
OFFICER'S RESPONSE TO QUESTIONS FROM THE HEARINGS PANEL

DATE: 23 August 2021

HEARING: Urban Growth

HEARING DATE: 30 August – 31 August 2021

PREPARED BY: Ben Baird – Policy Analyst, Strategy and Policy Team

Introduction

The purpose of this report is to provide a written response to the questions posed by the Hearings Panel on the section 42A report for the Urban Growth Chapter.

Questions and Answers

Paragraph or Plan reference	Question from the Hearings Panel
7.25	Where might we find the amended definition of “Housing Bottom Lines” as it does not appear to be included in Appendix 2?
Officer response:	<p><i>The amended definition was omitted by error. The following is the recommended definition:</i></p> <p>Housing Bottom Lines - The minimum number of households identified in the CRPS, as Housing Targets or Housing Bottom Lines, to ensure there is sufficient development capacity available to meet demand, as it is defined in the NPS-UD.</p> <p><i>This change is in response to submissions – Rolleston West Residential Limited (DPR0358.028), Iport Rolleston Holdings Limited (DPR-0363.027), Rolleston Industrial Holdings Limited (DPR-0374.033), and Rolleston Industrial Developments Limited (DPR-0384.035).</i></p>
9.7	<p>The NPS-UD requires short-term and medium-term land to be plan enabled or arguably zoned.</p> <ul style="list-style-type: none">• Does the use of an overlay for medium term growth needs give effect to the NPS-UD?• Can you please clarify the use of zoning versus overlays in Section 9?
Officer response:	<p><i>The use of an overlay identifies potential areas to respond to any shortfall identified through the Housing Capacity Assessment. Once a shortfall is identified the Council can look to re-zone land in the overlay in the first instance, if the characteristics of the shortfall requires greenfield land as the appropriate response.</i></p> <p><i>The use of a Zone compared to an Overlay is outlined in Section 8.6. The main reason for an overlay in the PDP is it reflects the current level of evidence and subsequent certainty of the area being appropriate for future urban use.</i></p> <p><i>A Future Urban Zone would require more certainty in its appropriateness but would not count as plan-enabled or zoned capacity as it does not outline the density or potential capacity. This would be determined through a plan change, the same process an overlay would follow.</i></p>

Paragraph or Plan reference	Question from the Hearings Panel
10.10	Would it be clearer if the recommended words “outside of the areas identified” were replaced with the words “outside of the Urban Growth Overlay”?
Officer response:	<i>Yes that would be clearer. I recommend that the wording of the UG Overview is as follows: ‘<u>This chapter also provides a framework for assessing development outside of the Urban Growth Overlay.</u>’</i>
10.14	Would it be clearer if in response to these submissions the wording in the last paragraph was to read: “The General Rural Zone activity-based rules <u>continue to</u> apply ...”?
Officer response:	<i>Yes, that would be clearer. I recommend that the wording is added. ‘The General Rural Zone activity-based rules <u>continue to</u> apply to the land that is subject to the Urban Growth Overlay... This change is in response to submissions – Rolleston West Residential Limited (DPR0358.322), Iport Rolleston Holdings Limited (DPR-0363.311), Rolleston Industrial Holdings Limited (DPR-0374.317), and Rolleston Industrial Developments Limited (DPR-0384.329).</i>
11.15	For UG-01(2) the author has recommended to accept the submission by Kainga Ora to include the words ‘Achieve the built form’. <ul style="list-style-type: none"> To avoid ambiguity does the author consider that a definition for ‘built form’ might be useful?
Officer response:	<i>The use of the word ‘built form’ is to signal the scale of development articulated within the zones. Auckland’s Plan defines built form as ‘means mix of building types and styles, building spacing and orientation, scale and massing, building height, roof forms, and extent of site coverage.’ However, a definition of built form is considered unnecessary as it duplicates rule requirement headings and states the intent of what the zoning provisions do, therefore adding little value.</i>
12.5, 13.5 ...33.4	Kainga Ora has recommended that almost all of the Objectives and Policies be moved to Strategic Directions (an exception seems to be Objective 1, and some of the rules are requested to be moved to a Future Urban Zone). Your Report notes that: “The move to Strategic Directions is discussed in Section 20 of the Strategic Directions s42A report”. As the reporting officer for Urban Growth can you comment on the impact such a transfer of the majority of the policy provisions, as requested by this submitter, will have on the integrity of the Urban Growth Chapter? If we were to accept some or all of those provisions should be transferred to Strategic Directions – would it still be necessary to retain (duplicate those provisions) in both chapters, to retain the integrity of the Urban Growth chapter in its own right - and would the Urban Growth chapter be redundant - if so what would be your recommendation on that.
Officer response:	<i>The Urban Growth chapter has multiple functions as outlined in the overview. The chapter outlines the preferred Council approach to growth as well as a framework for assessing development outside of the preferred areas. If the provisions relating to the framework for assessing development are moved, the Urban Growth chapter will need to remain as it implements the overlay. The Urban Growth chapter will need to implement the Strategic Directions and not necessarily duplicate the provisions so if some provisions are moved, some change will be necessary to retain the functionality of the UG Chapter. This would be more refinement of the objectives and policies to avoid duplication. There would need to be at least one objective, similar to Objective 1, to provide line of sight for the policies and rule framework, though the other objectives could be moved.</i>

