

Proposed Selwyn District Plan



Section 42A Report

Part A of Intensification Planning Instrument – Variation 1 to the Proposed District Plan

Report on submissions and further submissions

Part A: Lincoln

Vicki Barker

4 May 2023

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List of submitters and further submitters addressed in this report

Submitter ID	Submitter Name	Abbreviation
V1-0009	Lincoln University	
V1-0023	Broadfield Estates Limited	
V1-0049	Transpower New Zealand Limited	Transpower
V1-0055	AgResearch Limited	AgResearch
V1-0060	Brent Macaulay and Becky Reid	
V1-0068	Manmeet Singh	
V1-0069	Lynn & Malcolm Stewart, Lynn & Carol Townsend, Rick & Diane Fraser	STF
V1-0080	Christchurch City Council	CCC
V1-088	Orion	
V1-0094	Barry Moir	
V1-0102	CSI Property Limited	CSI
V1-0103	Carter Group Property Limited	CGPL
V1-0111	Foodstuffs	
V1-0114	CSI Property Limited and Rolleston West Residential Limited	CSI and RWRL
V1-0115	Rolleston Industrial Developments Limited	RIDL
V1-0120	New Zealand Institute for Plant and Food Research Limited (Plant & Food)	Plant & Food
V1-0121	Charmaine & Rod Fairbrass	
V1-0122	Arvida	
V1-0123	Jill Gordon & Ross Thomas	
V1-0124	Ellie and Dan Jenkins	
V1-0125	Rachael and Daryll Maiden	
V1-0129	RM and KR Templeton	
V1-0132	Andrea & Steve Vercoe	
V1-0133	PGG Wrightson Seeds Limited	PGG Wrightson

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
CON	Controlled activity status
CRPS	Canterbury Regional Policy Statement 2013
DIS	Discretionary activity status
DPR	District Plan Review
DSI	Detailed Site Investigation
GRZ	General Residential Zone
GRUZ	General Rural Zone
HPL	Highly Productive Land
IPI	Intensification Planning Instrument
ISPP	Intensification Streamlined Planning Process
ITA	Integrated Transport Assessment
KNOZ	Knowledge Zone
LLRZ	Large Lot Residential Zone
LRI	Land Resource Inventory
LTCP	Lincoln Town Centre Plan
MDRS	Medium Density Residential Standards
MRZ	Medium Density Residential Zone
MRZ (ILE)	Medium Density Residential Zone (Immediate Legal Effect)
MUL	Metropolitan Urban Limits
NC	Non-complying activity status
NCZ	Neighbourhood Centre Zone
NESCS	National Environmental Standard for assessing and managing contaminants in soil to protect human health
NPS-HPL	National Policy Statement for Highly Productive Land 2022
NPS-UD	National Policy Statement on Urban Development 2020
ODP	Outline Development Plan
Operative DP	Operative Selwyn District Plan
PC	Plan Change
PDP	Proposed Selwyn District Plan
Planning Standards	National Planning Standards
PSI	Preliminary Site Investigation
RDIS	Restricted discretionary activity status
RMA or Act	Resource Management Act 1991
RMA-EHS	Resource Management Act (Enabling Housing Supply and Other Matters) Amendment Act 2021
RRS14	Rural Residential Strategy 2014
SDC	Selwyn District Council
SEDL	Significant Electricity Distribution Line
TCZ	Town Centre Zone
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 Part A of the Intensification Planning Instrument (IPI) - Variation 1 to the PDP and submissions lodged with respect to Lincoln rezoning. 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 in Variation 1 without amendment, or making amendments to the PDP in response to those submissions.
- 1.2 The recommendations are informed by both the technical information provided by Rowan Freeman (Contaminated Land), Derek Foy (Economics), Ian McCahon (Geotechnical), Andrew Curtis (Odour), Hugh Blake-Manson (Servicing), Mat Collins (Transport), Hugh Nicholson (Urban Design), Gabi Wolfer (Urban Design), and the Selwyn Residential Capacity and Demand Model - IPI 2023 Economic Assessment Report (see **Appendix 3**), and the evaluation undertaken by myself as the planning author.
- 1.3 In preparing this report I have had regard to the [Section 32 Report](#) prepared in support of the IPI and the various s42A reports prepared in relation to the PDP to date, including Officer Right of Reply reports, which can be found [here](#).

S42A Report	Response to Hearing Panel Questions	Right Of Reply	Current Recommended Amendments
Residential	Response to Panel Questions	Right of Reply	Recommended Amendments 2 Dec 2022
Subdivision	Response to Panel Questions Joint Response to Panel Questions - Subdivision and Residential	Right of Reply	Recommended Amendments 2 Dec 2022
Rezoning: Lincoln	N/A	N/A	Recommended Amendments 20 December 2022

- 1.4 The conclusions reached and recommendations made in this report are not binding on the Hearing Panel. It should not be assumed that the Hearing Panel will reach the same conclusions having considered all the information in the submissions and the evidence to be brought before them, by the submitters.

2. Qualifications and experience

- 2.1 My full name is Vicki Ann Barker. I have been engaged by the Council as a consultant planner. My qualifications include a Bachelor of Science and a Masters of Planning Practice (Hons) from the University of Auckland.
- 2.2 I have 27 years' experience as a resource management planner, with this work including central government, local government and private consultancy experience. I am a sole practitioner and operate Barker Planning, a consultancy based in Christchurch. Prior to consultancy I was a Senior Policy Advisor in the Resource Management Practice Team at the Ministry for the Environment

and was principally involved in earthquake recovery related policy matters, RMA reform, and RMA best practice advice. I have also held planning roles within local government, at multidisciplinary global engineering firms, and at a Christchurch based planning consultancy.

- 2.3 I was engaged as a consultant to the Canterbury Earthquake Recovery Authority (CERA) to assist with the Crown response to the Christchurch Replacement District Plan process. In this role I was involved in co-ordinating government department submissions, further submissions, and producing and presenting evidence on behalf of the Crown at the Christchurch Replacement District Plan Hearings.
- 2.4 I have been engaged by Selwyn District Council since 2017 assisting with the PDP Review. More recently I prepared the s42a reports for the Rolleston and Lincoln Rezoning Hearings.
- 2.5 I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014 and that I have complied with it when preparing this report. Having reviewed the submitters and further submitters addressed in this s42A report I advise there are no conflicts of interest that would impede me from providing independent advice to the Hearings Panel.

3. Scope of report and topic overview

- 3.1 This report considers the submissions and further submissions that were received in relation to Part A of the IPI - Variation 1 to the PDP with respect to any new rezoning sought in Lincoln.
- 3.2 Recommendations are made to either retain provisions in Variation 1 without amendment, or delete, add to, or amend the provisions. All recommended amendments are shown by way of strikeout and underlining in **Appendix 2** to this Report. Footnoted references to a submitter number, submission point and the abbreviation for their title provide the scope for each recommended change. Where it is considered that an amendment may be appropriate but it would be beneficial to hear further evidence before making a final recommendation, this is made clear within the report. Where no amendments are recommended to a provision within Variation 1, submissions points that sought the retention of the provision without amendment are not footnoted. **Appendix 2** also contains a table setting out recommended spatial amendments to the PDP Planning Maps.
- 3.3 Clause 16(2) of the RMA allows a local authority to make an amendment to a proposed plan without using a Schedule 1 process, where such an alteration is of minor effect, or may correct any minor errors. A number of alterations have already been made to the PDP using cl.16(2) and these are documented in reports available on the Council's website. Where a submitter has requested the same or similar changes to the PDP that fall within the ambit of cl.16(2), then such amendments will continue to be made and documented as cl.16(2) amendments and identified by way of a footnote in this s42A report.

4. Statutory requirements and planning framework

Resource Management Act 1991

- 4.1 The PDP must be prepared in accordance with the Council's functions under section 31 of the RMA; Part 2 of the RMA; the requirements of sections 74 and 75, and its obligation to prepare,

and have particular regard to, an evaluation report under section 32 of the RMA, any further evaluation required by section 32AA of the RMA; and give effect to any national policy statement, the New Zealand coastal policy statement, national planning standards; the CRPS; and any regulations¹. Regard is also to be given to any regional plan, district plans of adjacent territorial authorities, and the IMP.

- 4.2 Variation 1 to the PDP is “Part A” of the Council’s IPI, which has been prepared in response to the RMA-EHS. The IPI is to be processed in accordance with the 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.
- 4.3 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.
- 4.4 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;
 - 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.
- 4.5 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.
- 4.6 There are also a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the PDP, as set out in the original [‘Overview’ Section 32 Report](#) and [‘Overview’ s42a Report](#). These documents are discussed in more detail within this report where relevant to the assessment of submission points. It is further noted that the assessment of submission points is made in the context of other Section 32 reports already undertaken with respect to relevant PDP topics, which can be viewed [here](#).

¹ Section 74 RMA

- 4.7 All recommended amendments to provisions since the initial Variation 1 s32 evaluation was undertaken must be documented in a subsequent s32AA evaluation and this has been undertaken for each sub-topic addressed in this report, where required.

National Policy Statement on Urban Development

- 4.8 The National Policy Statement on Urban Development (NPS-UD) recognises the national significance of urban environments and provides direction on planning for urban environments through establishing well-functioning urban environments. While Council is identified as a Tier 1 local authority, the Tier 1 urban environment referred to in Table 1 of the NPS-UD is Christchurch. For the application of the NPS-UD, the urban environment is considered to explicitly relate to the Greater Christchurch Region, as shown on Map A within Chapter 6 of the CRPS.
- 4.9 In this context, it is recognised that the RMA-EHS applies to geo-spatial areas of Rolleston and Lincoln as they have been defined as having relevant residential zones by way of having a population greater than 5,000 people at the 2018 census. Prebbleton has been included as part of the geo-spatial scope of this Variation as the RMA-EHS also states that an area predominately urban in character, which the local authority intends to be part of the urban environment should also be included. When taking into consideration the definition of ‘urban environment’, and assessing Prebbleton’s estimated current population exceeding 5,000 people, its proximity to the housing and labour market of Christchurch City, and its location along key transport routes, it was determined that Prebbleton meets this definition and should be included as part of this Variation.
- 4.10 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 transport².

