

# Proposed Selwyn District Plan



## Section 42A Report

Report on submissions and further submissions

Rezoning: West Melton

Craig Friedel

18 January 2023

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## List of submitters and further submitters addressed in this report

| Submitter ID | Submitter Name  | Abbreviation             |
|--------------|---|--------------------------|
| DPR-0017     | Christina McLachlan   | C McLachlan              |
| DPR-0032     | Christchurch City Council                                       | CCC                      |
| DPR-0038     | Peter, Bonny, Scott & Corde Rhodes                              | P, B, S & C Rhodes       |
| DPR-0160     | West Melton Three Limited                                       | WMTL                     |
| DPR-0216     | Melanie England   | M England                |
| DPR-0223     | Keven James Smith   | K Smith                  |
| DPR-0231     | Graeme Curtis   | G Curtis                 |
| DPR-0243     | Roger Howard & Jillian Rosemary Marshall                        | R Howard & J Marshall    |
| DPR-0266     | Richard Graham  | R Graham                 |
| DPR-0284     | Zoran Rakovic   | Z Rakovic                |
| DPR-0335     | Ken & Pru Bowman  | K & P Bowman             |
| DPR-0347     | Richard Erskine & Trish Standfield                              | R Erskine & T Standfield |
| DPR-0375     | Waka Kotahi New Zealand Transport Agency                        | NZTA                     |
| DPR-0392     | CSI Property Limited  | CSI                      |
| DPR-0402     | Mark Brown  | M Brown                  |
| DPR-0411     | Hughes Developments Limited                                     | HDL                      |
| DPR-0418     | Russell Wilson, Philippa Joy Wilson, Robyn Wayne Wilson         | R, P, & R Wilson         |
| DPR-0443     | GW Wilfield Ltd   | GWWL                     |
| DPR-0446     | Transpower New Zealand Limited                                  | Transpower               |
| DPR-0454     | Central Plains Water Limited                                    | CPWL                     |
| DPR-0460     | West Melton Holdings Limited (previously Marama Te Wai Limited) | MWHL                     |
| DPR-0505     | Samantha Gifford-Moore  | S Gifford-Moore          |
| DPR-0518     | Susan and Philip Meares   | S & P Meares             |
| DPR-0534     | David King  | D King                   |
| DPR-0536     | Wayne McGeady   | W McGeady                |
| DPR-0537     | Stephen Lycett  | S Lycett                 |
| DPR-0546     | Roye and Doreen Daniel  | R & D Daniel             |
| DPR-0568     | Neil Milmine  | N Milmine                |
| DPR-0578     | Elene (Helen) Anderson  | E Anderson               |
| DPR-0593     | Andrew Taylor   | A Taylor                 |
| DPR-0594     | Andrew and Amanda Diehl   | A & A Diehl              |

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  |
|--------------------|--|
| CIAL               | Christchurch International Airport Limited   |
| CRPS               | Canterbury Regional Policy Statement 2013 (Updated 28 July 2021)   |
| DPR                | District Plan Review   |
| FUDA               | Future Urban Development Area  |
| ha                 | Hectares   |
| IMP                | Mahaanui Iwi Management Plan 2013  |
| IPI                | Intensification Planning Instrument  |
| LURP               | Land Use Recovery Plan 2013  |
| LUC                | Land Use Capability classification   |
| MDRS               | Medium Density Residential Standards   |
| MRZ                | Medium Density Residential Zone  |
| NES-CS             | National Environmental Standard for Assessment and Managing Contaminants in Soil to Protect Human Health   |
| NPS-HPL            | National Policy Statement on Highly Productive Land 2022   |
| NPS-UD             | National Policy Statement on Urban Development 2020  |
| ODP                | Outline Development Plan   |
| Our SPACE          | <i>Whakahāngai O Te Hōrapa Nohoanga</i> Our SPACE 2018-2048 Greater Christchurch Settlement Pattern Update |
| Planning Standards | National Planning Standards  |
| PDP                | Proposed Selwyn District Plan  |
| RMA or Act         | Resource Management Act 1991   |
| RMA-EHS            | Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021                         |
| RRS14              | Rural Residential Strategy 2014  |
| SDC                | Selwyn District Council  |
| SDP                | Operative Selwyn District Plan   |
| Selwyn 2031        | Selwyn 2031: District Development Strategy 2014  |
| SH73               | State Highway 73   |
| UDS                | Greater Christchurch Urban Development Strategy 2007   |
| UGO                | Urban Growth Overlay   |
| Variation 1        | Variation 1 (Intensification Planning Instrument) to the Proposed Selwyn District Plan                     |

## 1. Purpose of report

- 1.1 This report is prepared under s42A of the RMA in relation to submissions seeking to rezone land in the PDP. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on this topic and to make recommendations on either retaining the PDP provisions without amendment or making amendments to the PDP in response to those submissions.
- 1.2 In preparing this report I have had regard to the [s42A report on Strategic Directions](#) prepared by Mr Robert Love, including the [Right of Reply Report](#), the [Overview s42A report](#) that addresses the higher order statutory planning and legal context, also prepared by Mr Love; the [s42A report on Urban Growth](#) prepared by Mr Ben Baird, including the [Right of Reply Report](#); and the [Rezoning Framework s42A report](#) also prepared by Mr Baird (updated version dated 1 July 2022). The recommendations are informed by the expert peer reviews and evidence statements contained in **Appendix 3** and the evaluation I have undertaken as the planning author. The expert peer reviews, and evidence statements are introduced and evaluated against any evidence that has been provided in support of a rezoning request within the evaluation of each submission.
- 1.3 The conclusions reached and recommendations made in this report are not binding on the Hearing Panel. It should not be assumed that the Hearing Panel will reach the same conclusions having considered all the information in the submissions and the evidence to be brought before them by the submitters.

## 2. Qualifications and experience

- 2.1 My full name is Craig Robert Friedel. I work for Harrison Grierson as a Technical Lead – Planning, Associate. I am engaged by the Council as a consultant planner and have been assisting on this topic since August 2022. My qualifications include a Bachelor of Geography from the University of Canterbury and a Postgraduate Diploma in Environmental Policy and Planning and Master's in Environmental Policy and Management (Distinction) from Lincoln University. I have been a full member of the New Zealand Planning Institute since 2009.
- 2.1 I have 17 years' experience as a resource management planner, working for local authorities and a multi-disciplinary consultancy. I was previously employed by SDC as a Senior Strategy and Policy Planner between 2008 to 2018. During this time, I prepared structure plans, growth strategies, residential, rural residential and commercial zone changes to the SDP, processed private plan change requests and was involved in the initial phases of the DPR.
- 2.2 In my current role, I have assisted SDC with the initial preparation of the Urban Growth, Monitoring and Transport chapters in the PDP, processed resource consent applications and private plan change requests and prepared technical reports on urban growth-related issues. I presented evidence to the Hearing Panel on the Signage and Sites and Areas of Significance to Māori topics. I recently assisted with SDC's spatial planning works programme and am currently providing evidence on the Prebbleton rezoning requests.
- 2.3 I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014 and that I have complied with it when preparing this report. Having reviewed

the submitters and further submitters addressed in this s42A report I advise there are no conflicts of interest that would preclude 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 on the PDP received in relation to requests to rezone land in the West Melton area of Selwyn District, which includes properties within the township itself as well as the surrounding peri-urban area.
- 3.2 Recommendations are made to either retain provisions without amendment, or amend the provisions, including any changes to the Planning Maps. All recommended amendments are shown in **Appendix 2** to this Report. Footnoted references to a submitter number, submission point and the abbreviation for their title provide the scope for each recommended change. Where no amendments are recommended to a provision, submission points that sought the retention of the provision without amendment are not footnoted. **Appendix 2** also contains a table setting out any recommended spatial amendments to the PDP Planning Maps.
- 3.3 This report groups and evaluates the submissions based on the type of rezoning being sought. This results in the submissions that are seeking multiple rezonings for the same property being evaluated in more than one section. While this duplicates some material, it ensures that the relief being sought is evaluated against the correct rezoning framework and criteria.

### 4. Statutory requirements and planning framework

#### ***Resource Management Act 1991***

- 4.1 The PDP must be prepared in accordance with the Council's functions under section 31 of the RMA; Part 2 of the RMA; the requirements of sections 74, 75 and 77G, and its obligation to prepare, and have particular regard to (among other things) an evaluation report under sections 32 and 77J and any further evaluation required by section 32AA. The PDP must give effect to any national policy statement, the New Zealand Coastal Policy Statement, a national planning standard and the CRPS and must not be inconsistent with a water conservation order or a relevant regional plan. Regard is also to be given to the extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities and it must take into account the IMP.
- 4.2 It is noted that all recommended amendments to provisions since the initial section 32 evaluation was undertaken must be documented in a subsequent section 32AA evaluation and this has been undertaken for each sub-topic addressed in this report.

#### ***Planning context***

- 4.3 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.

- 4.4 As set out in Mr Baird’s report<sup>1</sup>, 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 unless otherwise stated, I agree with his assessment.
- 4.5 In addition, SDC has notified Variation 1 to the PDP, which is the Council’s Intensification Planning Instrument (IPI) prepared in response to the RMA-EHS. The IPI is to be processed in accordance with the Intensification Streamlined Planning Process (ISPP), alongside the completion of the PDP hearings process. As outlined in the supporting [Section 32 evaluation](#), the purpose of the RMA-EHS is to enable greater housing choice within five of the largest urban environments in New Zealand, including Selwyn district.
- 4.6 This is to be achieved through the introduction of mandatory MDRS within a new MRZ in Rolleston, Lincoln and Prebbleton townships. The MDRS allows for the establishment of up to three residential units, each up to three storeys high (11 metres) on most sites without the need for a resource consent. Exemptions apply based on identified qualifying matters, such as heritage areas and protecting nationally significant infrastructure, but it is otherwise mandatory to apply MDRS to relevant residential zones.
- 4.7 Variation 1 to the PDP introduces a new MRZ on the following land:
- All the existing General Residential zones in Rolleston, Lincoln and Prebbleton.
  - Land covered by the following Council-approved private plan changes (PC) to the Operative District Plan: PC68 and PC72 in Prebbleton, PC69 in Lincoln and PC71, PC75, PC76 and PC78 in Rolleston. It is noted that the land covered by PC73 in Rolleston is not included in the variation to the PDP but is subject to a variation to the private plan change.
  - The Housing Accords and Special Housing Area (HASHA) and COVID-19 Recovery (Fast-track Consenting) areas in Rolleston; and
  - 47 ha of rural land (on six different sites) within the Future Development Area (FUDA) that are in between existing residential and private plan change areas in Rolleston.
- 4.8 The MRZ has immediate legal effect from the date of notification of Variation 1 (20 August 2022) where it applies to existing relevant residential zones within these townships. Where new MRZ land is proposed to be rezoned through the variation, the proposed MRZ does not have legal effect.
- 4.9 West Melton did not qualify for inclusion in Variation 1 because the township has a current resident population below 5,000. It was also determined that applying the MRZ to the township would “constitute poor planning practice” due to existing low density built and zoned environment, its distance to Christchurch City, and its lack of employment, amenities, and access to public transport<sup>2</sup>.
- 4.10 In addition to the RMA-EHS, the NPS-HPL came into force on 17 October 2022 to provide national direction on how highly productive land is protected from inappropriate subdivision and

<sup>1</sup> Paragraph 1.1, Rezoning Framework Report

<sup>2</sup> Refer to the discussion on Page 7 and 8 - [Variation 1 Section 32 Report \(selwyn.govt.nz\)](#).

development<sup>3</sup>. It has immediate legal effect and applies to land identified as LUC Class 1, 2 or 3, as mapped by the New Zealand Land Resource Inventory (or any more detailed mapping that uses the LUC classification). This applies until maps containing the highly productive land of the Canterbury Region are prepared under Implementation clause 3.5(1). The NPS-HPL is specifically relevant to 'urban rezoning', which is defined as a change from a GRUZ to an 'urban zone' that is inclusive of the GRZ and LLRZ<sup>4</sup>. Implementation clause 3.5(7) identifies that the NPS-HPL applies to all GRUZ land that has a LUC Class 1, 2 and 3 and is not subject to an UGO in the PDP or subject to a Council initiated, or adopted, plan change to rezone the land from GRUZ to a GRZ, LLDZ, or LLRZ.

- 4.11 The NPS-HPL objective requires that highly productive land be protected for use in land-based primary production. These outcomes are supported by policies that recognise highly productive land as a finite resource that needs to be managed in an integrated way (Policy 2). The urban rezoning<sup>5</sup> of highly productive land (Policy 5), its use for rural lifestyle living<sup>6</sup> (Policy 6) and subdivision (Policy 7) are required to be avoided except as provided in the NPS-HPL. NPS-HPL Implementation clause 3.6 requires that Tier 1 and 2 territorial authorities can only allow the urban rezoning of highly productive land where it is required to meet housing demand (under the NPS-UD), there are no other reasonably practicable or feasible options to achieve a well-functioning urban environment and the benefits outweigh the costs associated with the loss of highly productive land. Implementation clause 3.7 requires territorial authorities to avoid the rezoning of highly productive land as rural lifestyle, except where the exemptions in Implementation clause 3.10 are satisfied.
- 4.12 As outlined in the Formative Limited (refer to **Appendix 3**) expert economic review there is a tension between the NPS-HPL and the NPS-UD. The NPS-UD requires local authorities to *"...at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term"*.<sup>7</sup> As the direction is to provide *"...at least sufficient development capacity"* the NPS-UD effectively requires a minimum amount of housing development capacity.
- 4.13 There is no maximum identified as oversupply is not seen as an issue. In contrast, the NPS-HPL requires that urban rezoning should only occur if it *"...is required to provide sufficient development capacity to meet demand for housing or business land to give effect to the National Policy Statement on Urban Development 2020..."*<sup>8</sup>. This implies that where urban rezonings are being considered the loss of highly productive land cannot be significantly more than the minimum that is required to satisfy identified housing demand. It also means that other reasonable and feasible options for providing the required development capacity need to be evaluated and an assessment completed to establish whether the benefits in enabling additional capacity outweigh the long-term costs in the loss of highly productive land.

<sup>3</sup> [National Policy Statement For Highly Productive Land 2022 \(environment.govt.nz\)](https://environment.govt.nz/national-policy-statement-for-highly-productive-land-2022/)

<sup>4</sup> NPS-HPL – Part 1: Preliminary provisions, 1.3 Interpretation - 'Urban rezoning'

<sup>5</sup> NPS-HPL – 1.3 Interpretation, **Urban rezoning** means changing from the general rural or rural production zone to an urban zone.

<sup>6</sup> Refer to the Rural Lifestyle Zone (RLZ) in the National Planning Standards 2019, 8. Zone Framework Standard, Table 13 Pg.37.

<sup>7</sup> NPS-UD Policy 2

<sup>8</sup> NPS-HPL, Section 3.6(1)



- 4.14 Most of the land within West Melton and the surrounding peri-urban and rural areas of the township are subject to LUC Class 2 or 3 soils, as illustrated in **Figure 1** below and identified in the following evaluation.

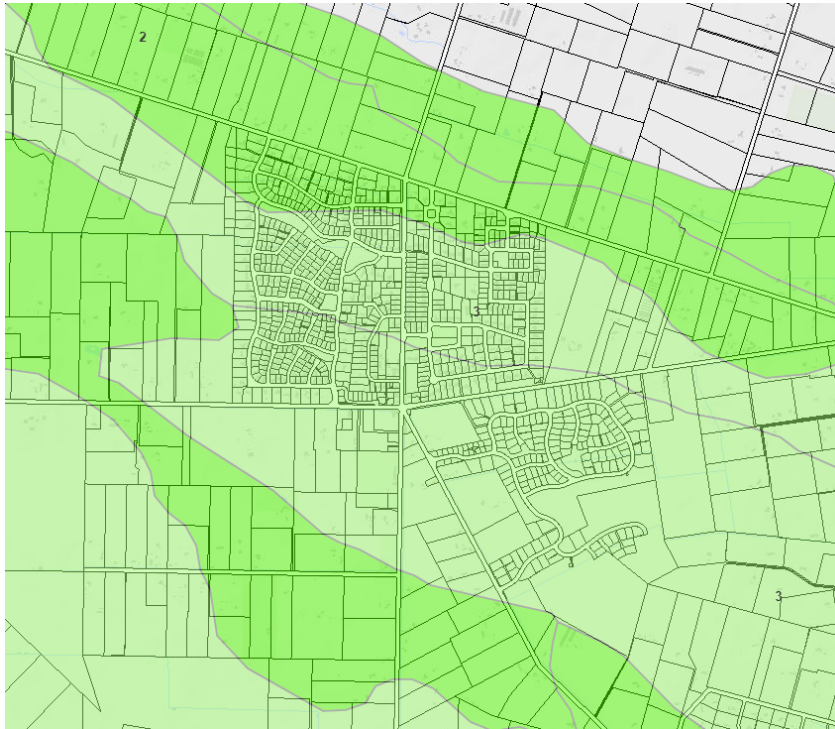


Figure 1: LUC Class 1, 2 and 3 soils. Source: Canterbury Maps<sup>9</sup>

## 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 In accordance with Minute 19 of the Hearings Panel, all submitters requesting rezoning were requested to provide their expert evidence for the rezoning hearings, including a s32AA evaluation report, by 5 August 2022. Further submitters supporting or opposing any rezoning request were similarly requested to file their expert evidence by 2 September 2022.
- 5.3 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 has not have been considered 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 I have identified several instances where the submitter evidence has amended the scope of the relief sought in the original submission may limit the ability for interested parties to effectively participate in the process.

<sup>9</sup> [Canterbury Maps Viewer](#)

- 5.5 Correspondence received from the representatives of DPR-0418.001 R, P, & R Wilson indicated that additional expert evidence is to be submitted and that the site has been extended to include 1183 and 1185 West Coast Road (SH73). This evidence has not been received to date and I consider that the inclusion of this additional land is beyond the scope of the original submission for the reasons outlined in the following sections of this report.
- 5.6 The submitter evidence in support of the submission from DPR-0460 MWHL seeks to amend the scope of the original submission following a change in land ownership from Marama Te Wai Limited to West Melton Holdings Limited. It also seeks to align the submission scope with amendments made to PC77. I consider that the reduced site area and the removal of the relief seeking a LLRZ-SCA RD2 are within scope. However, the relief seeking an update to requirement GRZ-REQ3 following the close of further submissions presents a procedural issue in respect to public participation and coordinating the Residential Chapter hearing. I therefore consider that this relief is beyond the scope of the original submission and should be rejected for the reasons outlined in the following sections of this report.
- 5.7 Submission points addressed in this report are not affected by the Council's Intensification Planning Instrument (IPI) as notified, which is currently being progressed through a streamlined planning process.

## 6. Consideration of submissions

### *Matters addressed in this report*

- 6.1 This report considers submissions that were received by the Council in relation to the zoning of land in the West Melton 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 a submission, unless a new zone and/or set of provisions is proposed as part of the rezoning request.

### *Overview of the West Melton area*

- 6.2 West Melton is one of the oldest settlements on the Canterbury Plains, having been established in 1863<sup>10</sup>. The township is well placed on the strategic road network between Christchurch and the West Coast, being relatively close to Rolleston that is 9.5km to the south. West Melton is located approximately 16km west of State Highway 1 at Yaldhurst and 27km west of central Christchurch City. West Melton is identified as a 'Service Township' in Selwyn 2031<sup>11</sup> that are characterised by a resident population base of between 1,500 to 6,000. The functions of a Service Township include maintaining a high amenity residential environment and providing primary services to Rural Townships and surrounding rural areas.

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<sup>10</sup> <https://westmelton.org.nz>

<sup>11</sup> [Selwyn 2031 \(selwyn.govt.nz\)](https://www.selwyn.govt.nz)



Figure 2: Map of the West Melton area. Source: Canterbury Maps

- 6.3 The proportionality high population growth in the township over the past ten years has been the catalyst for improved services, including the establishment of the West Melton Village Shopping Centre, West Melton Community and Recreation Centre, Domain improvements and water and wastewater network upgrades. NZTA have also initiated improvements to the intersection of West Coast Road (SH73) with West Melton Road and Weedons Ross Road<sup>12</sup>.
- 6.4 West Melton is unique in that the strategic management of residential and business growth has not been guided by a Council initiated Township Structure Plan or Area Plan. Relatively significant residential ‘greenfield’ subdivision and the development of the town centre has occurred despite the absence of a spatial plan, which has been facilitated by the Schedule 1 Part 2 initiated private plan change request rezonings listed in **Table 1** below.

| Plan change reference                                     | Description   |
|---|---|
| PC03 Gillman Wheelans Limited (Preston Downs subdivision) | 85ha of Living 1, Living 1 (Deferred) and Living 2 (Deferred) zoned land to a Living (West Melton) Zone to enable between 240 to 250 residential – SDP Appendix E20A Living West Melton (North) ODP |

<sup>12</sup> [SH73 West Melton intersection improvements project update – November 2021 \(nzta.govt.nz\)](https://www.nzta.govt.nz/projects-and-programs/road-projects/sh73-west-melton-intersection-improvements-project-update-november-2021/)

| Plan change reference                                       | Description   |
|---|---|
| PC30 R D & J R Butt – (West Melton Village shopping Centre) | 0.833ha of Living 1 zoned land to a Business 1 Zone to enable a commercial and retail centre with a combined maximum gross floor area of 3,000m <sup>2</sup> .                          |
| PC59 GW Wilfield Limited (Wilfield subdivision)             | 73.5ha of Living 2 and Living 2A zoned land in West Melton to Living WM South to enable 70 additional residential lots – SDP Appendix E20 Living West Melton (South) ODP.               |
| PC67 GW Wilfield Limited (Wilfield subdivision)             | 33ha of Rural (Inner Plains) Zone to a Living West Melton (South) Zone of to enable 131 residential lots in the Wilfield subdivision – SDP Appendix E20 Living West Melton (South) OPD. |

**Table 1: Operative District Plan Changes in West Melton**

- 6.5 The subdivision of this additional residential ‘greenfield’ land enabled by these rezonings has seen the population increase from 820 residents (282 households) in 2013<sup>13</sup> to an estimated 2,581 residents (885 households) in 2022<sup>14</sup>.
- 6.6 An enquiry by design exercise undertaken as part of the UDS<sup>15</sup> in 2007 identified that West Melton would accommodate some growth as a component part of the total Selwyn district allocation of 11,900 new households by 2041 at housing densities of 10hh/ha. The initial township comprised the Living 1 and Living 1B (Gainsborough subdivision) Zones. These subdivisions, coupled with the privately initiated rezonings listed in Table 1, represent West Melton’s ‘Existing Urban Area’ in Chapter 6 Map A of the CRPS. There are no ‘Greenfield Priority Areas’ or ‘Future Development Areas’ allocated to West Melton in Map A, which reflects the position reached in the Our SPACE future development strategy and settlement pattern review<sup>16</sup>.
- 6.7 The SDP Growth of Township policies include a preferred growth option for the township, which recognises that substantial expansion is expected and that the focal point for this is either side of Weedons Ross Road and north of West Coast Road (SH73) but not extending north to Halkett Road<sup>17</sup>. The focus of the residential and business growth is north of West Coast Road (SH73) and south of Halkett Road, with only limited low -density residential development anticipated south of West Coast Road (SH73)<sup>18</sup>. The SDP promotes a consolidated pattern of urban growth and the maintenance of the lower residential density of the existing village. The wastewater capacity constraint identified in the Growth of Township policies has been resolved through the establishment of the East Selwyn Sewer Scheme<sup>19</sup>.
- 6.8 The urban form of West Melton is also influenced by some rural residential allocation enabled through Council’s RRS14<sup>20</sup>. The RRS14 identifies a single rural residential location (Area 3) that applies to two rural properties, which are located in between the Living West Melton (South) Zone

<sup>13</sup> SDC population statistics

<sup>14</sup> [LTP-2021-Projections.pdf \(selwyn.govt.nz\)](#)

<sup>15</sup> [Greater Christchurch Urban Development Strategy 2007 \(greaterchristchurch.org.nz\)](#).

<sup>16</sup> [Our SPACE 2018-2048 \(greaterchristchurch.org.nz\)](#).

<sup>17</sup> Township Volume Part C B4 Growth of Townships, West Melton Preferred Growth Option.

<sup>18</sup> Township Volume, Part C B4 Growth of Townships, Policy B4.3.97.

<sup>19</sup> Township Volume, Part C B4 Growth of Townships objectives and policies, including township specific Policies B4.3.97, B4.3.98, B4.3.100 and B4.101.

<sup>20</sup> [Rural Residential Strategy 2014 \(selwyn.govt.nz\)](#).



that applies to the Wilfield subdivision along Weedons Ross Road. Private plan change requests to rezone these properties from Rural (Inner Plains) to a Living 3 Zone have not been initiated under Schedule 1 Part 2 initiated process of the RMA.

- 6.9 The 'rural residential location' is identified in the UGO of the PDP. The RRS14 identifies the desired urban form for the township, which is illustrated in **Figure 3** below. This urban form constraints and opportunities analysis was informed by the CRPS Chapter 6 'residential greenfield priority areas' in Map A, and the SDP Growth of Township objectives and policies. It also incorporates the additional rural residential opportunities and constraints analysis that informed the decision-making process for the RRS14 undertaken in response to the LURP actions<sup>21</sup>.

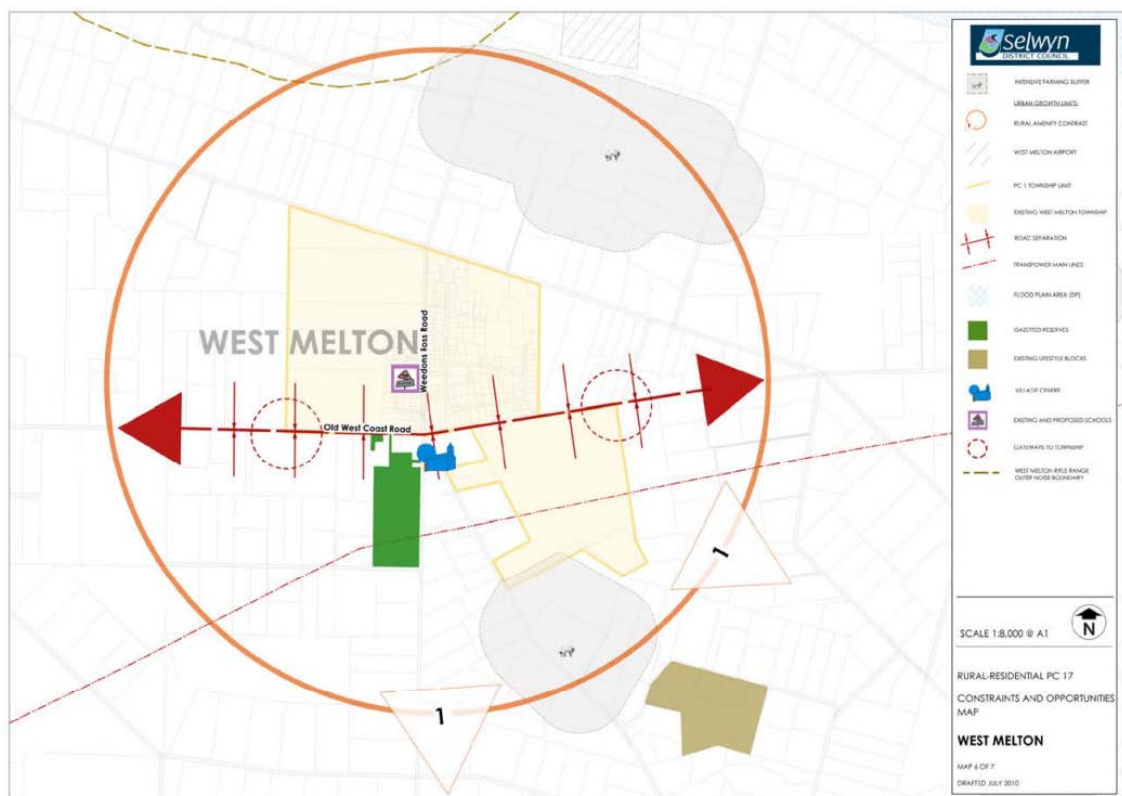


Figure 3: West Melton constraints and opportunities. Source: RRS14, Appendix 2: Study Area Maps, Pg.100.

- 6.10 Three private plan change requests initiated under the RMA Schedule 1 Part 2 (PC67, PC74 and PC77) have sought to rezone rural land for residential purposes on the periphery of West Melton to increase the residential capacity of the township (refer to **Figure 4** below).
- 6.11 PC67 has been considered and changes to the SDP were notified and made Operative on 18 May 2022<sup>22</sup>. PC74 applies to two rural land holdings on the eastern boundary of the Gainsborough subdivision<sup>23</sup>. The request has been accepted for processing, notified, submissions have been publicly notified, the date for lodging further submissions has closed and a hearing tentatively scheduled for the last week in March 2023. PC77 applies to land on the western boundary of the Preston Downs subdivision<sup>24</sup>. The plan change proponent has responded to a request for

<sup>21</sup> [SDC SDP Schedule of Amendments LURP 18vii.docx](#)

<sup>22</sup> [Private plan change request 67: Rezone approx. 33 ha in West Melton.](#)

<sup>23</sup> [Private plan change request 74: Rezone approx. 20 ha in West Melton.](#)

<sup>24</sup> [Private plan change request 77: Rezone approx. 12.5 ha in West Melton.](#)

further information that reduced the land that is subject to the request from 50 ha to 12.5 ha in area. The request is now subject to a decision on how to proceed under clause 25 of Schedule 1 Part 2.



*Figure 4: West Melton Private Plan Change requests. Source: SDC Current plan change requests*

## 7. Support for retaining the GRUZ as notified in West Melton

### **Submissions**

7.1 One submission point and five further submissions were received in relation to this subtopic.

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested  |
|--------------|----------------|------------------|-----------------|---|
| DPR-0017     | C McLachlan    | 001              | Support         | No further rural land is rezoned to residential or be able to be subdivided smaller than 4ha in the West Melton area.   |
| DPR-0537     | S Lycett       | FS013            | Support         | To keep the current urban/rural boundary in place and retain the provision that does not allow any further rezoning of land less than 4 hectares. Allow in full.                        |
| DPR-0460     | MWHL           | FS004            | Oppose          | Develop land that is not suited to agriculture, enforce the RMA and take a forward-thinking approach to traffic, noise, GHG emissions and sustainability by embracing new technologies. |
| DPR-0454     | CPWL           | FS001            | Support         | Allow in full.  |
| DPR-0375     | NZTA           | FS242            | Support in part | Further consideration is given to the submission prior to determining whether an increased density is appropriate.  |
| DPR-0546     | R & D Daniel   | FS001            | Support in part | Allow in full.  |

### **Analysis**

7.2 C McLachlan<sup>25</sup> supports retaining the GRUZ that the PDP applies to the peri-urban area of West Melton to maintain the rural zoning around West Melton as it relates to the land in **Figure 5**. No submitter evidence has been provided in support of this submission point. Evidence has been provided in support of the further submission from NZTA<sup>26</sup>.

<sup>25</sup> DPR-0017.001 C McLachlan

<sup>26</sup> DPR-0375 FS242 NZTA



- <sup>27</sup> Strategic partners generally covers the members of the Greater Christchurch Partnership who have been working collaboratively since 2007 to manage residential and business ‘greenfield’ growth of the sub-region.
- <sup>28</sup> Service providers generally covers SDC as well network utility providers, Christchurch International Airport and agencies such as Transpower and NZTA.
- <sup>29</sup> DPR-0017.001 C McLachlan



### Recommendation

- 7.6 I recommend, for the reasons given above, that the Hearings Panel retain the GRUZ as notified except where the amendments in **Appendix 2** recommend accepting the relief sought by other submitters.
- 7.7 It is recommended that the submission and further submissions are rejected, rejected in part, and accepted as shown in **Appendix 1**.

## 8. Support for retaining the GRZ or LLRZ as notified in West Melton

- 8.1 Two submission points and a further submission were received in relation to this subtopic, which are evaluated in separate sections below.

### Submissions

| Submitter ID | Submitter Name        | Submission Point | Position        | Decision Requested   |
|--------------|-----------------------|------------------|-----------------|--|
| DPR-0284     | Z Rakovic             | 001              | Support         | Retain as notified the proposed residential zoning at West Melton, south of State Highway 73.  |
| DPR-0443     | GWWL                  | 001              | Support         | Retain the GRZ zoning at Wilfield development, West Melton.  |
| DPR-0243     | R Howard & J Marshall | FS001            | Support in part | Accept submission in part subject to amendments to the rezoning sought, including ODP, to ensure integration with GRZ development of our land. |

### Analysis

- 8.2 Z Rakovic<sup>30</sup> supports retaining the GRZ on the land in **Figure 6** as the LLRZ provides an appropriate transition in densities. No expert evidence has been provided in support of the submission.

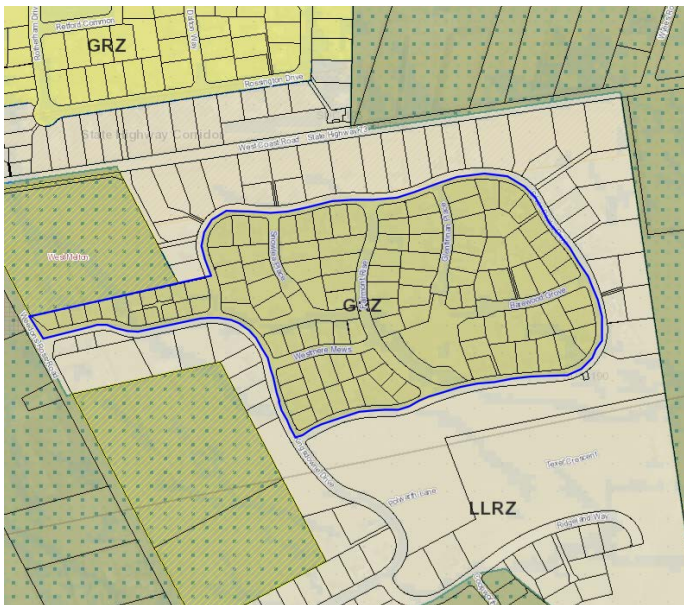


Figure 6: PDP map of the GRZ on the southern side of SH73 that the submitter requests is retained.

<sup>30</sup> DPR-0284.001 Z Rakovic

- 8.3 GWWL<sup>31</sup> support retaining the GRZ that the PDP applies to the land in **Figure 6**, which they consider is consistent with the Living West Melton (South) Zone that was formalised through the PC59<sup>32</sup> RMA Schedule 1 process. No expert evidence has been provided in support of this aspect of the submission.
- 8.4 There are no frameworks for evaluating the appropriateness of retaining a proposed GRZ in the Rezoning Framework Report. The GRZ and LLRZ that have been applied to the Wilfield subdivision are a rollover of the Living West Melton (South) Zone in the SDP and the ODP in **Figure 7**, which were in turn formalised through PC59 to the SDP. Consequently, the zoning pattern has been subject to a Schedule 1 Part 2 initiated process under the RMA that has determined the appropriateness of the densities contained in the SDP ODP.

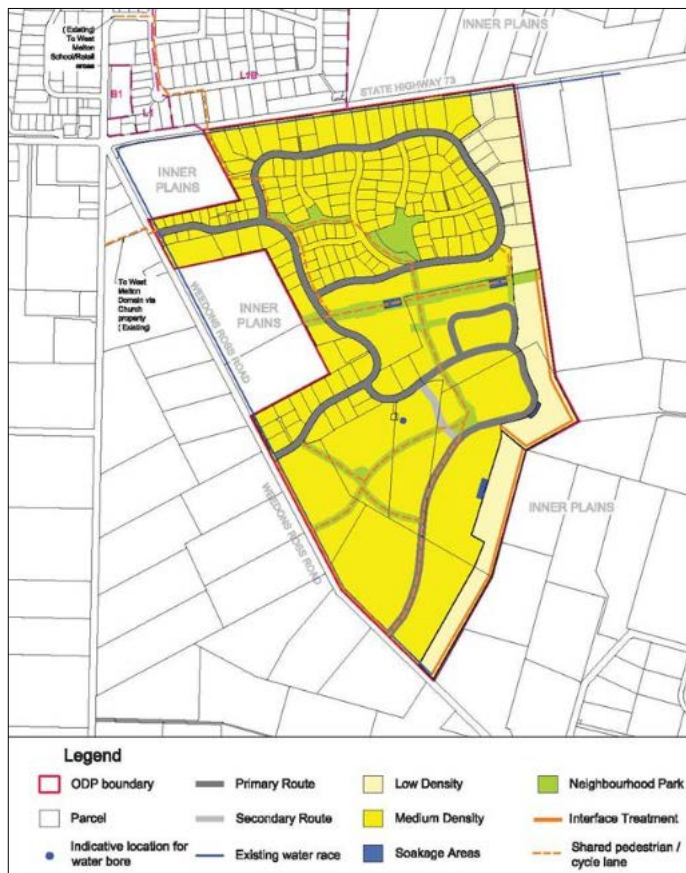


Figure 7: PC59 ODP indicated the density distribution across the Wilfield subdivision.

- 8.5 I support the relief being sought by the submitters and agree that the GRZ that has been applied to the portion of the Wilfield subdivision in **Figure 7** should be retained as notified.
- 8.6 On the basis of the above assessment, I recommend that the submission points<sup>33</sup> are accepted, for the following reasons:

<sup>31</sup> DPR-0443.001 GWWL

<sup>32</sup> [Plan change request 59](#).