Paragraph or Plan reference	Question from the Hearings Panel
	<i>Any proposed zone change will need to consider the Strategic Directions and Urban Growth so duplication may not be necessary, however the chapter will need to maintain 'line of sight' as outlined in the Planning Standards.</i>
13.6	<p>CCC requests the inclusion of relevant recommendations from Social and Affordable Housing Action Plan of the Greater Christchurch Partnership in UG-02. The author rejects this request stating <i>...as this report is currently in development and has not been approved by the Greater Christchurch Partnership, the report should not be considered as part of this process.</i> Part of the definition for 'development plan' references Future Development Areas which we understand has been initiated by the Greater Christchurch Partnership.</p> <ul style="list-style-type: none"> • How does the Future Development Areas initiative relate to the Social and Affordable Housing Action Plan? • Does the author have an estimated time for when the Social and Affordable Housing Action Plan will be approved by the Greater Christchurch Partnership? • Should the Social and Affordable Housing Action Plan be given the green light by Selwyn District Council, and assuming that the District Plan will need to be changed to implement it, how soon after the green light is given would a plan change be initiated (ie) would it have to wait until another 10 years has passed?
<i>Officer response:</i>	<p><i>I have responded to each bullet point as below:</i></p> <ul style="list-style-type: none"> • <i>The Future Development Areas respond to the quantified capacity shortfall. The Social and Affordable Housing Action Plan aims to better understand potential affordability issues and social housing demand and outlines a range of potential responses. The actions from the report are around engagement, policy, and planning responses.</i> • <i>The implications of the report on the Future Development Areas is yet to be discussed as the report has not been approved and there hasn't been discussions on agreed next steps.</i> • <i>The Social and Affordable Housing Report will hopefully be on the agenda for GCP sometime this year. There is additional work underway to provide some more independent advice. Once received by GCP, the report will need to be considered by each council and a joint response agreed before implemented in the District Plan.</i> • <i>Once the report is approved then a set of actions and responses will likely need to be agreed. This work could feed into numerous processes; the spatial plan work programme, or as a variation or Plan Change to the District Plan. This could be within the next few years.</i>
20.8	<p>The "effective engagement with infrastructure providers" is not covered in UG-P12.</p> <ul style="list-style-type: none"> • Is it covered elsewhere or is it recommended that the wording sought be rejected?
<i>Officer response:</i>	<i>The wording is not discussed elsewhere and it is recommended to be rejected. The policies are clear around infrastructure, in seeking avoiding significant adverse effects, including reverse sensitivity, and aligning development with infrastructure provision. It is implicit that engagement with infrastructure providers is required. Further, the use of a phrase effective engagement would require some additional parameters to determine when it is effective or not.</i>
22.8	<p>With regard to recommended new UG-P9:</p> <ul style="list-style-type: none"> • Is the subjective phrase "to the extent reasonably possible" open to a range of possible interpretations and if so, is it appropriate to use in a policy?

Paragraph or Plan reference	Question from the Hearings Panel
	<ul style="list-style-type: none"> What is intended by the use of the phrase “and adjoining rural land”? Would the phrase “and adjoining rural land” be open to an interpretation that it effectively includes all Class 3 to 8 land in the District? What is the phrase “adjoining rural land for rural production” intended to mean? How would readers of the recommended new policy determine what “inappropriate” means in the phrase “inappropriate urban subdivision”? Is the phrase “urban subdivision” overly narrow and would the phrase “urban growth” be more encompassing of the intent of the UG chapter?
Officer response:	<ul style="list-style-type: none"> <i>The phrase ‘to the extent reasonably possible’ is potentially ambiguous. The intent is that protection is viewed as an important constraint but not an absolute constraint when considering the location of urban growth. This puts the onus on developers to show how protection to the extent reasonably possible has been met.</i> <i>The phrase ‘and adjoining rural land’ is to protect highly productive land that is not subject to a plan change but adjoining the plan change from the impact of the plan change’s urban development. However, the protection from adverse effects on adjoining rural land is covered by P11. A change to remove the phrase is recommended and leave this policy focused on highly productive land.</i> <i>Yes, the current phrasing could be open to interpretation beyond Highly Productive Land, but this is not its intention. A change to focus on only ‘highly productive land’ is recommended.</i> <i>The policy could be worded better to improve its interpretation. A change to focus on only ‘highly productive land’ is recommended.</i> <i>The use of the term ‘inappropriate’ and the phrase ‘to the extent reasonably possible’ are to achieve the same purpose, that is there are situations where urban growth on highly productive land is appropriate. This policy is more related to location rather than appropriateness so I recommend that ‘inappropriate’ is deleted.</i> <i>The phrase ‘urban growth’ is more appropriate to ‘urban subdivision’. I recommend that the wording is changed.</i> <p><i>Recommended amended Policy 9 wording ‘Protect, to the extent reasonably possible, highly productive land, and adjoining rural land for rural production from inappropriate urban growth subdivision’.</i></p>
23.8	<p>In UG-P10 (3) at a practical level on flat land how will rural outlook be preserved in all cases?</p> <p>With preserve being a strong term:</p> <ul style="list-style-type: none"> Should the term outlook be defined? Should amenity values either be replaced or added to outlook?
Officer response:	<i>The provision is to recognise and transition urban development to rural at their interface. The outlook will be preserved by landscaping, larger lots and setbacks. In this instance the use of the amenity values instead of outlook will achieve the same outcome. I recommend changing ‘outlook’ to ‘amenity values’.</i>
24.8	<p>In the stem of UG-P11 the use of ‘avoid’ in terms of adverse effects including reverse sensitivity effects is a strong and directive approach.</p> <ul style="list-style-type: none"> Has consideration been made of adding the words ‘significant’ prior to adverse effects?
Officer response:	<i>I agree. The use of avoid is a strong and directive approach and this should only be in reference to significant adverse effects. Adverse effects that aren’t significant could</i>

