall the site and ground conditions were suitable to support residential development. Mr McCahon largely agreed with this assessment however he did note that there was no other assessment of natural hazards other than earthquake and liquefaction. He did not consider it likely that other hazards would be present on the site given its location however recommended that this be confirmed by the submitter in writing or in answer to a question posed at the hearing.

15.17.2 The contamination report by Sephira Environmental found, through a Preliminary Site Investigation, no areas of concern with potential contamination that require further investigation. This was based on a review of previous land uses on the site and previous testing for certain contaminants (DDT) likely to be present. The level found was below average expected background concentrations and no further soil sampling was undertaken as part of this assessment. Mr Freeman also largely agreed with this assessment.

15.18 As discussed, the site is currently zoned LLRZ in the PDP. The CRPS (Objective 5.2.1, Policy 5.3.1) requires consolidated, well-designed and sustainable growth around existing urban areas. The development represents a consolidation of the existing township within the existing township boundaries rather than an expansion on to greenfield and highly productive land. I therefore consider the proposal meets this objective.

15.19 The CRPS also sets a number of development goals. I consider that the development meets these goals (where relevant) by providing housing choice through smaller and more affordable site sizes, it does not compromise the efficiency and effectiveness of infrastructure (noting that further approvals will be required to utilise access from SH73) and avoids conflict between incompatible activities (noting the site is already zoned residential and that proximity to the GRUZ will not in of itself lead to reverse sensitivity effects where the land is being used for normal farming activities).

15.20 I consider that the proposal is also consistent with both the SD and UG Chapters of the PDP.

15.21 Based on the above analysis, I consider that the submission points be accepted in part and the request to rezone the land at Lots 46 and 1002 DP 489829 from LLRZ to SETZ be approved. This is subject to:

15.21.1 The ODP being amended to show walking and cycling connections internally and to the rest of Kirwee township and the presence of a noise control overlay from SH73.

15.21.2 Insert a requirement into the ODP that, prior to subdivision being approved, a suitable groundwater source that is capable of servicing the site is vested to Council.

15.21.3 Confirmation that there are no other natural hazards that would impact on the site.

Recommendation and amendments

15.22 I recommend that the Hearings Panel, as set out in **Appendix 2**, rezone land at Lots 46 and 1002 DP 489829 to the east of Kirwee from LLRZ to SETZ and a new Development Area is included in the PDP, subject to:

- a) The ODP being amended to show walking and cycling connections internally and to the rest of Kirwee township and the presence of a noise control overlay from SH73.
- b) Insert a requirement into the ODP that, prior to subdivision being approved, a suitable groundwater source that is capable of servicing the site is vested to Council.
- c) Confirmation that there are no other natural hazards that would impact on the site.

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

15.24 The planning evidence of Julie Comfort⁵⁴ is accompanied by a robust s32AA evaluation that concludes that the proposed rezoning to residential is the most appropriate way to achieve the objectives of the PDP and give effect to higher order planning documents. I therefore adopt the s32AA evaluation.

Paul and Sue Robinson

Analysis

15.25 Paul and Sue Robinson⁵⁵ seek that land at 71 and 77 Tramway Road, Kirwee legally described as Lots 2 DP 303903 and Lot 2 DP 487910, shown in **Figure 15.7** below is rezoned from GRUZ to LLRZ or SETZ, or a mix of zones where appropriate. The submitter has not provided any expert evidence to support the request. Number 71 is 4ha in size and Number 77 is 3.4ha. Collectively the area identified for rezoning is 7.3ha. The reasons given for the rezoning request include:

- 15.25.1 The proposed rezoning is appropriate to achieve the sustainable growth and development of Kirwee and meets the requirements of the NPS-UD, taking into account what is reasonably expected to be realised and enabling homes that meet needs.
- 15.25.2 The site is suitable for LLRZ given its location in a peri-urban location, the existing character of the undersize rural lots to the west and south and neighbouring LLRZ and SETZ.
- 15.25.3 LLRZ is consistent with the NPS given the intended size of the sites which is to achieve a minimum average site size of 5000m² – around 14 lots.
- 15.25.4 The proposal will achieve compact and concentric urban form, be able to mitigate reverse sensitivity effects and is consistent with objectives and policies in the NPS-UD and PDP, save for Urban Growth, which in the submitter's view is out of step with national direction.

⁵⁴ Evidence of Julie Comfort on behalf of BDL.

⁵⁵ DPR-0491.002 Paul and Sue Robinson



Figure 15.7: Proposed area subject to the rezoning request (red border). Source: Submission.

15.26 A site visit was undertaken on 29 September 2022. The site was viewed from Tramway Road.

15.27 The land area in question is shown as Class 3 soils in the LUC database. The site is not contemplated for future development in the MAP and as such is not identified for future urban development (through an urban growth overlay) in the PDP. As such, under cl.3.5.7 the provisions of the NPS-HPL apply. The submission, made before the commencement of the NPS-HPL, states that the feasibility of primary production will not change as a result of rezoning and that it is not a realistic proposition now due to the existing pattern of undersize lots in the area. In my view, the submitter has not provided enough evidence under cl.3.6. NPS-HPL on how the rezoning of the land from GRUZ to LLRZ (an urban zoning category) meets the requirements of the NPS-HPL.

15.28 An intensive farming activity (opposite on 51 Tramway Road) has been identified. Only brief discussion on including a setback has been discussed and it is stated that an odour assessment could be supplied where appropriate.

15.29 As stated, there is no expert evidence provided on the effects of the proposal. These include the potential the rezoning could undermine the efficient operation of infrastructure, gives rise to amenity conflicts and adverse reverse sensitivity effects and undermine the safe and efficient operation of the local transport network.

15.30 I recommend the submission point is rejected for the following reasons:

- 15.30.1 The submitter has not provided enough evidence under cl.3.6. NPS-HPL on how the rezoning of the land from GRUZ to LLRZ (an urban zoning category) meets the requirements of the NPS-HPL
- 15.30.2 There is no expert evidence on the effects of the proposal. These include the potential the rezoning could undermine the efficient operation of infrastructure, gives rise to amenity conflicts and adverse reverse sensitivity effects and undermine the safe and efficient operation of the local transport network.