<sup>33</sup> DPR-0284.001 Z Rakovic and DPR-0443.001 GWWL

- 8.6.1 The GRZ as it applies to the Wilfield subdivision should be retained as notified as it is consistent with the SDP Living West Melton (South) Zone, which was established through PC59.

### **Recommendation**

- 8.7 I recommend, for the reasons given above, that the Hearings Panel retain the GRZ as notified, except where the amendments in **Appendix 2** recommend accepting the relief sought by other submitters.
- 8.8 It is recommended that the submissions and further submission are accepted and accepted in part as shown in **Appendix 1**.

## **9. Requests in West Melton to rezone LLRZ to GRZ**

- 9.1 Nine submission points and 19 further submissions were received in relation to this subtopic, which are evaluated below.
- 9.2 The number of submissions seeking to rezone the LLRZ to GRZ across a large portion of West Melton illustrates a high level of interest in the PDP rezoning pattern that has been applied to the town. The following is a summary of the proposed zoning pattern context, the rationale that I understand was applied to carry over the SDP residential zones and the complexity in applying the available National Planning Standards land use zones to established neighbourhoods in West Melton.
- 9.3 As identified in the [Rezoning Framework s42A report](#) and Section 6 of this report, the growth and residential zoning pattern of West Melton has been driven by private plan change requests, which has created a relatively low-density character and amenity when compared to other larger townships within the Greater Christchurch area of the district. The subsequent subdivision and land development activities have been guided by the SDP and the mechanisms contained within it<sup>34</sup> to achieve a consolidated and concentric urban form.
- 9.4 The resulting zoning pattern has been reflected in the distribution of the LLRZ and GRZ across the township that generally correspond with the underlying densities within the zoning framework provided under the National Planning Standards. Table 2 below lists the residential zoning and the subdivision standards that apply to West Melton under the SDP and the PDP.

| District Plan reference  | Relevant subdivision standard   |
|--|---|
| <b>SDP Township Volume Part C12 Living Zone Subdivision<sup>35</sup></b> |   |
| Living 1   | <ul style="list-style-type: none"> <li>Minimum average allotment size not less than 1,000m<sup>2</sup></li> </ul>                   |
| Living West Melton (North) – Medium Density                              | <ul style="list-style-type: none"> <li>Minimum lot area of 500m<sup>2</sup> and maximum lot area of 3000m<sup>2</sup></li> </ul>    |
| Living West Melton (North) – Low Density                                 | <ul style="list-style-type: none"> <li>Minimum lot area of 3,000m<sup>2</sup> and maximum lot area of 5,000m<sup>2</sup></li> </ul> |

<sup>34</sup> For example, density controls, subdivision standards and ODPs.

<sup>35</sup> Including compliance with the operative ODP in Appendix 20 and 20A and other township specific requirements listed in Rules 12.1.3.55 to 12.1.3.57.

|  |  |
|--|--|
| Living West Melton (North) – Medium Density  | <ul style="list-style-type: none"> <li>Minimum lot area of 500m<sup>2</sup> and maximum lot area of 3,000m<sup>2</sup></li> </ul>                        |
| Living West Melton (South) Medium Density  | <ul style="list-style-type: none"> <li>Minimum lot area of 3,000m<sup>2</sup> and maximum lot area of 5,000m<sup>2</sup></li> </ul>                      |
| Living 1B <sup>36</sup>  | <ul style="list-style-type: none"> <li>Minimum average allotment size not less than 2,800m<sup>2</sup></li> </ul>  |
| <b>PDP Part 2 - District Wide Matters, Subdivision, SUB – Subdivision<sup>37</sup></b> |  |
| PDP GRZ <sup>38</sup>  | <ul style="list-style-type: none"> <li>Minimum average net site area - 650m<sup>2</sup></li> <li>Minimum net site area – 500m<sup>2</sup></li> </ul>     |
| PDP LLRZ <sup>39</sup>   | <ul style="list-style-type: none"> <li>Minimum average net site area – 5,000m<sup>2</sup></li> <li>Minimum net site area – 3,000m<sup>2</sup></li> </ul> |
| <b>Table 2: SDP and PDP subdivision standards that apply to West Melton</b>            |  |

9.5 I understand that the analysis to determine what residential zones have been applied in the PDP Planning Maps included <sup>40</sup>:

- GIS based spatial analysis of the lot sizes and road frontage widths.
- Site based character assessments, reviewing street amenity, roading configuration, dwelling location, and road frontage widths.
- District Plan Committee workshops.

9.6 In principle, I consider that the rationale for determining the PDP zoning pattern for West Melton is appropriate in the context of how the township has developed in the past ten years and in the absence of a township structure plan. However, the submissions highlight the difficulties in applying the prescriptive National Planning Standard zoning framework<sup>41</sup> to townships with the amenity and low densities that characterise West Melton, where growth has been in response to market demand rather than a strategic long-term vision expressed through an adopted development plan.

9.7 An outcome of the positive growth and desire from people to live in West Melton, particularly following the Canterbury Earthquakes, has been the extent of infill development that is occurring across the lower density areas of the Preston Downs (SDP Living WM North) and Gainsborough (SDP Living 1B) subdivisions<sup>42</sup>.

<sup>36</sup> Subdivision is required to comply with the ODP in Appendix 20 (Rule 12.1.3.55) and Subdivision Table C12.1 – Allotment sizes.

<sup>37</sup> Subdivision is required to satisfy requirement SUB-REQ3 Outline Development Plan and the ODPs in Part 3 – Area Specific Matters – Development Areas

<sup>38</sup> SUB – Subdivision, SUB-REQ1 Site Area, SUB-TABLE 1 – Minimum average net site area, Residential Zones and SUB-TABLE 2 - SUB-TABLE2 – Minimum net site area, Residential Zone.

<sup>39</sup> SUB-REQ1 Site Area, SUB-TABLE 1 – Minimum average net site area, Residential Zones and SUB-TABLE 2 - SUB-TABLE2 – Minimum net site area, Residential Zone.

<sup>40</sup> [Section 32 Report - Residential Zones \(selwyn.govt.nz\)](#) including Section 2.2 Regulatory and policy direction (page 6), Section 5.3 (pages 24 to 26).

<sup>41</sup> Section 8. Zone Framework Standard, Table 13 of the NPS lists the Zone names and descriptions and includes the option to apply the following residential zones: Large Lot Residential Zone, Low-Density Residential Zone, General Residential Zone, Medium Density Residential zone, and High-Density Residential Zone and Settlement Zone.

<sup>42</sup> Advice from Council indicates that there have been ten subdivisions granted within the Preston Downs to subdivide 11 properties to create 32 sections ranging between 902m<sup>2</sup> and 6,135m<sup>2</sup> in size. Council had received three additional applications for the infill subdivision of three properties to create eight sections ranging between 842m<sup>2</sup> to 2,093m<sup>2</sup> in size at the beginning of October 2022. Similar levels of

- 9.8 This trend is an indication that infill subdivision is occurring to respond to landowner and markets needs and that it is not compromising existing amenity, built form, infrastructure servicing capacity or the safe and efficient operation of the transport network.
- 9.9 The above context is the basis on which the submissions seeking the existing LLRZ to be rezoned to GRZ are evaluated.

### ***Submissions***

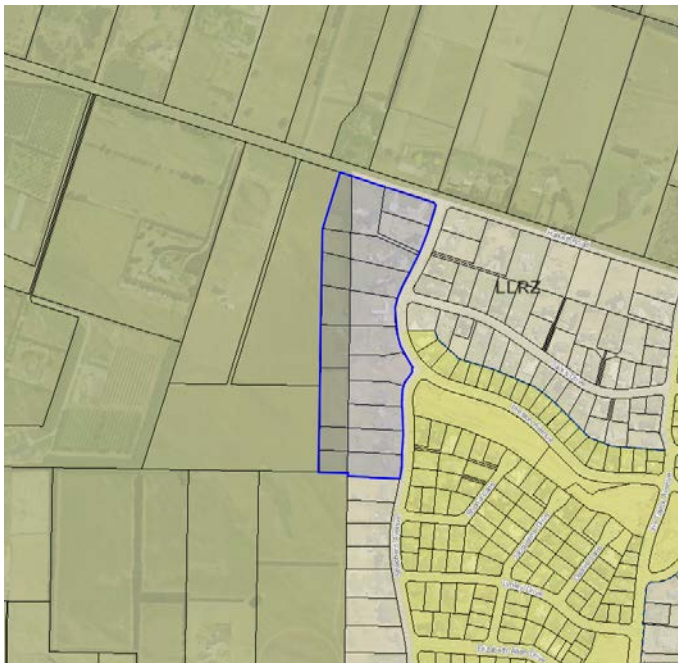
| Submitter ID | Submitter Name           | Submission Point | Position       | Decision Requested   |
|--------------|--------------------------|------------------|----------------|--|
| DPR-0216     | M England                | 001              | Oppose in part | Amend zoning of 71 Preston Ave (Lot 202 Deposited Plan 453222 and Lot 8 DP 525046) in its entirety to General Residential Zone (GRZ) or Large Lot Residential Zone (LLRZ).   |
| DPR-0223     | K Smith                  | FS001            | Support        | <i>Allow their point - extend the urban boundary and rezone the rural portion of these properties to LLRZ.</i>   |
| DPR-0223     | K Smith                  | 001              | Oppose         | Amend zoning of 75 Preston Ave (Lot 245 DP 456695 and Lot 7 DP 525046) in its entirety to General Residential Zone (GRZ) or Large Residential Zone (LLRZ); and all those properties with split zoning on the map attached to the submission. |
| DPR-0216     | M England                | FS001            | Support        | <i>Allow their point - extend the urban boundary and rezone the rural portion of these properties to GRZ or LLRZ.</i>  |
| DPR-0231     | G Curtis                 | 001              | Oppose in part | Amend zoning of 87 Preston Ave (Lot 248 DP456695 and Lot 4 and Lot 5) in its entirety to General Residential Zone (GRZ) or Large Residential Zone (LLRZ); and all those properties with split zoning on the map attached to the submission.  |
| DPR-0223     | K Smith                  | FS002            | Support        | <i>Allow their point - extend the urban boundary and rezone the rural portion of these properties to GRZ or LLRZ.</i>  |
| DPR0216      | M England                | FS002            | Support        | <i>Allow their point - extend the urban boundary and rezone the rural portion of these properties to GRZ or LLRZ.</i>  |
| DPR-0347     | R Erskine & T Standfield | 001              | Oppose in part | Rezone the properties bordered red on the figure attached to the submission to LLRZ.   |
| DPR-0216     | M England                | FS003            | Support        | <i>Allow their point - extend the urban boundary and rezone the rural portion of these properties to GRZ or LLRZ.</i>  |
| DPR-0223     | K Smith                  | FS003            | Support        | <i>Allow their point - extend the urban boundary and rezone the rural portion of these properties to GRZ or LLRZ.</i>  |
| DPR-0578     | E Anderson               | FS018            | Oppose         | <i>Submission point to be disallowed in full. Should SDC choose to approve this submission either in full or part, then requests that 16 Shepherd Ave to be excluded from any rezoning, i.e., remain at the current LLRZ/GRUZ zoning.</i>    |

intensification may have been occurring within the Gainsborough subdivision and Living 1 Zone over the same period, which is substantiated by the planning evidence provided in support of the M Brown submission.



### Analysis

- 9.10 M England<sup>43</sup> (71 and 73 Preston Avenue), K Smith<sup>44</sup> (75 Preston Avenue), G Curtis<sup>45</sup> (87 Preston Avenue), and R Erskine and T Stanfield<sup>46</sup> (79 Preston Avenue) identify that the PDP proposes to rezone the land in **Figure 8** from Living West Melton (North) Zone to a LLRZ that applies to the properties fronting Preston Avenue and a GRUZ to the balance lots.
- 9.11 The submitters identify that the proposed split zoning presents uncertainty in respect to what is able to be undertaken on the land under the PDP. The submitters primary relief relates to the rezoning of the entire properties from GRUZ and LLRZ, which is evaluated separately in Section 11 below.
- 9.12 This secondary relief relates to both the existing LLRZ and the additional rezoning of the balance from GRUZ to LLRZ to be collectively rezoned to GRZ, which the landowners consider would be an efficient and effective zoning when considered against the PDP objectives and policies. No submitter evidence has been provided in support of the submissions.



*Figure 8: PDP map of the submitter's land at 71/73, 75, 79 and 87 Preston Avenue.*

- 9.13 The sites include a split zoning that applies to eight balance lots that have been subdivided and integrated into the records of title of the existing residential properties as a buffer from the rural activities or future development of the land for residential activities along the adjacent western boundary. The establishment of this buffer has proven to be astute as the rural land on the adjoining western boundary was until recently subject to a submission on the PDP seeking it be rezoned from GRUZ to GRZ and LLRZ (DPR-0460 MWHL) and PC77. The allotments range in size from 1.2ha to 0.5ha, so the rezoning would enable a relatively significant increase in density through infill

<sup>43</sup> DPR-0216.001 M England

<sup>44</sup> DPR-0223.001 K Smith

<sup>45</sup> DPR-0231.001 G Curtis

<sup>46</sup> DPR-0347 R Erskine & T Standfield

subdivision to occur based on the GRZ minimum net site area of 500m<sup>2</sup> and minimum average net site area of 650m<sup>2</sup> (refer to Table 2 above).

- 9.14 As set out in the Rezoning Framework Report, a re-zoning request that seeks to increase the density from a LLRZ to GRZ is to be assessed against the intensification criteria. These criteria follow the Urban Growth policy, as altered by the s42A Urban Growth recommendations, on intensification and reflects the outcomes sought from the higher order strategic planning documents.

#### Intensification Framework

| Criteria  | Assessment:  |
|---|--|
| <b>Helps the efficient use of infrastructure</b>  | Although the submitters relief may be able to utilise existing infrastructure services, no evidence has been provided to demonstrate how infrastructure would be more efficiently used through the rezoning request.   |
| <b>The request responds to the demographic changes and social and affordable needs of the district.</b> | Although the submitters relief would provide additional housing within the existing township boundary, no evidence has been provided to demonstrate that the rezoning request will respond to any specific demographic changes, including the provision of social or affordable housing.   |
| <b>Does it improve self-sufficiency for the town centres?</b>   | Although the submitters relief may support the town centre through population and patronage increases, no evidence has been provided to establish that the rezoning would contribute to an increase in the economic self-sufficiency of the town centre.   |
| <b>Promotes the regeneration of buildings and land</b>  | The submitters relief would promote the intensification of existing residential land by enabling infill subdivision and development, which could be a suitable alternative to rezoning highly productive land for greenfield development to increase housing capacity.   |
| <b>Does not significantly impact the surrounding environment</b>  | The submitter's rezoning request is consistent with the Preferred Urban Growth option for the township described in Section 6 and detailed in the SDP Growth of Township policies, which promotes a consolidated settlement pattern and supports residential development between West Coast Road (SH73) and Halkett Road. However, I consider that the LLRZ on the periphery of the Preston Downs subdivision serves an important function by managing the residential densities at a sensitive interface between urban and rural land uses. Applying a GRZ would represent an incongruous zoning pattern as the Preston Downs, Gainsborough and Wilfield subdivisions are framed by large lots on the periphery and more standard densities contained within them to promote a concentric urban form. The rezoning could give rise to amenity conflicts within the wider neighbourhood where people have established amenity expectations. There has been no evidence provided to address these concerns. |
| <b>Does not undermine the operation of infrastructure</b>   | There is no Important Infrastructure located within the requested area to no measures are required to mitigate reverse sensitivity effects.  |

| Criteria   | Assessment:  |
|--|--|
| <b>Does not effect the safe, efficient, and effective functioning of the strategic transport network?</b>                            | The additional vehicle movements associated with the potential infill subdivision and development are likely to be negligible on Preston Avenue, Shephard Avenue, or the wider Strategic Transport Network. However, there is no evidence provided to demonstrate what potential impacts the rezoning could have on the transport network.   |
| <b>Achieves the built form and amenity values of the zone sought</b>   | <p>The Preston Downs zoning pattern is characterised by low-density lots on the periphery that provide an appropriate interface between the densities within the subdivision and the surrounding residential and rural environments. The properties that are subject to this rezoning request contain large modern single level dwellings that front Preston Avenue, with the rear of the sections and the balance lots typically being grassed and interspersed with vegetation. The low ratio of built structures to open space are characteristic of this area of the Preston Downs subdivision, which is also assisted by street typologies that consist of deep berms and wide carriageway formations.</p> <p>I consider that the rezoning would undermine the concentric form and low-density amenity that characterises the western boundary of the Preston Downs subdivision. While there appears to be a consensus amongst the landowners that the GRZ will achieve a desired level of built form and amenity for the area, there is no evidence to substantiate whether the rezoning is consistent with the objectives, policies, rules, and standards of the GRZ. Accepting the relief could give rise to amenity conflicts with the GRUZ land to the west and LLRZ/GRZ to the north and east and compromise the character that people value within the wider Preston Downs subdivision. There has been no evidence provided to address these concerns.</p> <p>The PDP contains rules and requirements to appropriately manage any glare effects arising from the rezoning on the night sky values of the West Melton Observatory Lighting Area<sup>47</sup>.</p> |
| <b>Creates and maintains connectivity through the zoned land, including access to parks, commercial areas and community services</b> | The contained area and lineal nature of the land that is subject to the submitter's relief means that connectivity to Preston Avenue and Shepherd Avenue to the existing wider walking and cycling network to access parks and community and commercial spaces could be established.   |
| <b>Promotes walking, cycling and public transport access</b>   | The subject land is near a mixed-use corridor along Preston Avenue that provides walking and cycling opportunities and through connections to access the stop for the 86 Darfield – City line located approximately 0.9 km to the east on Weedons Ross Road opposite Preston Downs Reserve <sup>48</sup> .   |

<sup>47</sup> Rule LIGHT-R1 Artificial outdoor lighting and requirement LIGHT-REQ3 Sky Glow.

<sup>48</sup> [Darfield/City | Metro Christchurch \(metroinfo.co.nz\)](https://metroinfo.co.nz/darfield/city)



9.15 On the basis of the above assessment and in the absence of additional submitter evidence, I recommend the submission points<sup>49</sup> are rejected for the following reasons:

9.15.1 Although the relief achieves consistency with some of the criteria in the Intensification Framework and infill subdivision is supported to meet housing demand in West Melton, there is no evidence to substantiate the merits of the rezoning request. These include the potential the rezoning could undermine the efficient operation of infrastructure, compromise the built form that characterises the surrounding environment, give rise to amenity conflicts and adverse reverse sensitivity effects, and undermine the safe and efficient operation of the local transport network.

9.15.2 The rezoning request has merit for being advanced through a Council initiated spatial planning exercise to establish the appropriate densities and community outcomes, and to ensure the integration of infrastructure services and transport networks are coordinated.

### **Recommendations and Amendments**

9.16 I recommend, for the reasons given above, that the Hearings Panel retain the LLRZ as notified, except where the amendments in **Appendix 2** recommend accepting the relief sought by other submitters.

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

### **Submissions**

| Submitter ID | Submitter Name        | Submission Point | Position       | Decision Requested  |
|--------------|-----------------------|------------------|----------------|---|
| DPR-0266     | R Graham              | 001              | Oppose         | Amend the proposed zoning of existing lots within West Melton that are less than 3000 sqm in size to General Residential rather than Large Lot Residential. Alternatively consider reducing the Large Lot Residential minimum lot size to 1500 sqm. |
| DPR-0243     | R Howard & J Marshall | FS006            | Oppose in part | The rezoning sought should be in addition to and not instead of further greenfield development at West Melton, which should include GRZ rezoning of our property.   |
| DPR-0568     | N Milmine             | FS003            | Support        | Amend the LLRZ minimum site area to 1,500m <sup>2</sup> (gross site area), or 1000m <sup>2</sup> if within scope. Rezone central areas of West Melton (including 61 Iris Taylor Avenue) to GRZ.   |
| DPR-0284     | Z Rakovic             | 002              | Oppose         | That the residential zones at West Melton north of State Highway 73 be amended so that the GRZ area be generally located in the centre, with LLRZ around the perimeter, as shown in the second figure in the submission.                            |
| DPR-0243     | R Howard & J Marshall | FS007            | Oppose in part | The rezoning sought should be in addition to and not instead of further greenfield development at West Melton, which should include GRZ rezoning of our property.   |
| DPR-0402     | M Brown               | FS001            | Oppose         | Disallow.   |
| DPR-0411     | HDL                   | FS012            | Oppose         | Disallow.   |

<sup>49</sup> DPR-0216.001 M England, DPR-0223.001 K Smith, DPR-0231.001 G Curtis, & DPR-0347.001 R Erskine & T Standfield

| Submitter ID | Submitter Name  | Submission Point | Position        | Decision Requested   |
|--------------|-----------------|------------------|-----------------|--|
| DPR-0505     | S Gifford-Moore | FS001            | Support         | Amend the LLRZ with the bounds of the Preston downs subdivision to GRZ.  |
| DPR-0518     | S & P Meares    | FS001            | Support         | Amend the proposed zoning for interior sections of Preston Downs and Gainsborough, as shown in the attached map.   |
| DPR-0568     | Neil Milmine    | FS001            | Support in part | Rezone the centre of West Melton (North of State Highway 73) including the notified LLR areas to General Residential Zone (including 61 Iris Taylor Avenue). |

### Analysis

- 9.18 R Graham<sup>50</sup> considers that the LLRZ illustrated in **Figure 9**, which is proposed for sizable portions of West Melton is arbitrary and does not reflect the actual lot size of the underlying sections. The submitter requests that the zoning pattern is amended to provide better direction and long-term outcomes, including by enabling denser development of land within the central areas of West Melton to GRZ rather than LLRZ. No submitter evidence has been provided in support of the submission.

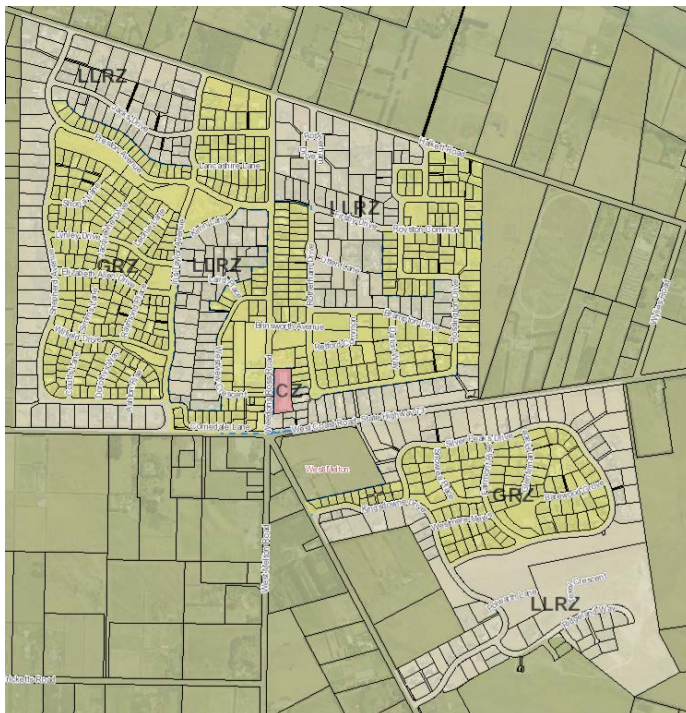


Figure 9: PDP map of West Melton.

- 9.19 Z Radovic<sup>51</sup> considers that the zoning illustrated in **Figure 10** that applies to northern side of West Coast Road (SH73) is not appropriate as there is a mix of LLRZ with GRZ and circumstances where GRZ directly adjoins the GRUZ, which they consider does not make sense. The submitter requests that the zoning pattern is amended to provide for GRZ within the centre and LLRZ on the periphery

<sup>50</sup> DPR-0266.001 R Graham

<sup>51</sup> DPR-0284.022 Z Rakovic

of the township, which they consider accords with good urban design. No submitter evidence has been provided in support of the submission.

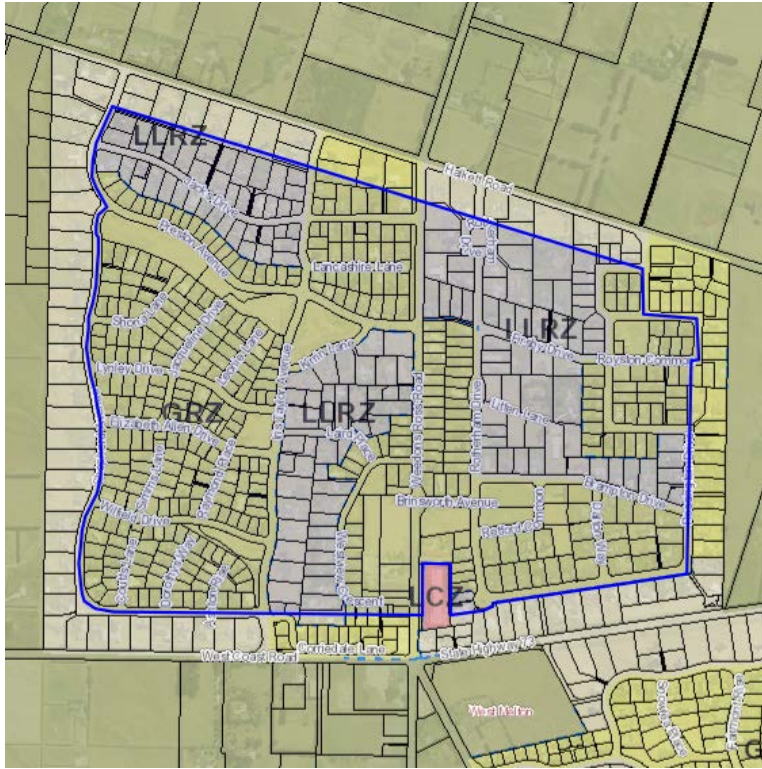


Figure 10: PDP map of the LLRZ that is sought by the submitter.

- 9.20 As set out in the Rezoning Framework Report, a re-zoning request that seeks to increase the density within a Residential Zone is to be assessed against the intensification criteria. These criteria follow the Urban Growth policy, as altered by the s42A Urban Growth recommendations, on intensification and reflects the outcomes sought from the higher order strategic planning documents.

#### Intensification Framework

| Criteria  | Assessment:  |
|---|--|
| <b>Helps the efficient use of infrastructure</b>  | Although the submitters relief may be able to utilise existing infrastructure services, no evidence has been provided to demonstrate how infrastructure would be more efficiently used through the rezoning request.   |
| <b>The request responds to the demographic changes and social and affordable needs of the district.</b> | Although the submitters relief would provide additional housing within the existing township boundary, no evidence has been provided to demonstrate that the rezoning request will respond to any specific demographic changes, including the provision of social or affordable housing. |
| <b>Does it improve self-sufficiency for the town centres?</b>   | The rezoning of some of the LLRZ to GRZ is likely to result in a negligible improvement on the self-sufficiency of the town centre due to the limited level of infill and redevelopment it is likely to enable.  |
| <b>Promotes the regeneration of buildings and land</b>  | The submitters relief would promote the intensification of existing residential land by enabling future infill subdivision and development,  |

| Criteria   | Assessment:   |
|--|---|
|  | which could be a suitable alternative to rezoning highly productive land for greenfield development to increase housing capacity.   |
| <b>Does not significantly impact the surrounding environment</b>   | The submitter's rezoning request is consistent with the Preferred Urban Growth option for the township described in Section 6 and detailed in the SDP Growth of Township policies, which promote a consolidated settlement pattern and support residential development between West Coast Road (SH73) and Halkett Road.<br>I agree with the submitters that the LLRZ on the periphery of the Preston Downs and Gainsborough subdivisions serve an important function by managing the residential densities at a sensitive interface between urban and rural land uses and with West Coast Road (SH73). However, the rezoning of the internal lots from LLRZ to GRZ could give rise to amenity conflicts within the wider neighbourhood where people have established amenity expectations. There has been no evidence provided to address these concerns. |
| <b>Does not undermine the operation of infrastructure</b>  | There is no Important Infrastructure located within the requested area to no measures are required to mitigate reverse sensitivity effects.   |
| <b>Does not effect the safe, efficient, and effective functioning of the strategic transport network?</b>                            | There is no evidence provided to demonstrate what potential impacts the rezoning could have on the transport network.   |
| <b>Achieves the built form and amenity values of the zone sought</b>   | There has been no evidence provided to establish that the rezoning would achieve a more desirable built form or resolve amenity conflicts that could arise by enabling additional infill development.<br>The PDP contains rules and requirements to appropriately manage any glare effects arising from the rezoning that could compromise the night sky values of the West Melton Observatory Lighting Area <sup>52</sup> .  |
| <b>Creates and maintains connectivity through the zoned land, including access to parks, commercial areas and community services</b> | The level of infill and redevelopment the rezoning of some of the internal LLRZ areas to GRZ would enable means that any impacts on the connectivity network are likely to be negligible.   |
| <b>Promotes walking, cycling and public transport access</b>   | The Preston Downs and Gainsborough subdivisions include integrated walking and cycling networks and connections to access the stop for the 86 Darfield – City line located on Weedons Ross Road Halkett Roads <sup>53</sup> . However, there is no evidence to substantiate how the infill subdivision and development of the proposed GRZ would promote walking, cycling and public transport access.  |

9.21 On the basis of the above assessment and in the absence of additional submitter evidence, I recommend the submission points<sup>54</sup> are rejected for the following reasons:

<sup>52</sup> Rule LIGHT-R1 Artificial outdoor lighting and requirement LIGHT-REQ3 Sky Glow.

<sup>53</sup> [Darfield/City | Metro Christchurch \(metroinfo.co.nz\)](https://metroinfo.co.nz/)

<sup>54</sup> DPR-0266.001 R Graham & DPR-0284.002 Z Rakovic

- 9.21.1 Although the relief achieves consistency with some of the criteria in the Intensification Framework and infill subdivision is supported to meet housing demand in West Melton, there is no evidence to substantiate the merits of the rezoning request. These include the potential the rezoning could undermine the efficient operation of infrastructure, compromise the built form that characterises the surrounding environment, give rise to amenity conflicts, and undermine the safe and efficient operation of the local transport network.
- 9.21.2 The rezoning request has merit for being advanced through a Council initiated spatial planning exercise to establish the appropriate densities and community outcomes, and to ensure the integration of infrastructure services and transport networks are coordinated.
- 9.21.3 The rezoning requests have merit for being advanced through a Council initiated spatial planning exercise to establish the appropriate densities and community outcomes, and to ensure the integration of infrastructure services and transport networks are coordinated.

### ***Recommendations and Amendments***

- 9.22 I recommend, for the reasons given above, that the Hearings Panel retain the LLRZ as notified, except where the amendments in **Appendix 2** recommend accepting the relief sought by other submitters.
- 9.23 It is recommended that the submissions and further submissions are either rejected, rejected in part, accepted, and accepted in part as shown in **Appendix 1**.

### ***Submissions***

| Submitter ID | Submitter Name  | Submission Point | Position        | Decision Requested   |
|--------------|-----------------|------------------|-----------------|--|
| DPR-0284     | Z Rakovic       | 003              | Oppose          | Rezone the land at West Melton either side of State Highway 73 (as shown in the figure on the last page of the submission) to provide for mixed residential and commercial uses. |
| DPR-0160     | WMTL            | FS001            | Support in part | Support the submission to the extent it is consistent with the relief sought in our submission (160).  |
| DPR-0505     | S Gifford-Moore | FS002            | Support         | Amend the LLRZ with the bounds of the Preston downs subdivision to GRZ.  |

### ***Analysis***

- 9.24 Z Rakovic<sup>55</sup> requests that the strip of land in **Figure 11** that extends either side of West Coast Road (State Highway 73) is rezoned from GRUZ, LLRZ and GRZ to a combination of mixed GRZ and Local Centre Zone (LCZ). The submitter considers that the rezoning would encourage enterprising landowners to find commercial opportunities and help develop West Melton into a more self-sustainable place to live, work and play.
- 9.25 The submitter does not indicate what proportion of the strip they request is rezoned to GRZ or how this is allocated spatially relative to the LCZ. The relief for a LCZ is being evaluated under the Commercial and Business package of the rezoning evidence, which is also evaluating the rezoning

<sup>55</sup> DPR-0284.003 Z Rakovic



requests for the West Melton Tavern site at 1147 West Coast Road (SH73)<sup>56</sup> and at 727 Weedons Ross Road<sup>57</sup>. This assessment covers the rezoning of the LLRZ to GRZ against the Intensification Framework, while a separate assessment in Section 13 evaluates the relief seeking the land is rezoned from GRUZ to GRZ against the Greenfield Framework. No expert evidence has been provided in support of the submission.

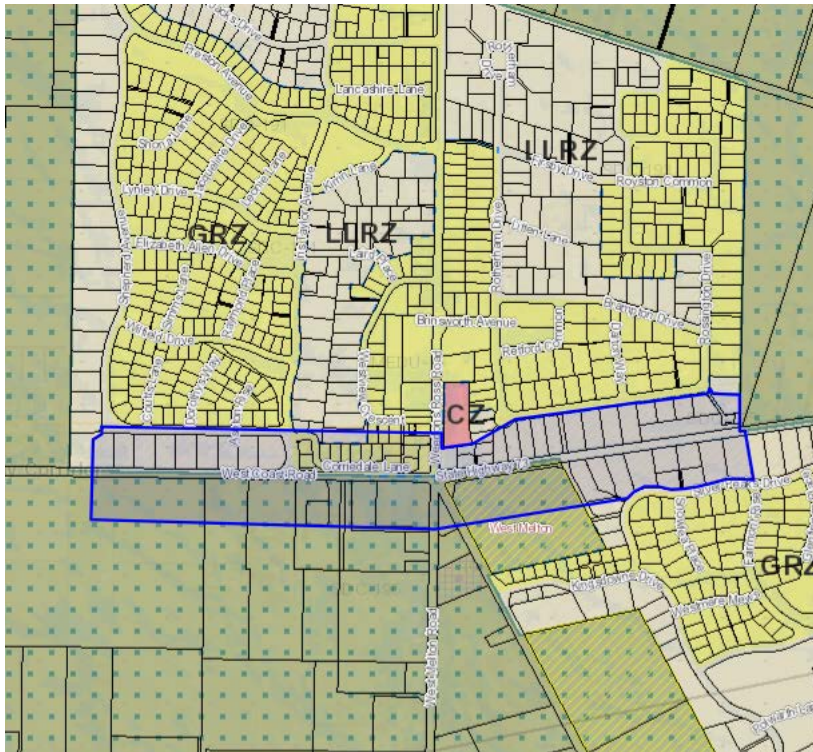


Figure 11: PDP map of the submitters rezoning request.

- 9.26 The strip of land on both sides of West Coast Road (SH73) that is covered by the submitter's rezoning request contains a broad range of land uses, including commercial activities (BP service station, and West Melton Tavern), community facilities and reserves (West Melton Domain, West Melton Community, Recreation Centre and Skate Park, West Melton Playcentre, West Melton Hope Presbyterian Church), residential housing (Wilfield, Gainsborough and Preston Downs subdivisions) and rural activities.
- 9.27 As set out in the Rezoning Framework Report, a re-zoning request that seeks to increase the density within a Residential Zone is to be assessed against the intensification criteria. These criteria follow the Urban Growth policy, as altered by the s42A Urban Growth recommendations, on intensification and reflects the outcomes sought from the higher order strategic planning documents.