National Policy Statement on Highly Productive Land

- 4.11 The NPS-HPL came into force on 17 October 2022 to provide national direction on how highly productive land is to be protected from inappropriate subdivision and development³. It has immediate legal effect and applies to land identified as LUC 1, 2 or 3, as mapped by the New Zealand Land Resource Inventory (LRI) (or any more detailed mapping that uses the LUC classification). This applies until maps are prepared by the regional council under Clause 3.5(1). The NPS-HPL is specifically relevant to ‘urban rezoning’, which it defines as a change from general rural to an ‘urban zone’ that is inclusive of MRZ, GRZ and LLRZ⁴. Clause 3.5(7) identifies that the NPS-HPL applies to all general rural land (i.e. GRUZ in the PDP) that is LUC 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 urban or rural lifestyle.
- 4.12 The NPS-HPL objective requires that highly productive land is protected for use in land-based primary production, both now and for future generations. This outcome is supported by policies that: recognise highly productive land as a finite resource that needs to be managed in an

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

³ [NPS-HPL](#)

⁴ NPS-HPL - Part 1: Preliminary provisions, 1.3 Interpretation - ‘urban rezoning’

integrated way (Policy 2); the urban rezoning of highly productive land is avoided (Policy 5); subdivision is avoided, except as provided for in the NPS-HPL (Policy 7); and reverse sensitivity effects are managed so as not to constrain land-based primary production activities on HPL (Policy 9).

- 4.13 Clause 3.6(1) states that Tier 1 and 2 territorial authorities may allow urban rezoning of HPL only if the urban zoning is required to provide sufficient development capacity to give effect to the NPS-UD, and 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 HPL.

National Planning Standards

- 4.14 As set out in the [PDP Overview s42A Report](#), the Planning Standards were introduced to improve the consistency of council plans and policy statements. The Planning Standards were gazetted and came into effect on 5 April 2019. The PDP must be prepared in accordance with the Planning Standards.

5. Procedural matters

- 5.1 At the time of writing this s42A report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic.
- 5.2 The submission of Next Level Developments (V1-0091) on Variation 1 to the PDP was withdrawn in its entirety on 22 March 2023 for the same reasons set out in the Memorandum of Counsel on behalf of various Carter Group submitters dated 15 March 2023⁵.

6. Consideration of submissions

Overview of submissions

- 6.1 A total of 21 submission points (from eight submitters) and 93 further submissions were received on Variation 1: Part A - Lincoln. The majority of submissions relate to submitters and sites which also submitted under the PDP Rezoning process, so in most instances evidence has already been presented, albeit for a less intensive zoning. The only new submitter subject to the Variation 1 process that has not already been considered as part of the PDP rezoning process is AgResearch Limited (AgResearch), and their proposal to rezone KNOZ land to MRZ and to retain some KNOZ with a 'Living Precinct' Overlay, or to rezone the balance KNOZ land Neighbourhood Centre Zone (NCZ).

Structure of this report

- 6.2 This report follows the order of the original submission numbers. The assessment of submissions generally follows the following format: Introduction; Submission Table; Analysis; and Recommendation or Recommendation and Amendments. Where an amendment is recommended the applicable s32AA assessment will follow on from the Recommendations section for that issue.

⁵ [Carter Group Memorandum dated 15 March 2023](#)

7. Lincoln University (V1-0009)

Introduction

- 7.1 This section responds to the submission points relating to the planning maps relevant to Lincoln University and three adjoining MRZ(ILE) sites at 1395, 1393 and 1391 Springs Road.

Submissions

- 7.2 One submission point and one further submission point were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0009	Lincoln University	001	Neither Support Nor Oppose	Amend the Planning Map as follows: Zone all of the University car park (Lot 4 DP 538546) Special Purpose Knowledge Zone and the properties at 1395, 1393 and 1391 Springs Road Medium Density Residential. Refer to original submission for map.
V1-0088	Orion	FS008	Oppose In Part	<i>Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.</i>

Analysis

- 7.3 Lincoln University⁶ request that the planning maps are amended so that the zone boundaries around the University carpark (Lot 4 DP 538546) match the cadastral boundaries to ensure that the entire car park is zoned KNOZ, and that 1395, 1393 and 1391 Springs Road are zoned MRZ (ILE). Currently the planning maps show KNOZ extending over the cadastral boundaries of 1391, 1393 and 1395 Springs Road (Lots 1-3 DP 538546), and the KNOZ does not extend over the full car park site. The PDP planning map is copied below. The same relief was also sought in relation to the Lincoln Rezoning Hearing 30.4 and is addressed in the s42a report for that Hearing.⁷

⁶ V1-0009.001 Lincoln University

⁷ [Lincoln Rezoning s42a Report](#) - Refer to section 16



- 7.4 It is recommended that this amendment is made to align the KNOZ zoning with the University cadastral boundaries, and that the intended MRZ(ILE) zoning of 1391, 1393 and 1395 Springs Road is aligned with the cadastral boundaries of these sites. This is considered a technical mapping error rather than a zoning issue. I recommend that the submission point be accepted.
- 7.5 The Orion further submission is not relevant to these sites as there are no Significant Electricity Distribution Line's (SEDL's) which intersect with any part of these sites.

Recommendations and amendments

- 7.6 I recommend, for the reasons given above, that the Hearings Panel:
- a) Amend the planning maps to zone 1391, 1393 and 1395 (Lots 1-3 DP 538546) MRZ(ILE), and the Lincoln University car park (Lot 4 DP 538546) KNOZ as shown in **Appendix 2** to ensure the intended zoning matches the cadastral boundaries.
- 7.7 The amendments recommended to the planning maps are set out in a consolidated manner in **Appendix 2**.
- 7.8 It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.
- 7.9 The scale of change does not require a s32AA evaluation.

8. Broadfield Estates Limited (V1-0023)

Introduction

- 8.1 This section responds to the submission points relating to 12 Vernon Drive, Lincoln and the request to rezone the site from MRZ(ILE) to TCZ.

Submissions

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

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0023	Broadfield Estates Limited	001	Oppose	Rezone 12 Vernon Drive, Lincoln (Lot 1 DP 523433) to Town Centre Zone (TCZ) and extend PREC5 - Lincoln Fringe (Lincoln Key Activity Centre) to include the subject property.
V1-0080	CCC	FS004	Oppose	<i>Reject the submission unless it is demonstrated that expansion of the centre would not impact other centres.</i>
V1-0088	Orion	FS009	Oppose In Part	<i>Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.</i>
V1-0023	Broadfield Estates Limited	002	Oppose	Revise DEV-LI6 provisions to: - exclude 12 Vernon Drive, Lincoln, comprising Lot 1 DP 523433; or - cater for the development of the subject property for commercial, visitor accommodation and/or purposes specified in the submission; or - delete the provisions relating to DEV-LI6 from the Plan.

Analysis

- 8.3 Broadfield Estates Limited⁸ are seeking that 12 Vernon Drive (Lot 1 DP 523433) be rezoned from MRZ(ILE) to TCZ, and consequential amendments are made to exclude 12 Vernon Drive from DEV-LI6, and to include the site in KAC PREC5. The site has an area of 0.6 hectares and fronts Kakahi Street and Vernon Drive.

⁸ V1-0056.001 Broadfield Estates Limited



- 8.4 As part of the PDP Lincoln Rezoning process, Broadfield Estates Limited (DPR-0056) submitted that the site be rezoned from GRZ to TCZ with amendments to DEV-L16 and TCZ-PREC5. Transport, Economics and Planning submitter evidence was provided and the Transport and Economics evidence was peer reviewed and were supportive of the rezoning request. Overall, it was recommended that the submission be accepted.⁹
- 8.5 The site is subject to DEV-LI6 - Lincoln 6 Development Area which contains an ODP showing the site in combination with the adjoining site to the south (Lot 2 DP 523433) as an area suitable for higher residential densities. The subject site is currently being used for car parking and is void of any built development.
- 8.6 Resource consent was granted on 19 March 2021 to subdivide the adjoining site to the south (Lot 2 DP 523433) to create 41 comprehensive medium density lots (RC215006). The approved subdivision plan is copied below and development is currently underway within this site.



⁹ [Lincoln Rezoning s42a Report](#) - Refer to section 8

- 8.7 The site is adjoined by a Local Purpose (Drainage) Reserve to the west (Lot 102 DP 523433), which is an approximate 7m wide strip of land which extends south to the northern boundary of 12 Ormond Road and is occupied by an open drain. AgResearch land is located beyond the drainage reserve to the west and is subject to submission V1-0055 which seeks MRZ and KNOZ. The land to the immediate north is zoned TCZ and is subject to TCZ-PREC5 which is a Key Activity Centre (KAC) Precinct - Lincoln Fringe. This TCZ land includes 6 Kakahi Street (infrastructure tank), 8 Vernon Drive (commercial development) and 77 Gerald Street (New World supermarket). Residential development is located to the east on the opposite side of Vernon Drive.
- 8.8 The submitter included an indicative development plan with their planning evidence for DPR-0056 to demonstrate potential development within the site including built development totalling 2,401m² GFA, which could be occupied by a range of permitted TCZ activities. Access is shown to both Vernon Drive and Kakahi Street, with internal car parking, and a 4m wide landscaping strip along the southern boundary adjacent to the recently approved residential subdivision to the south.



Transport

- 8.8 Peer review of the transport evidence submitted in relation to DPR-0056 was carried out by Mr Mat Collins for Council¹⁰. It was considered unnecessary to peer review the evidence again in relation to V1-0023 as the relief sought is the same as DPR-0056.
- 8.9 Mr Collins agrees with the submitter that the transport effects could be considered further through the High Trip Generation (HTG) rule (TRAN-R8) in the PDP at the time of land use development, which may also include a requirement to signalise the Gerald Street/Vernon Drive intersection. Mr Collins also considers that the proposed changes to the KAC PREC5 ODP will

¹⁰ [Lincoln Rezoning - Transport Peer Review](#) - Refer to DPR-0056 peer review in section 1

ensure that the site will adequately respond to pedestrian and cyclist connectivity if the site is excluded from DEV-LI6.

- 8.10 I agreed with Mr Collins in the s42a report for DPR-0056 and continue to agree that TRAN-R8 in the PDP, once in legal effect, will enable assessment of the transport related effects of such a proposal by way of an Integrated Transport Assessment (ITA). Development of the site (i.e. approximately 2,400m²) would at least trigger a basic ITA if not a full ITA, depending on the activities proposed. It is anticipated that any rezoning and TRAN-R8 would have legal effect at the same time. The Council officer for the Transport Hearing recommends retention of TRAN-R8 and the associated policy (TRAN-P3) with some amendment. I also continue to accept the advice of Mr Collins that the proposed changes to the KAC PREC5 ODP address pedestrian and cyclist connectivity, the detail of which would also be a matter addressed by an ITA at the time of development.