Paragraph or Plan reference	Question from the Hearings Panel
	<p><i>be mitigated or reduced through the design of development but should not deter development.</i></p> <p><i>I recommend the word 'significant' be added to Policy 11 – 'avoid significant adverse effects, including ...'</i></p>
24.10	In UG-P11(1) would it be clear to readers of the Plan that the word "anticipated" is intended to mean what is permitted on a site insofar as that is dictated by the full range of permitted activities contained in the Plan?
Officer response:	<i>Anticipated would include permitted activities but would also consider controlled activities and anything that is currently consented. I believe the use of the term anticipated is clear for readers.</i>
25.9	<ul style="list-style-type: none"> In UG-P12(3) is the recommended phrase "through zoning land" intended mean 'by zoning land' (namely a process) or is it intended to mean providing connectivity within and between the listed zones? If the latter, would the following wording be clearer: "… connectivity <u>within and between the land to be zoned</u> and adjoining .."
Officer response:	<i>Yes, it is the latter and the wording suggested would be clearer.</i> <i>I recommend that the wording be changed to "… connectivity within and between the land to be zoned and adjoining .."</i>
25.9	In UG-P12 would it be clearer if clause 2 was to read: "Avoiding adverse effects on the <u>groundwater</u> and surface <u>water</u> resource ..."
Officer response:	<i>Yes, that would be clearer.</i> <i>I recommend that the wording be changed to "Avoiding adverse effects on the <u>groundwater</u> and surface <u>water</u> resource ..."</i>
26.14	With regard to the recommended addition to UG-13(4), would it be clear to readers what the phrase "demonstrated constraints" means?
Officer response:	<i>The phrase 'demonstrated constraints' is intended to be open for interpretation as each specific area would face different constraints. This puts the onus on the developer to identify a constraint and therefore its impact on the minimum density achievable.</i> <i>Some example constraints would be geotechnical or flooding but also location to key activity centres or neighbourhood centres or public transport routes that help facilitate a higher density.</i>
26.14	Would it be clearer if the recommended addition to UG-13 clause 4 was to read (amendments in grey wash): The A minimum net densities density of 12 15 hh/ha for residential activities is met, unless there are demonstrated constraints then in which case a minimum net density of no less than 12 hh/ha is met, or 1 to 2hh/ha for rural residential activities a minimum net density of 1 to 2hh/ha are is met
Officer response:	<i>Yes, the recommended wording is clearer.</i>
26.25	For UG-P13 the author explains how increasing the density to 15hh/ha ... <i>potentially leads to increased typologies being developed at different prices to meet the demographic need of the district.</i> <ul style="list-style-type: none"> Could one of the typologies accommodate the social and affordable housing demographic?
Officer response:	<i>An increase in density will lead to a smaller average lot size. Developers can provide more multi-units that could balance the continued lot sizes, though there is nothing limiting developers responding with a higher density at the moment. Higher minimum densities could lead to smaller units that could begin to respond to the demographic but cannot respond to financial issues related to social or affordable housing.</i>

Paragraph or Plan reference	Question from the Hearings Panel
33.8	In UG-SCHED1 which elements of clause 2.c.(i), (ii) and(iii) are the recommended words “when required to” intended to apply to?
<i>Officer response:</i>	<i>The phrase ‘when required to’ will apply to all three sub-clauses. If the development is for business then the net density sub-clause is not required. If the development does not require staging, then the staging and funding sub-clause is not required. If the land does not adjoin any other Urban Growth Overlay then sub-clause 3 is not required.</i>

Subsequent Changes to s42A Report

The following outlines changes to the s42A report and appendices in response to the Hearing Panels questions.