### Intensification Framework

| Criteria                                  | Assessment:  |
|---|--|
| Helps the efficient use of infrastructure | Although the submitters relief may be able to utilise existing infrastructure services, no evidence has been provided to demonstrate |

<sup>56</sup> DPR-0160 West Melton Three Limited

<sup>57</sup> DPR-018 D & A Henderson

| Criteria  | Assessment:  |
|---|--|
|   | how infrastructure would be more efficiently used through the rezoning request.  |
| <b>The request responds to the demographic changes and social and affordable needs of the district.</b>   | Although the submitters relief is likely to enable additional housing within the existing township boundary, no evidence has been provided to demonstrate that the rezoning request will respond to any specific demographic changes, including the provision of social or affordable housing.   |
| <b>Does it improve self-sufficiency for the town centres?</b>   | Although the submitters relief may support the town centre through population and patronage increases, no evidence has been provided to establish that the rezoning would contribute to an increase in economic activity that supports the growth of the town centre.  |
| <b>Promotes the regeneration of buildings and land</b>  | The submitters relief would promote the intensification of existing residential land by enabling future infill subdivision and development, which could be a suitable alternative to rezoning highly productive land for greenfield development to increase housing capacity.  |
| <b>Does not significantly impact the surrounding environment</b>  | The submitter's rezoning request is generally consistent with the Preferred Urban Growth option for the township described in Section 6 and detailed in the SDP Growth of Township policies, which promotes a consolidated settlement pattern and support residential development between West Coast Road (SH73) and Halkett Road. However, I consider that the LLRZ serves an important function in providing separation between the residential subdivisions and West Coast Road (SH73) to reduce reverse sensitivity effects. The LLRZ has also enabled earth bunding to be formed on either side of the 60km/hr speed thresholds to mitigate the risk of adverse reverse sensitivity effects. An increase in the number of properties that could gain direct access to the State Highway could compromise the safe and efficiency operation of a State Highway. No evidence has been provided to address these concerns. |
| <b>Does not undermine the operation of infrastructure</b>   | Any rezoning to enable the intensification of residential development along West Coast Road (SH73) has the potential to create adverse reverse sensitivity effects that could compromise the efficient operation of Important Infrastructure that is of national significance. The increased number of sections fronting and gaining direct access to the State Highway, and reduced setbacks and removal of the earth bunds formed at the interface of the Wilfield, and Preston Downs subdivisions, could also compromise its safe and efficient operation.  |
| <b>Does not effect the safe, efficient, and effective functioning of the strategic transport network?</b> | There is no evidence provided to demonstrate what potential impacts the rezoning could have on the transport network, including increased direct access onto West Coast Road (SH73).   |
| <b>Achieves the built form and amenity values of the zone sought</b>                                      | There has been no evidence provided to establish that the rezoning would achieve a more desirable built form or resolve amenity conflicts that could arise by enabling additional infill development.  |

| Criteria   | Assessment:  |
|--|--|
|  | The PDP contains rules and requirements to appropriately manage any glare effects arising from the rezoning that could compromise the night sky values of the West Melton Observatory Lighting Area <sup>58</sup> .  |
| <b>Creates and maintains connectivity through the zoned land, including access to parks, commercial areas and community services</b> | The level of infill and redevelopment the rezoning of some of the internal LLRZ areas to GRZ would enable means that any impacts on the connectivity network are likely to be negligible.  |
| <b>Promotes walking, cycling and public transport access</b>   | The land is well connected to the townships primary commercial, recreation and community facilities, with this proximity promoting walking, cycling and access to public transport. This includes proximity to the stop for the 86 Darfield – City line located outside West Melton Primary School <sup>59</sup> , the pedestrian refuge opposite the West Melton Community and Recreation Centre and pedestrian crossings being established in the NZTA initiated upgrades to the intersection of West Coast Road (SH73), Weedons Road and Weedons Ross Road <sup>60</sup> .<br>However, there is no evidence to substantiate how the rezoning would promote walking and cycling, which are typically outlined in a spatial plan and/or an ODP. |

9.28 On the basis of the above assessment and in the absence of additional submitter evidence, I recommend that the submission point<sup>61</sup> is rejected for the following reasons:

- 9.28.1 The rezoning of the LLRZ to GRZ could undermine the safe and efficient operation of West Coast Road (SH73) by reducing the separation of this nationally important infrastructure from current and future residential activities and increasing the number of sections fronting and gaining direct access to a State Highway.
- 9.28.2 Although the relief achieves consistency with some of the criteria in the Intensification Framework and infill subdivision is supported to meet housing demand in West Melton, there is no evidence to substantiate the merits of the rezoning request against other criteria that I consider are critical to enable the effects of intensifying a LLRZ to a GRZ to be evaluated. These include whether the rezoning promotes the self-sufficiency of the town centre, compromise the built form that characterises the surrounding environment, give rise to amenity conflicts and adverse reverse sensitivity effects, and supports accessibility and connectivity.

### **Recommendation**

9.29 I recommend, for the reasons given above, that the Hearings Panel retain the LLRZ as notified, except where the amendments in **Appendix 2** recommend accepting the relief sought by other submitters.

<sup>58</sup> Rule LIGHT-R1 Artificial outdoor lighting and requirement LIGHT-REQ3 Sky Glow.

<sup>59</sup> [Darfield/City | Metro Christchurch \(metroinfo.co.nz\)](https://metroinfo.co.nz/darfield-city-metro-christchurch)

<sup>60</sup> [SH73 West Melton intersection improvements project update – November 2021 \(nzta.govt.nz\)](https://nzta.govt.nz/sh73-west-melton-intersection-improvements-project-update-november-2021)

<sup>61</sup> DPR-0284.003 Z Rakovic



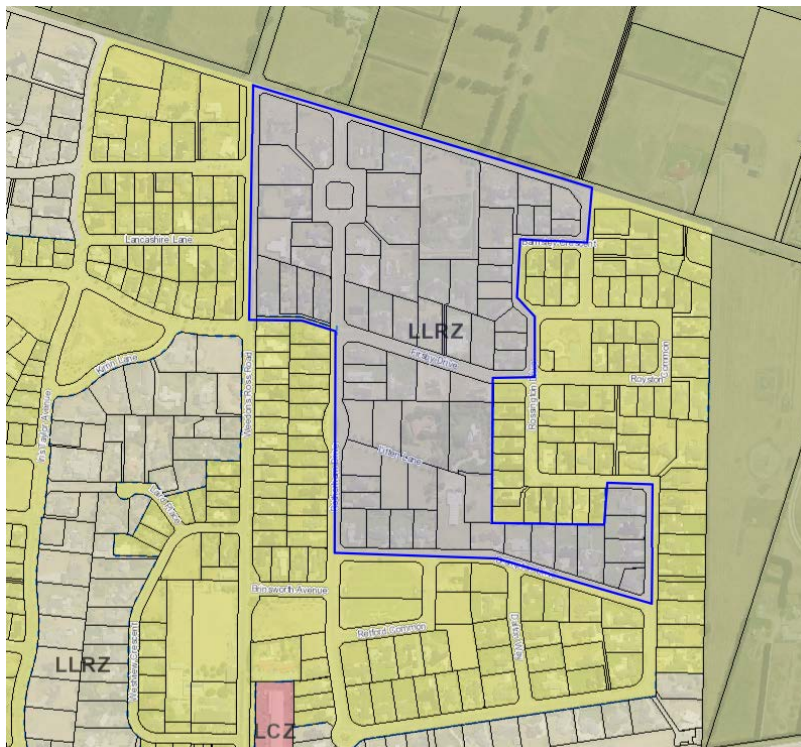
- 9.30 It is recommended that the submission and further submissions are rejected and rejected in part as shown in **Appendix 1**.

### ***Submission***

| Submitter ID | Submitter Name | Submission Point | Position       | Decision Requested  |
|--------------|----------------|------------------|----------------|---|
| DPR-0402     | M Brown        | 001              | Oppose in part | Rezone the area contained within Weedons Ross Road, Rotherham Drive, Brampton Drive, Rossington Drive, Barnsley Crescent and Halkett Road from Large Lot Residential Zone (LLRZ) to General Residential Zone (GRZ). |

### ***Analysis***

- 9.31 M Brown<sup>62</sup> requests that the land in **Figure 12** is rezoned from GRUZ to LLRZ. The submitter considers that the LLRZ and GRZ has been applied on an arbitrary basis across the northern portion of the Gainsborough subdivision, which has resulted in sections of a comparable size but on opposite sides of the road being zoned differently. They consider that these inconsistencies can be overcome by replacing the LLRZ proposed in the central and north extents of the subdivision to GRZ. Expert planning evidence has been provided in support of the submission.



*Figure 12: PDP map of the submitters rezoning request.*

- 9.32 The submitters expert planning evidence considers that a LLRZ will have no impact on properties and landowners who wish to retain the status quo, while enabling properties that have the potential to further develop to achieve positive outcomes. They consider that the rule requirements of the GRZ ensure that the existing character and amenity of West Melton can be retained and that the

<sup>62</sup> DPR-00402.001 M Brown

rezoning will be consistent with the intensification, compactness and consolidated urban form principles contained within the PDP.

- 9.33 As set out in the Rezoning Framework Report, a re-zoning request that seeks to increase the density within a Residential Zone is to be assessed against the intensification criteria. These criteria follow the Urban Growth policy, as altered by the s42A Urban Growth recommendations, on intensification and reflects the outcomes sought from the higher order strategic planning documents.

#### Intensification Framework

| Criteria  | Assessment:  |
|---|--|
| <b>Helps the efficient use of infrastructure</b>  | I agree with submitter's planning evidence that there needs to be a combined approach consisting of intensification and 'greenfield' development to support the future housing needs of the community. I also agree that infill and intensification is typically enabled through utilising existing infrastructure services. However, no evidence has been provided to substantiate how infrastructure would be more efficiently used through the rezoning request or whether there are any network constraints that require funded improvements.  |
| <b>The request responds to the demographic changes and social and affordable needs of the district.</b> | I agree with the submitter's evidence that the rezoning is likely to provide additional housing within the existing township boundary and achieve a compact and consolidated urban form. However, there is no evidence to demonstrate that the rezoning request will respond to any specific demographic changes, provision of social or affordable housing or the extent to which the flexibility that would be enabled to landowners may compromise the amenity that characterises the Gainsborough subdivision remains unclear. I consider that the low-density character and relatively high land values within the Gainsborough subdivision means that the single level, standalone homes on large sections is likely to continue and that the rezoning is unlikely to be a catalyst for alternative housing typologies, such as social housing or multi-level units. |
| <b>Does it improve self-sufficiency for the town centres?</b>   | I agree with the submitter's evidence that the rezoning may support the town centre through population and patronage increases, although it is unlikely to be a catalyst for extended commercial offerings or increased public services. The scale of infill subdivision that would be enabled through the rezoning, based on the existing built form that characterises the Gainsborough subdivision, means that the rezoning is unlikely to have a major influence on the economic self-sufficiency or growth of the town centre.  |
| <b>Promotes the regeneration of buildings and land</b>  | I agree with the submitter's evidence that the rezoning would promote the intensification and regeneration of existing residential land by enabling future infill subdivision and development. This infill could also be a suitable alternative to rezoning highly productive land for greenfield development to increase housing capacity.  |

| Criteria   | Assessment:   |
|--|---|
| <b>Does not significantly impact the surrounding environment</b> | <p>The submitter's rezoning request is consistent with the Preferred Urban Growth option for the township described in Section 6 and detailed in the SDP Growth of Township policies, which promotes a consolidated settlement pattern and support residential development between West Coast Road (SH73) and Halkett Road.</p> <p><i>Assessment of the LLRZ along the Halkett Road Frontage</i></p> <p>The evidence highlights that the application of the LLRZ varies along the northern boundary of the subdivision with Halkett Road, with the GRZ having been applied between Iris Taylor Avenue and Weedons Ross Road and between Rossington Drive and the eastern edge of boundary of the subdivision. While this is not disputed, I consider that the LLRZ on the northern periphery of the Gainsborough subdivision along Halkett Road serves an important function by managing the residential densities at a sensitive interface between urban and rural land uses. I consider that the rezoning of the lots on the periphery that front Halkett Road from LLRZ to GRZ may give rise to amenity conflicts within the wider neighbourhood where people have established amenity expectations. It would also represent an incongruous zoning pattern as the Preston Downs, Gainsborough and Wilfield subdivisions are all framed by large lots on the periphery and more standard densities contained within them to promote a concentric urban form.</p> <p><i>Assessment of the LLRZ in the balance of the site</i></p> <p>In respect to the internalised LLRZ, I agree with the submitter's evidence that the zoning pattern and densities within the balance of the Gainsborough subdivisions varies between low-density and large lots, which is evident in the configuration and underlying lot layouts. The low-density residential character of the subdivision is assisted by street typologies that consist of deep berms and wide carriageway formations. There is evidence to suggest that there has been a relatively high level of infill subdivision occurring, particularly within the Preston Downs subdivision. In principle, I consider that this is a positive outcome as it optimises land use and supports a consolidated settlement pattern.</p> <p>While I support the rationale that has been used for applying the LLRZ across the Gainsborough subdivisions in the PDP planning maps, I agree with the submitter's evidence that it does not always reflect the underlying parcel sizes and may unnecessarily limit the redevelopment of existing sites in the future based on the Minimum net site area – 3,000m<sup>2</sup>. I also agree with the submitter's evidence that the GRZ is also not representative of the underlying land use activities and would enable significantly smaller sections to be developed. The PDP Subdivision chapter does not prescribe maximum lot sizes in the GRZ,</p> |

| Criteria  | Assessment:   |
|---|---|
|   | <p>and resource consent would be required to evaluate the site-specific effects infill and redevelopment activities may have on the surrounding environment.</p> <p>I consider that the risks in replacing the LLRZ with a GRZ and retaining the LLRZ on the periphery, are low as the level of infill and redevelopment that this zoning pattern would enable is negligible. This is because the land use activities are characterised by large modern single level homes on generous sized sections that front the street where infill potential is limited. This is supported by the age, size, type, and layout of the existing dwellings relative to sections sizes, and the limited number of vacant lots that remain undeveloped.</p> <p>The submitters planning evidence identifies that the rezoning will have no impact on properties who wish to retain the status quo, while enabling properties to realise the potential to further develop their properties. However, in my experience the intensification of land through rezoning or infill subdivision can impact the character of existing neighbourhoods, compromise the amenity expectations of residents, and requires investment to ensure it is appropriately coordinated. These risks are increased where infill is undertaken on a piecemeal basis in the absence of a structure plan or ODP, which emphasises the need for SDC to advance a spatial plan for the townships.</p> |
| <b>Does not undermine the operation of infrastructure</b>   | I agree with the submitter's evidence that there is no Important Infrastructure located within the site that would require measures to mitigate reverse sensitivity effects.  |
| <b>Does not effect the safe, efficient, and effective functioning of the strategic transport network?</b> | I generally agree with the submitter's evidence that the rezoning is unlikely to generate increases in the volumes of vehicle movements that would significantly impact the safe and efficient operation of the transport network. However, there is no evidence provided to demonstrate what potential impacts the rezoning could have on the transport network.   |
| <b>Achieves the built form and amenity values of the zone sought</b>                                      | <p><i>Assessment of the LLRZ along the Halkett Road Frontage</i></p> <p>For the reasons outlined in the evaluation of the 'Does not significantly impact the surrounding environment' criteria above, I consider that it is appropriate to retain the LLRZ on the periphery of the Gainsborough subdivision and to amend the remaining LLRZ to GRZ. This is on the basis that the LLRZ on the periphery serve an important function by managing the residential densities at a sensitive interface between urban and rural land uses, maintaining existing amenity values, reducing potential amenity conflicts, and supporting a concentric urban form.</p> <p>The submitter's evidence identifies that the GRZ has been extensively applied throughout West Melton to maintain a level of consistency throughout the township. While I agree to a point, it is also clear that</p>  |

| Criteria  | Assessment:  |
|---|--|
|   | <p>the LLRZ has been utilised as an important interface treatment with the GRUZ and West Coast Road (SH73) that is recognised as Important Infrastructure.</p> <p><i>Assessment of the LLRZ in the balance of the site</i></p> <p>In principle, I consider that the rezoning of the balance LLRZ to GRZ better recognises the underlying subdivision pattern and would enable limited infill and redevelopment of existing properties. While this rezoning presents a risk to the low-density amenity that characterises the area, I consider this to be low due to the age, size, type, and layout of the existing dwellings relative to sections sizes and the limited number of vacant lots that remain undeveloped. These risks are further reduced by the PDP Subdivision chapter contains rules and requirements to appropriately manage infill subdivision within the GRZ to ensure the amenity and character of the area is not compromised. The PDP contains rules and requirements to appropriately manage any glare effects arising from the rezoning that could compromise the night sky values of the West Melton Observatory Lighting Area<sup>63</sup>.</p> |
| <p><b>Creates and maintains connectivity through the zoned land, including access to parks, commercial areas and community services</b></p> | <p>I agree with the submitter's evidence that the Gainsborough subdivision is well connected to the town centre, Primary School, and other key destinations within West Melton. I also agree that the subdivision provides high quality open space, footpaths, and streets, although there is no evidence to substantiate what impact, if any, the rezoning could have on these existing facilities.</p>   |
| <p><b>Promotes walking, cycling and public transport access</b></p>   | <p>I agree with the submitter's evidence that additional people living within the Gainsborough subdivision may increase public transport patronage and contribute towards investment in future walking and cycling network upgrades. I also consider that the Gainsborough subdivision is well connected to the stop for the 86 Darfield – City line located on Halkett Road at the corner of Rossington Drive<sup>64</sup> and enabling infill subdivision and development would provide an alternative to additional 'greenfield' land further from the centre of West Melton.</p> <p>However, there is insufficient evidence to substantiate how the infill subdivision and development promotes walking, cycling and public transport access.</p>  |

9.34 On the basis of the above assessment and in the absence of additional submitter evidence, I recommend the submission point<sup>65</sup> is rejected for the following reasons:

<sup>63</sup> Rule LIGHT-R1 Artificial outdoor lighting and requirement LIGHT-REQ3 Sky Glow.

<sup>64</sup> [Darfield/City | Metro Christchurch \(metroinfo.co.nz\)](#)

<sup>65</sup> DPR-00402.001 M Brown

- 9.34.1 Although the relief achieves consistency with most of the criteria in the Intensification Framework and infill subdivision is supported to meet housing demand in West Melton, there is insufficient evidence to substantiate the merits of the rezoning request.
- 9.34.2 The absence of infrastructure and transport evidence makes it difficult to establish what impacts the rezoning, and the resulting infill development and increased demand on the network, could have on the efficient operation of infrastructure and the safe and efficient operation of the local transport network or would enable travel mode shift.
- 9.34.3 The rezoning request has merit for being advanced through a Council initiated spatial planning exercise to establish the appropriate densities and community outcomes, and to ensure the integration of infrastructure services and transport networks are coordinated.

### ***Recommendations and Amendments***

- 9.35 I recommend, for the reasons given above, that the Hearings Panel retain the LLRZ as notified, except where the amendments in **Appendix 2** recommended accepting the relief sought by other submitters.
- 9.36 It is recommended that the submission is rejected, as shown in **Appendix 1**.

### ***Submissions***

| Submitter ID | Submitter Name        | Submission Point | Position        | Decision Requested   |
|--------------|-----------------------|------------------|-----------------|--|
| DPR-0443     | GWWL                  | 002              | Oppose          | Amend the planning maps so as to zone the land at West Melton shown on the map included with the submission General residential zone (GRZ).    |
| DPR-0032     | CCC                   | FS168            | Oppose          | Oppose submission.   |
| DPR-0243     | R Howard & J Marshall | FS002            | Support in part | Accept submission in part subject to amendments to the rezoning sought, including ODP, to ensure integration with GRZ development of our land. |

### ***Analysis***

- 9.37 GWWL<sup>66</sup> request that the land in **Figure 13** is rezoned from LLRZ to GRZ as it applies to the existing Wilfield subdivision on the southern side of West Coast Road (SH73). Expert transport, infrastructure, landscape and urban design, economics, real estate, developer, planning, urban design and versatile soils has been provided in support of the primary submission relating to the rezoning. Evidence has also been provided in support of the further submission from CCC<sup>67</sup>.

<sup>66</sup> DPR-00443.002 GWWL

<sup>67</sup> DPR-0032 FS168 CCC



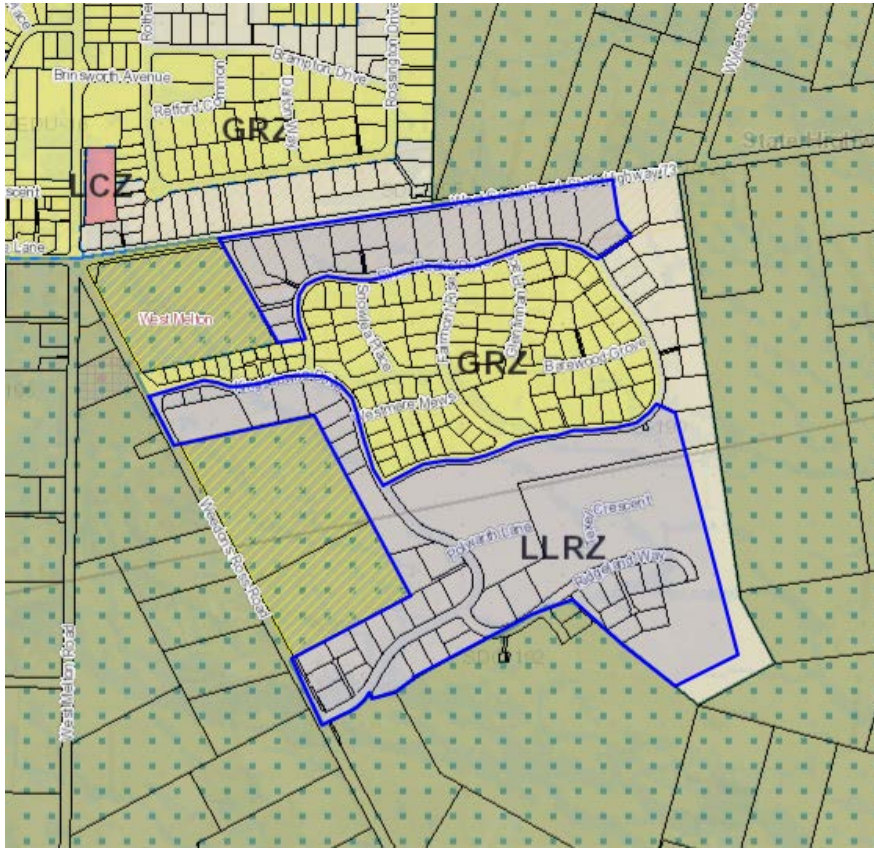


Figure 13: PDP map of the submitters rezoning request.

- 9.38 The submitter promulgated PC59<sup>68</sup> to the SDP that requested to change the zoning of the land from Living 2 and 2A to Living West Melton South to increase the residential density. They consider that LLRZ zoning is inappropriate, and request the land is rezoned to GRZ to achieve consistency with PC59 that has been incorporated into the SDP. The submitter was also the plan change proponent for PC67<sup>69</sup> that integrates with and extends the Wilfield subdivision further south, which is illustrated in the SDP ODP plan in **Figure 14**.
- 9.39 PC59 was made operative on 17 June 2021 and PC67 was made operative on 18 May 2022, which are both after 5 October 2020 when the PDP was publicly notified.

<sup>68</sup> [Plan change request 59: Rezone West Melton Living 2 & 2A zoned land to Living WM South.](#)

<sup>69</sup> [Private plan change request 67: Rezone approx. 33 ha in West Melton.](#)

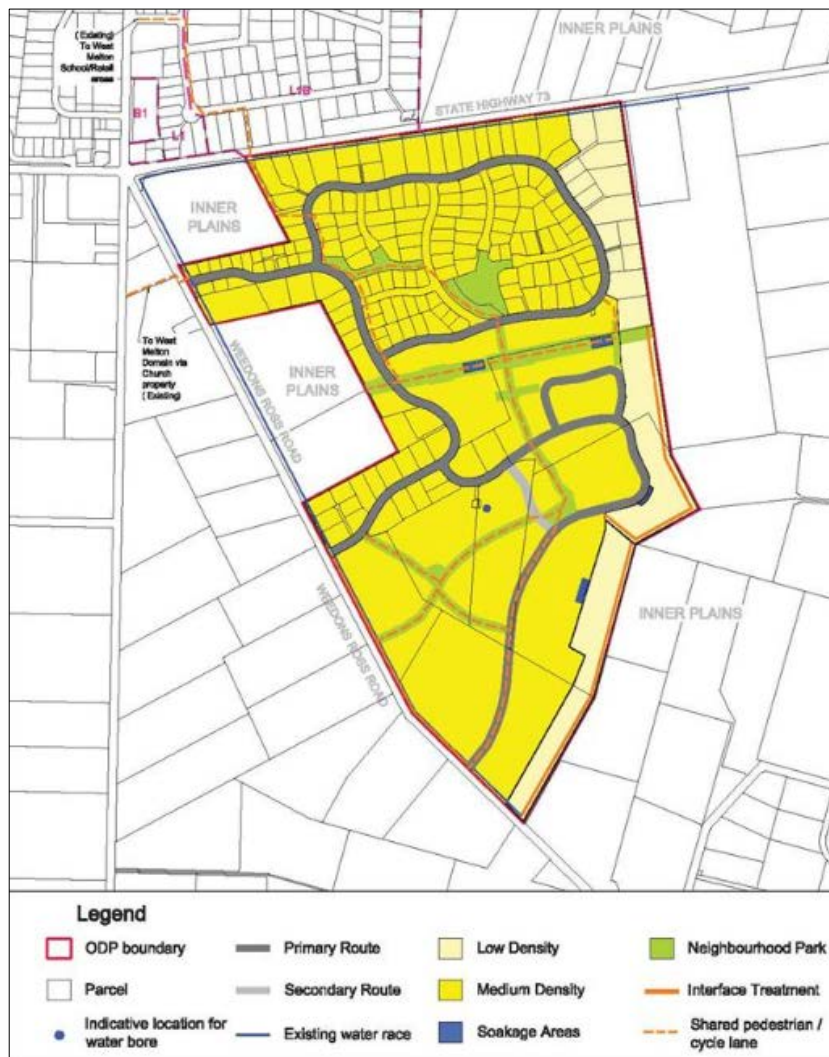


Figure 14: PC59 and PC67 ODP indicating the density distribution across the Wilfield subdivision. Source: SDP Township Volume Appendices E20 ODP West Melton.

- 9.40 The lag between when the PDP planning maps were notified and PC59 and PC67 being made operative in the SDP following the completion of the Schedule 1 Part 2 initiated processes have resulted in an inconsistency with how the residential densities have been distributed across the Wilfield subdivision. This includes in respect to the portion of the site being identified as LLRZ rather than GRZ in the PDP Planning Maps.
- 9.41 The scope of the submission requests that all changes necessary to enable the equivalent outcomes of the private plan change decisions to be included in the PDP are made, including consequential changes. I consider that the scope of this submission provides the mechanism to enable the site to be referenced as West Melton Development Area 01 (WM-DEV01) on the Planning Maps and enable the ODP plans and narrative to be referenced as a Development Area within Part 3 – Area Specific Matters of the PDP to ensure the future development of the site is effectively coordinated. It also enables the site-specific subdivision controls that were formulated through PC67 to be inserted as new requirements (SUB-REQ) in the Part 2 – District Wide Matters – Subdivision chapter. The inclusion of these requirements will maintain the site-specific standards relating to the timing of the West Coast Road (SH73) upgrades and the need for the sustainability measures to be established. I recommend that these updates are coordinated by Council officers to ensure the ODP plan and



narrative, and the relevant SDP provisions, are integrated into the PDP framework to maintain consistency and certainty to Plan users.

- 9.42 Under these circumstances and because the substantive merits of the rezoning requests have been confirmed through the private plan change request process, I consider that it is appropriate to amend the PDP planning maps to align with the SDP ODP. In this case an evaluation of the submission against the NPS-UD Policy 8 Significance Criteria, the Urban Growth Objectives and the Intensification Framework would serve no benefit. The site contains LUC Class 2 and 3 highly productive land and should typically be avoided from rezoning for urban or rural lifestyle purposes. However, in this case the timing of PC57 and PC67 being made operative means that the site is excluded from being classified as highly productive land under the NPS-HPL<sup>70</sup>.
- 9.43 On the basis of the above assessment, I recommend the submission point<sup>71</sup> is accepted for the following reasons:
- 9.43.1 It is appropriate to amend the PDP planning maps, insert the ODP plan and narrative and relevant subdivision rules to align with the updates made to the ODP in Appendix 20 and subdivision rules of the SDP Township Volume, and any consequential changes, following PC57 and PC67 being made operative under the Schedule 1 process.
- 9.43.2 The PC67 private plan change request process has determined that the rezoning satisfies NPS-UD Policy 8 to ensure consistency with the PDP Urban Growth Objectives and the Intensification Framework.
- 9.43.3 The land is excluded from being classified as highly productive land under the NPS-HPL.

#### ***Recommendations and amendments***

- 9.44 The amendments to the land use zoning and inclusion of a reference to 'DEV-WM01' in the Planning Maps, inclusion of the ODP plan and narrative in as 'WM—West Melton – DEV-WM01 West Melton 1 Development Area' are inserted into Part 3 – Area Specific matters, and the subdivision requirements as new requirements (SUB-REQ) in the subdivision chapter are recommended, as set out in a consolidated manner in **Appendix 2** from LLRZ to GRZ.
- 9.45 It is recommended that the submission and further submissions are accepted, accepted in part and rejected as shown in **Appendix 1**. I recommend that these updates are coordinated by Council officers to ensure the ODP plan and narrative, and the relevant SDP provisions, are integrated into the PDP framework to maintain consistency and certainty to Plan users.
- 9.46 The nature of the change does not require a s32AA evaluation as the substantive merits of the rezoning have been evaluated under the Schedule 1 process and the updated PDP Planning Maps, subdivision requirements, Development Area ODP plan and narrative, and any other consequential changes, to ensure the PDP corresponds with the SDP.

<sup>70</sup> NPS-HPL Implementation clause 3.5 (7)(b)(ii).

<sup>71</sup> DPR-00443.002 GWWL

## 10. Requests to rezone land in West Melton from LLRZ and GRUZ to LLR-SCA RD2

### *Submissions*

10.1 One submission point and seven further submissions were received in relation to this subtopic.

| Submitter ID | Submitter Name          | Submission Point | Plan Reference | Position       | Decision Requested  |
|--------------|-------------------------|------------------|----------------|----------------|---|
| DPR-0460     | MWHL                    | 002              | MAP            | Oppose in part | Rezone so that all the area shown green on Figure 1 is Large lot residential zone with a minimum lot size of 800m <sup>2</sup> and minimum average lot size of 1,000m <sup>2</sup> .  |
| DPR-0223     | K Smith                 | FS005            |                | Support        | Allow their point -extend the urban boundary and rezone the rural portion of these properties to LLRZ.  |
| DPR-0216     | M England               | FS004            |                | Support        | Allow their point - extend the urban boundary and rezone the rural portion of these properties to GRZ or LLRZ.  |
| DPR-0347     | R Erskine & T Stanfield | FS002            |                | Oppose         | That all affected homeowners are consulted with, along with the rest of the West Melton township. Considers that a larger scale development would be more in keeping with the existing landowners on the eastern side of the proposal, would still retain the amenity value of the neighbouring properties. |
| DPR-0536     | Wayne McGeady           | FS002            |                | Support        | Requests that council to allow the rezoning of such areas on the margins of West Melton to grow in a controlled manner with well a well thought out plan.   |
| DPR-0537     | S Lycett                | FS002            |                | Oppose         | Disallow in full.   |
| DPR-0578     | E Anderson              | FS020            |                | Oppose         | Submission point to be disallowed in full. Should SDC choose to approve this submission either in full or part, then requests that 16 Shepherd Ave to be excluded from any rezoning, i.e., remain at the current LLRZ/GRUZ zoning.  |
| DPR-0594     | A & A Diehl             | FS002            |                | Oppose         | Reject submission point and maintain zoning and policy as drafted in PDP.   |

### *Analysis*

10.2 MWHL <sup>72</sup> initially sought to rezone the 14.4 ha of land in **Figure 15** that is west of Shepherd Avenue and along the West Coast Road (SH73) and Halkett Road frontages from GRUZ to LLRZ.

<sup>72</sup> DPR-0460.002 WMHL

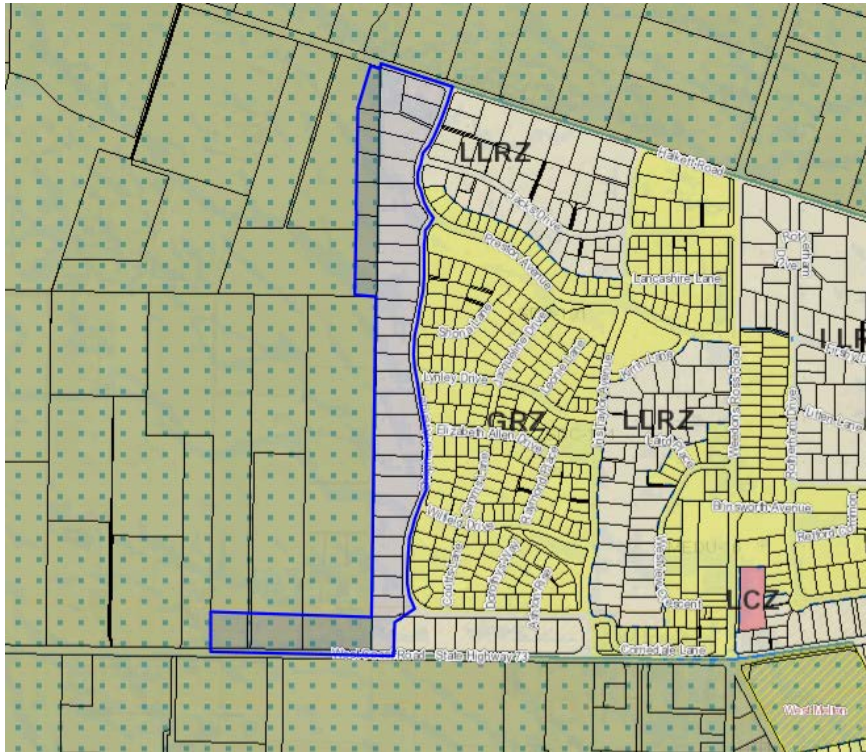


Figure 15: PDP map of the submitters rezoning request.

- 10.3 The submitter is the proponent of private plan change request PC77 to the SDP, which was prepared on behalf of Marama Te Wai Limited who have subsequently been replaced by West Melton Holdings Limited (WMHL). This request initially sought to rezone the rural properties west of the Preston Downs subdivision to a Living Z Zone with a Medium Density Housing Overlay to facilitate the development of a 218-unit retirement village with ancillary facilities. PC77 was updated on 16 June 2022 in response to a request for further information that reduced the area that was subject to the Schedule 1 process from 35.9 ha to 12.5 ha. Submissions from MWHL on the PDP request that the original land area is rezoned from GRUZ to LLRZ and GRUZ to GRZ, which are evaluated in Sections 11 and 13 below. The amended relief in the submitter's evidence establishes that they no longer request that the land is rezoned from GRUZ to LLRZ and GRUZ to LLR-SCA RD2<sup>73</sup>.
- 10.4 Expert engineering, economics, planning, urban design, and transport evidence has been provided to support the MWHL submission. However, this evidence now only applies to the revised 12.5 ha area of land that is subject to the amended scope of PC77 and no longer includes the rural land to the north and west of this amended site.
- 10.5 On the basis of the above assessment and in the absence of additional submitter evidence, I recommend the submission point<sup>74</sup> is rejected for the following reasons:
- 10.5.1 The relief for a rezoning from GRUZ to a LLRZ-SCA RD2 has now been amended by the submitters relief that is evaluated in Section 13 of this report.

<sup>73</sup> DPR-0460 WMHL Statement of Evidence of Ivan Thomson dated 5 August 2022, Page 2.

<sup>74</sup> DPR-0460.002 WMHL

### **Recommendation**

- 10.6 I recommend, for the reasons given above, that the Hearings Panel retain the GRUZ as notified, except where the amendments in **Appendix 2** recommend accepting the relief sought by other submitters.
- 10.7 Recommendations on the submission and further submissions are rejected and accepted as shown in **Appendix 1**.

## **11. Requests to rezone land in West Melton from GRUZ to LLRZ**

### **Submissions**

- 11.1 Seven submission points and 17 further submissions were received in relation to this subtopic.

| Submitter ID | Submitter Name           | Submission Point | Position       | Decision Requested   |
|--------------|--------------------------|------------------|----------------|--|
| DPR-0216     | M England                | 001              | Oppose in part | Amend zoning of 71 Preston Ave (Lot 202 Deposited Plan 453222 and Lot 8 Deposited Plan 525046) in its entirety to General Residential Zone (GRZ) or Large Lot Residential Zone (LLRZ).   |
| DPR-0223     | K Smith                  | FS001            | Support        | Allow their point - extend the urban boundary and rezone the rural portion of these properties to LLRZ.  |
| DPR-0223     | K Smith                  | 001              | Oppose         | Amend zoning of 75 Preston Ave (Lot 245 DP 456695 and Lot 7 DP 525046) in its entirety to General Residential Zone (GRZ) or Large Residential Zone (LLRZ); and all those properties with split zoning on the map attached to the submission. |
| DPR-0216     | M England                | FS001            | Support        | Allow their point - extend the urban boundary and rezone the rural portion of these properties to LLRZ.  |
| DPR-0231     | G Curtis                 | 001              | Oppose in part | Amend zoning of 87 Preston Ave (Lot 248 DP456695 and Lot 4 and Lot 5) in its entirety to General Residential Zone (GRZ) or Large Residential Zone (LLRZ); and all those properties with split zoning on the map attached to the submission.  |
| DPR-0223     | K Smith                  | FS002            | Support        | Allow their point - extend the urban boundary and rezone the rural portion of these properties to GRZ or LLRZ.   |
| DPR0216      | M England                | FS002            | Support        | Allow their point - extend the urban boundary and rezone the rural portion of these properties to GRZ or LLRZ.   |
| DPR-0347     | R Erskine & T Standfield | 001              | Oppose in part | Rezone the properties bordered red on the figure attached to the submission to LLRZ.   |
| DPR-0216     | M England                | FS003            | Support        | Allow their point - extend the urban boundary and rezone the rural portion of these properties to GRZ or LLRZ.   |
| DPR-0223     | K Smith                  | FS003            | Support        | Allow their point - extend the urban boundary and rezone the rural portion of these properties to GRZ or LLRZ.   |
| DPR-0578     | E Anderson               | FS018            | Oppose         | Submission point to be disallowed in full. Should SDC choose to approve this submission either in full or part, then requests that 16 Shepherd Ave to be excluded from any rezoning, i.e., remain at the current LLRZ/GRUZ zoning.           |

### Analysis

- 11.2 M England<sup>75</sup> (71 and 73 Preston Avenue), K Smith<sup>76</sup> (75 Preston Avenue), G Curtis<sup>77</sup> (87 Preston Avenue), and R Erskine and T Stanfield<sup>78</sup> (79 Preston Avenue) identify that the PDP proposes to rezone the land in **Figure 16** from Living West Melton (North) Zone to LLRZ.



Figure 16: PDP Map of the land at 71/73, 75, 79 and 87 Preston Avenue.