Recommendation

- 15.31 I recommend, for the reasons given above, that the Hearings Panel, retain the zoning on the subject area (bordered in red in **Figure 15.6**) as notified (GRUZ).
- 15.32 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

16. Lake Coleridge

Overview

- 16.1 Lake Coleridge is located approximately 105km from Christchurch and 35km from Methven. According to the MAP, it has a population of 198 and no projected population change to 2031. The MAP calculates that there is the potential yield for a further 14 households. Mr Baird, in a more recent assessment through the Selwyn Capacity for Growth Model, estimates that there is the capacity for 16 extra dwellings, that there are currently 64 dwellings rising to a demand for 79 (constrained based on land availability) in 2031 and 91 (unconstrained) to 2051. This means that there is a shortfall of dwelling availability in the long term. The take-up of new dwellings over the last 10 years has been slight with building consents averaging 0.8 per year.
- 16.2 The MAP identified a number of barriers to future growth. Firstly, a large amount of land in the area is owned by Manawa Energy who operate the Lake Coleridge Power Station. Transpower own a number of transmission lines in the area that service the power station. This includes COL-BKD-D and COL-OTI-A, two dual circuit 66kv lines that run along Hummock Road. The land around has ONL and VAL values, as mapped in the PDP including to the south and southwest near the river. The topography also acts as a constraint with the Arboretum, the Rakaia River Gorge and various steep land contours and terracing around the village. Lake Coleridge is an isolated community with few services, attractive mainly as a holiday home destination. There is limited ability to accommodate more intensive housing typology. Overall, the settlement has been characterised as a rural township.



Figure 16.1: Aerial view of Lake Coleridge Village. Source: Canterbury Maps.

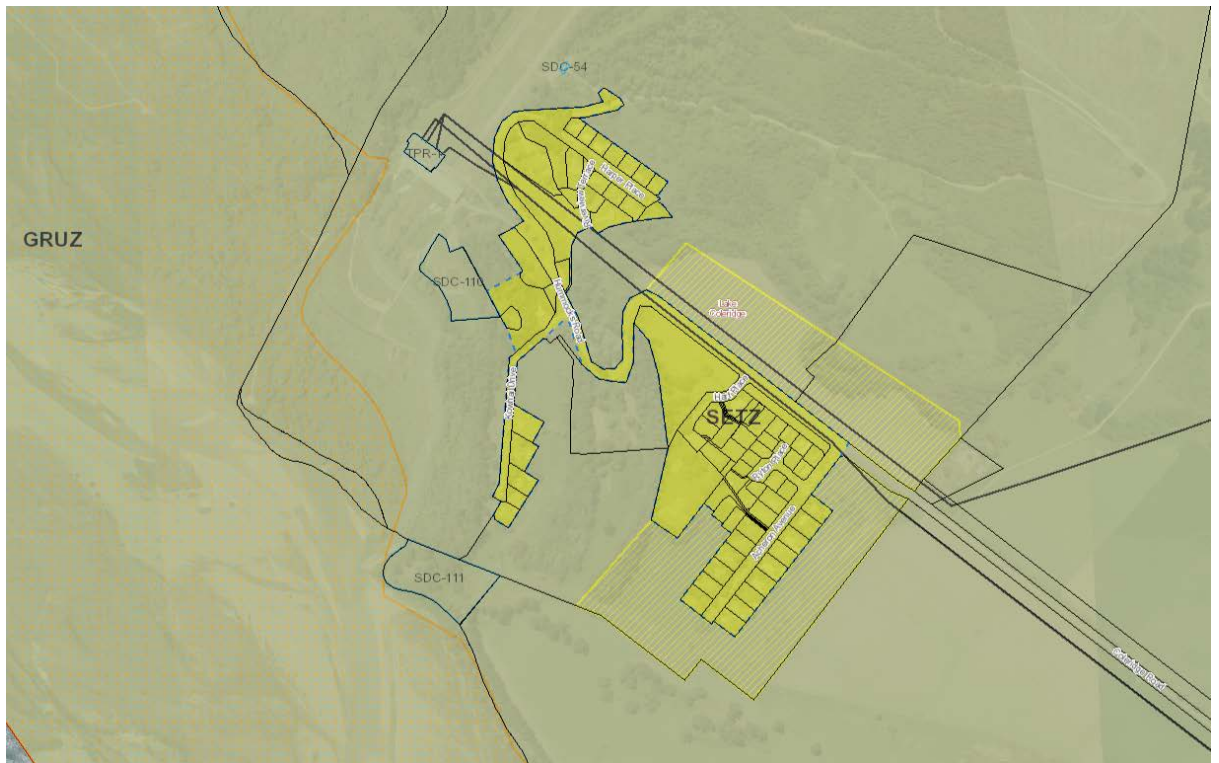


Figure 16.2: Zoning in the PDP at Lake Coleridge. Source: PDP.

Submissions

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

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0486	CDL	001	Oppose	Rezone identified lots to SETZ; or alternatively Amend the UGO boundary to apply to the entirety of the two sites; or alternatively Amend the GRUZ provisions that apply to the identified sites so as to facilitate greater subdivision and development opportunities.
DPR-0446	Transpower	FS057	Neither support nor oppose.	<i>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.</i>

CDL

Analysis

16.4 CDL⁵⁶ seek that either the land identified in the submission is rezoned as SETZ (most preferred relief) or parts of the sites: Lot 1 DP 80128 held in RT CB45B/337 and Lot 1 DP 78185 held in RT CB44D/965 are overlayed as UGO (those parts that currently are not already UGO). To support the rezoning proposition, the submitter has included the following expert evidence:

16.4.1 Planning evidence from Susan Ruston, (PPM Consulting Ltd).

16.4.2 Landscape evidence from Chris Glasson (Glasson Huxtable) (peer reviewed by James Bentley from Boffa Miskell)

16.4.3 Traffic evidence from Nick Fuller (Novo Group) (peer reviewed by Mat Collins from Flow)

16.4.4 Ecological evidence from Mike Thorsen (Ahika Consulting) (peer reviewed by Roland Payne from Wildlands.)

16.5 As the site is for new greenfield residential development that is not LLRZ, the Greenfield Residential Framework applies. This assessment is undertaken below:

⁵⁶ DPR-0486.001 CDL

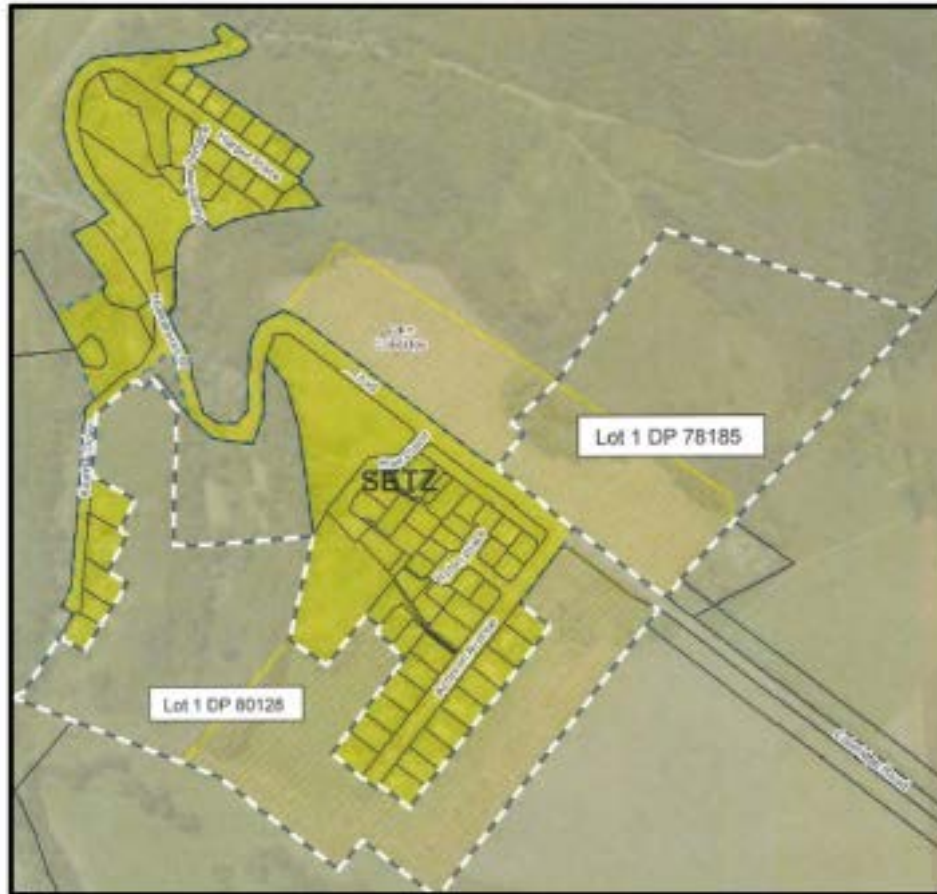


Figure 16.3: Land subject to the rezoning request (black and white border). Source: CDL evidence.

Greenfield Framework

Criteria	Analysis
Does it maintain a consolidated and compact urban form?	The rezoning proposal is divided into two discrete sites – the ‘north’ site and the ‘south’ site. The north site is located across Hummock Road, the lower third of which is in the UGO and envisaged as being suitable for delivering a compact concentric urban form in the MAP (as ‘LC1’). The upper two thirds seem to extend the village form in an elongated fashion up the slope of the hill. The south site wraps around the existing village form. It is partly consistent with ‘LC2’ in the MAP although also includes the lower terraced area to the west.
Does it support the township network?	Lake Coleridge is described as a rural township in the MAP whose function is ‘ <i>based on village characteristics with some services offered to the surrounding rural area</i> ’. Other comparable rural townships are Arthur’s Pass, Coalgate, Doyleston, Dunsandel, Glentunnel, Hororata, Kirwee, Lake Coleridge, Sheffield, Southbridge, Springfield, Springston, Tai Tapu, Waddington and Whitecliffs. I do not consider that the quantum of development proposed by the submitter would erode the township network as even with the additional potential of 130-150 additional dwellings which is adopted for the purposes of the transport

Criteria	Analysis
	assessment by Mr Fuller, Lake Coleridge Village would be similar in size with some other rural townships listed (for example Tai Tapu which has a population of 540 ⁵⁷).
If within the Urban Growth Overlay, is it consistent with the goals and outline development plan?	The proposed rezoning is both within and outside the UGO. Where within the UGO, the development is consistent with the densities envisaged in the MAP and enables compact and concentric urban form.
Does not affect the safe, efficient and effective functioning of the strategic transport network?	There are no strategic transport routes that serve Lake Coleridge Village.
Does not foreclose opportunity of planned strategic transport requirements?	N/a as there are no strategic transport routes that serve Lake Coleridge Village.
Is not completely located in an identified High Hazard Area, ONL, VAL, SNA or SASM?	<p>The proposed rezoning is outside of these areas.</p> <p>An ecological assessment was provided with the submission. Ecological features of note identified include:</p> <ul style="list-style-type: none"> - An artificially created willow-fringed pond and damp area. - A willow fringed stream of moderate ecological importance. - Notable trees T74 and T75 of which the development should be outside of the drip-line of the tree canopies. <p>The ecological assessment recommends a biodiversity management plan to guide restoration of the stream margin and replace willows with appropriate native riparian species. The assessment does not anticipate any negative impacts on ecological values.</p> <p>Mr Payne who reviewed the ecological assessment has some concerns that the assessment has omitted/mistaken several issues. These include:</p> <ul style="list-style-type: none"> - The failure to identify and delineate natural wetlands with the site. - No assessment of potential lizard habitats has been undertaken. Mr Payne assesses a low probability of lizards being present on site. - T74 is not in the village (south) site. - The wetland area contains more indigenous vegetation than is assumed. - In general, there is more indigenous vegetation in both the north and south site than is assumed in the assessment. <p>Mr Payne agrees that a biodiversity management plan would be appropriate however notes that part of the wetland/wet area is identified as 'Urban Growth – New Proposed Lots' in Mr Glasson's Landscape Plan. Mr Payne states that as these would qualify as natural wetlands, these would be protected by rules in the PDP and therefore further assessment and delineation of these wetlands is important so that they are protected from the effects of any development.</p>

⁵⁷ 2018 NZ Census

Criteria	Analysis
Does not locate noise sensitive activities within the 50 db Ldn Air Noise Contours.	The proposed rezoning is outside of this area.
Loss of Highly Productive Land.	The site is not located on any highly productive land (LUC 1-3) and therefore the NPS-HPL is not considered to apply.
Achieves the built form and amenity values of the zone sought.	<p>The proposed rezoning typology and density is consistent with that envisaged in the MAP as it relates to the UGO. A landscape assessment has been produced as part of the evidence to support the rezoning request. The landscape assessment concluded that the amenity values in the village relate to the high natural character of the landscape, openness, mountain and hill presence, and low level of modification. The assessment finds that the scale of loss of naturalness from the proposed rezoning is very small in the context of the wider landscape, and any adverse effect will be moderate initially and decrease to become low within approximately 10 years. Mr Glasson also considers that the dominance of the surrounding hills, pastureland and village arboretum will not be adversely affected by the proposed rezoning and that mitigation will be achieved through design principles for any subdivision and the eventual maturing of newly established trees.</p> <p>Mr Bentley, reviewing Mr Glasson's report, supports some elements of the proposed rezoning from a landscape perspective. This includes:</p> <ul style="list-style-type: none"> - GRUZ to SETZ to the east of Kowhai Drive. Containment is provided by the vegetated terrace to the east and by existing houses along Kowhai Drive. Mr Bentley recommends that slightly larger section are utilised in this area and existing vegetation is maintained. - GRUZ to SETZ in the east, south and west of Acheron Avenue and land further west towards Kowhai Drive. As the area is contained by river terraces and framed by areas of mature vegetation, such mature vegetation needs to be retained and enhanced to maintain the villages character. - GRUZ to SETZ to the north of Hummock Road but only up to the vegetated watercourse. Development beyond this, up the rise, could be viewed as a separate development. <p>Mr Bentley supports the design principles put forward by Mr Glasson and the proposed landscape plan. He notes that it is imperative that any development responds to the grain and pattern of development, respect natural contours and features, including watercourses and vegetation.</p>
Protects any heritage site and setting and notable tree within the rezoning area.	There are no heritage sites or notable trees within the site area. The nearby A.E Hart Arboretum includes a number of notable trees mapped in the PDP as 'T75'.
Preserves the rural amenity at the interface through landscape, density or other development controls.	A landscape plan is included with the submitter's evidence that includes boundary treatments at the eastern rural interface. Additionally, mature trees are to be retained and riparian planting proposed around watercourses. Various design principles are recommended in Mr