Economics

- 8.11 Council's Economic expert Mr Derek Foy was requested to peer review the Variation 1 submission to address the economic impact of rezoning from MRZ(ILE) to TCZ. While no evidence has been provided with V1-0023, the peer review refers to the expert economic evidence submitted in relation to DPR-0056 and reiterates the findings of that peer review as they are relevant to V1-0023. The Variation 1 peer review is attached at Appendix 3.
- 8.12 Mr Foy continues to consider there is increasing demand for additional commercial and retail space in Lincoln as the population grows and that there is very little vacant TCZ land available to accommodate that growth. Mr Foy considers that the requested expansion of TCZ by approximately 5% is minor with respect to established businesses operating in the Lincoln KAC or in other Selwyn centres. This is also considered to address the further submission of CCC opposing TCZ unless it is demonstrated that expansion of the centre would not impact other centres.
- 8.13 The proposed TCZ will result in a loss of 0.6ha from residential supply, but the loss is mitigated by residential supply being able to establish in a much broader range of locations, and the strategic value of the site adjacent to existing TCZ activities. Furthermore, a significant new residential area (PC69) is proposed to the south of Lincoln, and the majority of Lincoln GRZ has been changed to MRZ which will allow greater intensification.
- 8.14 Overall, Mr Foy considers the loss of residential development potential on this small site is unlikely to negatively impact the residential market in Lincoln, and there are economic benefits of the proposed rezoning which include: providing greater functional and social amenity for the community; opportunities for new businesses to establish in Lincoln; and increased local employment. I accept this expert advice of Mr Foy.

Servicing

- 8.15 Ms Clare Dale in her planning evidence for DPR-0056 noted that 12 Vernon Drive is located within an existing urban area, that three waters connections are available, and that PC69 evidence showed there is additional capacity available. I continue to consider that given the urban location

of the site near to existing commercial development and the PC69 evidence, infrastructure capacity is not expected to be of issue and can be specifically addressed at the time of any built development. On the basis of the existing information and PC69 evidence no servicing peer review was considered necessary.

Residential Amenity/Zone Boundary Treatment, Reverse Sensitivity

- 8.16 The site adjoins a residential zoned area to the south and the area on the opposite eastern side of Vernon Drive is also zoned residential. It is considered that the TCZ provisions in the PDP address the residential interface, including: TCZ-P3; TCZ-REQ3 (height in relation to boundary), TCZ-REQ4 (setbacks) etc., in conjunction with the district-wide provisions which manage light, noise, signs, earthworks, and transport.
- 8.17 The land to the west is zoned KNOZ and AgResearch are proposing to rezone this land from KNOZ to MRZ (V1-0055), which if both submissions are accepted will create a TCZ/MRZ interface. The TCZ provisions, combined with the approximate 7m drainage reserve between these sites is considered to address this interface, the detail of which can be worked through at the consenting stage.

DEV-LI6 and KAC PREC5 Changes

- 8.18 If the site is rezoned from MRZ(ILE) to TCZ it would need to be excluded from DEV-LI6 - Lincoln 6 Development Area as DEV-LI6 is related to residential development. The submitter proposes that KAC PREC5 - Lincoln Fringe be extended over the site instead. Removing the site from DEV-LI6 does sever the proposed road connection through the site to Kakahi Steet. To address this, the applicant's Transport expert Mr Fuller, in association with DPR-0056, recommended that this becomes a pedestrian and cycle connection from the proposed residential area to the south, and that a footpath is included along the Kakahi Street frontage, which Mr Collins for Council supports.
- 8.19 It is therefore recommended that the site be removed from DEV-LI6 and that these changes be included within KAC PREC5 as indicated in the diagrams below. Amendments to the text in DEV-LI6 is also recommended to reflect the recommended changes and to omit detail that is not considered necessary. This is considered a consequential change subject to clause 16(2).





Rezoning Framework

- 8.20 The evidence of Ms Dale in association with DPR-0056 assesses the proposal against the business land framework (Attachment 2)¹¹. I agree with that assessment and consider that it remains valid in relation to rezoning from MRZ(ILE) to TCZ and therefore the assessment has not been repeated in this report.
- 8.21 On the basis of the above assessment, I recommend that the submission points are accepted for the following reasons:
- 8.21.1 The transport effects can be considered further through TRAN-R8 of the PDP at the time of land use development, which may also include a requirement to signalise the Gerald Street/Vernon Drive intersection;
 - 8.21.2 The proposed changes to the KAC PREC5 ODP will ensure pedestrian and cyclist connectivity;
 - 8.21.3 There is very little vacant TCZ land available in Lincoln and the increase in TCZ land (by approximately 5%) would have no more than minor adverse effects on established businesses in the Lincoln KAC or other Selwyn centres;
 - 8.21.4 The rezoning will provide greater functional and social amenity for the community, new business opportunity, and increased local employment;
 - 8.21.5 The loss in residential capacity is mitigated by: residential activity being able to establish in a broader range of locations compared to TCZ; additional residential land

¹¹ [Evidence of Clare Dale \(DPR-0056\)](#) - Refer to pages 17-22

resulting from PC69 and other potential rezoning, as well as MRZ (ILE) in Lincoln providing additional capacity; and the strategic value of the site being located adjacent to existing TCZ;

- 8.21.6 The site is located within an existing urban area, three waters connections are available, and the PC69 evidence shows there is additional infrastructure capacity available;
- 8.21.7 Residential interface and amenity effects can be managed by the TCZ provisions and no reverse sensitivity effects have been identified.

Recommendations and amendments

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

- a) Amend the zoning of 12 Vernon Drive (Lot 1 DP 523433) from MRZ(ILE) to TCZ.
- b) Amend DEV-LI6 to exclude 12 Vernon Drive (Lot 1 DP 523433) to reflect the rezoning proposed.
- c) Amend TCZ-PREC5 to include 12 Vernon Drive (Lot 1 DP 523433) with amended pedestrian and cycle connections to reflect the rezoning proposed.
- d) Make a consequential amendment subject to clause 16(2) to the DEV-LI6- Lincoln 6 Development Area narrative to reflect the proposed changes to the Development Area.

8.23 The amendments recommended to the planning maps, DEV-LI6, TCZ-PREC5, and the DEV-LI6- Lincoln 6 Development Area narrative are set out in a consolidated manner in **Appendix 2**.

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

Section 32AA evaluation

8.25 Ms Dale's planning evidence for DPR-0056 was accompanied by a s32AA assessment which concludes that the TCZ is the most appropriate method for achieving the objective of the proposal, and that the benefits will outweigh any costs, and the rezoning is an appropriate, efficient and effective means of achieving the purpose of the RMA¹². Having reviewed this assessment in the context of the outcomes sought by the higher order directions, I agree with these conclusions and adopt the submitter's s32AA evaluation.

¹² [Evidence of Clare Dale \(DPR-0056\)](#) - Refer to pages 12-14

9. AgResearch (V1-0055)

Introduction

- 9.1 This section responds to the submission points from AgResearch seeking to rezone 1365 and 1375 Springs Road from KNOZ to MRZ, and to retain some balance KNOZ with the introduction of a 'Living Precinct' Overlay, or to rezone the balance KNOZ land NCZ. AgResearch did not submit on the PDP seeking rezoning so this is a new rezoning request not previously considered.

Submissions

- 9.2 Eight submission points and 43 further submission points were received in relation to this subtopic. Notably all of the further submissions are in support, except the Orion submission which opposes in part. The AgResearch submission refers to the KNOZ land as 'SPZ' and the submission has been summarised as such, however the acronym for the Special Purpose Knowledge Zone used in the PDP is 'KNOZ', and therefore KNOZ has been referred to throughout this analysis.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0055	AgResearch Limited	001	Support In Part	Amend the zoning of land at 1365 Springs Road as follows and as shown in Attachment 2 of the submissions: Rezone approximately 4.7ha of the land from SPZ to MRZ; Retain the SPZ for the balance of the site, with a new Precinct notation provided on the planning maps; or rezone the same area to NCZ.
V1-0009	Lincoln University	FS001	Support	Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments/inclusions to provide for re-development of the site.
V1-0088	Orion	FS014	Oppose In Part	Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.
V1-0102	CSI	FS247	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS247	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0111	Foodstuffs	FS001	Support In Part	Allow the submission point by rezoning the 'balance of the site' (or part thereof) to Town Centre Zone, being an appropriate zoning alternative to the Neighbourhood Centre Zone.
V1-0114	CSI and RWRL	FS247	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS247	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0055	AgResearch Limited	012	Support In Part	Insert in the KNOZ Overview as follows: <u>A 'living' Precinct has been identified in the zone at the corner of Springs Road and Gerald Street</u>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<u>in Lincoln. The purpose of the Precinct is to be more enabling of residential activities than the balance of the zone, and to accommodate associated built form in a manner that is suitable for the local context</u>
V1-0009	Lincoln University	FS012	Support	Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments/inclusions to provide for re-development of the site.
V1-0102	CSI	FS258	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS258	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	FS258	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS258	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0055	AgResearch Limited	013	Support In Part	Insert as follows: <u>KNOZ-PREX-01</u> The Living Precinct at Lincoln provides for a variety of housing types and sizes that respond to: <u>1. housing needs and demands; and 2. the neighbourhood's planned urban built character.</u>
V1-0009	Lincoln University	FS013	Support	Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments/inclusions to provide for re-development of the site.
V1-0102	CSI	FS259	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS259	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	FS259	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS259	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0055	AgResearch Limited	014	Support In Part	Insert as follows: <u>KNOZ-PREX-P1</u> Enable a variety of housing types with a mix of densities within the Living Precinct at Lincoln, including as part of mixed-use developments.
V1-0009	Lincoln University	FS014	Support	Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments/inclusions to provide for re-development of the site.
V1-0102	CSI	FS260	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS260	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	FS260	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS260	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0055	AgResearch Limited	015	Support In Part	Amend KNOZ-R7 as follows: ... Where: a. <u>The residential activity is located within the Living Precinct at Lincoln;</u> or b. <u>The residential activity is located outside the Living Precinct at Lincoln and is:</u> i....
V1-0009	Lincoln University	FS015	Support	<i>Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments/inclusions to provide for re-development of the site.</i>
V1-0102	CSI	FS261	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS261	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS261	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS261	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0055	AgResearch Limited	016	Support In Part	Amend KNOZ-R13 as follows: ... Where: a. The primary production activity is not: ... iii. <u>plantation forestry; or</u> iv. <u>located in the Living Precinct at Lincoln.</u> ... Activity status when compliance not achieved: 2. When compliance with any of KNOZ-R13.1.a.i., KNOZ-R13.1.a.ii., or KNOZ-R13.1.a.iii., <u>or KNOZ-R13.1.a.iv</u> is not achieved: NC ...
V1-0009	Lincoln University	FS016	Support	<i>Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments/inclusions to provide for re-development of the site.</i>
V1-0102	CSI	FS262	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS262	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS262	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS262	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0055	AgResearch Limited	017	Support In Part	Amend KNOZ-REQ4 as follows: 1. Any building shall be setback a minimum of 10m from any road boundary, <u>except within the Living Precinct at Lincoln where there is no minimum setback.</u> 2. Any building shall be setback a minimum of 10m from any boundary with a Residential or Rural Zone, <u>except that this requirement shall not apply within the Living Precinct at Lincoln for</u>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<u>any boundary with the land shown as MRZ within Outline Development Plan XX.</u>
V1-0009	Lincoln University	FS017	Support	Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments/inclusions to provide for re-development of the site.
V1-0102	CSI	FS263	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS263	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	FS263	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS263	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0055	AgResearch Limited	018	Support In Part	Insert new Outline Development Plan for 1365 Springs Road. Refer to original submission for full reason, including attachments.
V1-0009	Lincoln University	FS018	Support	Allow all submission points. Lincoln University supports the proposed rezoning request and other provision amendments/inclusions to provide for re-development of the site.
V1-0102	CSI	FS264	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS264	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	FS264	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS264	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.