- 11.3 The submitters identify that the current split zoning presents uncertainty in respect to what is able to be undertaken on the land under the PDP. A secondary relief relates to the rezoning of the same land from LLRZ to GRZ, which is evaluated separately in Section 9 above. No expert evidence has been provided in support of the submissions.
- 11.4 The site includes a split zoning that applies to eight balance lots that have been subdivided and integrated into the records of title of the existing residential properties as a buffer from the rural activities or future development of the land for residential activities along the adjacent western boundary. The establishment of this buffer has proven to be astute as the rural land on the adjoining western boundary was until recently subject to a submission on the PDP seeking it be rezoned from GRUZ to GRZ and LLRZ (DPR-0460 MWHL) and PC77.

<sup>75</sup> DPR-0216.001 M England

<sup>76</sup> DPR-0223.001 K Smith

<sup>77</sup> DPR-0231.001 G Curtis

<sup>78</sup> DPR-0347 R Erskine & T Standfield



## NPS-UD 'gateway' assessment

- 11.5 As set out in the Rezoning Framework Report, for any greenfield re-zoning outside of an Urban Growth Overlay, the first test is whether it meets the NPS-UD Policy 8 significance criteria. The report also provides the option for an alternative 'Other need test' to be applied to a greenfield re-zoning request that is not within the Urban Growth Overlay nor meets the significance criteria where it fulfils another need in response to a zoning anomaly or links the provision of infrastructure.
- 11.6 The balance lots are identified as GRUZ in the PDP. They are not subject to the UGO or identified as a 'rural residential location' in the RRS14. However, in this case the submitters are seeking an 'urban density' to achieve a contiguous zoning across single records of title. Under these circumstances I do not consider this constitutes a 'rural residential' activity in the context of the CRPS Chapter 6 Policy 6.8.9 or the RRS14<sup>79</sup>. While I acknowledge that granting the submitters relief would extend the township boundary and would be inconsistent with the Urban Growth Objectives (objective UG-02) of the PDP and CRPS Chapter 6<sup>80</sup>, I consider that the unique and site-specific nature of the rezoning request ensures that it will have an inconsequential impact on the management of residential 'greenfield' development in West Melton and the Greater Christchurch sub-region.
- 11.7 I consider that the submitter's rezoning request is generally consistent with the Preferred Urban Growth option for the township described in Section 6 and detailed in the SDP Growth of Township policies, which promotes a consolidated settlement pattern and support residential development between West Coast Road (SH73) and Halkett Road.
- 11.8 While I agree that the split zoning presents uncertainty to the landowners in respect to what provisions apply to the western portion of the sections, the submitters appear to have been aware of this when the balance areas were created and integrated into the records of title. In any event, the LLRZ will maintain a buffer between these properties and any residential development that may occur on the adjoining rural land at some point in the future. I consider that the risk of adverse reverse sensitivity effects increasing because of the rezoning of the land to LLRZ is low as it would be consistent with the established densities along the western boundary of the Preston Downs subdivision. The rezoning is also unlikely to enable most of the properties to be subdivided further due to the shape and size of the parcels and the minimum lot size of 3,000m<sup>2</sup> and minimum average lot size of 5,000m<sup>2</sup> that the PDP applies to the LLRZ.
- 11.9 I do not consider that the absence of expert evidence to enable the substantive merits of the rezoning to be evaluated against the Greenfield Framework criteria is critical given that the submitters are requesting a consolidated zoning pattern to rationalise how land that is held in single records of title is managed. Under these circumstances there would be little to be gained by requiring technical evidence as the rezoning does not enable any significant changes to how the land could be used under the permitted activity rules of the PDP.
- 11.10 Importantly, the rezoning would contribute to the loss of LUC Class 2 and 3 highly productive land that must be avoided under the NPS-HPL. In the absence of an ECan initiated exercise to map the

<sup>79</sup> **Rural residential activities** means residential units outside the identified Greenfield Priority Areas and Future Development Areas at an average density of between 1 and 2 households per hectare.

<sup>80</sup> Including Objective 6.2.2 and Policies 6.3.1, 6.3.2, 6.3.3 and 6.3.7.

Canterbury Regions highly productive land, there does not appear to be any exceptions provided within the NPS-HPL to accommodate the rezoning request. Although I consider that the productive capacity was essentially lost when the balance lots were integrated into the records of title of the directly adjoining residential properties, accepting the rezoning request would be contrary to the NPS-HPL as it is unable to satisfy the pre-requisites in Implementation clauses 3.6 and 3.8.

11.11 On the basis of the above assessment and in the absence of additional submitter evidence, I recommend the submission points<sup>81</sup> are rejected for the following reasons:

11.11.1 The rezoning would contribute to the rezoning of LUC Class 2 and 3 highly productive land for which activities that must be avoided under the NPS-HPL.

11.11.2 The rezoning request has merit for being advanced through a Council initiated spatial planning exercise to establish the appropriate densities and community outcomes, and to ensure the integration of infrastructure services and transport networks are coordinated.

### **Recommendation**

11.12 I recommend, for the reasons given above, that the Hearings Panel retain the GRUZ as notified, except where the amendments in **Appendix 2** recommended accepting the relief sought by other submitters.

11.13 Recommendations on the submission and further submissions are rejected and accepted as shown in **Appendix 1**.

### **Submissions**

| Submitter ID | Submitter Name   | Submission Point | Position        | Decision Requested   |
|--------------|------------------|------------------|-----------------|--|
| DPR-0418     | R, P, & R Wilson | 001              | Oppose          | Rezone Lot 5 DP 353900 and Part RS 5902, 1213 West Coast Road, West Melton to a mix of Low-Density Residential Zone (LRZ) and General Residential Zone (GRZ) as shown in the submission. |
| DPR-0593     | A Taylor         | FS001            | Support in part | <i>This parcel of land should be rezoned LLRZ adjacent to the West Coast Road as proposed with the remainder of the block zoned as GRZ.</i>  |

### **Analysis**

11.14 R, P, & R Wilson<sup>82</sup> request that the land at 1213 West Coast Road (SH73) in **Figure 17** is rezoned from GRUZ to a combination of GRZ and LLRZ. The submitters request to rezone the balance of the land that extends to the south-eastern corner of the property from GRUZ to GRZ is evaluated in Section 13 below. The submitters consider that the rezoning of the northern and western edges of the site to allow development densities of 2hh/ha would provide an appropriate rural fringe and facilitate increased densities in an optimal location that can be appropriately serviced.

<sup>81</sup> DPR-0216.001 M England, DPR-0223.001 K Smith, DPR-0231.001 G Curtis, & DPR-0347.001 R Erskine & T Standfield

<sup>82</sup> DPR-0418.001 R, P, & R Wilson

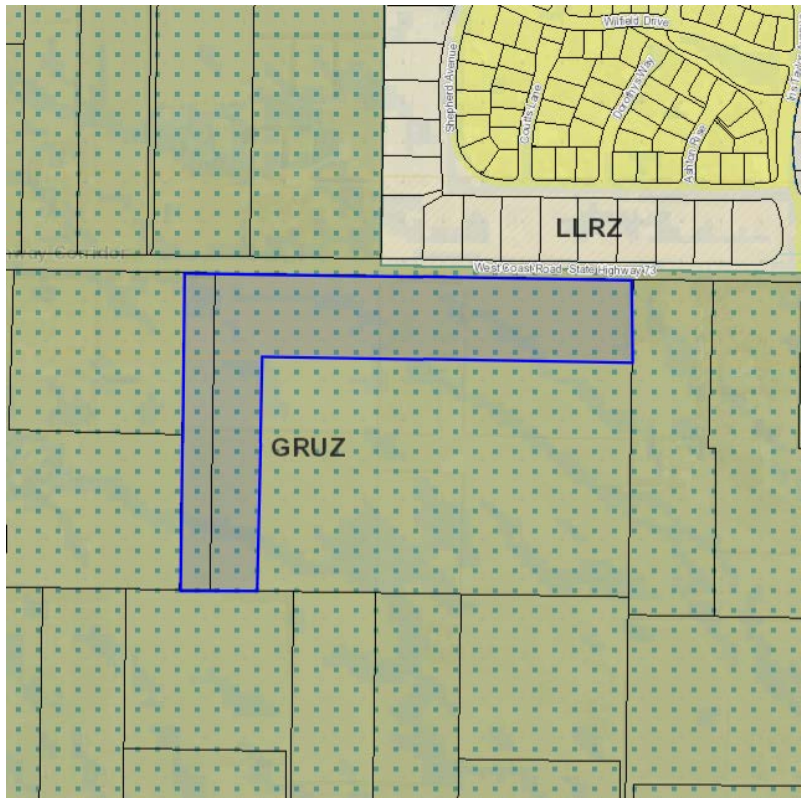


Figure 17: PDP map of the land at 1213 West Coast Road (SH73)

- 11.15 Expert planning evidence has been provided in support of the submission. Correspondence from the submitter's representatives, Davis Ogilvie consultants, to Council dated 11 October 2022 indicates that additional expert evidence to support the rezoning request was being commissioned and would be provided at an unspecified date.
- 11.16 This correspondence also indicated that the site has been extended beyond 1213 West Coast Road (SH73) to include the two properties to the east at 1183 and 1185 West Coast Road (SH73) respectively. I consider that the inclusion of this additional land following the closing of further submissions creates a procedural issue. This is because interested parties have not been provided the opportunity to register their interest in the rezoning request through a further submission, which would be further prejudiced if any supporting technical evidence is received outside of the timelines prescribed in the Panel Minutes. I consider that the relief as it applies to 1183 and 1185 West Coast Road (SH73) is beyond the scope of the original submission and recommend that it is rejected.

#### **Rural residential framework assessment**

- 11.17 The densities being sought in the rezoning request mean that the resulting LLRZ would be recognised as a 'rural residential activity' in Policy 6.3.9 of the CRPS, which establishes that an evaluation of the appropriateness of the rezoning is required against the Rural Residential Framework criteria prescribed in the Rezoning Framework Report.
- 11.18 The Rural Residential Framework criteria follows the Urban Growth policies, as altered by s42A Urban Growth recommendations, and reflects the outcomes sought from the higher order strategic planning documents. Submissions requesting an LLRZ rezoning at rural residential densities within

the Greater Christchurch area can only be considered if they are within the Rural Residential Strategy<sup>83</sup>. Any rezoning for land that is not an identified location in the RRS14 can still be considered but only for future reference.

### Rural Residential Framework

| Criteria  | The request, at a minimum:  |
|---|---|
| <b>Is within the Rural Residential Strategy</b>   | The land is not identified as a rural residential location in Section 6 of the RRS14. Any rezoning from GRUZ to LLRZ to enable the subdivision and development of the land for rural residential activities would be inconsistent with CRPS Chapter 6 objectives and policies (Objective 6.2.2 and Policies 6.3.1, 6.3.3, & 6.3.9). The rezoning would also be inconsistent with the PDP UG-Chapter objectives and policies for managing rural residential activities (objective UG-O2 and policies UG-P2, UG-P3, UG-P7, & UG-13).  |
| <b>How it integrates into or consolidates with an existing settlement.</b>                                | The rezoning would be inconsistent with the preferred growth option for the township that limited low density residential development occurs to the south of West Coast Road (SH73), with residential growth being accommodated in the wider block between the State Highway and Halkett Road. Unlike other rezoning requests on the southern side of West Coast Road (SH73), this site is not contained by any growth boundaries, such as a road or natural feature, to the south or west. The planning evidence provided in support of the submission identifies that the property has a high level of connectivity with existing residentially zoned areas currently identified by the PDP and wider amenities. However, West Coast Road (SH73) presents a barrier that reduces accessibility, which would require the existing footpath that terminates at the western end of the road reserve outside the West Melton Community and Recreation Centre to be extended to the site. This would enable safe and convenient walking and cycling access to these facilities as well as connections to the pedestrian refuge across West Coast Road (SH73) to the Preston Downs subdivision. The NZTA initiated upgrades to the intersection of West Coast Road (SH73), Weedons Road and Weedons Ross Road includes dedicated pedestrian crossings, which will also improve connectivity across the State Highway. <sup>84</sup> |
| <b>Access provided by a sealed road but not a strategic or arterial road</b>                              | The properties have direct frontage to West Coast Road (SH73), so access is required to a strategic road. This fails to satisfy the criteria and would mean that the rezoning is inconsistent with CRPS Chapter 6 Policy 6.3.9.4 and the PDP policy UG-P11.   |
| <b>Does not effect the safe, efficient, and effective functioning of the strategic transport network?</b> | There is no evidence to demonstrate that direct access to a rural residential subdivision would not compromise the safe, efficient, and effective functioning of West Coast Road (SH73), which is recognised as Important Infrastructure in the PDP and is of national importance.  |

<sup>83</sup> CRPS Policy 6.3.9.

<sup>84</sup> [SH73 West Melton intersection improvements project update – November 2021 \(nzta.govt.nz\)](https://www.nzta.govt.nz/projects-and-programmes/road-projects/sh73-west-melton-intersection-improvements-project-update-november-2021/)

| Criteria   | The request, at a minimum:   |
|--|--|
|  | The rezoning is therefore inconsistent with CRPS Chapter 6 Policy 6.3.9.5.g and PDP policy UG-P13.   |
| <b>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?</b> | The site does not contain any sites of significance, but there is no evidence to establish that the site is not susceptible to unreasonable flooding or geotechnical risk or contains contaminated soils.  |
| <b>Does not locate noise sensitive activities within the 50 dB Ldn Air Noise Contours.</b>   | The 50 dB Ldn Air Noise Contours does not apply to the requested area.   |
| <b>The loss of highly productive land.</b>   | The land is comprised of LUC Class 2 and 3, which is recognised as highly productive land under the NPS-HPL. The NPS-HPL requires that the development of highly productive land for rural lifestyle activities is to be avoided. There is no evidence to establish that the rezoning exemptions have been satisfied. The rezoning is also inconsistent with the PDP urban growth policies relating to the versatile soil resource in policy UG-P9.  |
| <b>Achieves the built form and amenity values of the zone sought.</b>  | The planning evidence identifies that the rezoning aligns with the intent of the objectives and policies of the PDP and the NPS-UD in respect to meeting an identified short term supply constraints in relation to the West Melton. Although the rezoning would support additional housing capacity, provide a variety of housing and promote market competition, I consider that it would compromise the urban form of the township and the amenity that is attributed to the GRUZ, which is evidenced by the site not being identified in the RRS14.<br>The PDP contains rules and requirements to appropriately manage any glare effects arising from the rezoning that could compromise the night sky values of the West Melton Observatory Lighting Area <sup>85</sup> . |
| <b>Protects any heritage site and setting, and notable tree within the re-zoning area</b>  | There are no PDP heritage sites or notable trees within the requested area.  |
| <b>Preserves the rural amenity at the interface through landscape, density, or other development controls</b>  | While the LLRZ is being proposed as an interface with the adjoining GRZ, there is no urban design or landscape evidence to establish whether any other treatments or ODP requirements are required at the rural interface to preserve rural amenity.   |
| <b>Does not significantly impact existing or anticipated adjoining rural, dairy processing, industrial, inland port, or knowledge zones</b>  | There is no evidence to demonstrate what, if any, impact the rezoning may have on adjoining rural productive land use activities and whether any mitigation is required to reduce reverse sensitivity effects.   |

<sup>85</sup> Rule LIGHT-R1 Artificial outdoor lighting and requirement LIGHT-REQ3 Sky Glow.



| Criteria  | The request, at a minimum:   |
|---|--|
| <b>Does not significantly impact the operation of important infrastructure, including strategic transport network</b>   | There is no evidence to demonstrate that direct access for a rural residential subdivision would not compromise the safe, efficient, and effective functioning of West Coast Road (SH73), which is recognised as Important Infrastructure in the PDP and is of national importance. The rezoning is therefore inconsistent with CRPS Chapter 6 Policy 6.3.9.5.g and PDP policy UG-P13. |
| <b>How it aligns with existing or planned infrastructure, including public transport services, and connecting with water, wastewater, and stormwater networks where available</b> | While the planning evidence identifies that there is capacity available within the infrastructure network, there is no expert evidence to substantiate whether this is the case.   |
| <b>An ODP is prepared</b>   | The submission does not contain an outline development plan. The rezoning is therefore inconsistent with CRPS Chapter 6 Policies 6.3.2 and 6.3.3 and PDP policy UG-P13.  |

11.19 On the basis of the above assessment and in the absence of additional submitter evidence, I recommend the submission point<sup>86</sup> is rejected for the following reasons:

11.19.1 The evaluation of the submission establishes that the rezoning fails to satisfy the Rural Residential Framework criteria and would be inconsistent with the relevant objective and policies in the NPS-HPL (Objective 2.1 and Policies 1, 4, 5, 6, 7 & 8), and CRPS Chapter 6 (Objective 6.2.2 and Policies 6.3.1, 6.3.2, 6.3.3, & 6.3.9).

11.19.2 The relief as it applies to 1183 and 1185 West Coast Road (SH73) is beyond the scope of the original submission because interested parties have not been provided the opportunity to register their interest in the rezoning request through a further submission, which would be further prejudiced if any supporting technical evidence is received outside of the timelines prescribed in the Panel Minutes.

### ***Recommendation***

11.20 I recommend, for the reasons given above, that the Hearings Panel retain the GRUZ as notified, except where the amendments in **Appendix 2** recommended accepting the relief sought by other submitters.

11.21 It is recommended that the submission and further submission are rejected as shown in **Appendix 1**.

<sup>86</sup> DPR-0418.001 R, P, & R Wilson

### Submissions

| Submitter ID | Submitter Name        | Submission Point | Position        | Decision Requested   |
|--------------|-----------------------|------------------|-----------------|--|
| DPR-0443     | GWWL                  | 003              | Oppose          | Amend the planning maps so as to zone properties shown on the map included with the submission West Melton General residential zone (GRZ) and Large lot residential zone (LLRZ) generally consistent with Plan Change 67, rather than General rural zone (GRUZ). |
| DPR-0032     | CCC                   | FS167            | Oppose          | Oppose submission.   |
| DPR-0243     | R Howard & J Marshall | FS003            | Support in part | Accept submission in part subject to amendments to the rezoning sought, including ODP, to ensure integration with GRZ development of our land.   |

### Analysis

11.22 GWWL<sup>87</sup> request that the land in **Figure 18** south of the Wilfield subdivision on the southern side of West Coast Road (SH73) is rezoned from GRUZ to a combination of GRZ and LLRZ. The portion of the site that the submitter is seeking to be rezoned to LLRZ. The submitters request to rezone the balance of the land holding that extends to the south-eastern corner of the property from is evaluated in Section 13 below. The submission relates to the rural land that has been rezoned from a Rural (Inner Plains) Zone to a Living West Melton (South) Zone under the SDP through PC67, which was made operative on the 18<sup>th</sup> of May 2022. Evidence has also been provided in support of the further submissions from CCC.<sup>88</sup>

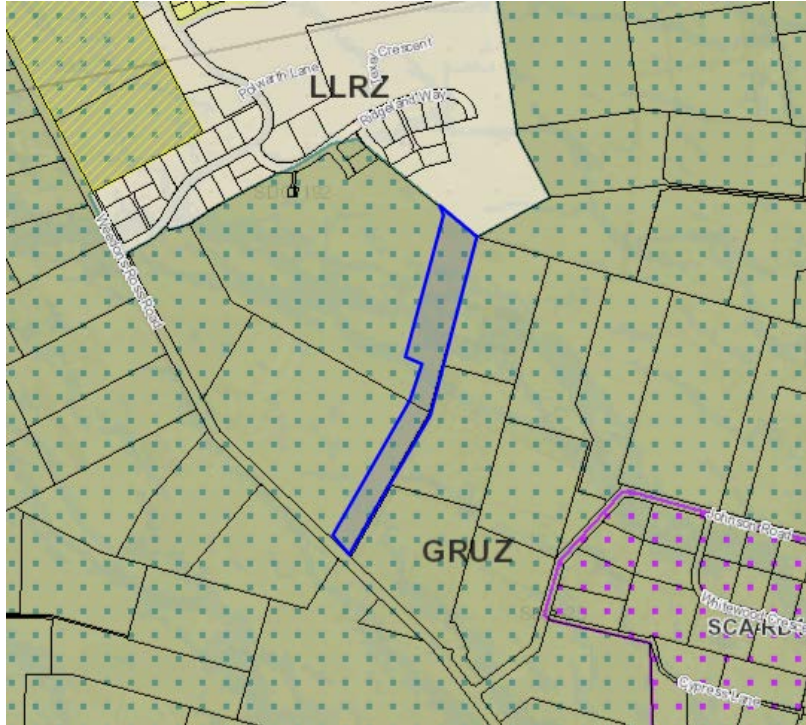


Figure 18: PDP map of the submitters rezoning request

<sup>87</sup> DPR-0443.003 GWWL

<sup>88</sup> DPR-0032 FS167 CCC

11.23 The submitter seeks to align the PDP Planning Maps with the distribution of GRZ and LLRZ across the PC67 site as it is shown in the now operative ODP provided in **Figure 19** below.

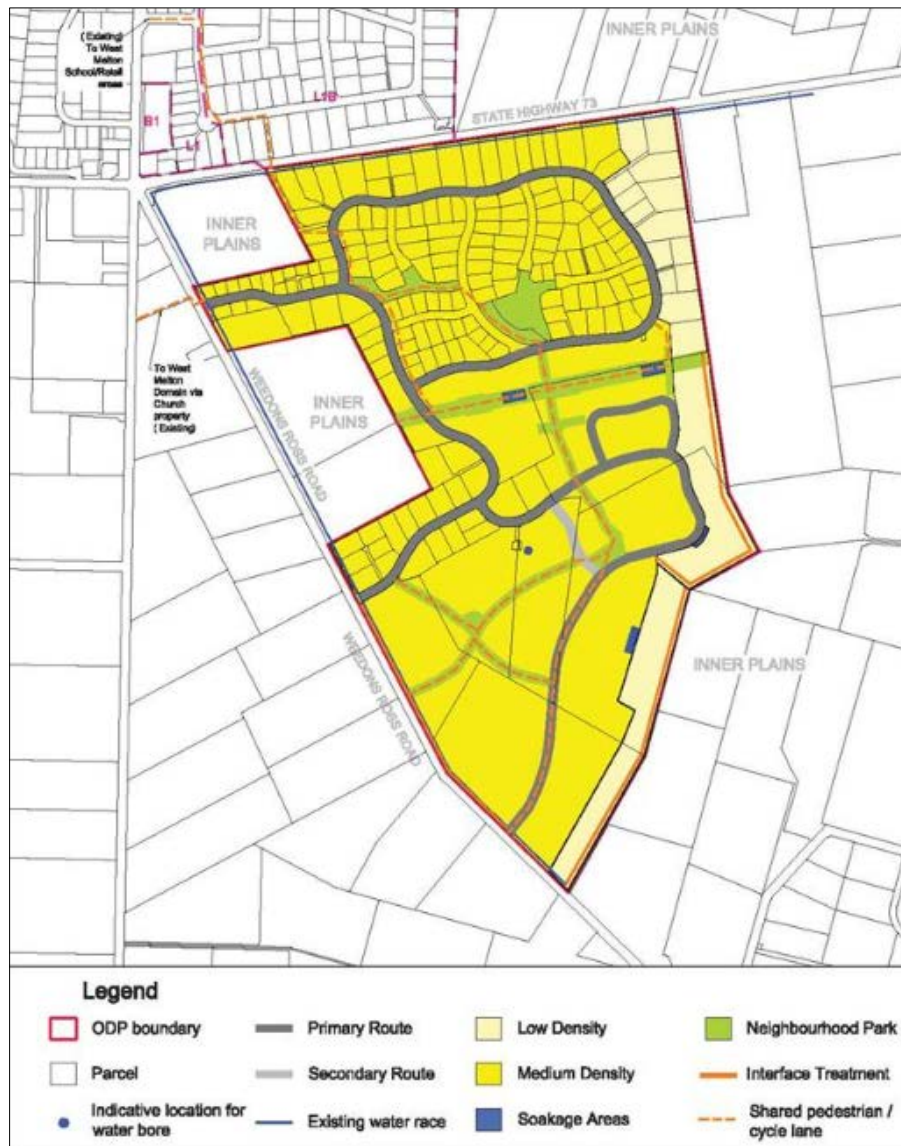


Figure 19: PC67 ODP indicating the density distribution across the Wilfield subdivision

11.24 The lag between when the PDP planning maps were notified and PC67 being made operative in the SDP following the completion of the Schedule 1 Part 2 initiated processes have resulted in an inconsistency with how the residential densities have been distributed across the Wilfield subdivision. This includes in respect to the portion of the site being identified as GRUZ rather than LLRZ in the PDP Planning Maps.

11.25 The scope of the submission requests that all changes necessary to enable the equivalent outcomes of the private plan change decisions to be included in the PDP are made, including consequential changes. I consider that the scope of this submission provides the mechanism to enable the site to be referenced as West Melton Development Area 01 (WM-DEV01) on the Planning Maps and enable the ODP plans and narrative to be referenced as a Development Area within Part 3 – Area Specific Matters of the PDP to ensure the future development of the site is effectively coordinated. It also

enables the site-specific subdivision controls that were formulated through PC67 to be inserted as new requirements (SUB-REQ) in the Part 2 – District Wide Matters – Subdivision chapter. The inclusion of these requirements will maintain the site-specific standards relating to the timing of the West Coast Road (SH73) upgrades and the need for the sustainability measures to be established. I recommend that these updates are coordinated by Council officers to ensure the ODP plan and narrative, and the relevant SDP provisions, are integrated into the PDP framework to maintain consistency and certainty to Plan users.

- 11.26 Under these circumstances and because the substantive merits of the rezoning request have determined the distribution of the densities across the Wilfield subdivision through the private plan change request process, I consider that it is appropriate to amend the PDP planning maps to align with the SDP ODP. In this case an evaluation of the submission against the NPS-UD Policy 8 Significance Criteria, the Urban Growth Objectives and the Greenfield Framework would serve no benefit. The site contains LUC Class 2 and 3 highly productive land and should typically be avoided from rezoning for urban or rural lifestyle purposes. However, in this case the timing of PC67 being made operative means that the site is excluded from being classified as highly productive land under the NPS-HPL<sup>89</sup>.
- 11.27 The Rezoning Framework report provides the option for an alternative ‘Other need test’ to be applied to a greenfield re-zoning request that is not within the UGO nor meets the significance criteria where it fulfils another need in response to a zoning anomaly or links the provision of infrastructure. I consider that the timing of the PC67 Schedule 1 Part 2 initiated process and when the rezoning changes were made operative under the SDP has resulted in a zoning anomaly that satisfies the ‘Other needs test’.
- 11.28 On the basis of the above assessment, I recommend the submission point<sup>90</sup> is accepted for the following reasons:
- 11.28.1 It is appropriate to amend the PDP planning maps, insert the ODP plans and narrative and relevant subdivision rules to align with the updates made to the ODP in Appendix 20 and subdivision rules of the SDP Township Volume, and any consequential changes, following PC67 being made operative under the Schedule 1 process.
- 11.28.2 The PC67 private plan change request process has determined that the rezoning satisfies NPS-UD Policy 8 to ensure consistency with the PDP Urban Growth Objectives and the Greenfield Framework. There are also appropriate grounds to accept the rezoning request as the ‘Other needs test’ in the Rezoning Framework Report has been satisfied.
- 11.28.3 The land is excluded from being classified as highly productive land under the NPS-HPL.

### ***Recommendations and amendments***

- 11.29 The amendments to the land use zoning and inclusion of a reference to ‘DEV-WM01’ in the Planning Maps, inclusion of the ODP plan and narrative in as ‘WM—West Melton – DEV-WM01 West Melton 1 Development Area’ are inserted into Part 3 – Area Specific matters, and the subdivision

<sup>89</sup> NPS-HPL Implementation clause 3.5 (7)(b)(ii).

<sup>90</sup> DPR-00443.003 GWWL

requirements as new requirements (SUB-REQ) in the subdivision chapter are recommended, as set out in a consolidated manner in **Appendix 2** from LLRZ to GRZ.

11.30 It is recommended that submission and further submissions are either accepted, accepted in part and rejected as shown in **Appendix 1**. I recommend that these updates are coordinated by Council officers to ensure the ODP plan and narrative, and the relevant SDP provisions, are integrated into the PDP framework to maintain consistency and certainty to Plan users.

11.31 The nature of the change does not require a s32AA evaluation as the substantive merits of the rezoning have been evaluated under the Schedule 1 process and the updated PDP Planning Maps, subdivision requirements, Development Area ODP plan and narrative, and any other consequential changes, to ensure the PDP corresponds with the SDP.

### **Submissions**

| Submitter ID | Submitter Name          | Submission Point | Position       | Decision Requested  |
|--------------|-------------------------|------------------|----------------|---|
| DPR-0460     | MWHL                    | 003              | Oppose in part | Rezone so that all the area shown green on Figure 1 is Large lot residential zone.  |
| DPR-0223     | K Smith                 | FS005            | Support        | Allow their point -extend the urban boundary and rezone the rural portion of these properties to LLRZ.  |
| DPR-0216     | M England               | FS004            | Support        | Allow their point - extend the urban boundary and rezone the rural portion of these properties to GRZ or LLRZ.  |
| DPR-0347     | R Erskine & T Stanfield | FS002            | Oppose         | That all affected homeowners are consulted with, along with the rest of the West Melton township. Considers that a larger scale development would be more in keeping with the existing landowners on the eastern side of the proposal, would still retain the amenity value of the neighbouring properties. |
| DPR-0536     | Wayne McGeedy           | FS002            | Support        | Requests that council to allow the rezoning of such areas on the margins of West Melton to grow in a controlled manner with well a well thought out plan.   |
| DPR-0537     | S Lycett                | FS002            | Oppose         | Disallow in full.   |
| DPR-0578     | E Anderson              | FS020            | Oppose         | Submission point to be disallowed in full. Should SDC choose to approve this submission either in full or part, then requests that 16 Shepherd Ave to be excluded from any rezoning, i.e., remain at the current LLRZ/GRUZ zoning.  |
| DPR-0594     | A & A Diehl             | FS002            | Oppose         | Reject submission point and maintain zoning and policy as drafted in PDP.   |

### **Analysis**

11.32 MWHL<sup>91</sup> initially sought to rezone the 14.4 ha of land in **Figure 20** west of Shepherd Avenue and along the West Coast Road (SH73) and Halkett Road frontages to a LLRZ.

<sup>91</sup> DPR-0460.003 WMHL



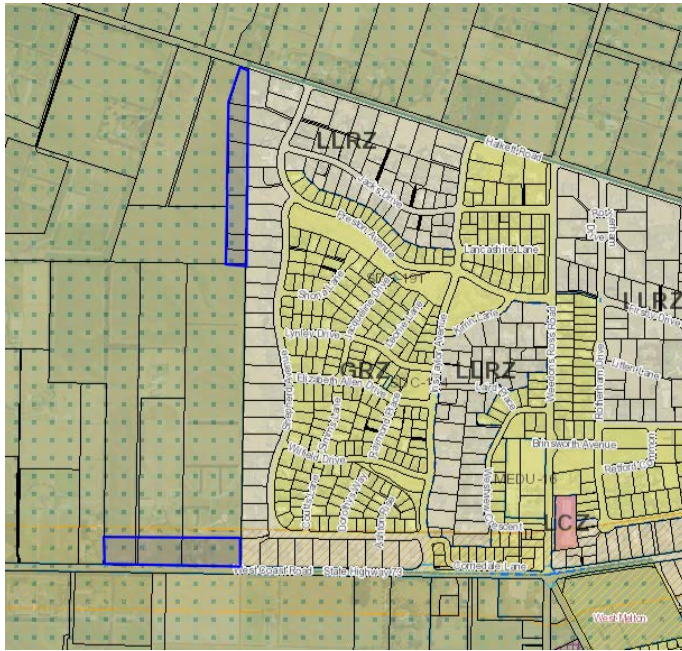


Figure 20: PDP map of the submitters rezoning request.

- 11.33 The submitter is the proponent of private plan change request PC77 to the SDP, which was initially prepared on behalf of Marama Te Wai Limited who have subsequently been replaced by West Melton Holdings Limited (WMHL). This request initially sought to rezone the rural properties west of the Preston Downs subdivision to a Living Z Zone with a Medium Density Housing Overlay to facilitate the development of a 218-unit retirement village with ancillary facilities. PC77 was updated on 16 June 2022 in response to a request for further information that reduced the area that was subject to the Schedule 1 Part 2 initiated process from 35.9 ha to 12.5 ha. Submissions from MWHL on the PDP request that the original land area is rezoned from GRUZ to LLRZ-SCA RD2 and GRUZ to GRZ, which are evaluated in Sections 10 and 13 respectively. The amended relief in the submitter's evidence establishes that they no longer request that the land is rezoned from GRUZ to LLRZ<sup>92</sup>.
- 11.34 Expert engineering, economics, planning, urban design, and transport evidence has been provided to support the MWHL submission. However, this evidence now only applies to the revised 12.5 ha area of land that is subject to the amended scope of PC77 and no longer includes the rural land to the north and west of this amended site.
- 11.35 On the basis of the above assessment and in the absence of additional submitter evidence, I recommend the submission point<sup>93</sup> is rejected for the following reasons:
- 11.35.1 The relief for a rezoning from GRUZ to LLRZ has now been amended the submitter evidence that is evaluated in Section 13 of this report.

<sup>92</sup> DPR-0460 WMHL Statement of Evidence of Ivan Thomson dated 5 August 2022, Page 2.

<sup>93</sup> DPR-0460.003 WMHL

### **Recommendation**

11.36 I recommend, for the reasons given above, that the Hearings Panel retain the GRUZ as notified, except where the amendments in **Appendix 2** recommend accepting the relief sought by other submitters.

11.37 Recommendations on the submission and further submissions are rejected and accepted as shown in **Appendix 1**.

## **12. Requests to apply a UGO to GRUZ land in West Melton**

12.1 One submission point and two further submissions were received in relation to this subtopic, which are evaluated in separate sections below.

### **Submissions**

| Submitter ID | Submitter Name        | Submission Point | Position                   | Decision Requested   |
|--------------|-----------------------|------------------|----------------------------|--|
| DPR-0266     | R Graham              | 002              | Oppose                     | Amend as shown on the attached PDF - additional land to the east and within the central areas of West Melton should be zoned for future residential development.   |
| DPR-0243     | R Howard & J Marshall | FS005            | Support in part            | Support the submission as it relates to requested rezoning of our land, subject to full consultation and input regarding the same, as detailed in 'reasons for support'; and the rezoning being consistent with our submission.  |
| DPR-0446     | Transpower            | FS016            | Neither support nor oppose | If the submission is allowed, ensure that the land shown on the plan attached to the submission 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. |

### **Analysis**

12.2 R Graham<sup>94</sup> requests that the GRUZ land in **Figure 21** should be zoned for future residential development. The submitter considers that there is limited rural land around West Melton that has been identified to facilitate future residential development. They identify that as the closest township immediately west of Christchurch it is likely that there will be higher levels of demand for residential housing in West Melton. No evidence has been provided in support of the submission. Evidence has also been provided in support of the further submissions from Transpower<sup>95</sup>.

<sup>94</sup> DPR-0266.002 R Graham

<sup>95</sup> DPR-0446 FS016 Transpower

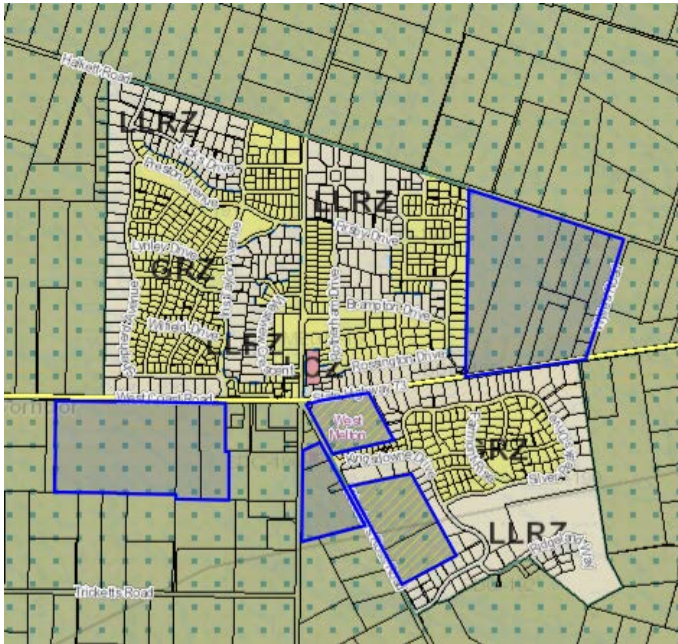


Figure 21: SDP map of the submitters rezoning request

- 12.3 There are other submissions seeking that some of the land holdings identified in **Figure 21** are rezoned directly from GRUZ to GRZ, which would achieve a similar but more enabling outcome. In any event, the following assessment evaluates the merits of applying a UGO to the land, which is the tool that has been applied in the PDP framework for identifying the spatial extent of the desired settlement pattern and future extensions to townships<sup>96</sup>.
- 12.4 The PDP Part 1 HPW24 – Overlays describes the UGO as the mapped locations identified in Development Plans<sup>97</sup> that have been applied by Council to assist in determining where new urban areas can locate around townships to deliver the outcomes that are anticipated to be achieved within these environments. The management of these future urban growth paths are integrated in the UG-Policies, where the UGO is the mechanism for rezoning land to establish new urban areas (policy UG-P2). It also requires that the rezoning of any land for new urban areas or extensions to any township in the Greater Christchurch area that is not subject to the UGO to be avoided (policy UG-P3).
- 12.5 The pre-requisites that need to be satisfied before the land is suitable for rezoning GRUZ land to a UGO within the Greater Christchurch area are detailed in policy UG-P13. This includes the land being an identified growth area in the CRPS that at present are the FUDA on Map A in Chapter 6. The FUDA were identified in the Our SPACE Future Development Strategy as the land that is needed to provide additional feasible development capacity across the Greater Christchurch sub-region (policy UG-P13.2). This illustrates that a relatively significant amount of spatial planning and housing sufficiency

<sup>96</sup> [Section 32 Report-Urban-Growth \(selwyn.govt.nz\)](#), Section 5.3 Evaluation of Proposed Objectives (Pages 27 to 36), and Section 6, Spatial layers (P38).