S42A Report

- 10.10 The other nineteen submission points propose other changes to Paragraph 2. These points seek to add an additional avenue of enabling development of sites relating to a 'responsive approach'. This wording is used within the NPS-UD and primarily relates to unanticipated significant capacity. While the Urban Growth Chapter outlines how the Council is responding to growth, it also provides a framework for assessing unanticipated significant capacity in a responsive manner. The paragraph could be worded differently to clearly articulate this, however the specific relief sought could be improved. The scope of the relief is to outline the additional avenue to enabling development and the recommended wording achieves this. I recommend adding the following sentence after the first sentence in Paragraph 2 'This chapter also provides a framework for assessing development outside of the ~~areas identified~~ **Urban Growth Overlay**'. I recommend that these submission points are accepted in part.
- 10.14 The suggested deletion is inappropriate as the General Rural Zone is the underlying zone and those provisions apply until the land is re-zoned. **However, a change to make it clearer that the Rural Zone provisions continue to apply is appropriate.** Therefore, I recommend that these submission points (part) are ~~rejected~~ **accepted in part.**
- 23.8 Macaulay & Reid, Manson, M Singh, Trices Rd, Four Stars & Gould, Fox & Associates, Survus Consultants Ltd, Gulf Central & Apton, Dunweavin, and The Robinsons seek that clause 3 is deleted as they believe the policy does not give effect to the NPS-UD, is not consistent with township growth, and is not clear who benefits. This clause seeks that the rural outlook that townships enjoy at the rural-urban interface is preserved and that mitigation and densities at the interface provide a gradual transition. The intent is not to preserve the current outlook but the proposed plan change rural interface. **The term 'outlook' should be replaced by 'amenity values' as this covers more than, and is not limited to, the visual element.** The clause should be reworded to make this clearer. The suggested amendments will provide this clarity and therefore, I recommend that these submission points are accepted in part.
- 24.9 Fonterra, CIAL, and Transpower seek the amendment to the following (emphasis in bold) 'avoid, adverse effects, including reverse sensitivity'. This change is appropriate as it consideration of a broader range of effects, **however when avoiding adverse effects in regards to urban growth these effects should be significant. Adverse effects that aren't significant should not deter urban growth but can be mitigated or reduced through design.** This change provides a broader range of responses and effects to be considered. Therefore, I recommend that the submission points are accepted **in part.**
- 25.9 Kāinga Ora seeks amendments and that the policy is moved to Strategic Directions. The move to Strategic Directions is discussed in Section 20 of the Strategic Directions s42A report. The amendments seek the following changes (shown in bold) Clause 1 '...availability of existing or new planned infrastructure...'; Clause 3 'waste collection and disposal services are available or

planned...'; Clause 4 'prioritising accessibility and connectivity between the through zoning land and adjoining...'. These changes are appropriate as it recognises that infrastructure may not be available but is planned. **However, Clause 4 could be better worded (emphasis added)** 'connectivity **within and** between the land **to be zoned** and adjoining'. Therefore, I recommend that this submission point is accepted **in part**.

Appendix 1

Submitter ID	Submitter Name	Submission Point	Plan Reference	Position	Decision Requested	Recommendation	Section of Report
DPR-0358	RWRL	322	UG-Overview	Support In Part	Amend as follows: ... Ongoing urban development capacity is provided through the identification of new urban areas in accordance with the <u>NPS-UD</u> that are subject to the Urban Growth Overlay and by enabling existing sites to be intensified or redeveloped.... The Urban Growth Overlay maps the spatial locations identified in Development Plans that have been adopted by SDC. These assist in determining where new urban areas can locate around townships and delivering the outcomes that are anticipated to be achieved within these environments. Any urban development or subdivision of land outside of the existing township boundaries is precluded unless the urban growth policies have been fulfilled through the zoning process under Schedule 1 of the RMA. The General Rural Zone activity-based rules apply to the land that is subject to the Urban Growth Overlay to enable the majority of rural land uses to continue.	Reject <u>Accept in Part</u>	10
DPR-0032	CCC	FS032	UG-Overview	Support In Part	<i>The proposed plan not be amended as sought by the submitter.</i>	Accept in Part	10
DPR-0136	Stewart Townsend & Fraser	FS143	UG-Overview	Support In Part	Accept submission in part	Accept in Part	10
DPR-0157	The Williams	FS061	UG-Overview	Support	Accept the submission to the extent that the UGO should not be the sole or principal with respect to the GRZ, and accept any other amendments consistent with our submission	Reject Accept in Part	10

DPR-0209	M Singh	FS414	UG-Overview	Support In Part	Accept the submission in part	Accept in Part	10
DPR-0298	Trices Rd	FS527	UG-Overview	Support In Part	Accept submission in part	Accept in Part	10
DPR-0302	Smith, Boyd & Blanchard	FS160	UG-Overview	Support In Part	Accept submissions in part.	Accept in Part	10
DPR-0375	Waka Kotahi	FS230	UG-Overview	Oppose	Further consideration is given to the submission prior to determining whether an increased density is appropriate.	Accept Accept in Part	10
DPR-0461	Dunweavin	FS024	UG-Overview	Oppose	Reject the submission but amend the PDP to achieve consistency with the NPS-UD with respect to responding to urban development proposals outside the UGO.	Accept Accept in Part	10
DPR-0488	Dally Family & McIlraith	FS294	UG-Overview	Support In Part	Accept in part	Accept in Part	10
DPR-0492	Kevler Development	FS347	UG-Overview	Oppose	Reject the submission but amend the PDP to achieve consistency with the NPS-UD with respect to responding to urban development proposals outside the UGO.	Accept Accept in Part	10
DPR-0493	Gallina & Heinz-Wattie	FS511	UG-Overview	Support In Part	Accept the submission in part.	Accept in Part	10
DPR-0363	IRHL	311	UG-Overview	Support In Part	Amend as follows: Ongoing urban development capacity is provided through the identification of new urban areas in accordance with the NPS-UD that are subject to the Urban Growth Overlay and by enabling existing sites to be intensified or redeveloped. ... The Urban Growth Overlay maps the spatial locations identified in Development Plans that have been adopted by SDC. These assist in determining where new urban areas can locate around townships and delivering the outcomes that are anticipated to be achieved within these environments. Any urban development or subdivision of land outside of the existing township boundaries is precluded unless the urban growth policies have been fulfilled through the zoning process under Schedule 1 of the RMA.	Reject <u>Accept in Part</u>	10