Analysis

- 9.3 AgResearch¹³ are seeking that approximately 4.7ha of land is rezoned from KNOZ to MRZ and that the balance of the site remain as KNOZ, with the introduction of a 'Living Precinct' and associated plan provisions. Alternatively, it is sought to rezone the KNOZ balance area of the site as NCZ. An ODP and accompanying narrative is sought to be included as a new Lincoln Development Area.
- 9.4 The submitter's intention is that the Living Precinct would provide for a mixture of private residential development and student accommodation within the KNOZ. Under the PDP as notified, residential activity in KNOZ is permitted for student, staff or security accommodation only, and other proposed residential activity requires a discretionary activity resource consent (KNOZ-R7). The alternative option of NCZ is recommended to achieve integration between the existing zones (TCZ, KNOZ) and the proposed MRZ.

¹³ V1-0055.001 and V1-0055.018 AgResearch

9.5 AgResearch¹⁴ are also seeking associated amendments to the KNOZ provisions, including:

- Amendment to the Overview to reference the proposed 'Living Precinct' and the purpose of the Precinct;
- To insert a new objective and policy applicable to the proposed Living Precinct;
- Amendment to KNOZ-R7 to permit residential activity within the Living Precinct and residential activity located outside the Living Precinct for living accommodation for students and staff or for security purposes only;
- Amendment to KNOZ-R13 to not permit any primary production activity located in the Living Precinct, and that it is non-complying if the permitted activity rule is not met; and
- Amendment to KNOZ-REQ4 to remove the 10m road setback and 10m boundary setback from any Residential or Rural Zone within the proposed Living Precinct.

9.6 The site (Lot 2 DP 522514 and Lot 3 DP 374333) is approximately 8.6ha in area and currently contains buildings in the northern portion which front Gerald Street and Springs Road, including the AgResearch Head Office. A new Research Campus (including a new Head Office) is currently under construction on a 15,000m² parcel of land on the northern side of Springs Road. It is expected that all existing staff and operations will be relocated to this building once it is completed, indicatively expected towards the end of 2023. At that time, the AgResearch site will become surplus to requirements. The southern portion of the site is currently void of built development.

9.7 The submitter included the following assessments to support the rezoning request: Urban Design, Landscape and Visual Impact; Civil Works and Servicing Infrastructure; Transportation; Economic; PSI, and Geotechnical. The information has been peer reviewed by Council experts and is analysed below.

Geotechnical

9.8 A Geotechnical Report prepared by Mr Reed of Fraser Thomas dated 2 August 2022 has been peer reviewed by Mr Ian McCahon for Council. Mr McCahon concludes that although there is only one borelog from the site, the number and consistency of the borelogs are such that the report adequately characterises the geotechnical conditions and the test review meets the recommendations of the MBIE Guidance for Plan Change.

9.9 Mr McCahon notes that the higher structures possible for MRZ may impose greater loading on the soils than for normal housing, but there are foundation systems that would easily support such buildings, with either shallow foundations or piling to the gravel. Overall, Mr McCahon considers no further information is required and that the evidence submitted is sufficient to demonstrate that the proposed residential land is geotechnically suitable for development. I have relied on Mr McCahon's expert opinion in this regard.

¹⁴ V1-0055.012- V1-0055.017 AgResearch

Contaminated Land

- 9.10 A PSI prepared by Sean Finnigan of Fraser Thomas dated 25 August 2022 has been peer reviewed by Mr Rowan Freeman for Council. The PSI identified multiple potential HAIL activities. Mr Freeman agrees with the PSI findings and recommendations, specifically that the HAIL identified should be investigated further via a DSI. Mr Freeman is not opposed to the rezoning subject to adherence to the recommendations in the Fraser Thomas report. It is considered that development of this land which includes HAIL can be appropriately managed at the time of any consents in accordance with the NESCS and a DSI.

Servicing

- 9.11 An Engineering Servicing Report prepared by Alistair McNabb of Fraser Thomas dated 17 October 2022 has been peer reviewed by Mr Hugh Blake-Manson for Council. Mr Blake-Manson notes that the assessment considers residential rezoning only and not the alternative option of NCZ.
- 9.12 With respect to water supply Mr Blake-Manson concludes that additional capacity within the network to fully service the proposed residential rezoning is not currently available, however network capacity upgrades are proposed to meet growth over the next 30 years and funding is included in the LTP. Furthermore, Mr Blake-Manson notes that Council's target water pressure level of 310 kPa at the point of connection may not be met for buildings up to 11m high, which may then have an impact on water pressure and flows. Any water take and use consents within the proposed rezoning area should be transferred to Council and development contributions will be payable.
- 9.13 Mr Blake-Manson considers there is a viable means to transfer, treat, and dispose of wastewater for this area and the detail of this can be addressed through the consent and engineering approval process. Stormwater treatment and attenuation proposed within the site will also be subject to an engineering approval and the necessary consents will need to be obtained from CRC. Overall, there are understood to be no insurmountable infrastructure constraints to the proposed MRZ rezoning. I accept Mr Blake-Manson's advice in this regard with respect to MRZ.

Transport

- 9.14 A Transportation Assessment prepared by Andy Carr of Carriageway dated 28 November 2022 has been peer reviewed by Mr Mat Collins for Council. The key transport components of the proposal include an extension of Kakahi Street, and two potential future connections to The Crescent, a local road to the west. Based on 210 dwellings, 172 vehicle movements in the peak hour are anticipated to be generated.
- 9.15 The Transport Assessment discusses the effects on the Gerald Street/Vernon Drive intersection (where traffic signals are planned to be upgraded by Council in 2029/2030) and the Gerald Street/Springs Road intersection. The Assessment concludes that the Gerald Street/Vernon Drive intersection requires signalisation once development traffic from the site is added, and that the Gerald Street/Springs Road roundabout can perform acceptably.
- 9.16 Mr Collins considers that further information is required from the submitter relating to trip generation and the "sensitivity" test scenarios, including all traffic modelling files, to determine

the impact on the Gerald Street/Vernon Street intersection. Further peer review of this modelling is then considered necessary. Depending on the findings of the peer review, Mr Collins considers it may be necessary to include development thresholds to ensure the development is staged to align with Council's delivery of the Gerald/Vernon Street signalisation upgrade should traffic delays be indicated because of the proposal.

- 9.17 Furthermore, the peer review highlights that no information has been provided to enable review of the proposed alternative TCZ for the northern portion of the site, and further information is needed before making a recommendation on such alternative zoning.
- 9.18 I accept Mr Collins' advice in this regard and I am therefore unable to draw a conclusion about the transport effects of the proposal until this further transport information is provided by the submitter and peer reviewed, including further information relating to the TCZ component if this option is to be pursued. The final recommendation will be contingent on the transport effects being resolved given they are an integral consideration of the proposed rezoning.