<sup>97</sup> Refer to the PDP definition of **Developments Plans**.

analysis has gone into establishing the UGO, which is linked directly to the mandatory outcomes and directions contained in the NPS-UD<sup>98</sup>.

- 12.6 There is no ability to apply the UGO overlay to the land as the need to provide for it to be rezoned to respond to an identified short-term housing shortfall has not been identified in an adopted SDC Development Plan<sup>99</sup> or a Housing Capacity Assessment and Future Development Strategy prepared under the NPS-UD. Applying the UGO to the land under these circumstances would be inconsistent with the objectives and policies of the NPS-UD (Objectives 1 to 8 and Policies 1 to 8), NPS-HPL (Objective 1 and Policies 1, 2, 4, 5, 7, 8 & 9), CRPS (Objectives 6.2.1 and 6.2.2 and Policies 6.3.1 to 6.3.5, 6.3.7 and 6.3.9) and the PDP (objectives UG-01 to UG-03 and policies UG-P1 to UG-P3, UG-P7, UG-P9, UG-P10, UG-P11, UG-P12 & UG-P13).
- 12.7 The land that is subject to the rezoning request is comprised of LUC Class 2 and 3 highly productive land so the appropriateness of applying a UGO needs to be evaluated under the objective and policies of the NPS-HPL. LUC Class 2 and 3 soils are able to be excluded from being highly productive land under the NPS-HPL, but only if the land is identified for 'future urban development'<sup>100</sup>. In this case, the land is not identified within an adopted spatial plan as a FUDA in the CRPS or the UGO in the PDP and there is no evidence to substantiate how the rezoning would not result in a loss of highly productive land.
- 12.8 On the basis of the above assessment and in the absence of additional submitter evidence, I recommend the submission point<sup>101</sup> is rejected for the following reasons:
- 12.8.1. Applying the UGO to the land would be inconsistent with the objectives and policies of the NPS-UD and CRPS.
- 12.8.2. The application of the UGO to the land to facilitate future urban development could contribute to the loss of highly productive land as it is not identified as a FUDA in the CRPS Chapter 6 Map A or subject to the UGO in the PDP, which is required to be avoided under the NPS-HPL.

### ***Recommendation***

- 12.9 I recommend, for the reasons given above, that the Hearings Panel retain the GRUZ as notified, except where the amendments in **Appendix 2** recommend accepting the relief sought by other submitters.
- 12.10 It is recommended that the submission and further submissions are rejected and rejected in part as shown in **Appendix 1**.

<sup>98</sup> Including the land that has been identified for future urban use in an SDC adopted development plan to respond to long term housing supply within the Greater Christchurch area of the district under Part 3: Implementation, Sub-part 1 – Providing development capacity, Clauses 3.2 to 3.7, of the NPS-UD.

<sup>99</sup> Refer to the PDP definition of **Development Plan**.

<sup>100</sup> NPS-HPL Implementation clause 3.5 (7)(b).

<sup>101</sup> DPR-0266.002 R Graham

### 13. Requests to rezone land in West Melton from GRUZ to GRZ

#### **Submissions**

13.1 13 submission points and 38 further submissions were received in relation to this subtopic.

| Submitter ID | Submitter Name     | Submission Point | Position | Decision Requested   |
|--------------|--------------------|------------------|----------|--|
| DPR-0038     | P, B, S & C Rhodes | 001              | Oppose   | Requests Council to give consideration to changing the zoning of LOT 2 DP 510723 (708 Weedons Ross Road).    |
| DPR-0460     | WMHL               | FS002            | Support  | Rezone 708 Weedons Ross Rd for development or place in the plan a mechanism to correct matters such as this. |
| DPR-0032     | CCC                | FS089            | Oppose   | Oppose submission.   |

#### **Analysis**

13.2 P, B, S & C Rhodes<sup>102</sup> request that the land at 708 Weedons Ross Road in **Figure 22** is rezoned from GRUZ to GRZ to facilitate the subdivision and development of the property for residential activities. No evidence has been provided in support of the submission. Evidence has been provided in support of the further submissions received from CCC<sup>103</sup>.

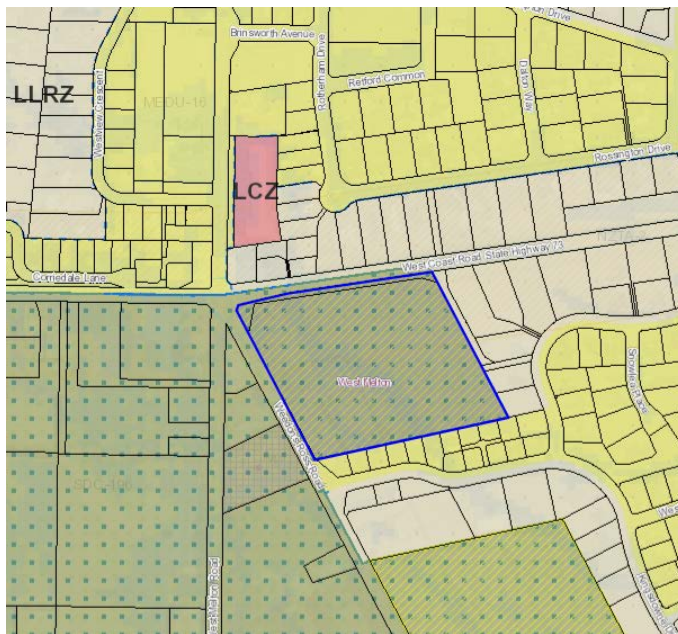


Figure 22: PDP map of the submitters land at 708 Weedons Ross Road

#### **NPS-UD 'gateway' assessment**

13.3 The land is subject to the GRUZ and the UGO under the PDP by virtue of it being rural residential location Area 3 in the RRS14. A pre-requisite of 'rural residential' activities under the CRPS is that it is located outside the township boundary, is included within an adopted rural residential strategy

<sup>102</sup> DPR-0038.001 P, B, S & C Rhodes

<sup>103</sup> DPR-0032 FS089 CCC



and is at densities of 1-2 hh/ha<sup>104</sup>. The RRS14 strategy prepared under the Local Government Act special consultative process has determined that the location has attributes that could make it appropriate for rezoning pending a Schedule 1 Part 2 initiated private plan change request. The PDP has applied the LLRZ from the National Planning Standards to encapsulate the corresponding SDP zonings (Living 2 and 3 Zones) for managing low-density residential and rural residential living environments. The GCP and SDC have yet to determine whether rural residential activities will continue to be enabled, other than through the application of the UGO in the PDP to reflect the lands status in the RRS14. The land is not identified as a FUDA in CRPS Chapter 6 Map A to support long term housing capacity under the NPS-UD, although rural residential housing sufficiency forms part of the Greater Christchurch area housing sufficiency estimates<sup>105</sup>.

- 13.4 Although the intent of the UGO is to identify the land to support future rural residential development, I consider that the requested GRZ would better achieve the outcomes of the NPS-UD. This is because the rezoning would support the subdivision and development of the land to higher densities and include more integrated development infrastructure that better aligns with the desired outcomes to provide well-functioning urban environments.<sup>106</sup>
- 13.5 The context of the site and recent zoning pattern established through the Schedule 1 Part 2 initiated private plan change requests means that it is surrounded on three sides by GRZ land. The geographic positioning of the land also means that the site is closer to the town centre and other community facilities in West Melton where public transport facilities and walking and cycling connections are progressively being developed than other existing residential neighbourhoods in West Melton. This includes the southern-eastern extension and eastern edges of the Wilfield subdivision, the northern, western and north-western areas of the Preston Downs subdivision and the northern, eastern and north-eastern areas of the Gainsborough subdivision. Therefore, I consider that the rezoning request would be consistent with the outcomes of the objectives and policies of the NPS-UD at a fundamental level as the application of the UGO in the PDP means that the rezoning could not be considered to be 'unanticipated' or 'out of sequence' under Policy 8 of the NPS-UD.
- 13.6 The land is comprised of LUC Class 3 highly productive soils. At this point in time, I consider that the rezoning request is exempt from the NPS-HPL as the land is identified for 'future development' by virtue of the PDP UGO that includes rural residential activities in the form of 'rural lifestyle' activities<sup>107</sup>.
- 13.7 The Re-zoning Framework Report identifies that requests that are within the Urban Growth Overlay or meet the significance criteria, are to be assessed against the 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.

<sup>104</sup> CRPS Policy 3.6.9 and definitions: **Rural residential activities** means residential units outside the identified Greenfield Priority Areas and Future Development Areas at an average density of between 1 and 2 households per hectare.

<sup>105</sup> Greater Christchurch Housing Development Capacity Assessment, 6.1.2 Selwyn and Waimakariri District Councils, Page 41.

<sup>106</sup> For example, the roading typologies, walking and cycling connections and provision of reserves and stormwater management facilities, amenity outcomes and service needs for rural residential activities are distinctly different from urban areas due to the different scales and ratio of built form to open space.

<sup>107</sup> NPS-HPL Implementation clause 3.5(7).

## Greenfield Framework

| Criteria   | Assessment:  |
|--|--|
| <b>Does it maintain a consolidated and compact urban form?</b>   | The site is well connected to the primary commercial, community and recreation facilities in West Melton and could be integrated into the existing Wilfield subdivision. The rezoning would promote a consolidated and compact urban form, consistent with the preferred growth option for the township.   |
| <b>Does it support the township network?</b>   | The rezoning would facilitate additional households that would add to the existing housing capacity within the township, the district, and Greater Christchurch sub-region. However, there is no expert evidence to establish that the additional households are required to support the townships status as a 'Service Township.' This includes in respect to the ability for existing community facilities, commercial centre and reserve land to support the growth in the absence of a council-initiated development plan <sup>108</sup> . |
| <b>If within the Urban Growth Overlay, is it consistent with the goals and outline development plan?</b>   | The land is subject to the UGO, but a Schedule 1 Part 2 plan change request has not been initiated and there is no ODP provided in support of the submission.  |
| <b>Does not effect the safe, efficient, and effective functioning of the strategic transport network?</b>  | The site has direct frontage onto Weedons Ross Road and is adjacent to the Weedons Ross Road, West Melton Road, and West Coast Road (SH73) intersection. However, there is no expert evidence to establish whether the recent West Coast Road (SH73), West Melton Road and Weedons Ross Road intersection upgrades have factored in the additional vehicles movements and access arrangements associated with the rezoning.  |
| <b>Does not foreclose opportunity of planned strategic transport requirements?</b>   | Although there is nothing to indicate that the rezoning could foreclose any planned strategic transport infrastructure, there is no expert evidence to establish that this is the case. This includes in respect to establishment and operation of the intersection works that NZTA have planned, funded, and are currently constructing.  |
| <b>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?</b> | The site does not contain any sites of significance, but there is no evidence to establish that the site is not susceptible to unreasonable flooding or geotechnical risk or contains contaminated soils.  |
| <b>Does not locate noise sensitive activities within the 50 dB Ldn Air Noise Contours</b>  | The site is not subject to the Air Noise Contours identified in CRPS Chapter 6 Map A, the SDP, or the PDP.   |
| <b>The loss of highly productive land</b>  | The site is comprised of LUC Class 3 versatile soils, but the potential rezoning is not subject to the NPS-HPL by virtue of the site being subject to the PDP UGO.   |

<sup>108</sup> Refer to the PDP definition of **Development Plan**.

| Criteria  | Assessment:  |
|---|--|
| <b>Achieves the built form and amenity values of the zone sought</b>  | <p>The rezoning would enable the land to be subdivided and developed to urban densities that are likely to be similar in form, function, and character to the adjoining Wilfield subdivision, which would be consistent with the objectives, policies, rules, and standards of the zone GRZ.</p> <p>However, there is no expert evidence to establish the built form (the range and distribution of housing densities across the site) that the rezoning could enable and how the anticipated residential amenity values would be achieved.</p>  |
| <b>Protects any heritage site and setting, and notable tree within the re-zoning area</b>   | The land does not accommodate any heritage sites or notable trees.   |
| <b>Preserves the rural amenity at the interface through landscape, density, or other development controls</b>   | <p>The rural amenity and outlook of the properties has been significantly reduced by the rezoning and development of the surrounding land for the Wilfield subdivision. The rezoning to GRZ would therefore promote a more cohesive and integrated land use zoning pattern.</p> <p>The PDP contains rules and requirements to appropriately manage any glare effects arising from the rezoning that could compromise the night sky values of the West Melton Observatory Lighting Area<sup>109</sup>.</p>  |
| <b>Does not significantly impact existing or anticipated adjoining rural, dairy processing, industrial, inland port, or knowledge zones</b>                                       | The land is surrounded on at least two boundaries by residential land development and is encompassed within the Wilfield subdivision. There is a greater risk of reverse sensitivity effects occurring if the land remains GRUZ that enables rural productive uses to take place in proximity to a residential subdivision, which is substantiated by the DPR-0243 R Howard and J Marshall submission and supporting evidence.   |
| <b>Does not significantly impact the operation of important infrastructure, including strategic transport network</b>   | The rezoning would enable the integrated and logical extension of the Wilfield subdivision within a well contained area. However, there is no expert evidence to demonstrate what impact, if any, the rezoning may have on the safe and efficient operation of West Coast Road (SH73). This includes in respect to restricting direct access, determining the need for appropriate interface treatments to avoid reverse sensitivity effects that could compromise the safe and efficient operation of a State Highway and the operation of the West Coast Road (SH73), Weedons Ross Road and West Melton Road intersection. |
| <b>How it aligns with existing or planned infrastructure, including public transport services, and connecting with water, wastewater, and stormwater networks where available</b> | There is likely to be existing infrastructure service connections available at the boundary as the land fronts Weedons Ross Road and is consolidated within the Wilfield subdivision. However, there is no expert evidence to establish that there is capacity to expand these connections to service the rezoning and development of the land to residential densities.   |

<sup>109</sup> Rule LIGHT-R1 Artificial outdoor lighting and requirement LIGHT-REQ3 Sky Glow.

| Criteria  | Assessment:  |
|---|--|
| <b>Ensuring waste collection and disposal services are available or planned</b>   | Solid waste collection services already operate in West Melton and the Wilfield subdivision. However, there is no expert evidence to establish whether there is any planned extensions or capacity to increase this service to meet the needs that would be generated from any future subdivision or development that would be enabled by the rezoning.  |
| <b>Creates and maintains connectivity through the zoned land, including access to parks, commercial areas, and community services</b> | <p>There is an established walking cycling path that connects to the Wilfield subdivision via Silver Peaks Drive that is adjacent to the northern and eastern boundaries of 708 Weedons Ross Road. There is another walking and cycling connection near the intersection of Weedons Ross Road and Kingsdowne Road that provides a through connection past St Paul's Anglican Church to West Melton Road to promote access to West Melton Domain, the skate park, and the West Melton Community and Recreation Centre. I observed that this has been formed as a temporary road to accommodate vehicles while the West Coast Road (SH73) intersection is upgraded. A through connection of Silver Peaks Drive into 664 Weedons Ross Road would enable the site to be integrated into the Wilfield subdivision, which includes a well-connected walking and cycling network. The site has direct frontage onto Weedons Ross Road and are near the Weedons Ross Road, West Melton Road, and West Coast Road (SH73) intersection.</p> <p>However, there is no expert evidence to establish whether the recent road and intersection upgrades have factored in the additional vehicles movements and access arrangements that would arise through the rezoning.</p> |
| <b>Promotes walking, cycling and public transport access</b>  | The site is well connected to the town centre and other community facilities. It is also near the stop for the 86 Darfield – City line located outside West Melton Primary School <sup>110</sup> and pedestrian crossings being established in the NZTA initiated upgrades to the intersection of West Coast Road (SH73), Weedons Road and Weedons Ross Road. <sup>111</sup>   |
| <b>The density proposed is 15hh/ha or the request outlines the constraints that require 12hh/ha</b>                                   | <p>The rezoning would enable the land to be subdivided and developed to urban densities. I consider that this is a more optimal utilisation of the land and would better contribute to a 'well-functioning urban environment' when compared to the rural residential densities currently enabled through the PDP UGO.</p> <p>However, there is no expert evidence to substantiate what density is being sought as part of the rezoning request, including whether it could achieve a 15hh/ha net density or what constraints exist that would necessitate a density of 12hh/ha.</p>  |
| <b>The request proposes a range of housing types, sizes and densities that respond to the</b>   | The rezoning is likely to facilitate a similar range of housing types, sizes, and densities to what have been established in the Wilfield subdivision and other similar developments in West Melton. However, there is no  |

<sup>110</sup> [Darfield/City | Metro Christchurch \(metroinfo.co.nz\)](https://metroinfo.co.nz/)

<sup>111</sup> [SH73 West Melton intersection improvements project update – November 2021 \(nzta.govt.nz\)](https://nzta.govt.nz/)

| Criteria   | Assessment:   |
|--|---|
| <b>demographic changes and social and affordable needs of the district</b> | expert evidence to establish what housing typologies are being sought or whether they are required to respond to demographic changes, social needs or to improve housing affordability. |
| <b>An ODP is prepared</b>  | There is no ODP provided in support of the rezoning request.  |

13.8 On the basis of the above assessment and in the absence of additional submitter evidence, I recommend the submission point<sup>112</sup> is rejected for the following reasons:

13.8.1 Although the rezoning would enable the logical extension of the Wilfield subdivision within a contained boundary within close proximity to the town centre and key community and recreation facilities, there is insufficient evidence to substantiate the merits of the rezoning against the Greenfield Framework. This is required to assess the appropriateness of accepting the submitter's relief.

13.8.2 The rezoning request has merit for being advanced through a Council initiated spatial planning exercise to establish the appropriate densities and community outcomes, and to ensure the integration of infrastructure services and transport networks are coordinated.

#### **Recommendation**

13.9 I recommend, for the reasons given above, that the Hearings Panel retain the GRUZ as notified, except where the amendments in **Appendix 2** recommend accepting the relief sought by other submitters.

13.10 It is recommended that the submission and further submissions are rejected and accepted as shown in **Appendix 1**.

#### **Submissions**

| Submitter ID | Submitter Name        | Submission Point | Position                   | Decision Requested  |
|--------------|-----------------------|------------------|----------------------------|---|
| DPR-0243     | R Howard & J Marshall | 001              | Oppose                     | Rezone Lot 1 DP 26732 and Lot 2 DP 26732 from General rural zone to General residential zone.   |
| DPR-0032     | CCC                   | FS119            | Oppose                     | Oppose submission.  |
| DPR-0446     | Transpower            | FS015            | 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-0392     | CSI                   | 010              | Oppose                     | Amend the planning maps so as to rezone Lot 1 DP 26732 and Lot 2 DP 26732 Weedons Road from GRUZ to GRZ.  |
| DPR-0032     | CCC                   | FS150            | Oppose                     | Oppose submission.  |
| DPR-0243     | R Howard & J Marshall | FS004            | Support in part            | Support the submission as it relates to requested rezoning of our land, subject to full consultation and input regarding the same, as detailed in 'reasons for support'; and the rezoning being consistent with our submission.                     |

<sup>112</sup> DPR-0038.001 P, B, S & C Rhodes



| Submitter ID | Submitter Name | Submission Point | Position                   | Decision Requested   |
|--------------|----------------|------------------|----------------------------|--|
| DPR-0446     | Transpower     | FS039            | 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> |

### Analysis

13.11 R Howard & J Marshall<sup>113</sup> and CSI<sup>114</sup> request that the land at 664 Weedons Ross Road in **Figure 23** is rezoned from GRUZ to GRZ to facilitate the subdivision and development of the property for residential activities. I note that the summary of submissions incorrectly referenced the rezoning request as Submission Point 010<sup>115</sup> when it is Submission Point 009 in the submission schedule. I have not corrected the references to Submission Point 009 as it is inconsequential to the evaluation of the submission.

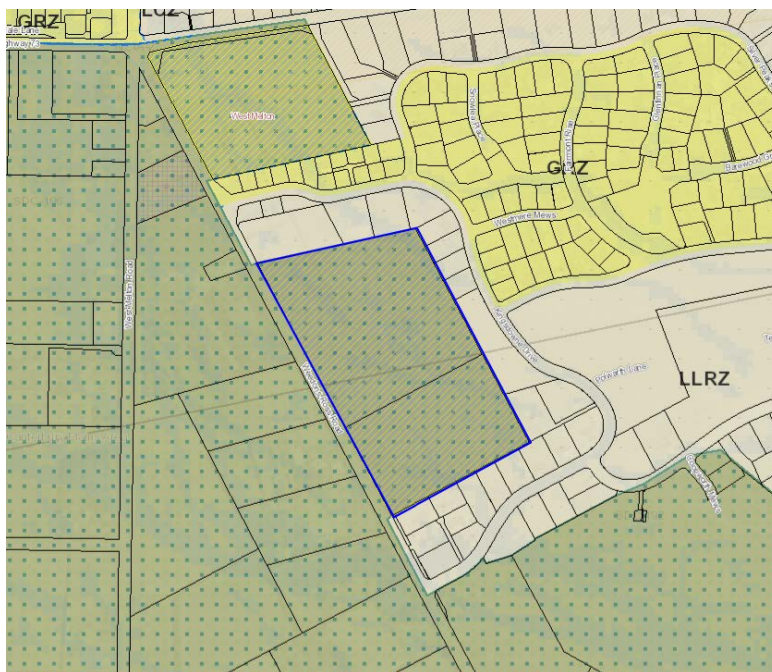


Figure 23: PDP map of the submitters land at 664 Weedons Ross Road

13.12 The R Howard & J Marshall submission is supported by expert infrastructure, geotechnical, transport, engineering, and planning evidence. Evidence has also been provided in support of the further submissions received from CCC<sup>116</sup> and Transpower<sup>117</sup>. The evidence includes an ODP with accompanying narrative to coordinate the future subdivision and development of the land should the rezoning request be accepted, which is included in **Figure 24** below.

<sup>113</sup> DPR-0243.001 R Howard & J Marshall

<sup>114</sup> DPR-0392.010 CSI

<sup>115</sup> The schedule contained in the CSI submission point 10 relates to natural hazard risk.

<sup>116</sup> DPR-0032 FS119 & FS150 CCC

<sup>117</sup> DPR-0446 FS015 & FS039 Transpower



Figure 24: ODP provided with the submitter evidence

13.13 The following peer reviews have been commissioned to inform the evaluation of the appropriateness of the rezoning request against the Greenfield Framework below and any recommendations that are considered necessary to accept the relief being sought (refer to **Appendix 3**).

- The ITA and transport evidence prepared by Novogroup has been peer reviewed by Flow Transportation Specialists.
- The geotechnical assessment prepared by Fraser Thomas Limited has been peer reviewed by Geotech Consulting.
- The servicing report prepared by e2Environmental Limited has been peer reviewed by Waugh Infrastructure Management Limited.

#### **NPS-UD 'gateway' assessment**

13.14 The land is subject to the GRUZ and the UGO under the PDP by virtue of it being rural residential location Area 3 in the RRS14. A pre-requisite of 'rural residential' activities under the CRPS is that it is located outside the township boundary, is included within an adopted rural residential strategy

and is at densities of 1-2 hh/ha<sup>118</sup>. The RRS14 strategy prepared under the Local Government Act special consultative process has determined that the location has attributes that could make it appropriate for rezoning pending a Schedule 1 Part 2 initiated private plan change request. The PDP has applied the LLRZ from the National Planning Standards to encapsulate the corresponding SDP zonings (Living 2 and 3 Zones) for managing low-density residential and rural residential living environments. The GCP and SDC have yet to determine whether rural residential activities will continue to be enabled, other than through the application of the UGO in the PDP to reflect the lands status in the RRS14. The land is not identified as a FUDA in CRPS Chapter 6 Map A to support long term housing capacity under the NPS-UD, although rural residential housing sufficiency forms part of the Greater Christchurch area housing sufficiency estimates<sup>119</sup>.

13.15 Although the intent of the UGO is to identify the land to support future rural residential development, I consider that the requested GRZ would better achieve the outcomes of the NPS-UD. This is because the rezoning would support the subdivision and development of the land to higher densities and include more integrated development infrastructure that better aligns with the desired outcomes to provide well-functioning urban environments<sup>120</sup>.

13.16 The context of the site and recent zoning pattern established through the Schedule 1 Part 2 initiated private plan change requests means that it is surrounded on three sides by GRZ land. The geographic positioning of the land also means that the site is closer to the town centre and other community facilities in West Melton where public transport facilities and walking and cycling connections are progressively being developed than other existing residential neighbourhoods in West Melton. This includes the southern-eastern extension and eastern edges of the Wilfield subdivision, the northern, western and north-western areas of the Preston Downs subdivision and the northern, eastern and north-eastern areas of the Gainsborough subdivision. Therefore, I consider that the rezoning request would be consistent with the outcomes of the objectives and policies of the NPS-UD at a fundamental level as the application of the UGO in the PDP means that the rezoning could not be considered to be 'unanticipated' or 'out of sequence' under Policy 8 of the NPS-UD.

13.17 The land is comprised of LUC Class 3 highly productive soils. At this point in time, I consider that the rezoning request is exempt from the NPS-HPL as the land is identified for 'future development' by virtue of the PDP UGO that includes rural residential activities in the form of 'rural lifestyle' activities<sup>121</sup>.

13.18 The Re-zoning Framework Report identifies that requests that are within the Urban Growth Overlay or meet the significance criteria, are to be assessed against the 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.

<sup>118</sup> CRPS Policy 3.6.9 and definitions: **Rural residential activities** means residential units outside the identified Greenfield Priority Areas and Future Development Areas at an average density of between 1 and 2 households per hectare.

<sup>119</sup> Greater Christchurch Housing Development Capacity Assessment, 6.1.2 Selwyn and Waimakariri District Councils, Page 41.

<sup>120</sup> For example, the roading typologies, walking and cycling connections and provision of reserves and stormwater management facilities, amenity outcomes and service needs for rural residential activities are distinctly different from urban areas due to the different scales and ratio of built form to open space.

<sup>121</sup> NPS-HPL Implementation clause 3.5(7).

## Greenfield Framework

| Criteria  | Assessment:   |
|---|---|
| <b>Does it maintain a consolidated and compact urban form?</b>  | <p>The site is well connected to the primary commercial, community and recreation facilities in West Melton and could be integrated into the existing Wilfield subdivision. The rezoning would also promote a consolidated and compact urban form for the township, consistent with the preferred growth option for the township.</p> <p>I agree with the submitter's planning evidence provided in support of the submission that the GRUZ is an 'anomaly' that has arisen from the zoning and development of the Wilfield subdivision. I also agree that there are no site-specific constraints that preclude the land from being zoned and developed to accommodate rural residential rather than residential development densities and housing typologies. I consider that the rezoning would enable the integrated and logical extension of the Wilfield subdivision within a well contained area.</p>   |
| <b>Does it support the township network?</b>  | <p>The rezoning would add to the existing housing capacity within the township, the district, and Greater Christchurch sub-region to respond to current demand and an estimated future shortfall.</p> <p>The submitter's evidence does not establish whether the additional households are required to support the township's status as a 'Service Township'. However, I generally agree with the conclusions of the submitter's planning evidence that the rezoning would improve housing sufficiency to respond to market demand in West Melton within the short-term timeframes that are prescribed in the NPS-UD.</p> <p>The absence of a council-initiated development plan<sup>122</sup> makes it difficult to determine whether the rezoning would impact the ability for existing community facilities, commercial centre, and reserve land to support the growth in West Melton. On balance, I consider that the scale of the rezoning, and the 120 to 145 additional households that this could enable, would not be sufficient to undermine the township's status as a 'Service Township' or significantly undermine the amenity that characterises West Melton.</p> |
| <b>If within the Urban Growth Overlay, is it consistent with the goals and outline development plan?</b>  | <p>The land is subject to the UGO, but a Schedule 1 Part 2 plan change request has not been initiated to enable it to be zoned Living 3 and subdivided and developed for rural residential activities. However, there is an ODP provided in the submitters evidence that establishes how the future residential subdivision and development could be efficiently coordinated and integrated with the Wilfield subdivision.</p>  |
| <b>Does not effect the safe, efficient, and effective functioning of the strategic transport network?</b> | <p>The site has direct frontage onto Weedons Ross Road and are near the Weedons Ross Road, West Melton Road, and West Coast Road (SH73) intersection. A through connection of Silver Peaks Drive into 664 Weedons Ross Road would enable the site to be integrated into the Wilfield subdivision.</p>   |

<sup>122</sup> Refer to the PDP definition of **Development Plan**.

| Criteria  | Assessment:   |
|---|---|
|   | <p>The expert transport evidence in support of the submission establishes that the recent West Coast Road (SH73), West Melton Road and Weedons Ross Road intersection upgrades have factored in the additional vehicles movements and access arrangements that would arise through the rezoning. The Flow Transportation Specialists peer review agrees with the findings of the submitters ITA and identifies that the rezoning of the site “...will contribute to the logical urbanisation of the surrounding transport network”.</p>   |
| <p><b>Does not foreclose opportunity of planned strategic transport requirements?</b></p>   | <p>The submitter’s expert evidence indicates that the rezoning will not foreclose any planned strategic transport infrastructure. This includes in respect to establishment and operation of the intersection works that NZTA have planned, funded, and are currently being constructed. The Flow Transportation Specialists peer review establishes that the upgrade of the West Coast Road (SH73), West Melton Road, and Weedons Ross Road intersection will improve safe access to the site for all transport modes.</p>   |
| <p><b>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?</b></p> | <p>I agree with the submitter’s evidence that the site is not identified as being a High Hazard or Significant Natural Area, Site of Significance to Māori or an Outstanding natural or Visual Amenity Landscape in the PDP.</p> <p>The Geotech Consulting peer review supports the findings of the Fraser Thomas Limited evidence provided in support of the submission. The experts agree that there are no known geotechnical hazards that would preclude the rezoning. However, the geotechnical peer review requests that the applicant provides a natural hazards assessment sufficient to determine that section 106 of the RMA can be satisfied at the time of subdivision.</p> |
| <p><b>Does not locate noise sensitive activities within the 50 dB Ldn Air Noise Contours</b></p>  | <p>The site is not subject to the Air Noise Contours identified in CRPS Chapter 6 Map A, the SDP, or the PDP.</p>   |
| <p><b>The loss of highly productive land</b></p>  | <p>The site is comprised of LUC Class 3 versatile soils, but the rezoning is not subject to the NPS-HPL by virtue of the site being subject to the PDP UGO.</p>   |
| <p><b>Achieves the built form and amenity values of the zone sought</b></p>   | <p>The rezoning would enable the land to be subdivided and developed to urban densities that are likely to be similar in form, function, and character to the adjoining Wilfield subdivision, which would be consistent with the objectives, policies, rules, and standards of the zone GRZ. However, there is no expert evidence to establish the built form (the range and distribution of housing densities across the site) that the rezoning could enable and how the anticipated residential amenity values would be achieved.</p>  |
| <p><b>Protects any heritage site and setting, and notable tree within the re-zoning area</b></p>  | <p>I agree with the submitter’s evidence that the land does not accommodate any heritage sites or notable trees.</p>  |



| Criteria  | Assessment:   |
|---|---|
| <b>Preserves the rural amenity at the interface through landscape, density, or other development controls</b>   | <p>The rural amenity and outlook of the properties has been significantly reduced by the rezoning and development of the surrounding land for the Wilfield subdivision. I agree with the submitter's evidence that the rezoning to GRZ would promote a more cohesive and integrated land use zoning pattern.</p> <p>The PDP contains rules and requirements to appropriately manage any glare effects arising from the rezoning that could compromise the night sky values of the West Melton Observatory Lighting Area<sup>123</sup>.</p>  |
| <b>Does not significantly impact existing or anticipated adjoining rural, dairy processing, industrial, inland port, or knowledge zones</b>                                       | <p>The land is surrounded on at least two boundaries by residential land development and is essentially encompassed within the Wilfield subdivision. I consider that there is a greater risk of reverse sensitivity effects occurring if the land remains GRUZ, which creates an isolated pocket of rural land surrounded by an established residential subdivision.</p>  |
| <b>Does not significantly impact the operation of important infrastructure, including strategic transport network</b>   | <p>The submitters transport evidence establishes that the rezoning will not undermine the safe and efficient operation of West Coast Road (SH73). This includes in respect to restricting direct access, determining the need for appropriate interface treatments to avoid reverse sensitivity effects that could compromise the operation of a State Highway and impacts on the intersection of West Coast Road (SH73), Weedons Ross Road and West Melton Road. The Flow Transportation Specialists peer review agrees with the findings of the submitters ITA and identifies that the rezoning of the site <i>"...will contribute to the logical urbanisation of the surrounding transport network"</i>.</p> <p>The evidence in support of the submission identifies, and appropriately responds to, the presence of the high voltage transmission line that runs through the site by applying setbacks. The ODP incorporates the transmission lines into a reserve corridor, which can be integrated into the existing multi-purpose lineal space provided in the adjoining Wilfield subdivision lines.</p> |
| <b>How it aligns with existing or planned infrastructure, including public transport services, and connecting with water, wastewater, and stormwater networks where available</b> | <p>The submitters infrastructure evidence concludes that it is technically feasible to provide the infrastructure required to service the proposed residential development within the identified site. The Waugh Infrastructure Management Limited review identifies that SDC upgrades to the water network are required to fully service the site, but that additional network capacity is being advanced through the LTP process. This review also confirms that there are viable options to treat and dispose wastewater and that the land conditions mean that there are viable options to manage on-site stormwater.</p> <p>The submitters transport evidence identifies that the rezoning can be efficiently serviced by logical extensions to existing networks and</p>  |

<sup>123</sup> Rule LIGHT-R1 Artificial outdoor lighting and requirement LIGHT-REQ3 Sky Glow.

| Criteria  | Assessment:  |
|---|--|
|   | services. The Flow Transportation Specialists peer review supports the findings of the submitters ITA. The peer review notes that the inability for the additional intersection onto Weedons Ross Road to satisfy the minimum separation distances can be addressed through the detailed design.   |
| <b>Ensuring waste collection and disposal services are available or planned</b>   | Solid waste collection services already operate in West Melton and the Wilfield subdivision. However, there is no expert evidence to establish whether there is any planned extensions or capacity to increase this service to meet the needs that would be generated from any future subdivision or development that would be enabled by the rezoning.  |
| <b>Creates and maintains connectivity through the zoned land, including access to parks, commercial areas, and community services</b> | <p>There is an established walking cycling path that connects to the Wilfield subdivision via Silver Peaks Drive that is adjacent to the northern and eastern boundaries of 708 Weedons Ross Road. There is another walking and cycling connection near the intersection of Weedons Ross Road and Kingsdowne Road that provides a through connection past St Paul's Anglican Church to West Melton Road to promote access to West Melton Domain, the skate park, and the West Melton Community and Recreation Centre. The site has direct frontage onto Weedons Ross Road and are near the Weedons Ross Road, West Melton Road, and West Coast Road (SH73) intersection.</p> <p>The submitters transport evidence establishes that the recent road and intersection upgrades have factored in the additional vehicles movements and access arrangements that would arise through the rezoning. The Flow Transportation Specialists peer review supports the findings of the submitters ITA.</p>  |
| <b>Promotes walking, cycling and public transport access</b>  | <p>The site is well connected to the town centre and other community facilities. It is also near the stop for the 86 Darfield – City line located outside West Melton Primary School<sup>124</sup> and pedestrian crossings being established in the NZTA initiated upgrades to the intersection of West Coast Road (SH73), Weedons Road and Weedons Ross Road.<sup>125</sup> The ability of the rezoning to promote walking, cycling and access to public transport are substantiated in the planning, urban design and transport evidence provided in support of the submission.</p> <p>The Flow Transportation Specialists peer review identifies the need for a rule (SDP Rule 12.1.3.57A) to require the pedestrian and cycle network to be extended between the site and the West Coast Road (SH73), Weedons Ross Road and West Melton Road intersection and the Wilfield subdivision to the south prior to subdivision. I agree that it is appropriate to reference this requirement on the ODP plan and narrative and for requirements (SUB-REQ) to apply to this site to achieve the same outcomes as the Wilfield development area (refer to the recommended changes detailed in <b>Appendix 2</b>).</p> |

<sup>124</sup> [Darfield/City | Metro Christchurch \(metroinfo.co.nz\)](https://metroinfo.co.nz/)

<sup>125</sup> [SH73 West Melton intersection improvements project update – November 2021 \(nzta.govt.nz\)](https://nzta.govt.nz/)

| Criteria  | Assessment:   |
|---|---|
| <b>The density proposed is 15hh/ha or the request outlines the constraints that require 12hh/ha</b>   | <p>The rezoning would enable the land to be subdivided and developed to urban densities, which is a more optimal utilisation of the land and would better contribute to a 'well-functioning urban environment' when compared to the rural residential densities currently enabled through the PDP UGO.</p> <p>I generally agree with the rationale in the submitters planning evidence for determining the net density of 12hh/ha for the site, which they consider will achieve a better design outcome across the site and is consistent with the low-density character of West Melton.</p>             |
| <b>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</b> | <p>The rezoning is likely to facilitate a similar range of housing types, sizes, and densities to what have been established in the Wilfield subdivision and other similar developments in West Melton. The submission confirms the landowners desire to develop the land in a way that contributes to the community.</p> <p>I agree with the submitters planning evidence that the rezoning will improve housing affordability and the urban design evidence identifies that the ODP densities will support housing types, sizes and densities that respond to demographic changes and social needs.</p> |
| <b>An ODP is prepared</b>   | <p>The submitters planning evidence includes an ODP with accompanying narrative to coordinate the development of site with the Wilfield subdivision and the wider township. I recommend that this ODP and the narrative is amended to reference the pedestrian and cycling network extensions identified in the Flow Transportation Specialists peer review.</p>  |

13.19 On the basis of the above assessment and in the absence of additional submitter evidence, I recommend the submission points<sup>126</sup> are rejected for the following reasons:

13.19.1 The transport peer review undertaken by Flow Transport agrees with the ITA provided in support of the submission. The recommendation for a new requirement and ODP narrative requiring pedestrian and cycle network extensions is supported and must be addressed to enable the relief to be accepted. If this is satisfied, then I consider that the rezoning request can be supported.