Criteria	Analysis
	<p>Glasson's evidence to preserve amenity. I also consider that the proposed SETZ will assist in maintaining the small township character of the village by requiring larger lot sizes and avoiding over-intensification. As stated above, Mr Bentley is comfortable with the landscape plan and design principles proposed.</p>
<p>Does not significantly impact existing or anticipated adjoining rural, dairy processing, industrial, inland port or knowledge zones.</p>	<p>The only neighbouring zone (other than existing SETZ) is GRUZ. The neighbouring GRUZ land does not contain any intensive farming activities and appears to be used for light grazing only. I consider that SETZ combined with the landscape and design controls proposed by the submitter will be sufficient to avoid reverse sensitivity effects on rural activities.</p>
<p>Does not significantly impact the operation of important infrastructure, including the strategic transport network.</p>	<p>COL-BKD-D and COL-OTI-A, two dual circuit 66kv lines run adjacent to on either side of Hummock Road. The submitter notes this and states that rules in the PDP (both subdivision and land use) will require that buildings are appropriately located, setback from the transmission lines. Transpower, who made a further submission on the rezoning request, seek that any development does not compromise the national grid. To be clear about the constraint that the two transmission lines present, I consider that the national grid yard should be shown (indicatively) on an ODP.</p>
<p>How it aligns with existing or planned infrastructure, including public transport services and connecting with water, wastewater and stormwater networks where available.</p>	<p>The submitter states that the potential impact from the rezoning on three waters will be limited. It is indicated that water supply is open and unrestricted and that development contributions can be sought if stormwater and wastewater networks are required to be upgraded. Mr England in response notes the following:</p> <ul style="list-style-type: none"> - The water supply in this area is supplied by Manawa Energy in its untreated form. Upgrades will be required in the area to the treatment system, borne by the developer. - The wastewater plant is at capacity and would need to be upgraded with resource consent from CRC. - On-site stormwater treatment and attenuation is required, prior to discharge to surface water. Discharge consents will be required from CRC, prior to subdivision consent.
<p>Ensuring waste collection and disposal services are available or planned.</p>	<p>No Council collection service operates to Lake Coleridge. Andrew Boyd, the Council's solid waste manager advises that there is a very basic communal waste/recycle facility with waste taken by a local contractor regularly to the Pines Waste Recovery Park and Transfer Station. There is a standard rate applied to sections in Lake Coleridge for this service. Mr Boyd advises that if the (potential) c.120 sections were to proceed, Council would need to upgrade the refuse/recycle facilities to cope and adjust the rating accordingly.</p>
<p>Creates and maintain connectivity through the zoned land, including access to parks,</p>	<p>A plan is supplied as part of the transport assessment that shows connections to the rest of the village. This includes access point for vehicles at Kowhai Drive and Acheron Avenue. Mr Collins notes that the</p>

Criteria	Analysis
commercial areas and community services.	area has limited services and few transport options, although agrees with the conclusions of the transport assessment by Mr Fuller.
Promotes walking, cycling and public transport access.	There are no public transport routes that serve Lake Coleridge. It is unlikely that the development will provide the impetus for any to be provided and the predominant form of travel will be by private car. Mr Collins notes that it would be preferable to delay rezoning of this site in favour of more accessible locations in Greater Christchurch. I note that the submitter is supplying evidence by Shane O'Brien, a real estate agent, that the market for new sections in Lake Coleridge are likely to be those seeking holiday homes and/or access to outdoor recreational opportunities. Therefore, I consider those moving to Lake Coleridge on a permanent or transient basis are likely to be looking for a different lifestyle than that offered in Greater Christchurch.
The density proposed is 15hh/ha or the request outlines the constraints that require 12hh/ha.	The site is outside of Greater Christchurch and therefore achieving this density is not required.
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 proposal is in a remote location where there is stagnant growth. The development does not directly provide for the affordable needs of the District. However it does provide options for those seeking a holiday home, holiday rental accommodation or an alternative lifestyle and who may be able to work remotely.
An ODP is prepared.	No ODP has been supplied (or labelled as being an ODP). A movement plan is included in Mr Fuller's evidence – Figure 5 - which includes some details on vegetation that is to be retained. It would be of assistance if the submitter could confirm whether this is the ODP. I also note a landscape plan is supplied separately in Mr Glasson's evidence which should be incorporated into the development outcomes for the site.



Figure 16.4: Looking northwest towards Lake Coleridge on Hummocks Road. The 'north' site is on the right and the 'south' site is on the left. Source: Photo author.



Figure 16.5: Looking south east from Kowhai Drive. The 'south' site is to the left, inclusive of the left portion of the slope area. Source: Photo author.

- 16.6 There is no evidence supplied on the geological stability of the site and any contamination issues. The site is not in the area identified as having low geotechnical risk⁵⁸. Typically, a greenfield residential rezoning request (or plan change) should be accompanied by a geological assessment⁵⁹. It is also unclear whether there are any historic activities which give rise to contamination risks that need to be mitigated. I consider that this information is necessary to determine the appropriateness of this rezoning request.
- 16.7 The submitter includes a planning analysis against relevant statutory planning documents and a S32AA evaluation in Annexure 3 of the Planning Assessment. The CRPS (Chapter 5) and the PDP (UG Chapter) requires consolidated, well designed and sustainable growth around existing urban areas. This is partly achieved in my opinion with this development, except that the development on the 'north' site is elongated and does not 'wrap' around the township in the way the 'south' site does.
- 16.8 Based on the above assessment, I recommend the submission be rejected for the following reasons:
- 16.8.1 The inclusion of an area of land on the 'north site', above the stream bed, is disconnected from the rest of the settlement, is elongated and does not form cohesive, concentric development. This is inconsistent with CRPS Objective 5.2.1, Policy 5.3.1 and UG-O2 and UG-P7.
 - 16.8.2 It is unclear whether an ODP has been supplied. However any ODP as part of this development should clearly identify that part of the site where a biodiversity management plan is to apply (i.e. the wetland areas). Additionally, any ODP should include the national grid yard from the two transmission lines that cross the site as a constraint feature.
 - 16.8.3 Site geological stability should be established by way of a geological assessment and any potential contamination issues should be identified.
- 16.9 Whilst not a reason to recommend rejection in of itself, it is notable that both the water and wastewater treatment systems will require upgrades through development contributions to facilitate this development.
- 16.10 The alternative relief which is to map the balance of the site as UGO (where not already) is problematic in so far as that part of the northern site outside of the current UGO does not meet the development outcomes sought which are to provide a concentric and cohesive urban form. Mapping the balance of the south site as UGO may be appropriate in so far as it will form concentric and cohesive development with the existing township – part of the township is currently disjointed and isolated on Kowhai Drive. However, such an exercise may be better undertaken as part of a future spatial planning exercise.