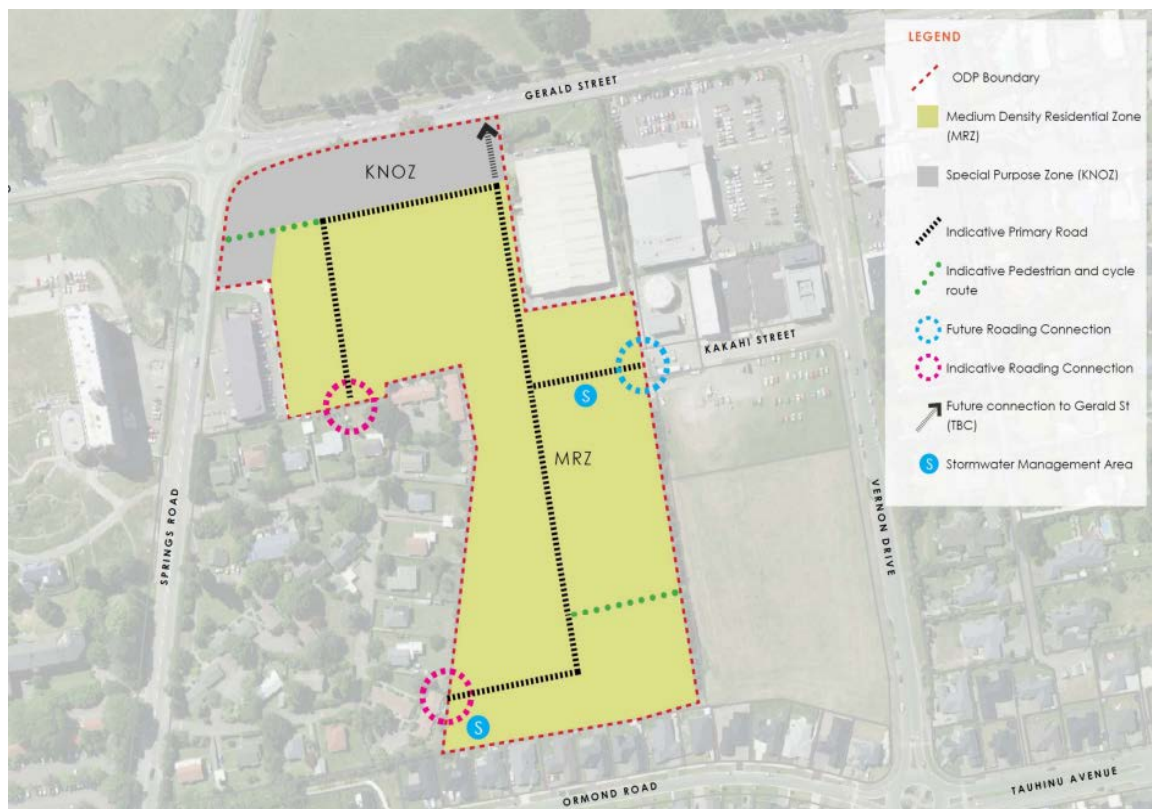
Economic

- 9.19 An Economics Report prepared by Fraser Colegrave and Danielle Chaumeil of Insight Economics dated 22 September 2022 has been peer reviewed by Mr Derek Foy for Council. Mr Foy notes that the submitter's report does not assess the alternative option of NCZ, but he responds to that matter in any instance.
- 9.20 Mr Foy refers to the Selwyn Capacity for Growth Model (SCGM) Update which projects there will be a shortfall of residential land in Lincoln only within around five years of the end of the long-term period (25 years in to the next 30, so around 2048), and there is projected to be a shortfall in supply at a District level even closer to 30 years. Therefore, there is no immediate need for additional residential supply in Lincoln, but Mr Foy notes that the location of land is a key consideration. This site is central within Lincoln and adjacent to TCZ and higher density residential activity which makes it ideally located for residential use.
- 9.21 Mr Foy accepts AgResearch's submission and Insight Economics' observations that there is more than adequate space zoned to provide for activities in the KNOZ and the site is surplus to AgResearch's ongoing requirements. Economic benefits, largely linked to the site's location, include the efficiency of infrastructure servicing and proximity to the TCZ.
- 9.22 Mr Foy considers NCZ would not be an appropriate zone because the site is only one parcel away from the edge of the TCZ, and it is unnecessary to provide for NCZ in such close proximity to TCZ. Furthermore, NCZ zoning would essentially extend the notified TCZ by enabling a similar range of centre-type activities to what is already permitted along Gerald Street. Further extending the linear extent of the centre would result in an inefficient form extending over 1.2km from end to end that encourages car trips between parts of the centre to an even greater degree than is already the case, resulting in economic inefficiency.
- 9.23 I accept Mr Foy's expert economic advice that MRZ is an appropriate zone and is well located with economic benefits given the proximity to the Town Centre and the brownfield nature of the

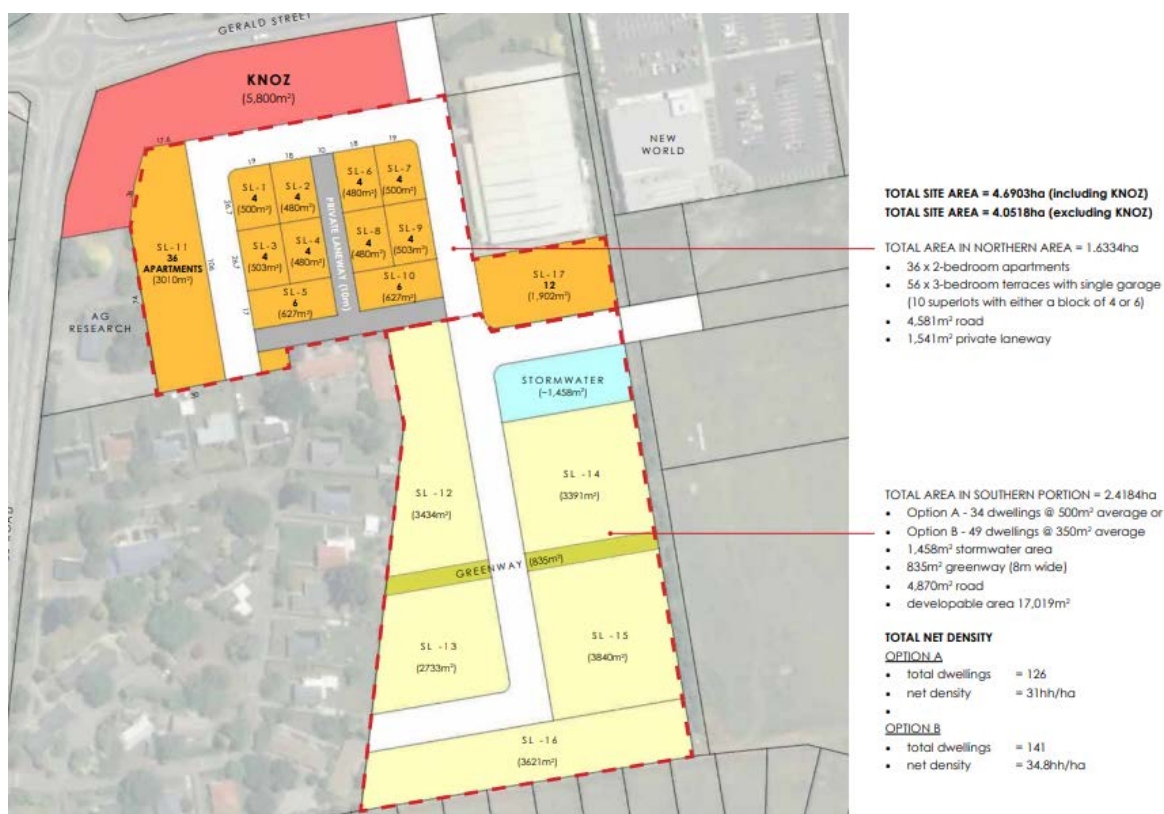
site which can be efficiently serviced. I also agree with Mr Foy's conclusions about proposed NCZ not being appropriate.

Urban Design

- 9.24 The submitter's Urban Design, Landscape and Visual Impact Assessment prepared by Dave Compton-Moen of DCM Urban Design Ltd dated 4 October 2022, considers the existing urban character and the effects on landscape character and values, visual amenity, and recommends mitigation measures. The assessment includes a proposed ODP and accompanying narrative, and photos from key viewpoints to demonstrate the existing character and views. It is of note that the proposed ODP which accompanies this assessment is for KNOZ and MRZ only and the urban design assessment is focused on this option. An ODP and assessment has not been included to address the alternative NCZ option for the balance KNOZ land.
- 9.25 The submitter states that a net target density of 25hh/ha within the site is being sought to "support development including apartments, terrace houses, duplexes and standalone houses" (which equates to approximately 210 households). Also included is an indicative Master Plan which shows more intensive apartment and terraced development in the northern part of the site including: 36 x 2-bedroom apartments and 56 x 3-bedroom terraces (92 units in total); and two development options in the southern portion - Option A at 34 dwellings/500m² average, or Option B at 49 dwellings/350m² average. Option A would yield a net density of 31hh/ha or 126 total dwellings and Option B 34.8 hh/ha or 141 dwellings. Elevated perspectives are also provided from different positions.



Proposed ODP



Indicative Master Plan



Elevated Perspective looking from above Gerald Street south east (in part only)

9.26 Mr Compton-Moen proposes mitigation measures which include:

- MM1 – streets with a high level of amenity and low impact design to be addressed through detailed design and consenting;
- MM2 – a well-connected walking and cycling network;

- MM3 – allowing for mixed densities and housing typologies with a wide range of tenants at a higher density than other developments within Lincoln;
- MM4 – a greenway to connect to MRZ on Vernon Drive, and potentially through The Crescent to Springs Road and the University;
- MM5 – stormwater management areas with high amenity landscaping; and
- MM6 – restricting solid fencing to rear and side yards to retain an open character along streets. This matter would be incorporated into developer covenants that manage specific design outcomes.

9.27 Mr Compton-Moen considers the proposed mitigation measures will ensure the residential development: provides a high quality and amenity development; will result in a positive change on the existing landscape character and values given the urban nature of the site already; and that the adjacent residential properties will not experience any adverse effects given the urban character of the receiving environment and the lower scale of development proposed when compared to the current underlying zone of KNOZ.

9.28 Ms Gabi Wolfer of Selwyn District Council has peer reviewed the submitter's Urban Design, Landscape and Visual Impact Assessment and relevant urban design related information (i.e. proposed amendments to provisions to remove setbacks). Ms Wolfer has considered the NPS-UD, CRPS, Lincoln Town Centre Plan (LTCP) and PDP and has reviewed the submitter's assessment considering urban form, connectivity, accessibility, and residential amenity values and character, as well as zone interface treatment. Ms Wolfer's key comments include:

9.28.1 The proposed MRZ zoning achieves a consolidated and compact urban form. However the proposed NCZ would further elongate the town centre and is considered counterproductive to the vision of the Lincoln Town Centre Plan (LTCP) in achieving an accessible and compact urban form. Furthermore, the proposed removal of the 10m road boundary setback could result in built form on the road boundary. Ms Wolfer considers that a road setback is required to provide an amenity buffer that becomes particularly relevant on a corner site in relation to residential development;

9.28.2 The site provides a high level of connectivity with the Lincoln Township and the wider District;

9.28.3 The site is well located in terms of accessibility to the Town Centre and Lincoln University. The proposal provides a future roading connection to Gerald Street and to the East to link with Kakahi Street and the Town Centre. Amendments are proposed to the ODP to improve accessibility including: a cycle and pedestrian route to the West of the proposed road link to Kakahi Street (Route 1); a cycle and pedestrian route to the West of the proposed future indicative pedestrian and cycle route to the east which connects with the ODP (DEV-LI6) area to the east (Route 2); and a notation to ensure that the indicative pedestrian and cycle route to the east proposed by the submitter (Route 3) aligns with the linear reserve on the ODP for DEV-LI6.