13.19.2 The geotechnical and natural hazards review undertaken by Geotech Consulting agrees with the Fraser Thomas evidence that the land is geotechnically suitable for residential development. The recommendation for additional evidence to demonstrate that a natural hazards assessment sufficient to determine that section 106 of the RMA should be addressed through additional expert evidence. If this is satisfied, then I consider that the rezoning request can be supported.

<sup>126</sup> DPR-0243.001 R Howard & J Marshall & FS004, DPR-0392.010 CSI

13.19.3 There is insufficient evidence to substantiate whether the solid waste services can be extended to the site, how the densities are to be distributed across the site or whether the additional household's impact on West Melton's status as a 'Service Township'.

13.19.4 If the rezoning is supported by the Panel in its current form, then I recommend that similar PDP requirements (SUB-REQ) are applied to this site to maintain consistency with development area DEV-WM01 (refer to DPR-0443.003 GMWL) and associated ODP plan and narrative as put forward in the submitter evidence.

### **Recommendation**

13.20 I recommend, for the reasons given above, that the Hearings Panel retain the GRUZ as notified, except where the amendments in **Appendix 2** recommend accepting the relief sought by other submitters.

13.21 It is recommended that the submissions and further submissions are rejected, accepted, and accepted in part as shown in **Appendix 1** pending the provision of submitter evidence to address the outstanding issues listed above.

### **Submissions**

| Submitter ID | Submitter Name  | Submission Point | Position        | Decision Requested   |
|--------------|-----------------|------------------|-----------------|--|
| DPR-0284     | Z Rakovic       | 003              | Oppose          | Rezone the land at West Melton either side of State Highway 73 (as shown in the figure on the last page of the submission) to provide for mixed residential and commercial uses. |
| DPR-0160     | WMTL            | FS001            | Support in part | Support the submission to the extent it is consistent with the relief sought in our submission (160).  |
| DPR-0505     | S Gifford-Moore | FS002            | Support         | Amend the LLRZ with the bounds of the Preston downs subdivision to GRZ.  |

### **Analysis**

13.22 Z Rakovic<sup>127</sup> requests that the strip of land in **Figure 25** that extends either side of West Coast Road (SH73) is rezoned from GRUZ, LLRZ and GRZ to a combination of mixed residential (GRZ) and Local Commercial Zone (LCZ). The submitter considers that the rezoning would encourage enterprising landowners to find commercial opportunities and help develop West Melton into a more self-sustainable place to live, work and play.

13.23 The submitter does not indicate what proportion of the strip is appropriate for the GRZ or how this is allocated spatially relative to the LCZ. The relief for a LCZ is being evaluated under the Commercial and Business package of the rezoning evidence, which is also evaluating rezoning requests for the West Melton Tavern site at 1147 West Coast Road (SH73)<sup>128</sup> and at 727 Weedons Ross Road<sup>129</sup>. This assessment covers the rezoning of the GRUZ to GRZ against the Greenfield Framework, while a

<sup>127</sup> DPR-0284.003 Z Rakovic

<sup>128</sup> DPR-0160 WMTL

<sup>129</sup> DPR-018 D & A Henderson

separate assessment in Section 9 evaluates the submission seeking the LLRZ to GRZ against the Intensification Framework. No expert evidence has been provided in support of the submission.

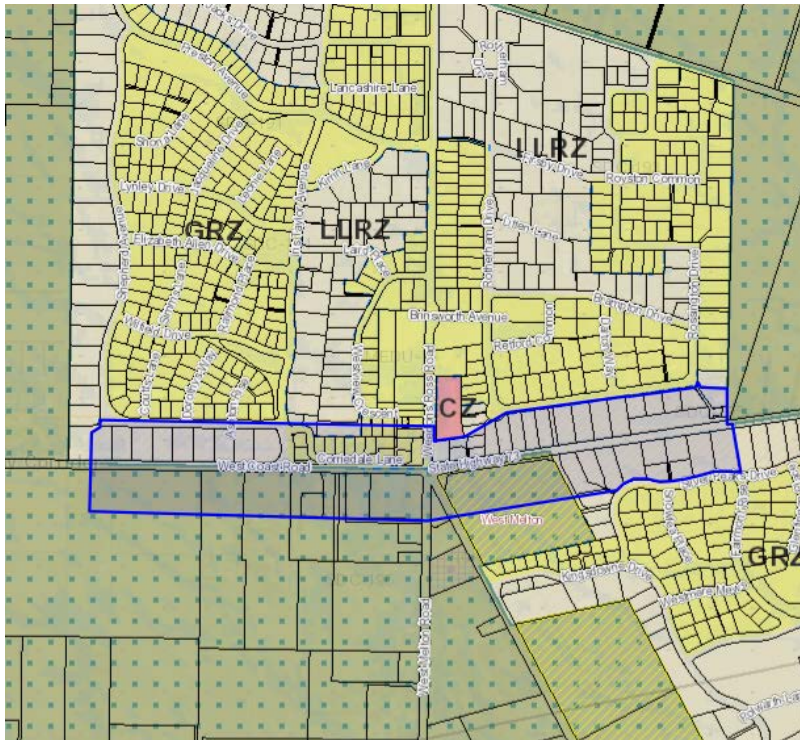


Figure 25: PDP map of the submitters rezoning request.

### NPS-UD 'gateway' assessment

13.24 As set out in the Rezoning Framework Report, for any greenfield re-zoning outside of an Urban Growth Overlay, the first test is whether it meets the NPS-UD Policy 8 significance criteria.

13.25 The land to the south of West Coast Road (SH73) and west of Weedons Road is subject to the GRUZ but is not identified as a FUDA under CRPS Chapter 6 so the UGO has not been applied to the site. The rezoning request is therefore considered to be 'out of sequence' and 'unanticipated' urban development within the context of Policy 8 of the NPS-UD. Under these circumstances, Council must have particular regard to whether the rezoning is required to provide significant development capacity under Policy 9 and Implementation clause 3.8 of the NPS-UD. The Rezoning Framework Report identifies that the rezoning must demonstrate that it contributes to a well-functioning urban environment, is well-connected to transport corridors and satisfies any regional council criteria. These pre-requisites have been encapsulated in the PDP Urban Growth Chapter objectives, which form the basis the following evaluation.

13.26 In respect to objective UG-O1, the rezoning has not been identified to enable an identified short-term housing shortfall in West Melton to be satisfied. There is no evidence to substantiate how the rezoning would achieve a high quality resilient urban environment, whether it would achieve the desired level of amenity that characterises West Melton or there is sufficient infrastructure available to support subdivision and development. In the absence of expert evidence, I consider that there is a risk that the rezoning could compromise the safe and efficient operation of West Coast Road (SH73), which is identified as Important Infrastructure in the PDP and is national significant



infrastructure. The land is comprised on LUC Class 3 versatile soils, the rezoning of which for urban activities is required to be avoided under the objectives and policies of the NPS-HPL.

- 13.27 In respect to objective UG-O2, the rezoning of the land GRUZ to GRZ could contribute to a consolidated and compact urban form in the longer term, consistent with the preferred growth option for the township, while noting that only limited low density residential development is anticipated on the southern side of West Coast Road (SH73). However, the land has not been identified as a FUDA in CRPS Chapter 6 and is not subject to the PDP UGO so the rezoning would be inconsistent with the objectives, policies and methods in the NPS-UD, CRPS, SDP and PDP.
- 13.28 As identified in the evaluation of the submissions seeking the rezoning of a portion of the land from GRUZ to LLRZ in Section 11 (DPR-0418.001 P, R & R Wilson), there are challenges in integrating the 'greenfield' land on the southern side of West Coast Road (SH73) into the balance of the township. A strategic planning approach and public investment is required to establish safe and convenient access without compromising the safe and efficient operation of the State Highway. There is no evidence to assist in determining whether the rezoning could reduce the future effects of climate change and greenhouse gas emissions, the impact it may have on the role and function of West Melton within the district's Township Network or economic and social prosperity of the associated commercial centres, or how any future subdivision could integrate into existing or planned infrastructure.
- 13.29 In respect to objective UG-O3, there is no evidence to substantiate whether the rezoning is required to respond to a short-term housing shortfall within West Melton or the Greater Christchurch sub-region, including to meet housing bottom lines, improve competitiveness within the housing market, provide a wider range of housing types, sizes and densities, respond to demographic change or to support commercial or industrial growth.
- 13.30 The rezoning is considered to be inconsistent with the PDP Urban Growth objectives and policies (including policies UG-P1 to UG-P3, UG-P7, UG-P9, UG-P10, UG-P11, UG-P12 & UG-P13), which in turn makes it inconsistent with the objectives and policies of the NPS-UD (Objectives 1 to 8 and Policies 1 to 8), NPS-HPL (Objective 1 and Policies 1, 2, 4, 5, 7, 8 & 9), and CRPS (Objectives 6.2.1 to 6.2.2 and Policies 6.3.1 to 6.3.5 & 6.3.7).
- 13.31 On the basis of the above assessment and in the absence of additional submitter evidence, I recommend the submission point<sup>130</sup> is rejected for the following reasons:
- 13.31.1 The rezoning is inconsistent with the objectives and policies of the NPS-UD (Objectives 1 to 8 and Policies 1 to 8), NPS-HPL (Objective 1 and Policies 1, 2, 4, 5, 7, 8, & 9), and CRPS (Objectives 6.2.1 to 6.2.2 and Policies 6.3.1 to 6.3.5 & 6.3.7).
- 13.31.2 There is insufficient evidence to enable the substantive merits of the rezoning request against the Urban Growth objectives and other relevant statutory tests to be determined.

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<sup>130</sup> DPR-0284.003 Z Rakovic

### Recommendation

13.32 I recommend, for the reasons given above, that the Hearings Panel retain the GRUZ as notified, except where the amendments in **Appendix 2** recommend accepting the relief sought by other submitters.

13.33 It is recommended that the submission and further submissions are rejected and rejected in part as shown in **Appendix 1**.

### Submissions

| Submitter ID | Submitter Name | Submission Point | Position        | Decision Requested  |
|--------------|----------------|------------------|-----------------|---|
| DPR-0335     | K & P Bowman   | 005              | Support in part | Maintain the existing semi-rural feel of West Melton (through seeking changes to the PC74 rezoning request).  |
| DPR-0411     | HDL            | 008              | Oppose in part  | Amend the planning maps so as to zone all land contained in private Plan Change 74, on the eastern side of West Melton and generally bounded by Halkett Road and West Coast Road (SH73), West Melton as GRZ, rather than GRUZ, so as to enable the equivalent outcomes as sought by private Plan Change 74.             |
| DPR-0032     | CCC            | FS155            | Oppose          | Oppose submission.  |
| DPR-0411     | HDL            | 009              | Oppose in part  | Insert a new development area for that area on the eastern side of West Melton and generally bounded by Halkett Road and West Coast Road (SH73), West Melton as sought by private Plan Change 74.   |
| DPR-0375     | NZTA           | FS300            | Oppose          | <i>Waka Kotahi, in a strategic context, has not assessed the potential impacts on the wider transport network of proposed Plan Change 74. Waka Kotahi considers that this area should not be recognised as a Development Area or included in the Proposed District Plan until it has been assessed in its entirety.</i> |

### Analysis

13.34 K & P Bowman<sup>131</sup> have concerns with the proposed rezoning of the GRUZ land in **Figure 26** to GRZ that is being sought through PC74 (DPR-0411 HDL). The submitters consider that the low-density living environments characterise the Gainsborough subdivision and West Melton, and that these densities should be retained. The submission includes a list of changes to the densities and lot size ranges, increased setbacks and to introduce development controls on the GRZ rezoning being proposed through PC74. No submitter evidence has been provided in support of this submission point.

13.35 HDL<sup>132</sup> request that the land at 1066 West Coast Road (SH73) and 163 Halkett Road in **Figure 26** is rezoned from GRUZ to GRZ to facilitate the subdivision and development of approximately 124 residential sections, with 10% being between 650m<sup>2</sup> and 1,000m<sup>2</sup> in size and the balance achieving a minimum average lot size of 1,500m<sup>2</sup>. The submitter is also seeking that a new development area overlay is applied to the same area of land to enable consistency with CRPS Chapter 6 Policy 6.8.9<sup>133</sup>.

<sup>131</sup> DPR-0335.005 K & P Bowman

<sup>132</sup> DPR-0411.008 HDL

<sup>133</sup> DPR-0411.009 HDL

The relief sought is consistent with PC74<sup>134</sup>, which is being processed under the Schedule 1 Part 2 initiated process of the RMA.

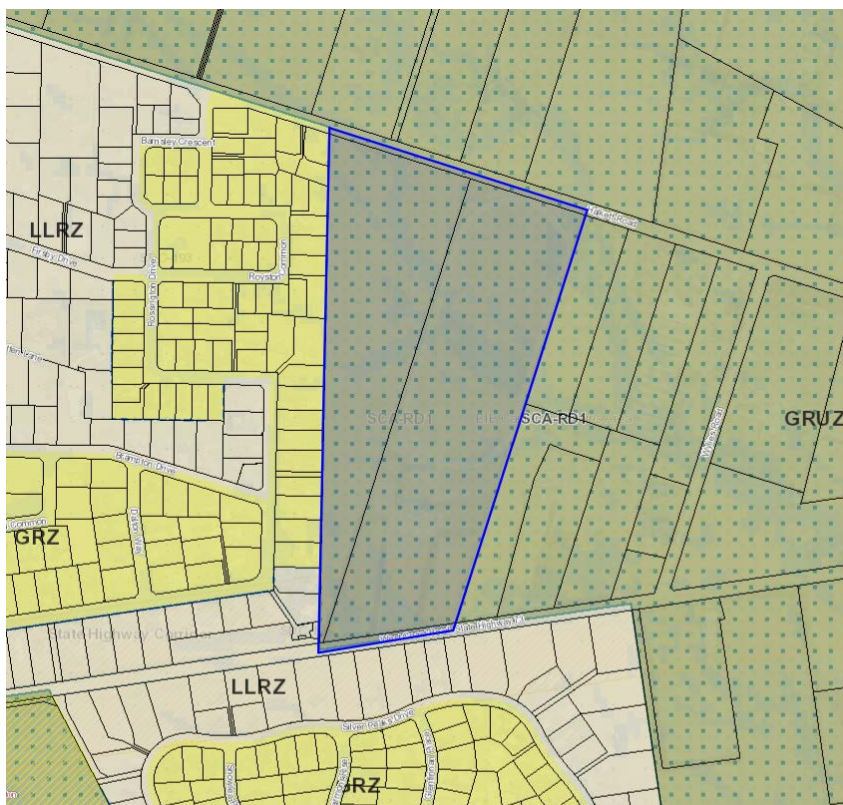


Figure 26: PDP map of the submitters land at 1066 West Coast Road (SH73) and 163 Halkett Road

13.36 Planning evidence has been provided in support of this submission, while the rezoning request is supported by expert cultural, infrastructure, urban design, landscape and visual, geotechnical, contaminated land and transport evidence. Evidence has also been provided in support of the further submissions received from CCC<sup>135</sup> and NZTA<sup>136</sup>.

13.37 The following evidence statements have been commissioned as part of the PC74 process based on the timing of when it was anticipated to be heard. The evidence statements have been used to inform the following evaluation of the appropriateness of the rezoning request against the NPS-UD 'gateway' test below and any associated recommendations (refer to **Appendix 3**).

- The ITA and transport evidence prepared by Novogroup has been peer reviewed by Flow Transportation Specialists.
- The geotechnical assessment prepared by ENGEO has been peer reviewed by Geotech Consulting.
- The servicing report prepared by Davie Lovell-Smith has been peer reviewed by Stantec consultants.

<sup>134</sup> [Selwyn District Council - Private plan change request 74: Rezone approx. 20 ha in West Melton.](#)

<sup>135</sup> DPR-0032 FS155 CCC

<sup>136</sup> DPR-0375 FS300 NZTA

- The urban design assessment prepared by Urban Acumen and the landscape assessment prepared by Rough and Milne Landscape Architects have been peer reviewed by Urban Shift.

13.38 PC74 was formally received by Council on 24 November 2020. A request for further information was issued on 3 February 2021, with the applicant's response received in full on 27 April 2022. A decision was made by Council on 27 April 2022 to accept the request for notification pursuant to clause 25(2)(b). The application was publicly notified on 4 May 2022, with the submission period closing on 2 June 2022.

13.39 The applicant submitted additional information on 4 October 2022 to reduce the overall densities and how they are distributed across the site, amending the size of the recreation reserve, incorporating changes to the road layout and connections, including building line restrictions, and introducing measures to reduce carbon emissions and impacts on West Coast Road (SH73). The updated ODP with accompanying text was also provided, which is included in **Figure 27** below.

13.40 A summary of submissions was then produced and publicly notified on 5 October 2022, with the further submission period closing on 19 October 2022. There have been 73 submissions and 27 further submissions lodged on PC74.

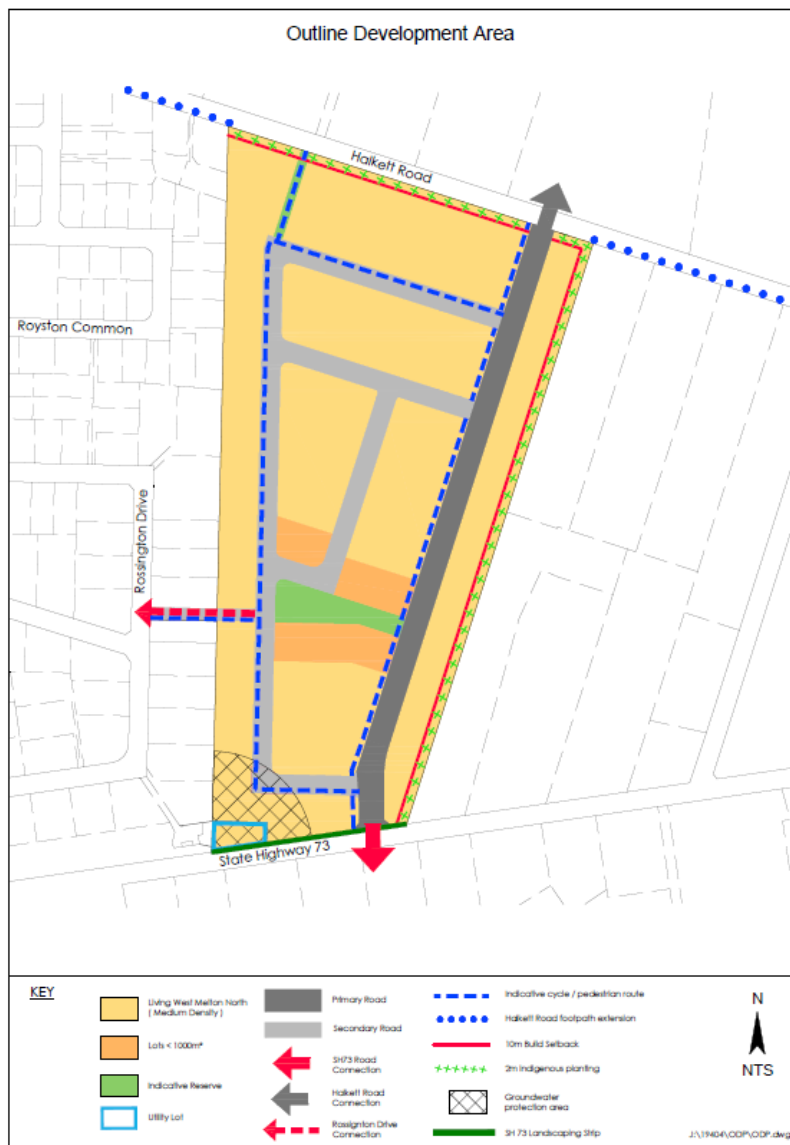


Figure 27: PC74 ODP as notified Source: PC74 additional information

13.41 The substantive merits of the rezoning being sought through PC74 are being considered via the Schedule 1 Part 2 initiated process, the timing of which means that a hearing and commissioner recommendation is likely to be due after the PDP rezoning hearings for West Melton that are scheduled for 27 and 28 February and 2 and 3 March 2023<sup>137</sup>. A s42a planning report is being prepared for the PC74 hearing to satisfy RMA Part 2 and other statutory tests<sup>138</sup>, which has informed the following evaluation of the corresponding PDP submission.

#### NPS-UD 'gateway' test

13.42 As set out in the Rezoning Framework Report, for any greenfield re-zoning outside of an Urban Growth Overlay, the first test is whether it meets the NPS-UD Policy 8 significance criteria.

<sup>137</sup> [PC74-Commissioner-Minute-No-1-5-December-2022-hearing-directions.pdf \(selwyn.govt.nz\)](#)

<sup>138</sup> Including under sections 5, 6, 7, 8, 31, 32, 74, 75 & 76.



- 13.43 The rural land to the east of the Gainsborough subdivision is subject to the GRUZ but is not identified as a FUDA under CRPS Chapter 6 so the PDP UGO has not been applied to the site. The rezoning request is therefore considered to be 'out of sequence' and 'unanticipated' urban development within the context of Policy 8 of the NPS-UD. Under these circumstances, Council must have particular regard to whether the rezoning is required to provide significant development capacity under Policy 8 and Implementation clause 3.8 of the NPS-UD. The Rezoning Framework Report identifies that the rezoning must demonstrate that it contributes to a 'well-functioning urban environment', is well-connected to transport corridors and satisfies any regional council criteria. These pre-requisites have been encapsulated in the PDP Urban Growth Chapter objectives, which form the basis the following evaluation.

*Objective UG-O1 strategic growth outcomes*

- 13.44 In respect to the strategic growth outcomes anticipated by objective UGO1, I consider that the lot size range, amended by the plan change proponent to provide a range lot sizes between 650m<sup>2</sup> to 2,000m<sup>2</sup>, responds to the site context and supports densities that are generally consistent with what characterises West Melton from other townships within the district. The submitter's urban design evidence and the Urban Shift PC74 evidence statement identify that there needs to be controls applied through the ODP plan and narrative to ensure the rezoning supports an attractive, pleasant, high quality and resilient urban environment (objective UG-O1.1). These design controls are supported and include the requirement to achieve the specified range of lot sizes, and that an indigenous planting strip along the eastern boundary and landscaping strip along the West Coast Road (SH73) frontage and centralised reserve are established. In addition, I support the recommendation in the Urban Shift PC74 evidence that a requirement to establish and maintain post and rail fencing along the northern and southern boundaries is added to the ODP. This will assist in promoting the low-density character and amenity of the site at the rural interface of the site and to maintain streetscape amenity.
- 13.45 I generally support the submitter's evidence that the lot size range and density is consistent with the built form and amenity that characterises West Melton (objective UG-O1.2). However, it is unclear what minimum net density is proposed for the site as it is not prescribed in the ODP, or other information provided in support of the rezoning request. This aspect of the rezoning request is considered in the following objective UG-O2 evaluation.
- 13.46 I support the submitter's evidence that the land does not contain any Heritage Sites, Heritage Settings, or Notable Trees (objective OG-O1.3). To the best of my knowledge the land does not contain any waterbodies or freshwater systems and it is understood that the stormwater swales that would form part of any future subdivision would assist in effectively treating and disposing of stormwater to ground (objective UG-1.4). The rezoning request seeks to enable a residential 'greenfield' subdivision and development so does not relate to the rezoning or redevelopment of an existing urban area (objective UG-O1.5).
- 13.47 The submitter evidence identifies that an internal road network will integrate the site with the Gainsborough subdivision to the west, which will be complemented by other road network and footpath upgrades. The Flow Transportation Specialists PC74 transport evidence confirms that the rezoning is expected to result in little change in the regional forecasted vehicle movements on West

Coast Road (SH73) or Halkett Road. However, they identify the need for the submitter to undertake and provide traffic modelling and a road safety audit, which I consider are required to establish that the rezoning will maintain transport network safety and efficiency.

13.48 Flow Transportation Specialists also make several recommendations relating to the ODP that I consider are required to ensure that the site is appropriately connected to the existing township. These recommendations are summarised below and are illustrated in the amended ODP plan (refer to Figure 4 on Page 13 of the Flow Transportation Specialists evidence statement).

- A road connection with a footpath and cycling facility is provided from the site to Rossington Drive.
- Cycle facilities are provided on Halkett Road between Wylies Road and Rossington Drive.
- A cycling and pedestrian connection is identified through the central reserve.
- Two additional future eastern connections with walking and cycling facilities are identified to 'future proof' the site if the adjoining land is rezoned in the future (which is consistent with the recommendation contained in the Urban Shift evidence for at least one additional eastern connection).
- The ODP narrative identify the need for the design of the primary north-south aligned road to include traffic calming measures to discourage through traffic between West Coast Road (SH73) and Halkett Road.
- The track change amendments to the ODP narrative as they relate to future network upgrades are confirmed.

13.49 On the basis of the transport and urban design evidence, I consider that it is appropriate the submitter amend the ODP to address the above matters to ensure consistency with objective UG-O1.6 is achieved.

13.50 The submitter evidence identifies that there are no infrastructure servicing constraints. The Stantec PC74 infrastructure evidence confirms that there are viable methods for providing potable drinking water, managing wastewater, and treating and discharging stormwater to meet the demand that would be generated by the rezoning (objective UG-O1.7). Although there are existing capacity constraints identified with the townships reticulated water network, the infrastructure evidence establishes that upgrades are planned and have been funded to ensure there would be connections available should the land be rezoned and subdivided to urban densities.

13.51 There is nothing to suggest that the rezoning would preclude current and future communities within West Melton from continuing to provide for their needs (objective UG-O1.8). The landowner has a desire to rezone the rural land for urban activities, which provides further opportunities for people to live in West Melton. It is also unlikely that the rezoning would significantly impact the ability for the adjoining residential and rural landowners to continue to meet their needs. The NPS-UD also recognises that changes in amenity are an anticipated outcome of providing additional housing capacity<sup>139</sup>.

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<sup>139</sup> NPS-UD Objective 4 and Policy 6(b)(i)

- 13.52 The submitters geotechnical evidence and the review undertaken by Geotech Consulting establish that there is minimal potential for liquefaction to occur during a significant earthquake event and that the site would have a TC1 Technical Land Classification. The PC74 request includes a Preliminary Site Investigation and Detailed Site Investigation prepared by ENGEO in accordance with the National Environmental Standard for Assessment and Managing Contaminants in Soil to Protect Human Health (the 'NES-CS')<sup>140</sup>. This expert assessment concludes that it is highly unlikely that the soils are contaminated and that it is appropriate to manage any localised remediation that may be required as part of the subdivision process. The PC74 infrastructure report prepared by Davie Lovell-Smith consultants evaluates the flood risk against the 1 in 200 and 1 in 500-year scenario events<sup>141</sup>. This assessment concludes that the flow paths that would be created during these events and the secondary flow paths to accommodate a 1 in 50-year event will form part of the detailed subdivision design. This design would need to support minimum finished building floor levels of 300mm above a 1 in 200-year flood hazard event to satisfy PDP rule NH-R2.3 that applies to the Plains Flood Management Area overlay. Overall, I am satisfied that there are no site-specific land conditions that preclude the rezoning from being supported.
- 13.53 The rezoning of the land to accommodate residential activities has the potential to compromise the safe and efficient operation of West Coast Road (SH73) and Christchurch International Airport, which are both defined as 'Important Infrastructure' in the PDP in recognition of their status as nationally significant infrastructure. There are definitions, objectives, policies, rules, and requirements in the PDP<sup>142</sup> and CRPS<sup>143</sup> that complement the outcomes of the PDP that urban growth is provided for in a strategic manner that is coordinated with available infrastructure (objective UG-O1.7) and enables for community wellbeing (objective UG-O1.8). The PDP State Highway Corridor Noise Control Overlay applies to the southern frontage of the site where it interfaces with West Coast Road (SH73).
- 13.54 NZTA<sup>144</sup> and Christchurch International Airport Limited (the 'CIAL')<sup>145</sup> have both registered their interest in the rezoning of the site through submissions on the PDP and/or PC74. NZTA's submissions identify that they consider the plan change proponent has not assessed the potential impacts of the rezoning on the wider transport network, the effects associated with increased carbon emissions, identified network constraints, or sufficiently evaluated its consistency with the NPS-UD. These concerns have been confirmed in the Flow Transportation Specialists PC74 evidence statement where they have requested traffic modelling and a road safety audit to establish the impacts of the rezoning on the transport network. This evidence also highlights the cumulative impacts that an 'out of sequence' residential rezoning could present to the safe and efficient operation of the wider transport network. On the basis of NZTA's submission and the Flow Transportation Specialists evidence, I invite the submitter to provide additional evidence to establish whether the rezoning would undermine the safe and efficient operation of West Coast Road (SH73), both in terms of

<sup>140</sup> [PC74 Appendix G Contamination Reports](#)

<sup>141</sup> [PC74 Appendix C Infrastructure Report](#)

<sup>142</sup> PDP definitions of 'important infrastructure', 'infrastructure', 'land transport corridor', 'land transport infrastructure', 'noise sensitive activity', 'public transport facilities', and 'strategic transport network', and objectives, policies, rules and requirements in the Strategic Directions, Energy, Infrastructure and Transport, Urban Growth, Subdivision, Noise, and Urban Growth Chapters to protect the effective and efficient operation of state highways and Christchurch International Airport.

<sup>143</sup> CRPS chapter 6 definitions of 'noise sensitive activities', 'strategic infrastructure' and strategic transport network', objectives 6.2.1, 6.2.2, and 6.2.4, and policies 6.3.1, 6.3.3, 6.3.4, 6.3.5, and 6.3.7.

<sup>144</sup> DPR-0375 NZTA FS300 and PC74.0069 NZTA.

<sup>145</sup> PC74.0072 CIAL and associated further submissions.

network constraints and whether the extended urban form of West Melton could generate adverse reverse sensitivity effects.

- 13.55 CIAL has submitted opposing PC74 on the grounds that the site sits within the remodeled 50dB Ldn (Outer Envelope) Air Noise Contour that has been developed to protect the efficient operation of Christchurch International Airport from complaints arising from noise sensitive activities. It is understood that the remodeled contour is subject to an independent expert panel review appointed by ECan to establish whether the provisions in CRPS Chapter 6 are changed, which may include adjusting the spatial extent of the airport noise contour illustrated on Map A. I consider that the establishment of an airport noise contour that applies to the site would present a significant constraint that would make the rezoning inconsistent with the CRPS, SDP and PDP. However, there is no certainty that the ECan panel will support the remodeled contour, and if it is supported, how it will be implemented through changes to the relevant statutory planning instruments.
- 13.56 In summary and pending additional submitter transport evidence, I consider that the rezoning may be inconsistent with objective UG-O1.7 and UG-O1.8 as it is 'out of sequence' and 'unanticipated' urban development that could compromise the safe and efficient operation of 'Important Infrastructure'. The uncertainty and limited statutory weight that can be afforded to the remodeled airport flight contour means that there is insufficient certainty to establish that the rezoning would compromise the efficient operation of Christchurch International Airport at this point in time.
- 13.57 The land is primarily comprised of LUC Class 3 versatile soils that are required to be avoided under the objectives and policies of the NPS-HPL, which was made operative after the submitter evidence was circulated. The submitter evidence evaluates the rezoning on the basis that most of the land is LUC Class 3 soils that were not considered to be 'productive' at the time due to soil moisture retention issues. However, the NPS-HPL now defines LUC Class 1, 2 and 3 soils as being highly productive land and establishes that its rezoning must be avoided unless the relevant policies are satisfied (refer to Section 4 above). As identified in the Formative Limited economic review of the evidence provided in support of the DPR-0460 WMHL, the rezoning of highly productive land for urban activities needs to establish whether other reasonable and feasible options have been considered and that the additional capacity being enabled is not significantly more than what is required to meet the identified demand for West Melton.
- 13.58 I invite the submitter to provide expert economic evidence to establish how the rezoning 'gives effect' to the NPS-HPL, including in respect to maintaining consistency with the objective, policies, and Implementation clause 3.6(1). In the absence of this evidence, I consider the rezoning request is inconsistent with the PDP urban growth objectives (objectives UG-O1.10 and UG-O1.11) and contrary to the NPS-HPL.
- 13.59 Overall, I consider that the rezoning request is inconsistent with objective UG-O1 pending additional economic and transport evidence from the submitter to assist in establishing that the rezoning would 'give effect' to the NPS-HPL and traffic modelling and road safety audit are required to establish that the rezoning will maintain transport safety and efficiency. If these matters can be resolved then I recommend that the ODP is amended to identify 'future connections' to the east, a road connection with a footpath and cycle facility is provided from the site to Rossington Drive, a walking and cycling connection through the central reserve, traffic calming measures along the north

to south aligned Primary Road, the future transport network upgrades are included in the ODP narrative and post and rail fencing is required along the southern and western site boundaries.

*Objective UG-O2 urban form outcomes*

- 13.60 In respect to objective UG-O2, the land that is sought to be rezoned from GRUZ to GRZ would contribute to achieving a consolidated and compact urban form based on the preferred growth option outlined in Section 6 and the PDP Growth of Township policies. The site is located on the eastern boundary of the Gainsborough subdivision so it can be integrated into the existing urban form of West Melton. I also consider that the triangle area bounded Halkett Road, Wylies Road and West Coast Road (SH73) forms a relatively strong urban containment boundary and one that would align with the eastern extent of the Wilfield subdivision established to the south.
- 13.61 However, the land has not been identified as a FUDA in CRPS Chapter 6, so the UGO has not been applied to the land following the Greater Christchurch Our SPACE future development strategy prepared under the NPS-UDC or an SDC adopted Development Plan<sup>146</sup>. This emphasises the need for the rezoning to satisfy the responsive planning requirements prescribed in Subpart 2 Implementation clause 3.8 of the NPS-UD. This includes establishing whether the rezoning contributes to a 'well-functioning urban environment'<sup>147</sup> and the site is well connected along transport corridors<sup>148</sup>. These are generally captured in the accessibility, sustainability, and resilience components of objective UG-O2.
- 13.62 The submission and PC74 incorporate controls to maintain the low-density housing supply that characterises West Melton, which assist in retaining a point of difference with the 12hh/ha densities that are typically being realised in Rolleston, Lincoln and Prebbleton. There is no information provided on what minimum household densities would apply to the site or to evaluate the rezoning requests consistency with the policy UG-13.4 or CRPS Chapter 6 Policy 6.3.7.3. In the absence of this information, I support the recommendation in the Urban Shift PC74 evidence that a minimum net density of 12hh/ha should be applied to the site and that it should be referenced in the ODP. I agree that these densities reflect a change in the low-density character of the township, but that the NPS-UD and the objective and policies of the PDP require 15hh/ha unless there are circumstances present that support a 12hh/ha (policy UG-P13.4). In this case and pending submitter evidence on this aspect of the rezoning request, I consider that the benefits<sup>149</sup> of prescribing the minimum net density of 12hh/ha to achieve a more compact and consolidated urban form outweigh the reduced amenity this may create. This minimum density requirement reflects a better utilisation of the land and would also 'give effect' to the minimum net densities of 10hh/ha that apply to the township in the CRPS (Policy 6.3.7.3.a).
- 13.63 The location of the township on either side of West Coast Road (SH73) and the sites' ability to consolidate with the Gainsborough subdivision establish that the land can be connected to a

<sup>146</sup> The PDP defines **Developments Plans** as spatial plans that have been adopted by Council where urban growth areas have been identified. These include but are not limited to: (a) Future Development Areas in Our Space 2018-2048; (b) Rolleston, Lincoln and Prebbleton Township Structure Plans; (c) Rolleston and Lincoln Town Centre Masterplans; (d) Rural Residential Areas in adopted Rural Residential Strategy 2014; (e) Preferred Future Development Areas in Malvern Area Plan Mahere-ā-Rohe 2031 and Ellesmere Area Plan Mahere-ā-Rohe o Waihora 2031; and (f) Growth models used by Council to prepare Long Term Plans.

<sup>147</sup> NPS-UD Policy 1(c), (e) and (f).

<sup>148</sup> NPS-UD Implementation clause 3.8(2)(b).

<sup>149</sup> Refer to the Harrison Grierson Consultants 'Greenfield Density Analysis' - [Urban Growth Chapter evidence - Appendix 3](#).



nationally significant transport corridor, albeit one that currently has limited public transport services to the township. The submitter evidence and the expert transport and urban design evidence statements confirm that the site can be well connected to the town centre and public transport facilities. I agree but on the proviso that the ODP is amended in accordance with the recommendations contained in the Urban Shift PC74 evidence statements that include the West Coast Road (SH73) frontage is upgraded to include a footpath extension and to provide additional connections throughout the site. The ODP narrative is also recommended to be amended to reflect the context that these upgrades would require negotiations with NZTA as the road controlling authority to agree to these works taking place along a State Highway.