Recommendation

- 16.11 I recommend that the Hearings Panel retain the zoning of land at Lot 1 DP 80128 held in RT CB45B/337 and Lot 1 DP 78185 held in RT CB44D/965 as notified (GRUZ).

⁵⁸ https://www.selwyn.govt.nz/__data/assets/pdf_file/0004/113746/LowGeotechnicalRiskArea_Sept2013.pdf

⁵⁹ <https://www.building.govt.nz/assets/Uploads/building-code-compliance/canterbury-rebuild/repairing-and-rebuilding-houses/canterbury-guidance-part-d.pdf>

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

17. Springfield

- 17.1 Springfield is located approximately 65km north west of Christchurch and 22km north west of Darfield. It is the last town in the plains on SH73 before Porters Pass and the High Country. The MAP categorises Springfield as a rural township based on village characteristics with some services offered to the surrounding rural area. According to the MAP, the population was 475 in 2015 and projected to increase to 566 by 2031. There were 169 households in 2015, projected to increase to 202 by 2031. The MAP estimated a 56 household zoned capacity.
- 17.2 Mr Baird has adjusted this slightly as of 2023 with an estimated 43 dwelling zoned capacity. He estimates there are 181 dwellings as of 2021 with demand for (constrained based on land availability) 202 in 2031 and (unconstrained) 243 in 2051. This suggest there will be no shortfall over the short-medium term. The average take-up of new dwellings has been an average of three a year based on the last 10 years of building consent data.
- 17.3 The main issues identified for the township in the MAP are related to the limited ability for the township to support more intensive household growth, the constraints of SH73 and rail line, the presence of highly productive land (Class 3 soils) and the need to sustainably manage water resources including issues surrounding water quality.



Figure 17.1: Aerial view of Springfield. Source: Canterbury Maps.

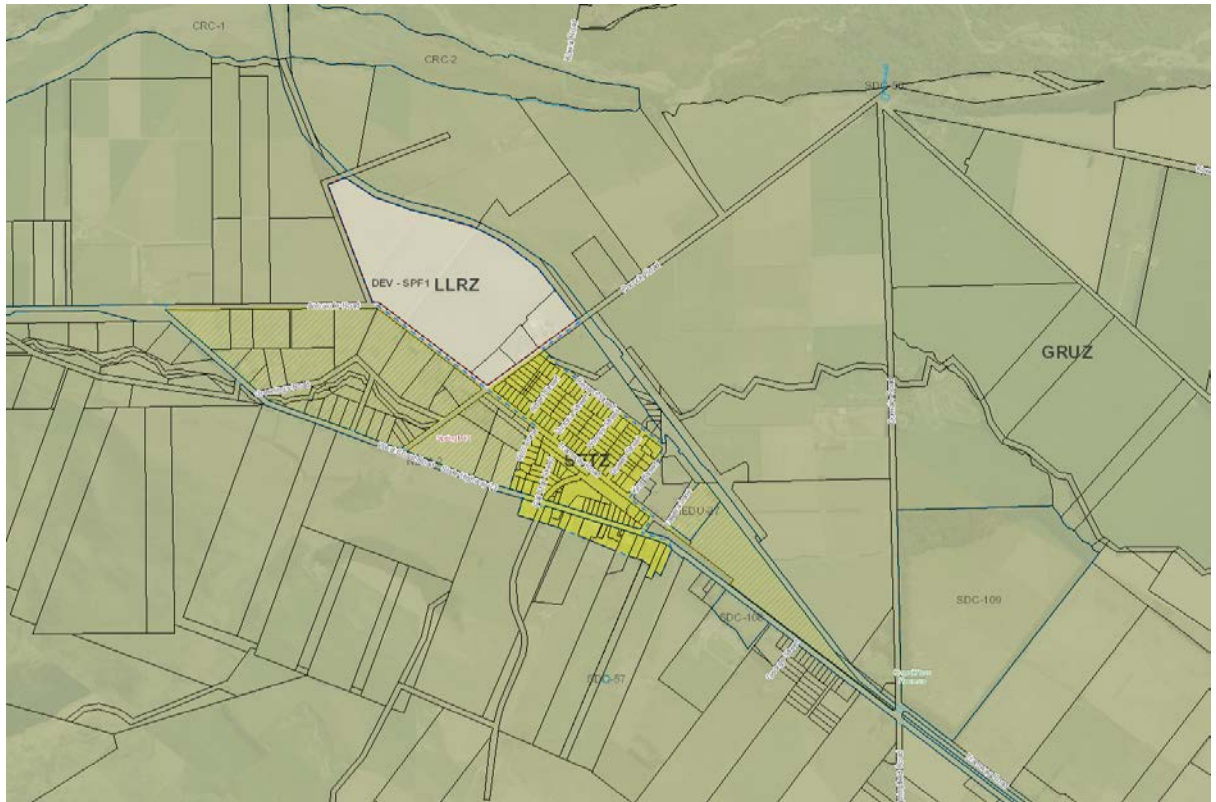


Figure 17.2: Zoning in the PDP at Springfield. Source: PDP.

Submissions

17.4 One submission point was received in relation to Springfield.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0125	BE Faulkner	001	Oppose	Amend zoning at 2A Tawera Lane, Springfield from General Rural Zone to a combination of Settlement Zone and/or Large Lot Rural Zone (refer to submission detail for suggested option configuration of zoning for development of site).

BE Faulkner

Analysis

17.5 BE Faulkner⁶⁰ seeks that land legally described as SEC 2 SO 491913 (2A Tarawera Lane), Springfield be rezoned from GRUZ to LLRZ and SETZ. The area of land is shown on the map below:

⁶⁰ DPR-0125.001 BE Faulkner



Figure 17.3: The site subject to the rezoning request. Source:PDP.