					The General Rural Zone activity-based rules apply to the land that is subject to the Urban Growth Overlay to enable the majority of rural land uses to continue.		
DPR-0032	CCC	FS044	UG-Overview	Oppose	Retain the existing wording of the policy.	Accept Accept in Part	10
DPR-0136	Stewart Townsend & Fraser	FS171	UG-Overview	Support In Part	Accept submission in part	Accept in Part	10
DPR-0157	The Williams	FS067	UG-Overview	Support	Accept the submission to the extent that the UGO should not be the sole or principal with respect to the GRZ, and accept any other amendments consistent with our submission	Accept Accept in Part	10
DPR-0209	M Singh	FS584	UG-Overview	Support	Accept the submission in part	Reject Accept in Part	10
DPR-0298	Trices Rd	FS655	UG-Overview	Support In Part	Accept submission in part	Accept in Part	10
DPR-0302	Smith, Boyd & Blanchard	FS188	UG-Overview	Support In Part	Accept submissions in part.	Accept in Part	10
DPR-0375	Waka Kotahi	FS233	UG-Overview	Oppose	Further consideration is given to the submission prior to determining whether an increased density is appropriate.	Accept Accept in Part	10
DPR-0461	Dunweavin	FS031	UG-Overview	Oppose	Reject the submission but amend the PDP to achieve consistency with the NPS-UD with respect to responding to urban development proposals outside the UGO.	Accept Accept in Part	10
DPR-0488	Dally Family & McIlraith	FS169	UG-Overview	Support In Part	Accept in part	Accept in Part	10
DPR-0492	Kevler Development	FS192	UG-Overview	Oppose	Reject the submission but amend the PDP to achieve consistency with the NPS-UD with respect to responding to urban development proposals outside the UGO	Accept Accept in Part	10
DPR-0493	Gallina & Heinz-Wattie	FS577	UG-Overview	Oppose	Reject the submission but amend the PDP to achieve consistency with the NPS-UD with respect to responding to urban development proposals outside the UGO.	Accept Accept in Part	10
DPR-0370	Fonterra Limited	075	UG-P11	Support In Part	Amend as follows: When zoning land to establish any new urban area or to extend any township boundary, avoid adverse effects, including reverse sensitivity effects on:	Reject <u>Accept in Part</u>	24

					a. b. on the safe, efficient and cost effective operation, <u>use, maintenance, upgrade and development</u> of important infrastructure, land transport infrastructure, and the strategic transport network.		
DPR-0209	M Singh	FS807	UG-P11	Oppose In Part	Reject submission in part	Accept in Part	24
DPR-0374	RIHL	317	UG-Overview	Support In Part	Amend as follows: Ongoing urban development capacity is provided through the identification of new urban areas in accordance with the NPS-UD that are subject to the Urban Growth Overlay and by enabling existing sites to be intensified or redeveloped. ... The Urban Growth Overlay maps the spatial locations identified in Development Plans that have been adopted by SDC. These assist in determining where new urban areas can locate around townships and delivering the outcomes that are anticipated to be achieved within these environments. Any urban development or subdivision of land outside of the existing township boundaries is precluded unless the urban growth policies have been fulfilled through the zoning process under Schedule 1 of the RMA. The General Rural Zone activity-based rules apply to the land that is subject to the Urban Growth Overlay to enable the majority of rural land uses to continue.	Reject <u>Accept in Part</u>	10
DPR-0032	CCC	FS062	UG-Overview	Oppose	Retain the Urban Growth Overlay or include alternative provisions that give direction as to the location of urban development. Retain the existing wording of the overview, Policies 3 and 4, UG-R1 and UG-MAT1.	Accept Accept in Part	10
DPR-0136	Stewart Townsend & Fraser	FS219	UG-Overview	Support In Part	Accept submission in part	Accept in Part	10
DPR-0157	The Williams	FS591	UG-Overview	Support In Part	Accept the submission in part	Accept in Part	10
DPR-0206	Urban Holdings Limited	FS001	UG-Overview	Support	Allow	Reject Accept in Part	10