9.28.4 With regard to the mitigation measures proposed:

- MM1 (street design) and MM6 (fencing) are detailed design matters, which can be considered at the consenting stage;
- MM2 (walking and cycling network) and MM4 (greenway) are reflected in the ODP and proposed amendments to it;
- MM3 (density and housing typology) will be enabled by the MRZ provisions and addressed through detailed design at the consenting stage;
- MM5 is reflected in the ODP.

9.28.5 Possible outlook and amenity issues could arise at the interface between KNOZ and MRZ where there is no road boundary and therefore a setback of 10m or a landscaped buffer is recommended at this interface. A notation to this effect is proposed to be added to the ODP. Residential amenity issues are also identified if the 10m road boundary setback was removed from KNOZ, and amenity and outlook issues with respect to the adjacent proposed MRZ due to height and scale differences; i.e. 30m high in KNOZ and 11m in MRZ.

- 9.29 Overall, Ms Wolfer is supportive of the MRZ rezoning request for the reasons outlined above, but recommends amendment to the ODP and accompanying narrative to improve connectivity, accessibility, and amenity. Ms Wolfer is not supportive of the 'Living Precinct' Overlay or the NCZ for the balance KNOZ land primarily due to the proposed removal of the road boundary setback in relation to the proposed 'Living Precinct' Overlay which would compromise amenity, and that NCZ would further elongate the town compromising the compact and accessible urban form. Ms Wolfer considers the retention of KNOZ appropriate for this balance land.
- 9.30 Based on Ms Wolfer's and Mr Foy's peer reviews and the lack of submitter evidence to support the NCZ option, I consider that NCZ is not a viable alternative option for the balance KNOZ.
- 9.31 In terms of KNOZ with a 'Living Precinct' Overlay where 'other' residential activity (aside from student accommodation) is proposed to be permitted with no road boundary or internal setbacks, this is not supported given the potential amenity and outlook issues identified by Ms Wolfer. Furthermore, there is a discretionary activity resource consent pathway under the PDP for 'other' residential development that does not meet KNOZ-R7. Such a resource consent process would enable examination of the proposed built form and urban design detail at the consenting stage. In my view this is a simpler pathway for the submitter to pursue non-student related residential development that avoids complicating the existing rules (which do not avoid residential use in any case), and avoids providing a permitted pathway which could result in undesirable urban design outcomes.
- 9.32 Based on all of the peer review advice I support that part of the submission seeking MRZ, however I note that this is contingent on the further transport information being provided and favourable peer review.

Rezoning Frameworks

- 9.33 The submission did not specifically consider the rezoning frameworks, but does largely address the matters covered in the frameworks in the general submission. I have assessed the proposal against the Intensification Framework (based on the proposed rezoning from KNOZ to MRZ and KNOZ with a 'Living Precinct' Overlay) and against the Business Framework (based on rezoning from KNOZ to NCZ) as contained in the Rezoning Framework s42A.

Intensification Framework

Criteria	Assessment
Helps the efficient use of infrastructure	There is existing infrastructure in proximity to the site and new infrastructure planned. No significant infrastructure issues identified. Brownfield development limits the costs compared to new infrastructure. Further information is required to demonstrate the efficiency of the transport infrastructure, specifically the Gerald/Vernon Street intersection.
The request responds to the demographic changes and social and affordable needs of the district.	Economic evidence to support the demand for more housing of mixed typology.
Does it improve self-sufficiency for the town centres?	Economic evidence to support the benefits of increased economic activity as a result of residential development in proximity to the town centre.
Promotes the regeneration of buildings and land	Regeneration of a brownfield site which is surplus to requirements as KNOZ and provides additional housing capacity.
Does not significantly impact the surrounding environment	The key impacts of the proposal have been assessed and mitigation measures proposed. Urban design mitigation is proposed. Further transport mitigation may be required.
Does not undermine the operation of infrastructure	Further transport mitigation may be required.
Does not affect the safe, efficient, and effective functioning of the strategic transport network?	Further transport mitigation may be required.
Achieves the built form and amenity values of the zone sought	The ODP and indicative master plan illustrate how the proposal is consistent with MRZ.
Creates and maintains connectivity through the zoned land, including access to parks, commercial areas and community services	Demonstrates connectivity by proposing indicative primary roads which connect to the wider network and indicative pedestrian and cycle routes connecting to Springs Road and to the east and ultimately Vernon

Criteria	Assessment
	Drive. Connectivity can be enhanced by way of amendment to the ODP.
Promotes walking, cycling and public transport access	Indicative pedestrian and cycle routes shown and the site is well serviced by public transport. Accessibility can be enhanced by way of amendment to the ODP.

Business Framework

Criteria	Assessment
Provides a diverse range of services and opportunities.	NCZ would provide for essentially the same range of services already provided for by the adjacent TCZ.
The request responds to the demographic changes and social and affordable needs of the district.	No economic evidence submitted to demonstrate there is a need for NCZ.
Is consistent with the Activity Centre Network.	No economic evidence submitted to demonstrate there is a need for NCZ. Is outside of the Lincoln KAC but broadly consistent with TCZ.
The location, dimensions, and characteristics of the land are appropriate to support activities sought in the zone.	Insufficient evidence to support the location as being appropriate for NCZ.
An ODP is prepared.	No ODP has been prepared with respect to the proposed NCZ.
Does not affect the safe, efficient, and effective functioning of the strategic transport network?	No traffic assessment has been provided to demonstrate that NCZ will not affect the safe, efficient, and effective functioning of the strategic transport network.
Achieves the built form and amenity values of the zone sought	NCZ will not achieve the built form outcomes anticipated for Lincoln.
Creates and maintains connectivity through the zoned land, including access to parks, commercial areas and community services	Connectivity through the land is achieved but connectivity between the proposed NCZ and TCZ is not addressed.
Promotes walking, cycling and public transport access	Accessible to public transport but walking and cycling connectivity to TCZ not addressed.
Does it maintain a consolidated and compact urban form?	No, TCZ results in an elongated urban form.
Is not completely located in an identified High Hazard Area, Outstanding Natural Landscape, Visual Amenity Landscape, Significant Natural Area, or a Site or Area of Significance to Māori?	The site is not located in any of these areas.
The loss of highly productive land	The site is not subject to the NPS-HPL.

Criteria	Assessment
Preserves the rural amenity at the interface through landscape, density, or other development controls	No rural interface.

Further submissions

- 9.34 A number of further submissions were received which are all in support, except for the Orion submission which is not relevant to this site as there are no intersecting SEDL's.

Conclusion

- 9.35 I agree with the peer review experts that this location is likely to be suitable for MRZ, subject to demonstration of how traffic effects can be appropriately managed. Subject to further consideration of traffic effects, the rezoning is considered consistent with the Intensification Rezoning Framework and would enable housing in an existing urban location directly adjacent to residential activity, that is well connected, and promotes good accessibility to employment, social facilities and recreational spaces.
- 9.36 Overall, based on the advice of Mr Foy and Ms Wolfer, the lack of evidence to support NCZ, and the inconsistencies with the Business Rezoning Framework, I consider that the option of rezoning the KNOZ balance land NCZ cannot be supported.
- 9.37 With respect to the proposed 'Living Precinct' over the KNOZ, this option is not supported given the potential amenity and outlook issues identified by Ms Wolfer. Instead it is considered that 'other' residential development (i.e. non student related) could be pursued by way of a discretionary activity resource consent application which would provide an opportunity for consideration of urban design matters and present a simpler solution which meets the submitter's objectives and the relevant objectives and policies of the PDP.

Recommendations and amendments

- 9.38 I recommend, for the reasons given above, that the Hearings Panel:
- 9.38.1 Subject to demonstration of how traffic effects can be appropriately managed:
- (i) Rezone the site MRZ and retain the balance land as KNOZ as shown on the ODP, with no 'Living Precinct' Overlay over KNOZ and no amendments to the PDP KNOZ provisions;
 - (ii) Amend the ODP to improve accessibility, connectivity and to address KNOZ and MRZ interface issues, and amend the ODP narrative to reflect these proposed amendments;
 - (iii) Insert a new Development Area (DEV-LIX) and amended ODP.
- 9.39 The potential amendments are set out in a consolidated manner in **Appendix 2**.

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

Section 32AA evaluation

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

Effectiveness and efficiency

- 9.42 The site in its entirety as KNOZ is surplus to the submitter's requirements and it is considered more effective and efficient to develop this strategically placed brownfield site MRZ. The site is within the Lincoln Township and provides an opportunity to enhance the PDP's implementation of the NPS-UD and to increase the housing supply and choice in Selwyn.
- 9.43 The rezoning also assists with implementing the CRPS (Objective 6.2.2 and Policy 6.3.7 and 6.3.8) by developing a brownfield site and intensifying existing urban areas, reducing the need for expansion into peripheral areas zoned rural and which are subject to the NPS-HPL.
- 9.44 The submitter also considers that section 77N (Duty of specified territorial authorities to give effect to policy 3 or 5 in non-residential zones) of the RMA-EHS is directly relevant and notes there is no mention of this clause in the Council s32 report. The submitter considers that under s77N and 80E the Council has an obligation to ensure that the provisions in the PDP for each non-residential zone give effect to the changes required by Policy 3 or 5 of the NPS-UD, and to that end the Council may create a new or amend an existing non-residential urban zone. Accordingly the submitter considers that the zone changes proposed (i.e. NCZ) are authorised by the RMA-EHS. This is agreed, although in this instance NCZ is not supported as the zoning is considered unnecessary near TCZ, and further extension of the linear town centre would result in inefficient urban form.

Costs and benefits

- 9.45 With respect to the proposed MRZ, the SCGM Update indicates that some additional residential supply in Lincoln would be helpful to allow Council to meet its obligations under the NPS-UD of adequately providing for growth, however this is in the long-term and beyond the life of the PDP. However, this site is in a good location central to Lincoln and adjacent to higher density residential activity where positive urban design outcomes can be achieved with relatively minor amendments to the ODP and accompanying narrative. Further benefits include the efficiency of infrastructure servicing and proximity to the TCZ, and intensification is a better outcome than the development of highly productive rural land. Based on the submitter's evidence there is also understood to be more than adequate space zoned to provide for activities in the KNOZ and the site is surplus to AgResearch's ongoing requirements. The only potential cost is the transport effects, which need to be examined further.
- 9.46 With respect to NCZ, this zoning is considered unnecessary in close proximity to TCZ as it would enable a similar range of centre-type activities to what is already permitted in the Lincoln KAC and would further extend the linear extent of the town centre, compromising a compact and consolidated urban form with accessibility and amenity costs. In addition, the PDP intends for NCZ to be used where the town does not otherwise have a TCZ, which is not the case in Lincoln.