- 17.6 The property is 7.98ha in size and includes an Urban Growth Overlay (UGO). The area in the MAP is described as 'SPR4'. It is the least preferred option for low density residential development out of the four areas identified in the MAP as suitable for residential expansion. The MAP envisages larger lot residential development in this area at 1-2ha – the submitter is proposing a mixture of LLRZ and SETZ, which has an average minimum size of 1000m². Whilst the site is contiguous with the existing settlement, a number of issues have been identified including that this is not the most appropriate site for residential expansion, the development would give rise to ribbon development and reverse sensitivity effects with SH73 and the rail line, a reduction in the productive capacity of the soil and the dispersed settlement pattern would reduce the contrast between the rural and urban environment.
- 17.7 With respect to the NPS-HPL, as the site is identified for future urban growth in the PDP, I consider that it is exempt from the application of the NPS-HPL under cl.3.5.7(b)(i).
- 17.8 The submitter has not provided any expert evidence to support the application. In their original submission, they did provide a rationale for the rezoning. In essence, this includes:
- 17.8.1 The proposed development makes sense in terms of urban form, presenting a logical extension to the village. The development would link two disparate parts of the village, the main settlement and the Kowai Pass settlement to the south of SH73 near the subject site.
 - 17.8.2 The land is no longer suitable for primary production due to the property's shape and size, the potential for reverse sensitivity effects with existing residential/community development and the constraints of the road and the railway.

- 17.8.3 The site can be serviced (water/power/telecoms) and accessed from SH73 (*note - this would require discussions with Waka Kotahi as any access would require resource consent*). An easement would be required over a Council walkway.
- 17.8.4 The MAP projection of 32 new households is likely to be exceeded before 2031 given that a number of vacant residential lots have been developed recently.
- 17.9 As an alternative to the mixed LLRZ/SETZ option, the submitter seeks that the land be rezoned as SETZ in its entirety. The proposal could therefore be assessed using both the rural residential and greenfield frameworks. To avoid duplication a greenfield framework has been used to assess the rezoning request with reference to issues particularly relevant to rural residential development where appropriate.

Greenfield Framework

Criteria	Analysis
Does it maintain a consolidated and compact urban form?	The proposed rezoning extends the township in a ribbon fashion along SH73 and not in a concentric fashion around the existing township. The Kowai Pass settlement is not within the township boundaries of Springfield. The LLRZ/SETZ proposal does limit SETZ to the most westerly part of the site, immediately adjacent to the school at Springfield however.
Does it support the township network?	The proposed rezoning could yield 8 lots at LLRZ and up to 25 lots at SETZ (the submitter's own estimate). This would not significantly increase the size of Springfield such that it no longer would be classified as a Rural Township.
If within the Urban Growth Overlay, is it consistent with the goals and outline development plan?	The development envisaged proposal is more intensive than in the MAP, being SETZ and LLRZ. The MAP envisages larger lot residential only.
Does not affect the safe, efficient and effective functioning of the strategic transport network?	Direct access is proposed to SH73. There is no assessment of transport effects, evidence of discussion with Council or indication as to whether Waka Kotahi would support access on to the State Highway although I note there is no further submission opposing the proposal. The site is within both the noise contours of both the state highway and rail line therefore any development would have to be designed to mitigate noise accordingly.
Does not foreclose opportunity of planned strategic transport requirements?	There are no planned state highway upgrades in this location that would be affected by the proposal.
Is not completely located in an identified High Hazard Area, ONL, VAL, SNA or SASM?	The site is not located in these areas.
Does not locate noise sensitive activities within the 50 db Ldn Air Noise Contours.	The site is not located within the 50 db Ldn Air Noise Contour.
Loss of Highly Productive Land.	The site is shown as Class 3 LUC soil. However, the NPS-HPL is not considered to apply under cl.3.5 due to the UGO that applies over the entire site.

Criteria	Analysis
Achieves the built form and amenity values of the zone sought.	The ODP proposes a no build area at the narrowest part of the site. The site is still narrow and constrained towards its eastern portion however and will have to mitigate noise from both SH73 and the railway.
Protects any heritage site and setting and notable tree within the rezoning area.	There are no heritage sites or notable trees within the site area.
Preserves the rural amenity at the interface through landscape, density or other development controls.	The proposed rezoning is constrained by SH73 and the railway which provide a barrier to the wider rural area. The submitter is also proposing a landscape strip to screen the site from SH73.
Does not significantly impact existing or anticipated adjoining rural, dairy processing, industrial, inland port or knowledge zones.	There are no intensive farming or mineral extraction activities in close proximity. The railway and State Highway provide a barrier to the rest of the rural area.
Does not significantly impact the operation of important infrastructure, including the strategic transport network.	A water race runs through the site. A buffer is proposed by the submitter on the ODP.
How it aligns with existing or planned infrastructure, including public transport services and connecting with water, wastewater and stormwater networks where available.	The submission does not provide much detail about servicing. Wastewater will have to be disposed of on-site as not reticulation is available. Mr England comments that the water supply is at capacity in Springfield and reticulation and treatment would need to be upgraded which would need to be borne by the developer. Wastewater and stormwater discharge consent from CRC for on-site disposal will be required.
Ensuring waste collection and disposal services are available or planned.	Council waste collection operates in this area.
Creates and maintain connectivity through the zoned land, including access to parks, commercial areas and community services.	There is no internal road layout in the ODP. As the land is adjacent to Springfield, connectivity could be achieved relatively easily though existing access over the water race may need to be upgraded.
Promotes walking, cycling and public transport access.	There are infrequent scheduled bus services that serve Springfield. The TranzAlpine rail service stops at the town. No walking and cycling connections are proposed in the ODP.
The density proposed is 15hh/ha or the request outlines the constraints that require 12hh/ha.	This is not considered relevant as the site is outside of Greater Christchurch.
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 proposal is for LLRZ/SETZ or just SETZ which does promote housing choice. The MAP and recent projections from Mr Baird suggest that there is capacity to meet existing demand in the short-medium term without new land being zoned.
An ODP is prepared.	Two ODP's have been prepared for each of the two development options.



Figure 17.4 View of the site from the Council reserve to the northeast of SH73. Source: Report author.

17.10 In my view, whilst there may be some merit in the proposal, based on the above analysis, the submission point should be rejected for the following reasons:

- 17.10.1 The SETZ only proposal is not consistent with the MAP, which seeks the outcome of lower density development in this area to avoid ribbon development. This is inconsistent with CRPS Objective 5.2.1, Policy 5.3.1 and UG-O2 and UG-P7.
- 17.10.2 The proposal lacks evidence to determine any transport impacts, including the feasibility of access on to the state highway (including any evidence of discussion with Waka Kotahi and Council), and whether the site can be effectively serviced by infrastructure. This is inconsistent with CRPS Objectives 5.2.1, 5.2.2, Policies 5.3.1 and 5.3.2 and UG-O1 and UG-P11.
- 17.10.3 The site is in an area identified as not requiring a geotechnical assessment for subdivisions less than 15 lots⁶¹. Typically, a greenfield rezoning request (or plan change) would be accompanied by a geological assessment for site stability and hazard risk⁶². If the higher quantum of development through SETZ is sought, a geological assessment should be required. The proposal also lacks an assessment of any site contamination risks.