- 13.64 I agree with the submitter's planning evidence that the site is located within reasonable proximity to the town centre to promote accessibility and connectivity. This is substantiated by the Urban Shift PC74 evidence statement, which identifies that the sites distance of 950m from the town centre is within the average walking (1km) and cycling distances (4km) identified in the New Zealand Household Travel Survey. The recommended amendments to the ODP contained in the Urban Shift and Flow Transportation Specialists evidence would further promote accessibility and connectivity.
- 13.65 The submitters evidence emphasises that the proximity of West Melton to key employment in Christchurch City and Rolleston that are close to the township makes it suitable for rezoning<sup>150</sup>. While I agree that these locations present employment opportunities, access to these areas is primarily via private motor vehicles due to the limited public transport services and the absence of walking and cycling connections to make alternative travel modes a realistic option in the near future. Although the rezoning may generate some localised (within the town centre, community facilities and surrounding rural area) and short-term (construction sector) employment opportunities, I consider that these are likely to be limited and that most West Melton residents will continue to be employed within the rural periphery and larger centres such as Rolleston and Christchurch City.
- 13.66 The relative distance of West Melton from large urban centres and rural outlook provides a sought-after lifestyle that has contributed to the popularity of the town. One of the trade-offs associated with this is the inevitable reliance on private motor vehicles to commute to other areas to access people's everyday needs, which contributes to greenhouse gas emissions. The townships relative isolation from large urban centres and the current lack of public transport options and walking and cycling connections to promote alternative transport modes means that the rezoning is unlikely to reduce the future effects of climate change.
- 13.67 I generally agree with the submitter's planning evidence that the rezoning could support the critical mass needed to fund public transport options in the future. However, I consider that this is a long-term outcome that would require a substantial shift in how public transport is currently funded and operated across Selwyn District and the Greater Christchurch sub-region. The Flow Transportation Specialists PC74 evidence establishes that the site has low accessibility to public transport but that it is unlikely that the rezoning would generate the need for an additional bus stop along the site frontage. I accept the recommendation in this evidence that encourages the submitter to engage

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<sup>150</sup> Examples include 8.5km to Rolleston's town centre, 8km to the I-Zone and I-Port industrial hubs, 9km the Templeton Innovation Park and 15km to Christchurch International Airport, and the Dakota Park, Waterloo Park and Hornby Quadrant industrial hubs.

with ECan, although this would be a component part of the consultation this agency undertakes to review the public transport system rather than a requirement of the rezoning. In summary, I consider that the proximity of the town centre makes the site accessible to local services and facilities, but that the rezoning is likely to result in a continued reliance on commuter travel in private motor vehicles for people to access everyday needs at least in the short term (objective UG-O2.1).

- 13.68 The submitter through updates to PC74 seek to include the sustainability measures that have been applied to the PC67 extension to the south of the Wilfield subdivision to reduce the future effects of climate change. These include references in the ODP narrative to solar powered street and reserve lighting and the installation of rainwater tanks in the residential sections to harvest water for irrigation purposes. I support these sustainability initiatives and consider that they are an appropriate response to the effects of climate change and the sites locational context. I do not consider that these responses offset or reduce the generation of greenhouse gases that will inevitably increase because of the rezoning and the likely increase in commuter trips. In my opinion, emissions reductions require wider sub-regional and national responses to promote alternative travel modes through transport network upgrades, monetary incentives, and public transport funding. The Flow Transportation Specialists PC74 evidence also confirms that the potential cumulative effects on the transport network if the urban rezonings in the district were all granted would be significant without additional and reprioritised public agency funding.
- 13.69 In summary, I consider that there are initiatives available that can be incorporated into the PDP requirements to reduce the future effects of climate change, but that the rezoning is unlikely to reduce greenhouse gas emissions without significant public investment. Overall, I consider that the rezoning is inconsistent with but not contrary to objective UG-O2.2.
- 13.70 The density and scale of the subdivision and development that would be facilitated by the rezoning would not be sufficient to change the role and function that West Melton serves as a 'Service Township' within the district's Township Network. The increased population that would be created through the rezoning is likely to support the economic and social prosperity of the commercial centre and promote some economic and social prosperity (objective UGO-2.3). The infrastructure evidence establishes that the future subdivision and development of the site can be integrated with existing or planned reticulated network utilities, including water, wastewater, and stormwater facilities (objective UGO-2.4).
- 13.71 Overall, I consider that the rezoning request is inconsistent with but not contrary to objective UG-O2 as it is unlikely to reduce greenhouse gas emissions without significant public investment. I recommend that the ODP is amended to require a minimum net density of 12hh/ha is achieved, that the West Coast Road (SH73) and Halkett Road frontages are upgraded to include a footpath extension to connect to the existing facility, and a walking and cycling connection through the central reserve and eastern network connections are identified. These amendments will reduce but not resolve the concern that the rezoning of additional 'greenfield' in West Melton will not reduce greenhouse gas emissions without significant investment in public transport in the future.

*UG-03 housing capacity requirements*

- 13.72 In respect to the housing capacity requirements in objective UG-03, the rezoning has not been identified to satisfy a short-term housing shortfall in West Melton as it is not a FUDA in CRPS Chapter 6 Map A or subject to the UGO in the PDP Planning maps. This is acknowledged in the planning evidence provided in support of the rezoning request and PC74, with reliance being placed on the rezoning satisfying the Policy 8 requirements of the NPS-UD as it relates to enabling 'unanticipated or 'out of sequence' urban development capacity. The key attributes of a 'well-functioning urban environment' that I consider are relevant to the consideration of the rezoning request under the NPS-UD<sup>151</sup> and objective UG-03 are whether it enables a variety of homes to meet the type, price and locational needs and limits adverse impacts on the competitive operation of land and development markets<sup>152</sup>. The ability to reach a determination on this aspect of the rezoning request is challenging as the CRPS does not contain 'significance criteria' and SDC has not prepared a township structure plan or area plan<sup>153</sup> to assist in evaluating the appropriateness of 'out of sequence' rezoning requests.
- 13.73 I generally support the submitter's planning evidence that the additional housing supply and population increases would contribute to the economic growth of West Melton's town centre and to a lesser extent the Rolleston Key Activity Centre and centres within Christchurch City. I also agree that the additional housing supply would assist in meeting the housing bottom lines prescribed in the CRPS<sup>154</sup> and the PDP<sup>155</sup> and promoting competitiveness in the Greater Christchurch area housing market. I generally agree with the PC74 request that the addition of 124 residential lots is 'significant' when considered in the context of the townships existing housing supply and population.
- 13.74 However, it is critical to determine whether an 'out of sequence' rezoning is necessary to address an identified short term housing shortfall that needs to be responded to through the NPS-UD Policy 8 pathway. A memorandum prepared by SDC's Senior Strategy and Policy Planner that has accompanied the s42A reports prepared to assist the decision making on the private plan change requests being processed by Council identifies the following housing sufficiency estimates for West Melton and Prebbleton<sup>156</sup>:

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<sup>151</sup> In particular Policy 8 and Implementation clause 3.8.

<sup>152</sup> NPS-UD Policy 1(a)(i) and (d).

<sup>153</sup> Other than the UDS and Our SPACE future development strategy that have focused on Rolleston and to a lesser extent Lincoln and Prebbleton.

<sup>154</sup> CRPS Objective 6.2.1a Housing Bottom Lines.

<sup>155</sup> PDP Policy UG-P13.1.

<sup>156</sup> [PC78 Officer s42A Report Appendix 7 Growth Planning Technical Memo.pdf](#). These housing sufficiency estimates are based on the Greater Christchurch Housing Development Capacity assessment prepared in 2021 and have been calculated against an average density of 12hh/ha.

| <i>Shortfall by Sub Area in the Medium Term</i> |          |        |                   |
|---|----------|--------|-------------------|
| Subarea   | Capacity | Demand | Surplus/Shortfall |
| <b>West Melton &amp; Prebbleton</b>             | 181      | 1,859  | <b>-1,678</b>     |

| <i>Shortfall by Sub Area in the Long Term</i> |          |        |                   |
|---|----------|--------|-------------------|
| Subarea                                       | Capacity | Demand | Surplus/Shortfall |
| <b>West Melton &amp; Prebbleton</b>           | 181      | 5,530  | <b>-5,349</b>     |

- 13.75 These housing sufficiency estimates establish that there is a projected shortfall for West Melton and Prebbleton in the medium and long term. SDC's Growth Planning Technical Memo identifies that the total medium-term shortfall of 4,245 households across Rolleston, Lincoln, West Melton, Prebbleton, Darfield and Leeston can be met by the FUDA areas in Rolleston, additional capacity in Darfield and Leeston and intensification. PDP Variation 1 and the application of the MRZ to the residential zones in Rolleston, Lincoln and Prebbleton will also assist in reducing the identified medium-term shortfalls, although there is evidence to suggest that this may be limited due to the existing housing stock and subdivision layouts. PC67 has been made operative and provides capacity for a further 131 households for West Melton, with PC74/DPR-0411 HDL (130 households) and PC77/DPR-0460 WMHL (218 households) seeking rezonings to increase the 'greenfield' capacity by a further 348 households, which would provide 479 additional households in the township.
- 13.76 The PC74 request assesses the rezoning request against the NPS-UD but does not include any expert economic evidence. I consider that this is required to establish whether the additional capacity is required to meet any identified shortfall or would contribute to a 'well-functioning urban environment' under the NPS-UD. As identified previously, I also consider that expert economic evidence from the submitter is required to substantiate that the urban rezoning of highly productive land is required when there is no identified housing capacity shortfall identified within West Melton. This is because the short-term plan enabled capacity identified in the housing bottom lines has been allocated to the FUDA in Rolleston, Rangiora, Kaiapoi and Christchurch City to maintain consistency with CRPS Chapter 6 Map A<sup>157</sup>.
- 13.77 In summary, I consider that the rezoning would assist in meeting the housing bottom lines, promote competitiveness in the housing market, provide an appropriate range of housing types that would increase the population to support the commercial growth in West Melton. However, I consider that the rezoning request is inconsistent with the objective UG-O3 housing capacity requirements pending economic evidence from the submitter to assist in establishing that the rezoning would 'give effect' to the NPS-HPL and Policy 8 of the NPS-UD.

<sup>157</sup> This was on the basis that the household allocations support the township hierarchy of centres, maintains consistency with national frameworks (NPS-UD), regional planning strategies and instruments (UDS, LURP, Our SPACE and the CRP), and local strategies and planning instruments (Selwyn 2031, Rolleston Structure Plan, SDP and PDP), provides certainty to the community, council, government and developers, improves the function of Rolleston and helps promote the efficient use of infrastructure, including transport.

13.78 On the basis of the above assessment and in the absence of additional submitter evidence, I recommend the HDL submission points<sup>158</sup> are rejected and the K & P Bowman<sup>159</sup> submission point is accepted in part for the following reasons:

- 13.78.1 The rezoning request is inconsistent with the strategic growth outcomes in objective UG-O1 in the absence of economic and transport evidence to establish that the rezoning 'gives effect' to the NPS-HPL and traffic modelling and road safety audit to establish that the rezoning will maintain transport network safety and efficiency.
- 13.78.2 The rezoning request is inconsistent with but not contrary to urban form outcomes identified in objective UG-O2 as it is unlikely to reduce greenhouse gas emissions without significant public investment. The recommended amendments to the ODP will reduce but not resolve the concern that the rezoning of additional 'greenfield' will not lower greenhouse gas emissions without significant investment in public transport in the future.
- 13.78.3 Further economic evidence is required to substantiate the need for the additional housing capacity and to establish whether the rezoning is consistent with objective UG-O3 and would 'give effect' to the NPS-UD and the NPS-HPL.
- 13.78.4 If the economic and transport evidence is provided and satisfies the concerns raised, then the following amendments to the ODP are required to enable the rezoning to be supported:
  - a. 'Future connections' to the east are identified.
  - b. Post and rail fencing along the southern and western boundaries of the site are established and maintained.
  - c. A minimum net density of 12hh/ha is specified.
  - d. The West Coast Road (SH73) and Halkett Road frontages of the site are upgraded to include a footpath extension to connect to the existing facility.
  - e. A walking and cycling connection through the central reserve is identified.
  - f. A road connection with a footpath and cycling facility is provided from the site to Rossington Drive.
  - g. Traffic calming measures to discourage through traffic between West Coast Road (SH73) to Halkett Road are required along the north-south aligned Primary Road.
  - h. The ODP narrative reference the identified future transport network upgrades.
  - i. Responses to any findings from the traffic modelling and road safety audit.

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<sup>158</sup>DPR-0411 HDL 008 & 009

<sup>159</sup> DPR-0335.005 K & P Bowman



### Recommendation

13.79 I recommend, for the reasons given above, that the Hearings Panel retain the GRUZ as notified, except where the amendments in **Appendix 2** recommend accepting the relief sought by other submitters.

13.80 It is recommended that the submissions and further submissions are rejected, accepted, or accepted in part, as shown in **Appendix 1** pending the provision of submitter evidence to address the outstanding issues outlined above.

### Submissions

| Submitter ID | Submitter Name   | Submission Point | Position        | Decision Requested   |
|--------------|------------------|------------------|-----------------|--|
| DPR-0418     | R, P, & R Wilson | 001              | Oppose          | Rezone Lot 5 DP 353900 and Part RS 5902, 1213 West Coast Road, West Melton to a mix of Low-Density Residential Zone (LRZ) and General Residential Zone (GRZ) as shown in the submission. |
| DPR-0593     | A Taylor         | FS001            | Support in part | <i>This parcel of land should be rezoned LLRZ adjacent to the West Coast Road as proposed with the remainder of the block zoned as GRZ.</i>  |

13.81 R, P, & R Wilson<sup>160</sup> request that the land at 1213 West Coast Road (SH73) in **Figure 28** is rezoned from GRUZ to a combination of GRZ and LLRZ. The submitters request to rezone the balance of the land holding that extends to the south-eastern corner of the property from GRUZ to LLRZ is evaluated in Section 11 above. The submitters consider that the rezoning of the southern and eastern edges of the site to GRZ would facilitate increased residential densities in an optimal location that can be appropriately serviced.

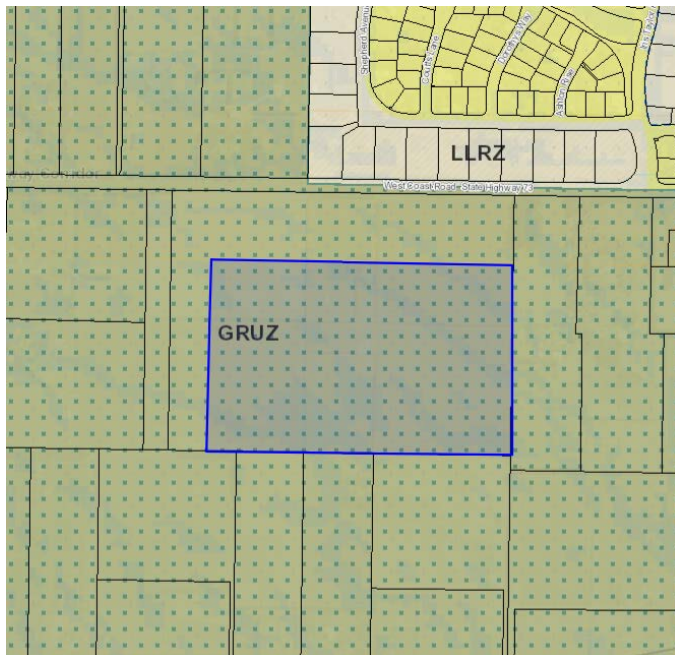


Figure 28: PDP map of the submitters land

<sup>160</sup> DPR-0418.001 R, P, & R Wilson

- 13.82 Expert planning evidence has been provided in support of the submission. As identified in Section 11 above, correspondence from the submitter's representatives, Davis Ogilvie consultants, to Council dated 11 October 2022 indicates that additional expert evidence to support the rezoning request was being commissioned and would be provided at an unspecified date.
- 13.83 This correspondence also indicated that the site has been extended beyond 1213 West Coast Road (SH73) to include the two properties to the east at 1183 and 1185 West Coast Road (SH73). I consider that the inclusion of this additional land following the closing of further submissions creates a procedural issue. This is because interested parties have not been provided the opportunity to register their interest in the rezoning request through a further submission, which would be further prejudiced if any supporting technical evidence is received outside of the timelines prescribed in the Panel Minutes. This is because interested parties have not been provided the opportunity to register their interest in the rezoning request through a further submission, which would be further prejudiced if any supporting technical evidence is received outside of the timelines prescribed in the Panel Minutes. I consider that the relief as it applies to 1183 and 1185 West Coast Road (SH73) is beyond the scope of the original submission and recommend that it is rejected.

#### **NPS-UD 'gateway' assessment**

- 13.84 As set out in the Rezoning Framework Report, for any greenfield re-zoning outside of an Urban Growth Overlay, the first test is whether it meets the NPS-UD Policy 8 significance criteria.
- 13.85 The land to the south of West Coast Road (SH73) and west of Weedons Road is subject to the GRUZ but is not identified as a FUDA under CRPS Chapter 6 so the UGO has not been applied to the site. The rezoning request is therefore considered to be 'out of sequence' and 'unanticipated' urban development within the context of Policy 8 of the NPS-UD. Under these circumstances, Council must have particular regard to whether the rezoning is required to provide significant development capacity under Policy 9 and Implementation clause 3.8 of the NPS-UD. The Rezoning Framework Report identifies that the rezoning must demonstrate that it contributes to a well-functioning urban environment, is well-connected to transport corridors and satisfies any regional council criteria. These pre-requisites have been encapsulated in the PDP Urban Growth Chapter objectives, which form the basis the following evaluation.
- 13.86 In respect to UGO1, I consider that the rezoning has not been identified to enable an identified short-term housing shortfall in West Melton to be satisfied. There is insufficient evidence to substantiate how the rezoning would achieve a high quality resilient urban environment, the desired level of amenity that characterises West Melton or there is infrastructure available to support subdivision and development. The rezoning may compromise the safe and efficient operation of West Coast Road (SH73), which is identified as a Limited Access Road that is Important Infrastructure in the PDP and is recognised as nationally significant infrastructure. The land is comprised on LUC Class 3 highly productive land that is required to be avoided under the objectives and policies of the NPS-HPL.
- 13.87 In respect to objective UG-O2, while the land could contribute to achieving a consolidated and compact urban form in the longer term, the preferred growth option for the township identifies that only limited low density residential development is anticipated on the southern side of West Coast Road (SH73). There are also limited urban containment boundaries to the west and south. In

addition, the land has not been identified as a FUDA in CRPS Chapter 6, so the UGO has not been applied to the land following the Greater Christchurch Our SPACE future development strategy prepared under the NPS-UDC or an SDC adopted Development Plan<sup>161</sup>.

- 13.88 As identified in the evaluation of the submissions seeking the rezoning of a portion of the land from GRUZ to LLRZ in Section 11 (DPR-0418.001 P, R & R Wilson), there are challenges in integrating 'greenfield' land on the southern side of West Coast Road (SH73) into the balance of the township, which requires a strategic planning approach and public investment to improve safe and convenient access and direct access onto West Coast Road (SH73) could compromising the safe and efficient operation of the State Highway. There is no evidence provided in support of the submission to determine whether the rezoning could reduce the future effects of climate change and greenhouse gas emissions, the impact it may have on the role and function of West Melton within the district's Township Network or economic and social prosperity of the associated commercial centres, or how the subdivision and development could be integrated with existing or planned infrastructure.
- 13.89 In respect to UG-03, there is no evidence to substantiate that the rezoning is required to respond to a short-term housing shortfall within West Melton or the Greater Christchurch sub-region, including to meet housing bottom lines, improve competitiveness within the housing market, provide a wider range of housing types, sizes and densities, respond to demographic change or to support commercial or industrial growth.
- 13.90 The rezoning is considered to be inconsistent with the PDP Urban Growth objectives and policies (including policies UG-P1 to UG-P3, UG-P7, UG-P9, UG-P10, UG-P11, UG-P12 & UG-P13), which in turn makes it inconsistent with the objectives and policies of the NPS-UD (Objectives 1 to 8 and Policies 1 to 8), NPS-HPL (Objective 1 and Policies 1, 2, 4, 5, 7, 8 & 9), and CRPS (Objectives 6.2.1 to 6.2.2 and Policies 6.3.1 to 6.3.5 & 6.3.7).
- 13.91 On the basis of the above assessment and in the absence of additional submitter evidence, I recommend the submission point<sup>162</sup> is rejected for the following reasons:
- 13.91.1 The rezoning is inconsistent with the objectives and policies of the NPS-UD (Objectives 1 to 8 and Policies 1 to 8), NPS-HPL (Objective 1 and Policies 1, 2, 4, 5, 7, 8, & 9), and CRPS (Objectives 6.2.1 to 6.2.2 and Policies 6.3.1 to 6.3.5 & 6.3.7).
- 13.91.2 There is insufficient evidence to enable the substantive merits of the rezoning request against the Urban Growth objectives and other relevant statutory tests to be determined.
- 13.91.3 The relief as it applies to 1183 and 1185 West Coast Road (SH73) is beyond the scope of the original submission because interested parties have not been provided the opportunity to register their interest in the rezoning request through a further submission, which would be further prejudiced if any supporting technical evidence is received outside of the timelines prescribed in the Panel Minutes.

<sup>161</sup> The PDP defines **Developments Plans** as spatial plans that have been adopted by Council where urban growth areas have been identified. These include but are not limited to: (a) Future Development Areas in Our Space 2018-2048; (b) Rolleston, Lincoln and Prebbleton Township Structure Plans; (c) Rolleston and Lincoln Town Centre Masterplans; (d) Rural Residential Areas in adopted Rural Residential Strategy 2014; (e) Preferred Future Development Areas in Malvern Area Plan Mahere-ā-Rohe 2031 and Ellesmere Area Plan Mahere-ā-Rohe o Waihora 2031; and (f) Growth models used by Council to prepare Long Term Plans.

<sup>162</sup> DPR-0418 R, P, & R Wilson 001

### **Recommendation**

13.92 I recommend, for the reasons given above, that the Hearings Panel retain the GRUZ as notified, except where the amendments in **Appendix 2** recommend accepting the relief sought by other submitters.

13.93 It is recommended that the submission and further submission are rejected as shown in **Appendix 1**.

### **Submissions**

| Submitter ID | Submitter Name        | Submission Point | Position        | Decision Requested   |
|--------------|-----------------------|------------------|-----------------|--|
| DPR-0443     | GWWL                  | 003              | Oppose          | Amend the planning maps so as to zone properties shown on the map included with the submission West Melton General residential zone (GRZ) and Large lot residential zone (LLRZ) generally consistent with Plan Change 67, rather than General rural zone (GRUZ). |
| DPR-0032     | CCC                   | FS167            | Oppose          | Oppose submission.   |
| DPR-0243     | R Howard & J Marshall | FS003            | Support in part | Accept submission in part subject to amendments to the rezoning sought, including ODP, to ensure integration with GRZ development of our land.   |

13.94 GWWL<sup>163</sup> request that the land south of the Wilfield subdivision on the southern side of West Coast Road (SH73) is rezoned from GRUZ to a combination of GRZ and LLRZ. The portion of the site that the submitter is seeking to be rezoned to GRZ is shown in **Figure 29**. The submitters request to rezone the balance of the land holding that extends to the south-eastern corner of the property from GRUZ to LLRZ is evaluated in Section 11 above. The submission relates to the rural land that has been rezoned from a Rural (Inner Plains) Zone to a Living West Melton South Zone under the SDP through PC67, which was made operative on 18 May 2022.

13.95 Expert Transport, infrastructure, landscape and urban design, economics, real estate, developer, planning, urban design, and versatile soils evidence has been provided in support of the submission. Evidence has also been provided in support of the further submissions received from CCC<sup>164</sup>.

<sup>163</sup> DPR-0443.003 GWWL

<sup>164</sup> DPR-0032 FS167 CCC

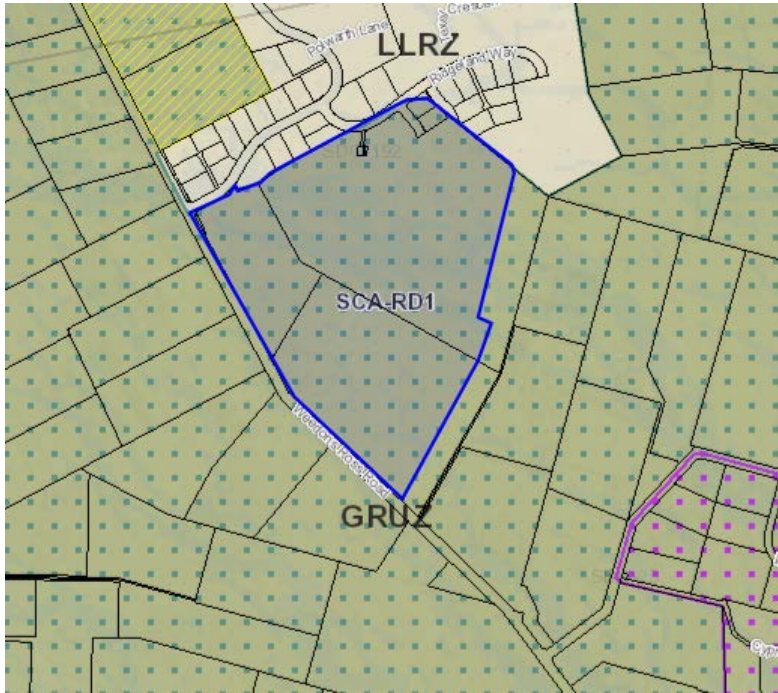


Figure 29: PDP map of the submitters land

13.96 The submitter seeks to align the PDP Planning Maps with the distribution of GRZ and LLRZ across the PC67 site as it is shown in the now operative ODP provided in **Figure 30** below.

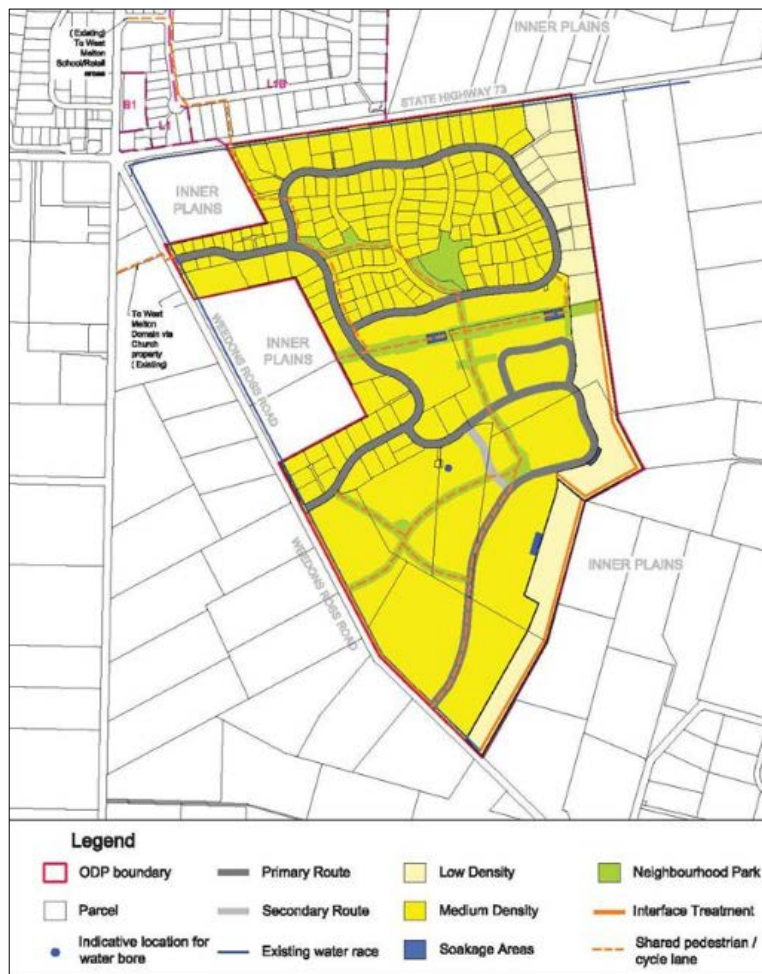


Figure 30: PC67 ODP indicating the density distribution across the Wilfield subdivision Source: SDP Township Volume Appendices E20 ODP West Melton

- 13.97 The lag between when the PDP planning maps were notified and PC67 being made operative in the SDP following the completion of the Schedule 1 Part 2 initiated processes has resulted in an inconsistency with how the residential densities have been distributed across the Wilfield subdivision. This includes in respect to the portion of the site being identified as GRUZ rather than GRZ in the PDP Planning Maps.
- 13.98 The scope of the submission requests that all changes necessary to enable the equivalent outcomes of the private plan change decisions to be included in the PDP are made, including consequential changes. I consider that the scope of this submission provides the mechanism to enable the site to be referenced as West Melton Development Area 01 (WM-DEV01) on the Planning Maps and enable the ODP plans and narrative to be referenced as a Development Area within Part 3 – Area Specific Matters of the PDP to ensure the future development of the site is effectively coordinated. It also enables the site-specific subdivision controls that were formulated through PC67 to be inserted as new requirements (SUB-REQ) in the Part 2 – District Wide Matters – Subdivision chapter. The inclusion of these requirements will maintain the site-specific standards relating to the timing of the West Coast Road (SH73) upgrades and the need for the sustainability measures to be established. I recommend that these updates are coordinated by Council officers to ensure the ODP plan and



narrative, and the relevant SDP provisions, are integrated into the PDP framework to maintain consistency and certainty to Plan users.

13.99 Under these circumstances and because the substantive merits of the rezoning requests have been confirmed through the private plan change request process, I consider that it is appropriate to amend the PDP planning maps to align with the SDP ODP. In this case an evaluation of the submission against the NPS-UD Policy 8 Significance Criteria, the Urban Growth Objectives and the Intensification Framework would serve no benefit. The site contains LUC Class 2 and 3 highly productive land and should typically be avoided from rezoning for urban or rural lifestyle purposes. However, in this case the timing of PC67 being made operative means that the site is excluded from being classified as highly productive land under the NPS-HPL<sup>165</sup>.

13.100 The Rezoning Framework report provides the option for an alternative 'Other need test' to be applied to a greenfield re-zoning request that is not within the UGO nor meets the significance criteria where it fulfils another need in response to a zoning anomaly or links the provision of infrastructure. I consider that the timing of the PC67 Schedule 1 Part 2 initiated process and when the rezoning changes were made operative under the SDP has resulted in a zoning anomaly that satisfies the 'Other needs test'.

13.101 On the basis of the above assessment, I recommend the submission point<sup>166</sup> is accepted for the following reasons:

13.101.1 It is appropriate to amend the PDP planning maps, insert the ODP plans and narrative and relevant subdivision rules to align with the updates made to the ODP in Appendix 20 and subdivision rules of the SDP Township Volume, and any consequential changes, following PC67 being made operative under the Schedule 1 process.

13.101.2 The PC67 private plan change process has determined that the rezoning satisfies NPS-UD Policy 8 to ensure consistency with the PDP Urban Growth Objectives and the Greenfield Framework. There are also appropriate grounds to accept the rezoning request as the 'Other needs test' in the Rezoning Framework Report has been satisfied.

13.101.3 The land is excluded from being classified as highly productive land under the NPS-HPL.

#### ***Recommendations and amendments***

13.102 The amendments to the land use zoning and inclusion of a reference to 'DEV-WM01' in the Planning Maps, inclusion of the ODP plan and narrative in as 'WM—West Melton – DEV-WM01 West Melton 1 Development Area' are inserted into Part 3 – Area Specific matters, and the subdivision requirements as new requirements (SUB-REQ) in the subdivision chapter are recommended, as set out in a consolidated manner in **Appendix 2** from LLRZ to GRZ.

13.103 It is recommended that the submission is accepted as shown in **Appendix 1**. I recommend that these updates are coordinated by Council officers to ensure the ODP plan and narrative, and the

<sup>165</sup> NPS-HPL Implementation clause 3.5 (7)(b)(ii).

<sup>166</sup> DPR-00443.003 GWWL

relevant SDP provisions, are integrated into the PDP framework to maintain consistency and certainty to Plan users.

13.104 The nature of the change does not require a s32AA evaluation as the substantive merits of the rezoning have been evaluated under the Schedule 1 Part 2 initiated process and the updated PDP Planning Maps, subdivision requirements, Development Area ODP plan and narrative, and any other consequential changes, to ensure the PDP corresponds with the SDP.

### ***Submissions***

| <b>Submitter ID</b> | <b>Submitter Name</b>   | <b>Submission Point</b> | <b>Position</b> | <b>Decision Requested</b>   |
|---------------------|-------------------------|-------------------------|-----------------|---|
| DPR-0460            | WMHL                    | 001                     | Oppose          | Rezone the area shown purple on Figure 1 of the submission from General rural zone to General residential zone.   |
| DPR-0032            | CCC                     | FS173                   | Oppose          | Oppose submission.  |
| DPR-0216            | M England               | FS008                   | Oppose in part  | Disallow in part or full - either not rezone this land at all or rezone this land to LLRZ rather than more intensive use.   |
| DPR-0223            | Kevin James Smith       | FS004                   | Oppose          | Disallow in part or full - either not rezone this land at all or rezone this land to LLRZ rather than more intensive use.   |
| DPR-0347            | R Erskine & T Stanfield | FS001                   | Oppose          | That all affected homeowners are consulted with, along with the rest of the West Melton township. Considers that a larger scale development would be more in keeping with the existing landowners on the eastern side of the proposal, would still retain the amenity value of the neighbouring properties. |
| DPR-0534            | D King                  | FS001                   | Oppose          | Reject whole request by DPR-0460 Marama Te Wai to rezone land adjacent to Shepherd Avenue stretching between West Coast Road and Halkett Road.  |
| DPR-0536            | W McGeady               | FS001                   | Support         | Requests that council to allow the rezoning of such areas on the margins of West Melton to grow in a controlled manner with well a well thought out plan.   |
| DPR-0537            | S Lycett                | FS001                   | Oppose          | Disallow in full.   |
| DPR-0578            | E Anderson              | FS019                   | Oppose          | Submission point to be disallowed in full. Should SDC choose to approve this submission either in full or part, then requests that 16 Shepherd Ave to be excluded from any rezoning, i.e., remain at the current LLRZ/GRUZ zoning.  |
| DPR-0594            | A & A Diehl             | FS001                   | Oppose          | Reject submission point and maintain zoning and policy as drafted in PDP.   |
| DPR-0460            | WMHL                    | 004                     | Oppose in part  | Within SUB-REQ1 Site Area, amend Table SUB-1 – Minimum average net site area, Residential Zones, such that the minimum average net site area in the Specific Control Area proposed by the submitter is 1000m <sup>2</sup> .   |
| DPR-0223            | K Smith                 | FS007                   | Support         | Allow their point -extend the urban boundary and rezone the entirety of these properties to a transitional area (min average lot size 1000m <sup>2</sup> with a min site size of 800m <sup>2</sup> ).   |
| DPR-0216            | M England               | FS006                   | Support         | Allow their point -extend the urban boundary and rezone the entirety of these properties to a transitional area (min average lot size 1000m <sup>2</sup> with a min site size of 800m <sup>2</sup> ).   |

| Submitter ID | Submitter Name           | Submission Point | Position       | Decision Requested   |
|--------------|--------------------------|------------------|----------------|--|
| DPR-0347     | R Erskine & T Standfield | FS004            | Oppose         | <i>That all affected homeowners are consulted with, along with the rest of the West Melton township. Considers that a larger scale development would be more in keeping with the existing landowners on the eastern side of the proposal, would still retain the amenity value of the neighbouring properties.</i> |
| DPR-0537     | S Lycett                 | FS004            | Oppose         | <i>Disallow in full.</i>   |
| DPR-0578     | E Anderson               | FS022            | Oppose         | <i>Submission point to be disallowed in full. Should SDC choose to approve this submission either in full or part, then requests that 16 Shepherd Ave to be excluded from any rezoning, i.e., remain at the current LLRZ/GRUZ zoning.</i>  |
| DPR-0594     | A & A Diehl              | FS004            | Oppose         | <i>Reject submission point and maintain zoning and policy as drafted in PDP.</i>   |
| DPR-0460     | WMHL                     | 005              | Oppose in part | <i>Within SUB-REQ1 Site Area, amend Table SUB-2 – Minimum net site area, Residential Zones, such that the minimum net site area in the Specific Control Area proposed by the submitter is 800m<sup>2</sup>.</i>  |
| DPR-0223     | K Smith                  | FS008            | Support        | <i>Allow their point -extend the urban boundary and rezone the entirety of these properties to a transitional area (min average lot size 1000m<sup>2</sup> with a min site size of 800m<sup>2</sup>).</i>  |
| DPR-0216     | M England                | FS007            | Support        | <i>Allow their point -extend the urban boundary and rezone the entirety of these properties to a transitional area (min average lot size 1000m<sup>2</sup> with a min site size of 800m<sup>2</sup>).</i>  |
| DPR-0347     | R Erskine & T Standfield | FS005            | Oppose         | <i>That all affected homeowners are consulted with, along with the rest of the West Melton township. Considers that a larger scale development would be more in keeping with the existing landowners on the eastern side of the proposal, would still retain the amenity value of the neighbouring properties.</i> |
| DPR-0537     | S Lycett                 | FS005            | Oppose         | <i>Disallow in full.</i>   |
| DPR-0578     | E Anderson               | FS023            | Oppose         | <i>Submission point to be disallowed in full. Should SDC choose to approve this submission either in full or part, then requests that 16 Shepherd Ave to be excluded from any rezoning, i.e., remain at the current LLRZ/GRUZ zoning.</i>  |
| DPR-0594     | A & A Diehl              | FS005            | Oppose         | <i>Reject submission point and maintain zoning and policy as drafted in PDP.</i>   |
| DPR-0460     | WMHL                     | 006              | Oppose in part | <i>Insert the Development Area Plan attached as Appendix 1 to the submission.</i>  |
| DPR-0347     | R Erskine & T Standfield | FS006            | Oppose         | <i>That all affected homeowners are consulted with, along with the rest of the West Melton township. Considers that a larger scale development would be more in keeping with the existing landowners on the eastern side of the proposal, would still retain the amenity value of the neighbouring properties.</i> |
| DPR-0578     | E Anderson               | FS024            | Oppose         | <i>Submission point to be disallowed in full. Should SDC choose to approve this submission either in full or part, then requests that 16 Shepherd Ave to be excluded from any rezoning, i.e., remain at the current LLRZ/GRUZ zoning.</i>  |

| Submitter ID | Submitter Name | Submission Point | Position | Decision Requested  |
|--------------|----------------|------------------|----------|---|
| DPR-0594     | A & A Diehl    | FS006            | Oppose   | Reject submission point and maintain zoning and policy as drafted in PDP. |

13.105 WMHL<sup>167</sup> is the proponent of private plan change request PC77 to the SDP, which was initially prepared on behalf of Marama Te Wai Limited who have subsequently been replaced by West Melton Holdings Limited (WMHL). The submitter initially sought to rezone all the land west of Shepherd Avenue and along the West Coast Road (SH73) and Halkett Road frontages to a GRZ with a Medium Density Housing Overlay, as shown in **Figure 31**. The request was updated in response to a request for further information on 16 June 2022 that reduced the area that was subject to the Schedule 1 Part 2 initiated process from 35.9ha to 12.5ha.