- 9.47 With respect to a 'Living Precinct' Overlay over KNOZ, this is considered to result in additional Plan complexity and urban design costs where a resource consent pathway could otherwise be pursued.

Risk of acting or not acting

- 9.48 The risk of not acting is that the site remains surplus to requirements as KNOZ and undeveloped, and therefore does not assist in implementing the RMA-EHS, NPS-UD, or CRPS or the projected long-term minor residential shortfall projected for Selwyn.
- 9.49 The risk of acting as proposed is considered negligible for the reasons outlined above subject to demonstration of how transport effects can be appropriately managed.

Conclusion as to the most appropriate option

- 9.50 The recommended zoning and insertion of an amended ODP and narrative is the most appropriate option to achieve the purpose of the RMA-EHS than the notified version in the Variation, subject to further investigation of potential transport effects.

10. Brent Macaulay & Becky Reid (V1-0060)

Introduction

- 10.1 This section responds to the submission points relating to V1-0060 which seeks to rezone from GRUZ to MRZ.

Submissions

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

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0060	Brent Macaulay and Becky Reid	001	Oppose	Amend the planning maps to rezone the following properties from GRUZ to MRZ on Tancreds Road, Lincoln: Lot 2 DP 323286 Lot 1 DP 323286 Lot 3 DP 33959 Lot 4 DP 26021 Lot 3 DP 26021
V1-0080	CCC	FS011	Oppose	Reject the submission
V1-0088	Orion	FS016	Oppose In Part	Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.

Analysis

- 10.2 Brent Macaulay & Becky Reid¹⁵ are seeking that 401, 407, 447, 467 and 487 (Lots 3-4 DP 26021, Lot 3 DP 33959, and Lots 1-2 DP 323286) Tancreds Road be rezoned from GRUZ to MRZ. The land area totals approximately 33.7ha. The submitter considers the proposal to rezone the site MRZ is consistent with and gives effect to the RMA, RMA-EHS, and NPS-UD; and is the most appropriate way to achieve the PDP objectives and policies as amended by Variation 1 and as requested by the submission on the PDP (DPR-0176).



- 10.3 No submitter evidence was provided in support of DPR-0176 and no supporting technical information has been provided with V1-0060. The land is outside of the UGO and the Lincoln Structure Plan boundary. Furthermore, the area contains LUC 1 and 2 soils where the NPS-HPL applies and directs that the urban rezoning of highly productive land is avoided except as provided for in the NPS (Policy 5). Clause 3.6(1) states that territorial authorities may allow urban rezoning of highly productive land only if: the urban rezoning is required to provide sufficient development capacity to meet demand for housing to give effect to the NPS-UD; and there are no other reasonably practicable and feasible options for providing capacity within the same locality and market; and the environmental, social, cultural and economic benefits of rezoning outweigh the long-term costs associated with the loss of HPL.
- 10.4 There is no evidence to support that this land is required to provide sufficient development capacity. The SCGM Update projects that there will be a shortfall of residential land in Lincoln only within five years of the end of the long-term period (around 2048). That indicates that some additional residential supply in Lincoln would be helpful to meet obligations under the NPS-UD of adequately providing for growth, but there are other reasonably practicable and feasible

¹⁵ V1-0060.001 Brent Macaulay and Becky Reid

options for providing capacity within the same locality and market which are supported by evidence and are not outside the Lincoln township or subject to the NPS-HPL (i.e. V1-0055).

- 10.5 CCC's further submission opposes the rezoning request as it would not give effect to Policy 5 of the NPS-HPL. Furthermore, CCC consider it has been demonstrated that there is sufficient development capacity across the Greater Christchurch Partnership area and Selwyn District itself in the short and medium term in the 2021 Greater Christchurch Housing Development Capacity Assessment. CCC also consider further rezoning of land would not give effect to Policy 1 of the NPS-UD. As per the SCGM update, I agree there is no short- or medium-term capacity issues and there are other reasonably practicable and feasible options for providing capacity within the same locality and market. I also agree that the rezoning would not give effect to Policy 1 of the NPS-UD.
- 10.6 The Orion further submission is not of relevance as there are no SEDL's which intersect this site.
- 10.7 Overall, I recommend that the submission point be rejected.

Recommendation

- 10.8 I recommend, for the reasons given above, that the Hearings Panel retain the zoning as notified.
- 10.9 It is recommended that the submissions are rejected or accepted as shown in **Appendix 1**.

11. Manmeet Singh (V1-0068)

Introduction

- 11.1 This section responds to the submission points relating to the proposal to rezone eight lots in Allendale Lane from GRUZ to MRZ.

Submissions

- 11.2 Four submission points and three further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0068	Manmeet Singh	001	Oppose	Amend the planning maps to rezone the following properties from GRUZ to MRZ on Allendale Lane, Lincoln: - Lot 1 DP 371976 - Lot 2 DP 371976 - Lot 3 DP 371976 - Lot 4 DP 371976 - Lot 5 DP 371976 - Lot 6 DP 371976 - Lot 120 DP 329124 - Lot 121 DP 329124
V1-0080	CCC	FS016	Oppose	Reject the submission
V1-0088	Orion	FS027	Oppose In Part	Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>applied to the rezoned land where that land intersects with the SEDLs.</i>
V1-0068	Manmeet Singh	002	Oppose	Insert a new development area, with associated outline development plan and narrative, to guide development on Allendale Lane, Lincoln.
V1-0068	Manmeet Singh	004	Oppose	Delete the Urban Growth overlay from the following properties on Allendale Lane, Lincoln: Lot 1 DP 371976 Lot 2 DP 371976 Lot 3 DP 371976 Lot 4 DP 371976 Lot 5 DP 371976 Lot 6 DP 371976 Lot 120 DP 329124 Lot 121 DP 329124
V1-0068	Manmeet Singh	005	Oppose	Delete the Specific Control Area Rural Density (SCA-RD1) overlay from the following properties on Allendale Lane, Lincoln: Lot 1 DP 371976 Lot 2 DP 371976 Lot 3 DP 371976 Lot 4 DP 371976 Lot 5 DP 371976 Lot 6 DP 371976 Lot 120 DP 329124 Lot 121 DP 329124
V1-0088	Orion	FS029	Oppose In Part	<i>Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.</i>

Analysis

- 11.3 Manmeet Singh¹⁶ is seeking that 7, 9, 11, 13, 17, 21, 27 and 33 Allendale Lane (Lots 1-6 DP 371976 and Lots 120-121 DP 329124) are rezoned from GRUZ to MRZ, that a new ODP is inserted with an accompanying narrative, and that consequential amendments are made to remove the Urban Growth and Specific Control Area Rural Density (SCA-RD1) Overlays.

¹⁶ V1-0068.001, V1-0068.002, V1-0068.004, V1-0068.005 - Manmeet Singh



- 11.4 The eight lot areas range from a minimum of approximately 1ha (7, 9, 11 and 13 Allendale Lane) at the northern end of the area, to over 4ha (27 and 33 Allendale Lane) to the south of the area adjacent to PC69. The total land area is approximately 17.3ha¹⁷.
- 11.5 The sites are within the UGO. The Lincoln Structure Plan identifies the northern half of the site as suitable for conventional residential development and the southern half for a stormwater management wetland system. The sites are identified within the RRS14 as being suitable for rural-residential development (i.e. LLRZ). PC69 is located immediately to the south of the subject area and is subject to appeal, but is proposed to be rezoned MRZ through Variation 1 to the PDP. The Allendale Lane Waste Water pump station and ponds are located to the west, which is a Council owned designated site (SDC-66). The L1 Creek is located to the east.
- 11.6 If rezoned MRZ, subdivision is provided for to 400m² and each site could have up to three dwellings as a permitted activity. Based on a total site area of approximately 17.3ha, this would enable a yield of approximately 43 lots and up to 129 residential dwellings as of right, without factoring in other site constraints. There are variable figures referred to in the technical reports submitted. For example, the servicing report refers to 186 lots allowing for an esplanade reserve and stormwater management area. The traffic report refers to approximately 180 households based on a density of 15 hh/ha.
- 11.7 The ODP attached to the Variation submission shows a road and shared pedestrian/cycle lane connection from Allendale Lane though to the PC69 area, a shared pedestrian/cycle lane adjacent to the stormwater management area crossing Liffey Stream to the east to connect with Jimmy Adams Terrace, a 50m odour setback in relation to the adjacent Council wastewater treatment facility (red dashed line), an esplanade reserve adjacent to the Liffey Stream (green), and an indicative stormwater management area (purple).

¹⁷ The submission states 17.6ha but the Titles total 17.3ha

ALLENDALE LANE - LINCOLN



Proposed ODP

- 11.8 The submitter considers the proposal is consistent with the RMA-EHS and is the most appropriate way to achieve the objectives of the PDP. The submitter also considers the site is well located to support a consolidated urban form, with or without the development of the PC69 land, and is consistent with the Greenfield Framework. The submission includes an ODP and narrative, ITA, Engineering Servicing report, PSI, and Geotechnical Report. Assessments against the Greenfield Rezoning Framework and PDP are also included. The submission also refers to the evidence submitted in support of the PDP submission and rezoning request (DPR-0209).

Geotechnical

- 11.9 A Geotechnical Report prepared by David Bell of Bell Consulting dated 7 December 2020 has been peer reviewed by Mr Ian McCahon for Council. Mr McCahon considers that the geotechnical report is limited in that it characterises the geotechnical conditions based on tests around the site itself and that it is borderline as to whether the information supplied is sufficient to adequately limit the uncertainties around the geotechnical conditions, particularly for MRZ, given the soft compressible soils than may be present and liquefaction potential that has been identified. However, Mr McCahon notes that the underlying gravel does provide a sound bearing layer for piled foundations such that there is a viable foundation option even if conditions on parts of the site have poorer ground conditions than predicted. In addition, Mr McCahon notes that the full range of natural hazards as per RMA s106 have not been commented on.
- 11.10 Overall Mr McCahon considers “....the information supplied is just sufficient to support a plan change at the level recommended by the MBIE Guidance. This does not imply that all geotechnical issues have been completely or fully identified. An extensive program of deep geotechnical testing and assessment will be required at subdivision stage to better identify the geotechnical conditions, liquefaction and lateral spread potential, the extent of soft, compressible soils and other constraints.”
- 11.11 Based on Mr McCahon’s advice the geotechnical information is considered to be borderline acceptable, but at least there are viable foundation options should ground conditions be found to constrain or prevent land development. At the subdivision stage more comprehensive assessment will be required to address the ground conditions and s106¹⁸. Overall, the geotechnical issues are not considered to prevent rezoning, but will require further investigation. It is considered that this matter should be addressed in the ODP narrative and amendment to the narrative is recommended should the Panel be in favour of the proposed rezoning.