	Suburban Estates Limited & Cairnbrae Developments Limited						
DPR-0209	M Singh	FS839	UG-Overview	Support In Part	Accept the submission in part	Accept in Part	10
DPR-0298	Trices Rd	FS806	UG-Overview	Support In Part	Accept submission in part	Accept in Part	10
DPR-0302	Smith, Boyd & Blanchard	FS235	UG-Overview	Support In Part	Accept submissions in part.	Accept in Part	10
DPR-0375	Waka Kotahi	FS239	UG-Overview	Oppose	Further consideration is given to the submission prior to determining whether an increased density is appropriate.	Accept Accept in Part	10
DPR-0411	Hughes Developments Limited	FS009	UG-Overview	Support	Allow	Reject Accept in Part	10
DPR-0461	Dunweavin	FS039	UG-Overview	Oppose	Reject the submission but amend the PDP to achieve consistency with the NPS-UD with respect to responding to urban development proposals outside the UGO.	Accept Accept in Part	10
DPR-0488	Dally Family & McIlraith	FS217	UG-Overview	Support In Part	Accept in part	Accept in Part	10
DPR-0492	Kevler Development	FS036	UG-Overview	Oppose	Reject the submission but amend the PDP to achieve consistency with the NPS-UD with respect to responding to urban development proposals outside the UGO.	Accept Accept in Part	10
DPR-0493	Gallina & Heinz-Wattie	FS715	UG-Overview	Support In Part	Accept submission in part and Amend the Proposed District Plan to achieve consistency with the NPSUD with respect to responding to urban development proposals outside the UGO.	Accept in Part	10
DPR-0384	RIDL	329	UG-Overview	Support In Part	Amend as follows: Ongoing urban development capacity is provided through the identification of new urban areas in accordance with the NPS-UD that are subject to the Urban	Reject <u>Accept in Part</u>	10

					<p>Growth Overlay and by enabling existing sites to be intensified or redeveloped. ...</p> <p>The Urban Growth Overlay maps the spatial locations identified in Development Plans that have been adopted by SDC. These assist in determining where new urban areas can locate around townships and delivering the outcomes that are anticipated to be achieved within these environments. Any urban development or subdivision of land outside of the existing township boundaries is precluded unless the urban growth policies have been fulfilled through the zoning process under Schedule 1 of the RMA.</p> <p>The General Rural Zone activity-based rules apply to the land that is subject to the Urban Growth Overlay to enable the majority of rural land uses to continue.</p>		
DPR-0446	Transp ower	135	UG- P11	Supp ort In Part	<p>Amend as follows:</p> <p>When zoning land to establish any new urban area or to extend any township boundary, avoid adverse reverse sensitivity effects, including reverse sensitivity effects on:</p>	Accept Accept in Part	24

Appendix 2

Definitions	
Housing Bottom Lines	Housing Bottom Lines - The minimum number of households identified in the CRPS , as Housing Targets or Housing Bottom Lines , ¹ to ensure there is sufficient development capacity available to meet demand, as it is defined in the NPS-UD .

UG Overview	
	<p>The Selwyn District is a desirable place to live, work, and play, which is generating a demand for housing and business opportunities to support the needs of the growing community now and into the future. The Urban Growth chapter assists in meeting these demands by encouraging a consolidated and compact settlement pattern that optimises the use and development of resources. This chapter also assists in ensuring there is enough urban development capacity available to meet the District's housing and business needs while assuring that high quality living and business environments continue to be developed to implement the adopted Development Plans.</p> <p>Ongoing urban development capacity is provided through the identification of new urban areas that are subject to the Urban Growth Overlay and by enabling existing sites to be intensified or redeveloped. This chapter also provides a framework for assessing development outside of the areas identified Urban Growth Overlay.² The need for zoning processes to demonstrate</p>

¹ DPR0358.028, DPR-0363.027, DPR-0374.033, and DPR-0384.035

² DPR-0136.003, DPR-0137.003, DPR-0157.004, DPR-0176.003, DPR-0178.003, DPR-0180.002, DPR-0209.004, DPR-0298.007, DPR-0302.003, DPR-0344.008, DPR-0376.003, DPR-0397.003, DPR-0399.004, DPR-0460.009, DPR-0461.004, DPR-0488.006, DPR-0491.004, DPR-0492.003, and DPR-0493.003.