13.106 I consider that the introduction of the relief seeking an update to requirement GRZ-REQ3 following the close of further submissions creates a procedural issue as interested parties have not been provided the opportunity to register their interest in the amended requirement through a further submission. The timing and method used to the amend the relief through submitter evidence on the Rezoning topic has also meant that the requirement has been evaluated in the evidence on the Residential Chapter that forms part of the Hearing 22: Residential Zones proceeding.

13.107 I consider that this amended relief supersedes the changes that were originally sought to amend the minimum lot and minimum average lot sizes in requirement SUB-REQ1 Site Area Table SUB-1 – Minimum average net site area<sup>168</sup> and Table SUB-2 Table SUB-2 – Minimum net site area respectively<sup>169</sup>. The WMHL submission on the PDP that initially requested that a portion of the initial site was rezoned from GRUZ to LLRZ-SCA is outlined in Section 10 above and from GRUZ to LLRZ in Section 11 above have also considered to have been superseded based on the submitters amended relief. These aspects of the submitter's relief are recommended to be rejected as no formal request has been received to withdraw these submission points and there is no longer any basis to evaluate the merits of these aspect of the original rezoning request.

<sup>167</sup> DPR-0460.001 WMHL

<sup>168</sup> DPR-0460.004 WMHL

<sup>169</sup> DPR-0460.005 WMHL

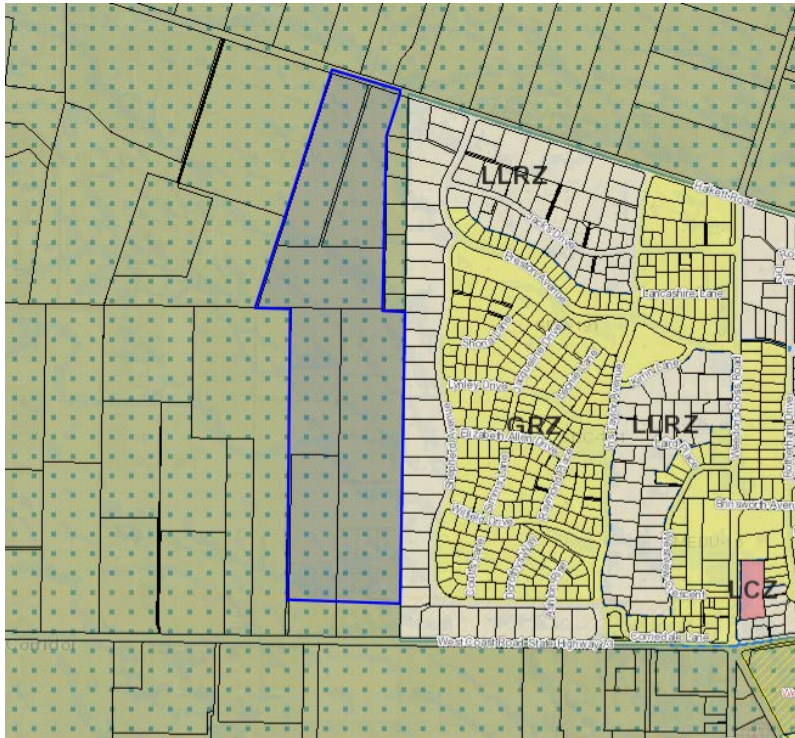


Figure 31: PDP map of the original submitters site

13.108 The amended relief is now limited to rezoning the reduced site in **Figure 32** from GRUZ to GRZ and inserting the ODP in **Figure 33** as DEV-WM1. It also seeks to amend the height requirements in requirement GRZ-REQ3 of the Residential Chapter to a 7m maximum where a building is less than 20m from the LLRZ (that applies to the directly adjoining sites in the Preston Downs subdivision)<sup>170</sup>.

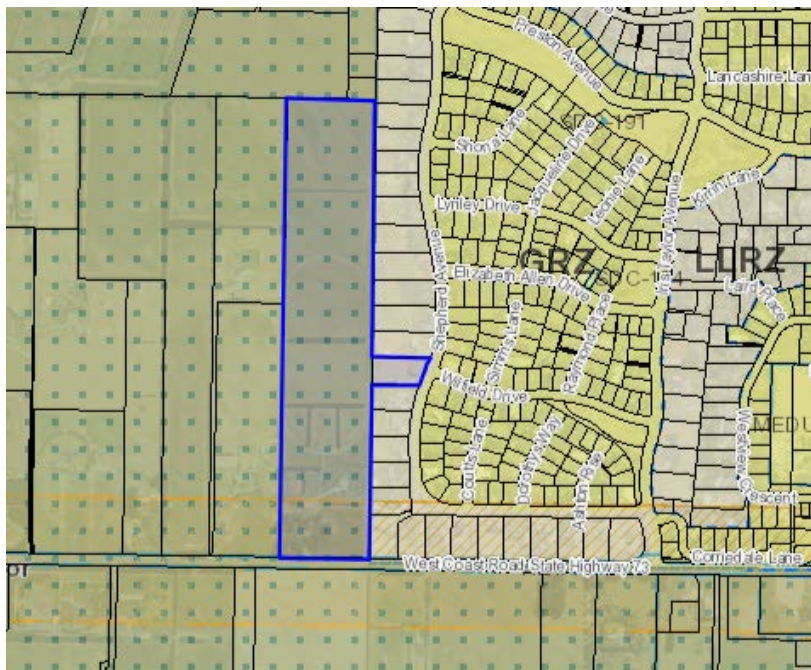


Figure 32: PDP map of the submitters site following the updated evidence

<sup>170</sup> DPR-0460 WMHL State of Evidence of Ivan Thomson dated 5 August 2022, Pages 2 & 12 to 14.



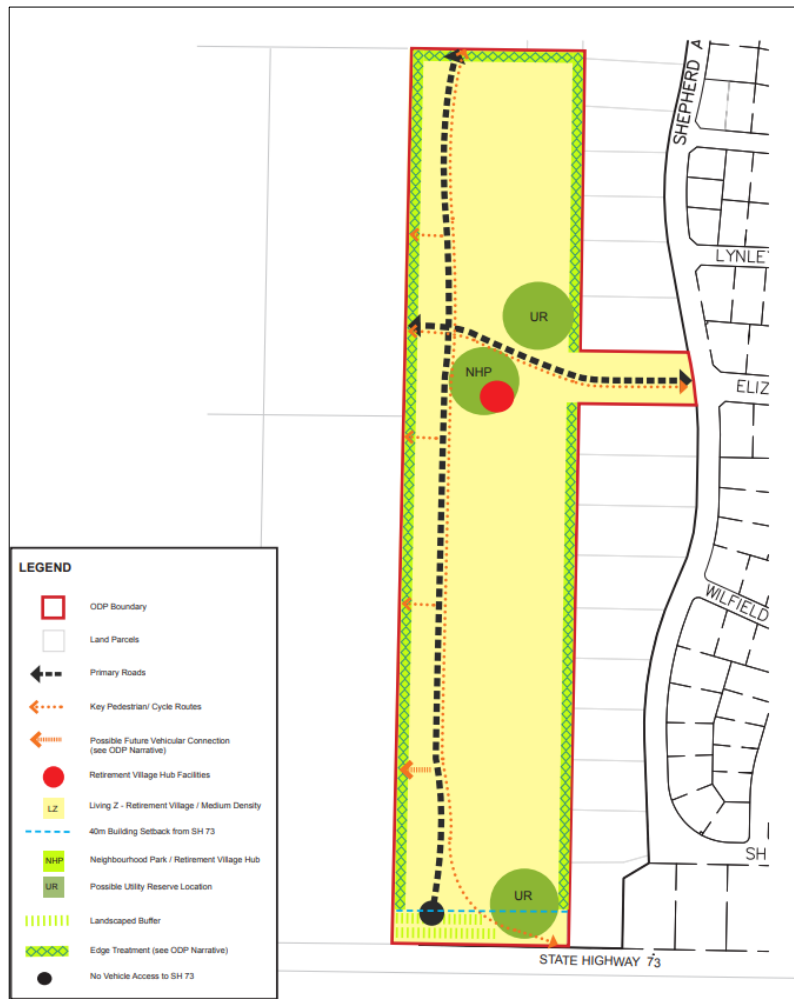


Figure 33: PC77 ODP as amended in response to a further information request

13.109 Expert engineering, economics, planning, urban design, and transport evidence has been provided to support the WMHL submission. The following peer reviews have been commissioned to inform the following evaluation of the appropriateness of the rezoning request against the Greenfield Framework below and any recommendations that are considered necessary to accept the submission (refer to **Appendix 3**).

- The ITA and transport evidence prepared by Stantec has been peer reviewed by Flow Transportation Specialists.
- The geotechnical assessment prepared by Landtech has been reviewed by Geotech Consulting.
- The servicing report prepared by e2Environmental Limited has been peer reviewed by Waugh Infrastructure Management Limited.
- The urban design assessment prepared by a+urban Limited has been peer reviewed by Urban Shift.
- The economic evidence prepared by Insight Economics has been peer reviewed by Formative.

#### NPS-UD 'gateway' assessment



13.110 As set out in the Rezoning Framework Report, for any greenfield re-zoning outside of an Urban Growth Overlay, the first test is whether it meets the NPS-UD Policy 8 significance criteria.

13.111 The rural land to the west of the Preston Downs subdivision is subject to the GRUZ but is not identified as a FUDA under CRPS Chapter 6 so the PDP UGO has not been applied to the site. The rezoning request is therefore considered to be 'out of sequence' and 'unanticipated' urban development within the context of Policy 8 of the NPS-UD. Under these circumstances, Council must have particular regard to whether the rezoning is required to provide significant development capacity under Policy 8 and Implementation clause 3.8 of the NPS-UD. The Rezoning Framework Report identifies that the rezoning must demonstrate that it contributes to a 'well-functioning urban environment', is well-connected to transport corridors and satisfies any regional council criteria. These pre-requisites have been encapsulated in the PDP Urban Growth Chapter objectives, which form the basis the following evaluation.

*Objective UG-O1 strategic growth outcomes*

13.112 In respect to the strategic growth outcomes anticipated by objective UGO1, the submitter's planning evidence sets out the range of lot sizes that are proposed to facilitate the establishment and operation of a master planned retirement village on the property<sup>171</sup>. The submitter's evidence, the ODP plan, and the development controls contained within the narrative, seek to provide an integrated and high amenity urban environment, albeit in the context of a master planned retirement village.

13.113 I understand that this approach has been applied to facilitate a streamlined consenting pathway in the future, although it is effectively seeking to enable a specific activity through a rezoning. The issue with this approach is that the ODP does not accommodate a scenario where there could be a change in land ownership, circumstances, or activity<sup>172</sup> that differs from what is illustrated in **Figure 34** below. This would then require a further plan change or a complex consenting process to accommodate alternative residential activities that may have quite different effects to what is identified in the ODP. I invite the submitter to provide additional evidence to establish how the ODP can effectively respond and adapt to an alternative residential use for the site.

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<sup>171</sup> Including a range of unit typologies, land tenure arrangements, and communal facilities such as a caretaker's residence, building for social gatherings and recreation, maintenance and plant facilities and open space areas that are typical for a retirement village.

<sup>172</sup> For example, there may be a future need for on-site age-care or other communal facilities that aren't provided for in the masterplan, the market demand profile, land ownership, land tenure arrangements or economic circumstances may change.



*Figure 34: WMHL retirement village concept*

- 13.114 One of the challenges with the rezoning of this site is that the adjoining Preston Downs subdivision has been established as the western limit to the urban form of West Melton. This is evidenced by the distribution of low-density sections along the edge of the subdivision as a transition to the adjoining rural properties and the absence of connecting roads, cycleways, footpaths, and reserves in the underlying subdivision layout.
- 13.115 I consider that the controls that are referenced in the ODP narrative are necessary to ensure the rezoning could integrate into the existing residential neighbourhood and achieve an attractive, pleasant, and high-quality urban environment. This includes the 5m wide eastern edge treatment that is proposed as a buffer between the medium density housing within the site and the low-density lots that contain large homes with spacious outdoor living areas established on the eastern boundary of the site. In my experience there are likely to be challenges in maintaining this type of edge treatment to a consistent standard if the land were not developed as a retirement village, where a body corporate would typically have responsibility for its upkeep.
- 13.116 I support the recommendation in the Urban Shift review that the roads, cycleways, and the reserve areas located adjacent to West Coast Road (SH73) and to the north of the secondary road should be vested in Council. Although I do not consider it is within scope, I support the submitters request that a maximum 7m building height (GRZ-REQ3) is applied to the site should it be rezoned. This reduced height would assist in reducing the effects of the increased densities and built form that could establish on the site and to integrate the land uses with the adjoining residential activities established within the Preston Downs subdivision.
- 13.117 Overall, I consider that the rezoning can support an attractive, high quality urban environment but additional submitter evidence is required to establish what facilities within the site would form part of the public realm and be vested in council and what areas would be managed privately by a body corporate. There also needs to be certainty provided on whether the ODP would remain relevant if

the land ownership or preferred retirement village activity were to change to establish the rezonings consistency with objective UG-O1.1.

13.118 I consider that the proposed lot size range provides for medium density housing typologies that contrast with the typical housing options provided within West Melton. The more intensive nature of this proposed rezoning is a consequence of the submitter's desire to establish and operate a master planned retirement village to fill what they consider is a gap in the housing market. I generally support the submitter's evidence that the lot size range and density reflect a better utilisation of the land, increases the housing typologies that would be available in West Melton and would enable existing elderly residents to 'live in place'. As identified above, I consider that there are appropriate controls identified in the ODP to maintain the amenity and character of the township through open space areas and boundary edge treatments. Overall, I consider that the rezoning is generally consistent with the built form and amenity that characterises West Melton. This is on the proviso that the ODP plan and narrative prescribe a minimum net density of 15hh/ha for the reasons outlined in the objective UG-O2 evaluation below and whether the amenity and character of the area would be maintained if the land ownership or preferred retirement village activity were to change (objective UG-O1.2).

13.119 I agree with the submitter's planning evidence that the land does not contain any Heritage Sites, Heritage Settings, Notable Trees, or other features that would require an assessment under Part 2 of the RMA (objective OG-O1.3). The submitters planning evidence identifies that Council approval was given on 9 February 2022 to close the water race that dissects the northern part of the site. To the best of my knowledge the land does not contain any other waterbodies or freshwater systems. The submitter infrastructure evidence and the Waugh Infrastructure Management Limited review identify that there are viable options available to effectively treat and dispose stormwater to ground within the site (objective UG-1.4). The rezoning request would enable a residential 'greenfield' subdivision and development so does not relate to the rezoning or redevelopment of an existing urban area (objective UG-O1.5).

13.120 The submitter's transport evidence identifies that the additional demand that would be generated by the rezoning on the safe and efficient operation of the transport network will be minor and that the design supports an integrated and connected development. The Flow Transportation Specialists review confirms that retirement villages generate much lower peak hour trips compared to standard residential dwellings and that further traffic modelling is not required to evaluate the effects of the rezoning on the safety and efficiency of the transport network. The review identifies that the concerns with the safety of the design of the internal road layout can be addressed through detailed design, compliance with SDC'S Engineering Code of Practice and the inclusion of traffic calming measures.

13.121 Flow Transportation Specialists make several recommendations on the ODP that I agree are required to ensure that the site is appropriately connected to the existing township. These recommendations are summarised below and are illustrated in the amended ODP plan (refer to Figure 22 on Page 45 of the Flow Transportation Specialists review).

- Improved connectivity to the land to the west is required.

- The ODP narrative indicates that the internal road that incorporates cycling facilities are vested in Council as the current private accessway would preclude permeability and connectivity due to the sites elongated form.

13.122 The submitter requests a rezoning that facilitates the establishment and operation of a retirement village, which typically have limited public access to maintain privacy and promote a sense of security for residents by managing the number and type of vehicle, pedestrian, and cycle movements. A consequence of accommodating this land use activity and responding to the risk of reverse sensitivity effects that could compromise the safe and efficient operation of West Coast Road (SH73) is that there is a risk that the site cannot effectively integrate into the existing township and the local transport network as no road access is provided to the State Highway. This risk is substantiated in the Urban Shift review that considers that the rezoning has a low level of accessibility to public services and facilities and that a secondary connection to West Coast Road (SH73) is required to improve connectivity.

13.123 The design seeks to overcome this issue by identifying an internal network of walking and cycling connections and indicating future connections to the north and west. I agree with the recommendations in the Flow Transportation Specialists and Urban Shift reviews that the ODP narrative needs to include a reference that the internal road, cycleways, and primary reserves are vested in Council. I also agree that a future east to west aligned secondary road is required in the ODP to 'future proof' the site in the event the adjoining land to the west is rezoned. This would ensure that the longer-term permeability and integration of this site with the adjoining land is achieved and active modes of transport for the wider community are encouraged. I also support the provision of walking and cycling connections in the south-eastern corner to support an extended footpath and cycle facility to better connect the site to the township along West Coast Road (SH73), although this extension would need to be established by Council as it would not initially extend along the frontage of the site.

13.124 Overall, I consider that the submitter should amend the rezoning request and ODP to require that the internal roads, cycleways, and reserves be vested in council, and a future east to west aligned secondary road connection is included to ensure consistency with objective UG-O1.6.

13.125 The submitter evidence identifies that there are no utility servicing constraints. The Waugh Infrastructure Management Limited review confirms that there are viable methods for providing potable drinking water, managing wastewater, and treating and discharging stormwater to meet the demand that would be generated by the rezoning (objective UG-O1.7). Although there are existing capacity constraints identified with the townships reticulated water network, upgrades would need to be planned and funded by Council to ensure there would be connections available should the land be rezoned and subdivided to urban densities.

13.126 There is nothing to suggest the rezoning would preclude current and future communities within West Melton from continuing to provide for their needs (objective UG-O1.8). The landowner has a desire to rezone the rural land for urban activities, which provides further opportunities for people to live in West Melton. The medium housing typologies that would be enabled by the rezoning provide options for elderly residents to 'live in place'. It is also unlikely that the rezoning would significantly impact on the ability for the adjoining residential and rural landowners to continue to

meet their needs. The NPS-UD also recognises that changes in amenity are an anticipated outcome of providing additional housing capacity<sup>173</sup>.

13.127 The submitters geotechnical evidence and the review undertaken by Geotech Consulting, establish that there is minimal potential for liquefaction to occur during a significant earthquake event and that a TC1 Technical category has been assigned to the land. The submitter's planning evidence identifies that a Preliminary Site Investigation has been prepared by Malloch Environmental Limited in accordance with the NES-CS. The evidence identifies that a Detailed Site Investigation is required based on the identification of two localised risk areas. I agree that there are appropriate steps within the subdivision process to require this to occur. The infrastructure evidence prepared by e2Environmental Limited establishes that the minimum finished building floor level of 300mm above a 1 in 200-year flood hazard event would be able to be satisfied through the building consent process in accordance with PDP rule NH-R2.3 that applies to the Plains Flood Management Area overlay. Overall, I am satisfied that there are no site-specific land conditions that preclude the rezoning from being supported.

13.128 The rezoning of the land to accommodate residential activities has the potential to compromise the safe and efficient operation of West Coast Road (SH73) is defined as 'Important Infrastructure' in the PDP in recognition of its status as nationally significant infrastructure. There are definitions, objectives, policies, rules, and requirements in the PDP<sup>174</sup> and CRPS<sup>175</sup> that complement the outcomes of the PDP that urban growth is provided for in a strategic manner that is coordinated with available infrastructure (objective UG-O1.7) and enables for community wellbeing (objective UG-O1.8). The PDP State Highway Corridor Noise Control Overlay applies to the southern frontage of the site where it interfaces with West Coast Road (SH73).

13.129 NZTA have not registered their interest in the rezoning of the site through submissions, although they may lodge submission on PC77 when it is publicly notified. An important design element of this rezoning request is that the ODP restricts access directly onto West Coast Road (SH73) and incorporates a 40m building setback to reduce the risk of reverse sensitivity effects that could compromise the safe and efficient operation of the State Highway. I agree that this reduces the risks that the rezoning could compromise the safe and efficient operation but consider that the setback should be extended to 50m to maintain consistency with PDP proposed rule NOISE-R3.3. a.

13.130 In summary and pending additional submitter evidence, I consider that the rezoning would be consistent with objective UG-O1.7 and UG-O1.8 if the ODP is amended to extend the building setback at the interface with West Coast Road (SH73) to 50m.

13.131 The submitter's planning evidence confirms that the site is comprised of LUC Class 2 and 3 soils and evaluates the rezoning against the provisions of the draft NPS-HPL, noting that it did not have any statutory weight at the time this was prepared. However, the NPS-HPL now defines LUC Class 1,

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<sup>173</sup> NPS-UD Objective 4 and Policy 6(b)(i)

<sup>174</sup> PDP definitions of 'important infrastructure', 'infrastructure', 'land transport corridor', 'land transport infrastructure', 'public transport facilities', and 'strategic transport network', and objectives, policies, rules and requirements in the Strategic Directions, Energy, Infrastructure and Transport, Urban Growth, Subdivision, and Urban Growth Chapters to protect the effective and efficient operation of state highways.

<sup>175</sup> CRPS chapter 6 definitions of 'noise sensitive activities', 'strategic infrastructure' and strategic transport network', objectives 6.2.1, 6.2.2, and 6.2.4, and policies 6.3.1, 6.3.3, 6.3.4, 6.3.5, and 6.3.7.

2 and 3 soils as highly productive land and establishes that its rezoning must be avoided unless the relevant policies are satisfied (refer to Section 4 above).

13.132 The Formative Limited economic review identifies that the rezoning of highly productive land for 'urban activities' needs to establish whether other reasonable and feasible options have been considered and that the additional capacity being enabled is not significantly more than what is required to meet the identified demand for West Melton. The economic evidence prepared by Insight Economic does not evaluate the implications of the rezoning against the objectives and policies of the NPS-HPL, which had not been made operative at the time the evidence was circulated to Council. I invite the submitter to provide expert economic evidence to establish how the rezoning 'gives effect' to the NPS-HPL, including in respect to maintaining consistency with the objective, policies, and Implementation clause 3.6(1). In the absence of this evidence, I consider the rezoning request is inconsistent with the PDP urban growth objectives (objectives UG-O1.10 and UG-O1.11) and contrary to the NPS-HPL.

13.133 Overall, I consider that the rezoning request is inconsistent with objective UG-O1 pending additional economic evidence from the submitter to assist in establishing that the rezoning would 'give effect' to the NPS-HPL. I also invite the submitter to provide additional urban design and planning evidence to establish whether the ODP would remain relevant if the land ownership or preferred retirement village activity were to change to establish the rezonings consistency with objective UG-O1. If these matters can be resolved, then I recommend that the ODP is amended to prescribe a minimum net density of 15hh/ha, and to require that the internal road, cycleways, and primary reserves are vested in Council, a future east to west aligned secondary road connection is established, and the building setback at the interface with West Coast Road (SH73) is extended to 50m.

*Objective UG-O2 urban form outcomes*

13.134 In respect to objective UG-O2, I consider that the rezoning would contribute to achieving a consolidated and compact urban form based on the preferred growth option outlined in Section 6 and the PDP Growth of Township policies. The site is located on the western boundary of the Preston Downs subdivision so it can be integrated into the existing urban form of West Melton, although this is currently limited to a single connection via Shepherd Avenue.

13.135 The land has not been identified as a FUDA in CRPS Chapter 6, so the UGO has not been applied to the land following the Greater Christchurch Our SPACE future development strategy prepared under the NPS-UDC or an SDC adopted Development Plan<sup>176</sup>. This emphasises the need for the rezoning to satisfy the responsive planning requirements prescribed in Subpart 2 Implementation clause 3.8 of the NPS-UD. This includes establishing whether the rezoning contributes to a 'well-functioning urban

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<sup>176</sup> The PDP defines **Developments Plans** as spatial plans that have been adopted by Council where urban growth areas have been identified. These include but are not limited to: (a) Future Development Areas in Our Space 2018-2048; (b) Rolleston, Lincoln and Prebbleton Township Structure Plans; (c) Rolleston and Lincoln Town Centre Masterplans; (d) Rural Residential Areas in adopted Rural Residential Strategy 2014; (e) Preferred Future Development Areas in Malvern Area Plan Mahere-ā-Rohe 2031 and Ellesmere Area Plan Mahere-ā-Rohe o Waihora 2031; and (f) Growth models used by Council to prepare Long Term Plans.



environment'<sup>177</sup> and the site is well connected along transport corridors<sup>178</sup>. These are generally captured in the accessibility, sustainability, and resilience components of objective UG-O2.

- 13.136 I support the recommendation in the Urban Shift review that a minimum net density of 15hh/ha should be applied to the site and that it should be referenced in the ODP. I agree that these densities reflect a notable change in the low-density character of the township and the residential lot sizes established in the adjoining Preston Downs subdivision. However, the NPS-UD and the objective and policies of the PDP require 15hh/ha unless there are circumstances present that support 12hh/ha (policy UG-P13.4)<sup>179</sup>. In this case, I consider that the benefits of prescribing the minimum net density of 15hh/ha to achieve a more compact and consolidated urban form, and to enable the development of the site as a retirement village to provide a wider range of housing types in the township, outweigh the reduced amenity this may create. The controls within the ODP, including the setback and landscaping treatment along the eastern boundary with the Preston Downs subdivision, are important in reducing the risk of amenity conflicts that could result from the change in density. I consider that this minimum density requirement reflects a better utilisation of the land and would also 'give effect' to the minimum net densities of 10hh/ha that apply to the township in the CRPS (Policy 6.3.7.3.a).
- 13.137 The location of the township on either side of West Coast Road (SH73) and the sites' ability to consolidate with the Preston Downs subdivision establish that the land can access a nationally significant transport corridor, albeit one that currently has limited public transport services to the township. The Urban Shift review identifies that the sites distance of 800m from the towns centre is within the average walking (1km) and cycling distances (4km) identified in the New Zealand Household Travel Survey.
- 13.138 The submitters planning evidence identifies that urban activities are a significant source of transport emissions, but that the sites proximity to the town centre and ability for residents to use public transport, sustainable vehicles and on-site van service will assist to reduce the impacts of the rezoning. In evaluating whether the rezoning promotes a 'well-functioning urban environment' I consider that the relative distance of West Melton from large urban centres and rural outlook provides a sought-after lifestyle that has contributed to the popularity of the town. One of the trade-offs associated with this is the inevitable reliance on private motor vehicles to commute to other areas to access people's everyday needs, which contributes to greenhouse gas emissions. The townships relative isolation from large urban centers and the current lack of public transport options and walking and cycling connections to promote alternative transport modes means that the rezoning is unlikely to reduce the future effects of climate change.
- 13.139 While I recognise that a retirement village is likely to generate lower vehicle movement numbers in comparison to standard residential households and that there may be opportunities for residents to travel in groups through private transport providers, it is uncertain whether the rezoning limits the future use to this activity. If certainty is provided that the site can only be developed as a

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<sup>177</sup> NPS-UD Policy 1(c), (e) and (f).

<sup>178</sup> NPS-UD Implementation clause 3.8(2)(b).

<sup>179</sup> Refer to the Harrison Grierson Consultants 'Greenfield Density Analysis' - [Urban Growth Chapter evidence - Appendix 3](#).

retirement village, then there would continue to be vehicle movements associated with visitors and external service providers that would contribute to vehicle emissions.

- 13.140 I consider that the proximity of the town centre makes the site accessible to local services and facilities, although the design provides low levels of accessibility, and the rezoning is likely to generate a continued reliance on commuter travel for residents to access everyday needs and the services required to maintain a retirement village at least in the short term (objective UG-O2.1). In my opinion, emissions reductions require wider sub-regional and national responses to promote alternative travel modes through transport network upgrades, monetary incentives, and public transport funding. The Flow Transportation Specialists PC74 evidence also confirms that the potential cumulative effects on the transport network if the urban rezonings in the district were all granted would be significant without additional and reprioritised public agency funding.
- 13.141 In summary, I consider that the rezoning is unlikely to reduce greenhouse gas emissions without significant public investment. Overall, I consider that the rezoning is inconsistent with but not contrary to objective UG-O2.2.
- 13.142 The density and scale of the development that would be facilitated by the rezoning would not be sufficient to change the role and function that West Melton serves as a 'Service Township' within the district's Township Network. The increased population that would be created through the rezoning is likely to support the economic and social prosperity of the commercial centre and promote social benefits by enabling elderly residents to 'live in place' (objective UGO-2.3).
- 13.143 The submitter's infrastructure evidence and the Waugh Infrastructure Management Limited review confirm that the future development of the site can be integrated with existing or planned reticulated network utilities, including water, wastewater, and stormwater facilities (objective UGO-2.4).
- 13.144 Overall, I consider that the rezoning request is inconsistent with but not contrary to objective UG-O2. I recommend that the ODP is amended to require a minimum net density of 15hh/ha is achieved and that additional submitter evidence and amendments to the ODP are required to address the matters raised in the Flow Transport Specialists and Urban Shift reviews before it can be established that the site can effectively integrate into the strategic transport network. These amendments will reduce but not resolve the concern that the rezoning of additional 'greenfield' in West Melton will not reduce greenhouse gas emissions without significant investment in public transport in the future.

*UG-O3 housing capacity requirements*

- 13.145 In respect to the housing capacity requirements in objective UG-O3, the rezoning has not been identified to satisfy a short-term housing shortfall in West Melton as it is not a FUDA in CRPS Chapter 6 Map A or subject to the UGO in the PDP Planning maps. This is acknowledged in the planning evidence provided in support of the rezoning request and PC77, with reliance being placed on the rezoning satisfying the Policy 8 requirements of the NPS-UD as it relates to enabling 'unanticipated or 'out of sequence' urban development capacity in the absence of a Council spatial plan and CRPS 'significance criteria'. The key attributes of a 'well-functioning urban environment'

that I consider are relevant to the consideration of the rezoning request under the NPS-UD<sup>180</sup> and objective UG-O3 are whether it enables a variety of homes to meet the type, price and locational needs and limits adverse impacts on the competitive operation of land and development markets<sup>181</sup>.

- 13.146 The rezoning request is supported by expert planning and economic evidence, which includes assessments against the objectives and policies of the NPS-UD and CRPS. The submitter's planning evidence identifies that the rezoning would support higher density housing typologies that meet a different need to what is currently available in West Melton and has been enabled through recent rezoning decisions. I agree that the lot types, size, and densities will be a point of difference to what is currently on offer to the local market and that a retirement village provides an affordable option (relative to other price points in the area) for elderly residents. I also agree that the additional housing supply would assist in meeting the housing bottom lines prescribed in the CRPS<sup>182</sup> and the PDP<sup>183</sup> and promoting competitiveness in the local and Greater Christchurch area housing market.
- 13.147 However, it is critical to determine whether an 'out of sequence' and 'unanticipated' rezoning is necessary to address an identified short term housing shortfall that needs to be responded to through the NPS-UD Policy 8 pathway. The request is supported by economic evidence that establishes that the rezoning will improve dwelling capacity, provide a variety of housing types, and promote market competition, which will respond to demand and generate a range of economic benefits.
- 13.148 The Formative economic review agrees with the Insight Economics that the previous SDC population estimates, and housing demand analysis was conservative and that there is a need for additional dwellings to meet projected demand and the medium- and long-term shortfalls in West Melton. They also agree that the additional capacity in Rolleston, Lincoln and Prebbleton enabled through the PDP Variation 1 MRZ will be limited. The Formative review confirm that the rezoning is unlikely to result in an oversupply of residential capacity in West Melton and that it represents a 'significant' increase in residential supply. The review identifies that a development of the site for residential activities rather than a retirement village may not generate the same range of benefits relating to housing size and types, and that the rezoning is unlikely to reduce vehicle trips or address the current elevated levels of retail leakage to larger centres. However, Formative conclude that the rezoning is an appropriate use of the land from an economic perspective and in the context of the NPS-UD.
- 13.149 In summary and in the absence 'significance criteria' in the CRPS, I consider that the rezoning is consistent with NPS-UD Policy 8 and Implementation clause 3.8 as it will add significant development capacity and can contribute to a 'well-functioning urban environment' if the outstanding matters that have been identified in the expert reviews and this evidence are addressed. I agree with the submitter evidence that the rezoning would assist in meeting the housing bottom lines, promote competitiveness in the housing market and improve that range of housing types that would increase the population to support some limited commercial growth in West Melton. However, I consider that the rezoning request is inconsistent with the objective UG-O3 in the absence of economic

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<sup>180</sup> In particular Policy 8 and Implementation clause 3.8.

<sup>181</sup> NPS-UD Policy 1(a)(i) and (d).

<sup>182</sup> CRPS Objective 6.2.1a Housing Bottom Lines.

<sup>183</sup> PDP Policy UG-P13.1.

evidence from the submitter to assist in establishing that the rezoning would ‘give effect’ to the NPS-HPL. This includes supporting a ‘well-functioning urban environment’ in the context of Implementation clause 3.6.

13.150 On the basis of the above assessment and in the absence of additional submitter evidence, I recommend the submission points<sup>184</sup> are rejected for the following reasons:

- 13.150.1 The rezoning request is inconsistent with objective UG-O1 pending additional economic evidence from the submitter to assist in establishing that the rezoning would ‘give effect’ to the NPS-HPL. Additional submitter evidence is required to establish whether the ODP outcomes and effects of the rezoning would be the same if the land ownership or preferred retirement village activity were to change to establish the rezonings consistency with objective UG-O1.
- 13.150.2 The rezoning request is inconsistent with but not contrary to the urban form outcomes identified in objective UG-O2 as it is unlikely to reduce greenhouse gas emissions without significant public investment. Additional submitter evidence and amendments to the ODP are required to establish that the site can effectively integrate into the strategic transport network. These amendments will reduce, but not resolve, the concern that the rezoning of additional ‘greenfield’ in West Melton will not reduce greenhouse gas emissions without significant investment in public transport in the future.
- 13.150.3 Further economic evidence is required to establish whether the rezoning is consistent with objective UG-O3 and would ‘give effect’ to the NPS-UD and the NPS-HPL.
- 13.150.4 If the economic and transport evidence is provided and satisfies the concerns raised, then the following amendments to the ODP are required to enable the rezoning to be supported:
  - a. The internal road, cycleways, and primary reserves are vested in Council.
  - b. A future east to west aligned secondary road connection is established.
  - c. The building setback at the interface with West Coast Road (SH73) is extended to 50m.
  - d. A minimum net density of 15hh/ha is specified.
- 13.150.5 The amended relief supersedes the changes that were originally sought to amend the minimum lot and minimum average lot sizes in requirement SUB-REQ1 Site Area Table SUB-1 – Minimum average net site area and Table SUB-2 Table SUB-2 – Minimum net site area respectively.
- 13.150.6 While the relief seeking an update to requirement GRZ-REQ3 may have merit in the context of the rezoning request, it was received following the close of further submissions so presents a procedural issue in respect to public participation and coordinating the Residential Chapter hearing.

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<sup>184</sup> DPR-0460.001, 004, 005 & 006 WMHL

***Recommendation***

13.151 I recommend, for the reasons given above, that the Hearings Panel retain the GRUZ as notified, except where the amendments in **Appendix 2** recommend accepting the relief sought by other submitters.

13.152 It is recommended that the submissions and further submissions are rejected, accepted, and accepted in part as shown in **Appendix 1**.

**14. Conclusion**

14.1 For the reasons set out in 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.