⁶¹ https://www.selwyn.govt.nz/__data/assets/pdf_file/0004/113746/LowGeotechnicalRiskArea_Sept2013.pdf

⁶² <https://www.building.govt.nz/assets/Uploads/building-code-compliance/canterbury-rebuild/repairing-and-rebuilding-houses/canterbury-guidance-part-d.pdf>

17.10.4 The proposal also lacks a statutory s32AA analysis, including a consideration of alternative options and assessment of the benefits and costs of the rezoning.

17.11 Whilst not a reason to recommend rejection in of itself, it is notable that both the water and wastewater treatment systems will require upgrades to facilitate this development and all sites will be on restricted water supply.

Recommendations

17.12 I recommend, for the reasons given above, that the Hearings Panel retain SEC 2 SO 491913 (2A Tarawera Lane), Springfield as notified (GRUZ).

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

18. Waddington

18.1 Waddington is located approximately 58km from Christchurch and 12km from Darfield. It is located immediately to the south east of Sheffield. The MAP treats them both as one combined settlement area given their proximity. The issues raised in the MAP include the limited potential for more intensive housing typologies due to limited services, the need to avoid growth to the south west of SH73 and the railway as this serves as a strong containment boundary for the settlement,

18.2 According to the MAP, the population of Waddington-Sheffield in 2015 was approximately 585 with a projected population increase to 655 by 2031. There were 209 households in 2015, projected to increase to 234 by 2031. Altogether, a 196 zoned household capacity was estimated. Mr Baird has adjusted this in 2023 through the Selwyn Capacity for Growth Model, estimating a 93 dwelling capacity based on 17 sites being available in Waddington-Sheffield. He estimates that there are 179 dwellings in 2021 and demand for 234 dwellings (constrained based on land availability) to 2031 and 272 dwellings (unconstrained) through to 2051. This suggest there is sufficient capacity in the short-medium term. There has been an average take-up of 1.7 of new dwellings over the last 10 years based on building consent data.



Figure 18.1: Aerial view of Waddington: Source: Canterbury Maps.



Figure 18.2: Zoning in the PDP at Waddington: Source: PDP.

Submissions

18.3 One submission point was received in relation to Waddington.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0140	Keith Jenkins	001	Neither Support or Oppose	Amend zoning on land identified as 'Waddington Preferred Development Area 1' in the Malvern Area Plan and legally described as RS 40606, Lot 3 DP 20314 and Lot 4 DP 20314 from General Rural Zone to Large Lot Residential. Insert a Development Plan (DEV-WA01-Waddington 1 Development Area (see submission for detail of this)).

Keith Jenkins

Analysis

18.4 Keith Jenkins⁶³ seeks to rezone the area identified as 'Waddington Preferred Development Area 1' in the MAP from GRUZ to LLRZ. The land is legally described as RS 40606, Lot 3 DP 20314 and Lot 4 DP 20314. Both parcels combine to form 26ha in size and are both owned by Mr Jenkins. The site is located to the northeast of the small township of Waddington and has an UGO in the PDP. The ODP is shown on the map below.

⁶³ DPR-0140.001 Keith Jenkins



Figure 18.3 ODP as included in the submission: Source: Jenkins submission evidence.

- 18.5 Expert evidence has been provided in support of the submission from the following:
- 18.5.1 Planning evidence from Richard Johnson, Aston Consultants.
 - 18.5.2 Geotechnical assessment from Mason Reed and also included is an earlier submission on the MAP by Fraser Thomas. This has been peer reviewed by Ian McMahon of Geotech Consulting Limited.
 - 18.5.3 Property demand assessment from Matt Collier, Property Brokers.
 - 18.5.4 Site contamination assessment from Sean Finnigan, Fraser Thomas. This has been peer reviewed by Rowan Freeman from Pattle Delamore Partners.
- 18.6 No transport assessment has been provided. For transport and servicing, the submitter relies on the notes of a meeting held with Council staff on 18th September 2020.
- 18.7 The MAP states that whilst the rezoning would provide greater housing choice for the community and the area is well-contained by Curve, Waimakariri Gorge and Waddington Roads, it is less suitable from an infrastructure servicing perspective. The land is also comprised of Class 2 versatile soils,

which are valued for their productive capacity. However, as the site is identified for future urban growth in the PDP, I consider that it is exempt from the application of the NPS-HPL under cl.3.5.7(b)(i).

- 18.8 The MAP envisages low density Living 2 zoning which equates to anything from between 5000m² – 2ha in the Operative District Plan. The submitter is proposing 1-2ha allotments which would yield approximately 13-26 residential units. I agree with the submitter that this is consistent with the direction in the MAP for ‘low density development’.
- 18.9 A rezoning request that seeks a new LLRZ will be assessed against the rural residential criteria. This criteria follows the Urban Growth policies, as altered by s42A Urban Growth recommendations, on rural residential activities and reflects the outcomes sought from the higher order strategic planning documents, including Appendix 1 of the Selwyn Rural Residential Strategy (2014).

Rural Residential Framework

- 18.10 The applicant has provided their own assessment of the proposal against the Rural Residential Framework. The below assessment comments on this where appropriate.

Criteria	Analysis
Is within the Rural Residential Strategy	The site is not within a rural residential strategy. However, this is only a requirement in Greater Christchurch. I agree with the submitter that the MAP provides for low density residential development within development area ‘WAD 1’ which is entirely within the submitter’s land.
How it integrates into or consolidates with an existing settlement.	I agree with the submitter’s assessment of how the site will integrate into Waddington. <i>The site is located on, and opposite the northeast edge of the SETZ zone in Waddington south. It adjoins rural open pasture on the eastern and northern boundary. The State Highway curves across and marks the northern boundary of the Site. Waddington School is close by the NW corner of the Site. Walking/cycling connections to the facilities and amenities of Waddington can be provided as part of the proposal from the subdivision road connecting to Waddington Road.</i> In addition, I consider that the proposal will be consistent with the character and amenity of the village and not lead to over-intensification, which was an issue raised in the MAP.
Access provided by a sealed road but not a strategic or arterial road	I note the submitter’s assessment of how access will be provided: <i>The subdivision road connects to Waimakariri Gorge and Waddington Roads which is fully formed and sealed to local rural road standards. No access to the State Highway is provided for in the ODP.</i> A paper road, Tramway Road, runs to the immediate south of the site boundary. The submitter is proposing to traverse this road and the water race and connect to the formed Waddington Road. Waddington Road additionally has a formed pedestrian walkway on the south side of the road. An access agreement will be required to cross Council land