	<p>consistency with all of the urban growth policies and to consider relevant Development Plans will ensure that new urban growth areas do not conflict with legitimately established land use activities, compromise the quality of the environments that people value, and result in adverse environmental effects.</p> <p>The urban³ intensification of activities and redevelopment of existing land within urban zones is encouraged to support the District's urban growth needs. This includes through increased housing densities and the development and implementation of Urban Intensification Plans and Development Plans to achieve integrated settlement patterns and to complement the ongoing provision of new urban areas.</p> <p>The Urban Growth Overlay maps the spatial locations identified in Development Plans that have been adopted by SDC. These assist, but are not determinative, in determining identifying⁴ where new urban areas can locate around townships and delivering the outcomes that are anticipated to be achieved within these environments. Any urban development or subdivision of land outside of the existing township boundaries is precluded unless the urban growth policies have been fulfilled through the zoning process under Schedule 1 of the RMA.</p> <p>The General Rural Zone activity-based rules continue to⁵ apply to the land that is subject to the Urban Growth Overlay to enable the majority of rural land uses to continue. Additional rules apply to ensure that land use and subdivision development does not undermine the future zoning or development of the land that will assist in meeting the growth needs of the district. All other site-specific rules to achieve the urban growth outcomes will be determined through the zoning process.</p>
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UG-P9	Recognise and provide for⁶ the finite nature of the versatile soil resource when zoning land to extend township boundaries to establish new urban areas⁷. Protect, to the extent reasonably possible,⁸ highly productive land and adjoining rural land for rural production from inappropriate urban growth subdivision⁹.
UG-P10	<p>Ensure the establishment of high-quality urban environments by requiring that new urban areas:</p> <ol style="list-style-type: none"> Maintain the Achieve the built form,¹⁰ amenity values and character anticipated within each township and the outcomes identified in any relevant Development Plan; Recognise and protect identified Heritage Sites, Heritage Settings, and Notable Trees; and Preserving-Preserve¹¹ the rural outlook-amenity values¹² that characterises the General Rural Zone at the interface between rural and urban environments¹³ through appropriate landscape mitigation, densities, or development controls at the interface between rural and urban environments.¹⁴
UG-P11	When zoning land to establish any new urban area or to extend any township boundary, avoid significant adverse effects, including¹⁵ reverse sensitivity effects on:

³ DPR-0422.058⁴ DPR-0491.004⁵ DPR-0358.322, DPR-0363.311, DPR-0374.317, and DPR-0384.329⁶ DPR-0136.007, DPR-0157.007, DPR-0176.007, DPR-0178.005, DPR-0209.008, DPR-0298.011, DPR-0344.012, DPR-0376.005, DPR-0397.004, DPR-0399.006, DPR-0460.013, DPR-0461.008, DPR-0488.010, and DPR-0491.006⁷ Consequential Change from UG-O1 recommendation⁸ DPR-0353.225⁹ DPR-0033.002¹⁰ DPR-0414.159¹¹ DPR-0136.008, and DPR-0302.007¹² DPR-0176.008, DPR-0178.006, DPR-0209.009, DPR-0298.012, DPR-0344.013, DPR-0376.006, DPR-0397.005, DPR-0399.007, DPR-0461.009, and DPR-0491.007¹³ DPR-0176.008, DPR-0178.006, DPR-0209.009, DPR-0298.012, DPR-0344.013, DPR-0376.006, DPR-0397.005, DPR-0399.007, DPR-0461.009, and DPR-0491.007¹⁴ DPR-0176.008, DPR-0178.006, DPR-0209.009, DPR-0298.012, DPR-0344.013, DPR-0376.006, DPR-0397.005, DPR-0399.007, DPR-0461.009, and DPR-0491.007¹⁵ DPR-0370.075, DPR-0371.060, and DPR-0446.135

	<ol style="list-style-type: none"> Any existing or anticipated activity on¹⁶ adjoining rural, dairy processing,¹⁷ industrial, inland port, or knowledge zone; and on the safe, efficient and cost-effective operation of important infrastructure, land transport infrastructure, and the strategic transport network.
UG-P12	<p>Ensure the zoning of land to extend township boundaries to establish new urban areas demonstrates how it will integrate with existing urban environments, optimise the efficient and cost-effective provision of infrastructure and public transport¹⁸, and protect natural and physical resources, by:</p> <ol style="list-style-type: none"> Aligning the zoning, subdivision and development with network capacity and availability of existing or new planned¹⁹ infrastructure and public transport services²⁰, including through the staging of development; Avoiding adverse effects on the ground water²¹ and surface water resource by requiring connections to reticulated water, wastewater, and stormwater networks where they are available, or where they are not available²² by demonstrating that the necessary discharge approvals can be obtained for all on-site wastewater and stormwater treatment and disposal facilities; Ensuring the land is located where solid waste collection and disposal services are available or planned²³; Prioritising accessibility and connectivity within and between the land to be zoned²⁴ and adjoining neighbourhoods, commercial centres, open space reserves, and community facilities, including education providers, public reserves, and health services; and Requiring safe, attractive and convenient land transport infrastructure that promotes walking, cycling, and access to public transport and public transport facilities to encourage energy efficiency and improve peoples' health and wellbeing.
UG-P13	<p>Residential growth – Greater Christchurch area</p> <p>Any new residential growth area within the Greater Christchurch area shall only occur where:</p> <ol style="list-style-type: none"> Extensions assist in meeting the housing bottom lines (minimum housing targets) of 8,600 households over the medium-term period through to 2028. A HDCA and FDS identify a need for additional feasible development capacity for the township and the additional residential land supports the rebuild and recovery of Greater Christchurch; The land is subject to an Urban Growth Overlay and the area is either: <ol style="list-style-type: none"> a 'greenfield priority area', or any subsequent urban growth areas or urban containment boundaries, in the CRPS where it is a residential activity; or identified in an adopted Rural Residential Strategy and in accordance with CRPS Policy 6.3.9 where it is a rural residential activity. The A minimum net densities density of 12 15²⁵ hh/ha for residential activities is met, unless there are demonstrated constraints in which case a minimum density of no less than 12 hh/ha is met,²⁶ or 1 to 2hh/ha for rural residential activities a minimum net density of 1 to 2hh/ha is met; A diversity in housing types, sizes and densities is demonstrated to respond to the demographic changes and social and affordability needs identified in a HDCA, FDS or outcomes identified in any relevant Development Plan; and An ODP is prepared that addresses the matters listed in UG-ODP Criteria and incorporated into this Plan before any subdivision proceeds.