Criteria	Analysis
	and formal vesting as a road, any part of the access to the site on Council land.
Does not affect the safe, efficient, and effective functioning of the strategic transport network?	The submitter does not include a transport assessment but estimates low traffic volumes generated from the 10-20 lots expected such that in their view, there will be minimal effects on the performance of the surrounding transport network. The submission has included notes from a meeting with Council staff held on 18 September 2020, prior to lodging the submission. There is to be no access via Curve Road or the State Highway. The ODP as lodged was accepted as a logical road layout and access across the water race was deemed to be feasible. I have discussed this with Andrew Mazey, Strategic Transport Lead, who was present at the meeting and he has confirmed he is satisfied that what has been submitted meets the outcomes agreed, particularly in terms of no access from Curve Road.
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 not located in these areas.
Does not locate noise sensitive activities within the 50 db Ldn Air Noise Contours.	The site is not located in this area.
The loss of highly productive land.	The entire site is located on Class 2 soils however, as discussed above, as the site is identified for future urban growth in the PDP, I consider that it is exempt from the application of the NPS-HPL under cl.3.5.
Achieves the built form and amenity values of the zone sought.	Development will be compatible with the underlying bulk and location standards of the zone sought, noting that the submitter is seeking a larger lot size than the minimum average site size for LLRZ.
Protects any heritage site and setting, and notable tree within the re-zoning area	No heritage sites or notable trees are within the site area.
Preserves the rural amenity at the interface through landscape, density, or other development controls	I agree with the submitter that appropriate landscaping and setbacks can be incorporated to provide a transition to the rural zone. The entire site is bound by roads, providing a containment buffer to the wider rural zone.
Does not significantly impact existing or anticipated adjoining rural, dairy processing, industrial, inland port, or knowledge zones	Aside from existing settlement, the neighbouring zone would be GRUZ. There are no intensive farming or mineral extraction activities shown as being in close proximity to the proposed rezoning. Setbacks and density required for LLRZ, coupled with the site boundary being contained by roads should minimise reverse sensitivity effects on the rural area.
Does not significantly impact the operation of important	A water race traverses the site. This is an important community resource for irrigation and stockwater drinking. The submitter notes

Criteria	Analysis
infrastructure, including strategic transport network	that appropriate setbacks from water races can be dealt with at the time of resource consent for subdivision. I agree with this sentiment however the water races should feature in the ODP as an obvious site constraint with an indication that there will be a buffer or setback.
How it aligns with existing or planned infrastructure, including public transport services, and connecting with water, wastewater, and stormwater networks where available	<p>There are no frequent scheduled public transport services in Waddington and it is unlikely this development is significant enough to increase this frequency.</p> <p>The submitter has included discussion with Council staff at a meeting on 18 September 2020 on three waters servicing. Mr England, who was present at the meeting, now notes the following:</p> <ul style="list-style-type: none"> - Water supply is limited in this area. Following an upgrade planned for completion over the next 12-24 months, one unit of water (1000 litres) could be supplied to each proposed section. Connection of the proposed rezoned land will need a 'ring main' to be provided with the existing network. - On-site wastewater would be required in this area as no reticulation is available. Resource consent will be required from CRC to prior to subdivision consent.
An ODP is prepared	A basic ODP is included in the submission which includes an indicative road layout.



Figure 18.4: Looking southwest near the junction of Curve Road and Waimakariri Gorge Road at the most north easterly point of the site. Source: Report author.



Figure 18.5: The water race adjacent to Waddington Road on the southwest portion of the site:
Source: Report author.

18.11 I discuss briefly expert evidence which is relatively uncontentious:

- 18.11.1 Mr Reed, in his evidence, states that the site is in general suitable for its intended use subject to recommendations made in the 13 August 2019 geotechnical report that he authored and provided the design and inspection of foundations are carried out as would be done in normal circumstances in accordance with the requirements of NZs 3604:2011 Timber Frame Buildings. Mr McCahon largely agrees with this assessment however he notes that the full assessment of natural hazards was not addressed. He does not consider it likely that other hazards would be present on the site given its location however recommend that this be confirmed by the submitter in writing or in answer to a question posed at the hearing.
- 18.11.2 Mr Finnigan, reviewing the potential for any site contamination, concludes that there are no potential contamination issues affecting the proposal and that the subject site was used predominantly for pasture and low intensity farming with no evidence of HAIL activity. Mr Freeman who peer reviewed the contaminated land evidence agreed with the conclusions reached.

18.12 Evidence from a real estate agent (Mr Collier) was included in the submission. This suggested that there was unmet demand for larger sections in the Sheffield/Waddington area and that there is nothing similar being offered to the market in this area. I accept the submitter's point that there are

a lack of larger sections (of a size considered to be rural residential) in the area and that, as per the MAP, the submitter's proposal will increase housing choice.

18.13 Overall, I recommend the submission point is accepted for the following reasons:

18.13.1 The proposal is consistent with overall direction in the CRPS, PDP and MAP.

18.13.2 It has been demonstrated that the site can be effectively serviced, subject to a programmed upgrade to the township drinking water supply, and that the effects on the local transport network can be managed. The exact details regarding access and movement can be further developed through the resource consent process.

18.13.3 Other effects, including geotechnical risk, potential contamination issues, reverse sensitivity and amenity/character have been assessed and I agree with the submitter's conclusion that the effects will be minor.

18.14 The above recommendation is subject to the ODP being amended to show a buffer zone from the water race, an upgrade to the water supply network being in place prior to subdivision being granted and confirmation there are no other natural hazards present on site.

Recommendation and amendments

18.15 I recommend, for the reasons given above, that the Hearings Panel, as set out in **Appendix 2**, amend the zoning at RS 40606, Lot 3 DP 20314 and Lot 4 DP 20314 from GRUZ to LLRZ and that an ODP is included in the PDP as a Development Area. This is subject to:

- a) Confirmation that no other natural hazards are present on site, as per Mr McCahon's advice above.
- b) That a water race buffer be indicated on the ODP, to ensure a setback is considered at the subdivision consent stage.
- c) Inserting a requirement into the ODP that no subdivision is allowed, where supply is proposed to be from the reticulated water network, until an upgrade is undertaken to the water supply network for the Sheffield/Waddington township.

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

18.17 The planning evidence of Richard Johnson ⁶⁴ is accompanied by a robust s32AA evaluation that concludes that the proposed rezoning to residential is the most appropriate way to achieve the objectives of the PDP and give effect to higher order planning documents. I therefore adopt the s32AA evaluation.

19. Conclusion

19.1 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.

⁶⁴ Evidence of Richard Johnson (Appendix 6) for Keith Jenkins.