¹⁶ DPR-0142.040¹⁷ DPR-0370.077¹⁸ DPR-0032.003¹⁹ DPR-0414.161²⁰ DPR-0032.003²¹ Changed to improve readership²² DPR-0260.158²³ DPR-0414.161²⁴ DPR-0414.161²⁵ DPR-0032.004 and DPR-0260.159²⁶ DPR-0032.004 and DPR-0260.159

The following outlines changes following the withdrawal of further submissions from Fulton Hogan. Fulton Hogan advised on Monday the 16th of August that they wish to withdraw these further submissions. This occurred after the s42A report was published and the changes are outlined here.

S42A Report

7.51 Three submission points and ~~three~~ two further submission points were received in relation to Versatile Soils.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0142	NZ Pork	016	Support	Retain as notified.
DPR-0353	Hort NZ	079	Oppose	Amend as follows: <u>Land</u> classified as <u>Land</u> Use Capability I or II or <u>III</u> in the New Zealand <u>Land</u> Resource Inventory, or as assessed by more detailed site mapping.
DPR-0415	Fulton Hogan Limited	FS022	Oppose	Disallow the submission.
DPR-0422	NCFF	089	Oppose	Delete as notified and replace with: <u>Soil versatility is a measure of what uses a soil is best suited to. Very versatile soils are suited to a wide range of uses – including cultivation and cropping which are very demanding on soil. Soil versatility considers:</u> <ul style="list-style-type: none"> - <u>the potential rooting depth of plants</u> - <u>how well the soil can withstand traffic (both vehicles and animals)</u> - <u>the potential loss of nutrients from the soil</u> - <u>the potential risk of erosion</u> - <u>the water deficit – whether there is enough water in the soil for plants soil drainage.</u>
DPR-0407	Forest & Bird	FS098	Support In Part	Accept the submission with amenders to align with the upcoming NPS for Highly Productive Land.
DPR-0481	Graeme and Virginia Adams	FS018	Support	Allow

22.2 There are 31 submission points and ~~113~~ 112 further submissions relating to Policy 9. There are several general themes to respond to and this discussion links to previous parts of this report relating to the Versatile Soil definition (Section 7.51) and in Objective 1 (Section 11).

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0033	Davina Louise Penny	002	Oppose In Part	Amend Proposed District Plan to include Highly Productive Land (Land Use Classes 1 - 3) and to ensure it is protected in line with the Proposed National Policy Statement on Highly Productive Land. Include 'land use' as well as 'development' to avoid loopholes being exploited.
DPR-0136	Stewart Townsend & Fraser	FS005	Oppose	Reject submission
DPR-0157	The Williams	FS082	Oppose	Reject submission
DPR-0209	M Singh	FS069	Oppose	Reject submission

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
DPR-0215	Winstone Aggregates	FS025	Oppose	Reject the submission.
DPR-0298	Trices Rd	FS913	Oppose	Reject submission
DPR-0415	Fulton Hogen Limited	FS002	Oppose	Disallow the submission.
DPR-0456	Four Stars & Gould	FS002	Oppose	Reject submission
DPR-0488	Dally Family & McIlraith	FS006	Oppose	Reject submission

Appendix 1

DPR-0033	Davina Louise Penny	002	UG-P9	Oppose In Part	Amend Proposed District Plan to include Highly Productive Land (Land Use Classes 1 - 3) and to ensure it is protected in line with the Proposed National Policy Statement on Highly Productive Land. Include 'land use' as well as 'development' to avoid loopholes being exploited.	Accept in Part	22
DPR-0136	Stewart Townsend & Fraser	FS005	UG-P9	Oppose	Reject submission	Accept in Part	22
DPR-0157	The Williams	FS082	UG-P9	Oppose	Reject submission	Accept in Part	22
DPR-0209	M Singh	FS069	UG-P9	Oppose	Reject submission	Accept in Part	22
DPR-0215	Winstone Aggregates	FS025	UG-P9	Oppose	Reject the submission.	Accept in Part	22
DPR-0298	Trices Rd	FS913	UG-P9	Oppose	Reject submission	Accept in Part	22
DPR-0415	Fulton Hogen Limited	FS002	UG-P9	Oppose	Disallow the submission.	Accept in Part	22
DPR-0456	Four Stars & Gould	FS002	UG-P9	Oppose	Reject submission	Accept in Part	22
DPR-0488	Dally Family & McIlraith	FS006	UG-P9	Oppose	Reject submission	Accept in Part	22

DPR-0353	HortNZ	079	Versatile Soils	Oppose	Amend as follows: Land classified as Land Use Capability I or II <u>or III</u> in the New Zealand Land Resource Inventory, <u>or as assessed by more detailed site mapping.</u>	Accept in Part	7
DPR-0415	Fulton Hogen Limited	FS022	Versatile Soils	Oppose	Disallow the submission.	Accept in Part	7