Contaminated Land

- 11.12 A PSI prepared by Sean Finnigan of Fraser Thomas dated 30 August 2021 has been peer reviewed by Mr Rowan Freeman for Council. The PSI identified HAIL due to the presence of burn pits/piles spread over the site and a soil bund along half of the western site boundary. Mr Freeman agrees with classifying parts of the site as HAIL. He recommends that such areas should be investigated further in the future should subdivision, a change in land use, or earthworks regulated by the NESCS be proposed.
- 11.13 It is considered that development of this land which includes HAIL can be appropriately managed at the time of any consents in accordance with the NESCS. It is considered that this matter should be addressed in the ODP narrative and amendment to this effect is recommended should the Panel be in favour of the proposed rezoning.

¹⁸ Under s106 a consent authority may refuse subdivision consent or grant a subdivision consent subject to conditions if it considers that there is a significant risk from natural hazards or sufficient provision has not been made for legal and physical access to each allotment.

Infrastructure

- 11.14 An Engineering Servicing report prepared by Andrew Tisch and Daniel McMullan of e2Environmental dated 9 September 2022 was included with the submission and has been peer reviewed by Mr Hugh Blake-Manson for Council. The report is based on a density of 15 hh/ha.
- 11.15 Mr Blake-Manson notes that additional water supply network capacity is not currently available, however upgrades are proposed to meet growth and additional capacity can be made available to service the proposed rezoning.
- 11.16 Mr Blake-Manson is concerned that the proposal could impact on the future consenting and operation of the Allendale Lane Wastewater Pump Station and Ponds, which is located immediately to the west of the subject site and is a critical part of the larger wastewater scheme including the Pines WWTP at Rolleston. The Allendale Lane Wastewater Pump Station and Ponds provides resilience to high flows and operation and maintenance needs across the interlinked system. Mr Hugh-Manson considers a setback is required to manage reverse sensitivity issues including complaints and objections to future consenting and operation.
- 11.17 In terms of wastewater conveyance, the area is outside of the Lincoln township wastewater service area and there is limited capacity to accommodate additional flows, with priority given to land within the service area. Any additional flows would need to be conveyed directly to the Allendale Lane Wastewater Pump Station and Ponds. Any proposal will be subject to an Engineering Approval process.
- 11.18 Mr Blake-Manson considers that stormwater attenuation and treatment should be provided for within the development with disposal undertaken in accordance with an existing regional consent. Treatment and attenuation systems will also be subject to an Engineering Approval process.
- 11.19 With respect to the Liffey Stream to the east, any work on and discharges to the Council Land Drainage network will need to be undertaken in accordance with Council requirements.
- 11.20 Overall, Mr Blake Manson's key concern is reverse sensitivity effects in relation to residential development establishing immediately adjacent to an established Council facility which generates odour effects.

Odour

- 11.21 No odour assessment was provided with the submission, however there is existing odour evidence in association with DPR-0209 and in relation to PC69 prepared by Ms Cathy Nieuwenhuijsen. The submission and Ms Nieuwenhuijsen's previous evidence has been peer reviewed by Mr Andrew Curtis for Council.
- 11.22 In relation to Council's Allendale Lane Wastewater Pump Station and Ponds Ms Nieuwenhuijsen expects less than minor potential odour effects and indicates a building setback of around 50m may be required to mitigate against reverse sensitivity odour effects. Mr Curtis disagrees and considers a 50m setback is too low and that retaining GRUZ is the most appropriate option, or an

alternative would be a 150m setback or a 100m setback with no complaints covenants on all properties within 150m.

- 11.23 It is noted that the developer of PC69 agreed with a 100m odour buffer being imposed with a no complaints covenant to 150m, which is included in Variation 1 to the PDP in DEV-LI8¹⁹. There is also an existing rule in the ODP which requires a 150m setback from the boundary in relation to any dwelling in the Living 1A and Living Z Zones (Rule 4.9.32), and while it does not apply to the site because it is zoned rural, it has been mentioned for comparative purposes.
- 11.24 Managing reverse sensitivity effects is within the range of functions afforded to the Council under the RMA (s31(1)(b)) and no complaints covenants have been recognised as a legally acceptable method to address reverse sensitivity in District Plans, although there are no other instances of no complaints covenant requirements in the PDP aside from proposed DEV-LI8 (which is a result of the PC69 Hearing Process and was not Council initiated).
- 11.25 The Allendale Lane Wastewater Pump Station and Ponds is designated by Council and is recognised as 'regionally significant infrastructure' in the CRPS and 'important infrastructure' in the PDP. Objectives 5.2.1 and 5.2.2 of the CRPS require development to be located and designed so that it is compatible with and will result in the continued safe, efficient and effective use of regionally significant infrastructure, and that development does not result in adverse effects on the operation, use and development of regionally significant infrastructure. Policy 5.3.6 specifically seeks to avoid development that constrains the on-going ability of the existing sewerage, stormwater and potable water supply infrastructure to be developed and used. Policy 5.3.9 also seeks to avoid development which constrains the ability of this infrastructure to be developed and used without operational constraints that may arise from adverse effects relating to reverse sensitivity or safety. The inclusion of a setback or a setback and no-complaints covenant would therefore give effect to the objectives and policies in the CRPS (Section 75(3)(c) of the RMA) and the PDP.
- 11.26 However; in my opinion a no complaints covenant approach is not preferred as they do little to address the effect that gives rise to them (i.e. odour) and do not stop complaints or the responsibility of the Council to respond to them. Furthermore, they are not a mechanism otherwise used in the PDP (apart from DEV-LI8 which was imposed as a result of the PC69 hearing process), and so are not a common or well understood mechanism, and present additional costs. The scope of such a covenant is also unclear in terms of whether the covenant is limited to odour or whether it would waive all rights to submit, object and/or appeal against future expansions and changes to the wastewater treatment plant. The use of such covenants has been intentionally avoided in other Chapters of the PDP (i.e. Noise Chapter in relation to the West Melton Rifle Range which is strategic infrastructure under the CRPS), and recommended inclusion also has the risk of setting a precedent.
- 11.27 Based on the advice of Mr Curtis and the negatives of no complaints covenants, in my view a 150m setback is the preferred option, and it is also simpler and clearer. I have therefore

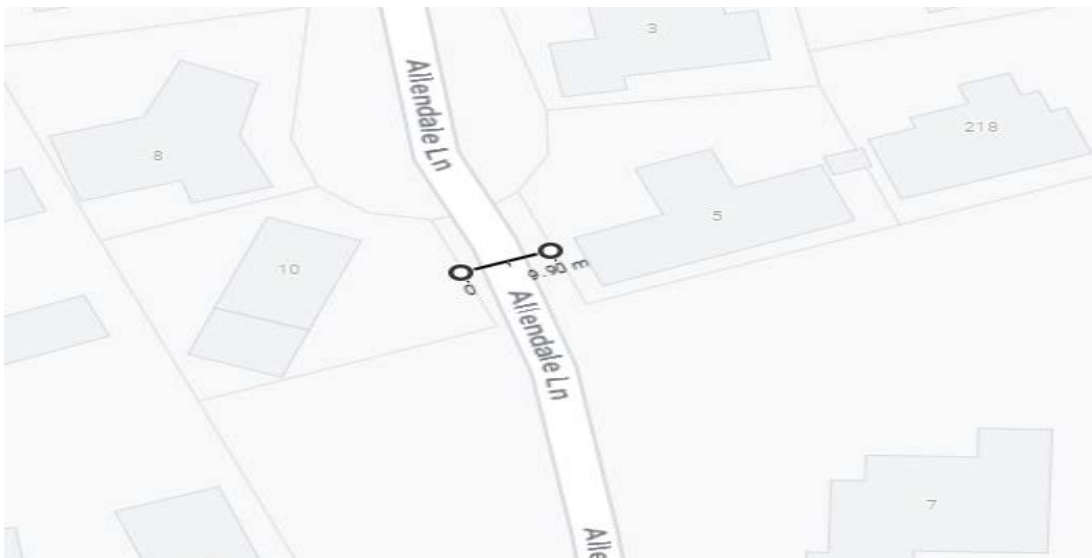
¹⁹ *Dwellings shall be setback 100m from the edge of the treatment pond within the Lincoln Sewage Treatment Plant and any residential allotments within 150m of the pond edge shall be subject to a no complaints covenant in favour of the Council in relation to the operations of the Lincoln Sewage Treatment Plant.*

recommended changes to the ODP and the narrative accordingly, and a land use rule in MRZ-REQ12 to reinforce the setback should the Panel be in favour of the proposed rezoning.

- 11.28 If the Panel were of the mind to consider a no-complaints covenant appropriate, it is considered that such a requirement is better tied to rules and revisions to SUB-REQ13 and MRZ-REQ12 to ensure the covenant is applied at the time of subdivision and the setback is enforced at the time of land use development. This is considered clearer than having such a requirement in an ODP narrative. I have not drafted these changes on the basis that a no complaints covenant approach is not recommended.

Traffic

- 11.29 An ITA prepared by Chris Rossiter of Stantec dated 9 September 2022 was included with the submission which has been peer reviewed by Mr Mat Collins for Council. The key transport components of the proposal include a public road through the site from Allendale Lane to the south to connect with PC69, and a shared pedestrian and cycle path connecting to the eastern side of the Liffey Stream. 160 additional peak hour vehicle movements are anticipated, which is based on approximately 180 households and a density of 15 households per hectare.
- 11.30 Mr Collins considered whether improvements are needed at the Allendale Lane/Southfield Drive intersection to the north and concluded that improvements may not be warranted. Furthermore, the increased traffic volumes are considered unlikely to create a significant effect on capacity at any one intersection in the vicinity.
- 11.31 Mr Collins has identified an issue with the ability to provide a public road with a 10m cross section at the end of the existing Allendale Lane cul-de-sac between 5 and 10 Allendale Lane, and the retention as a private right of way. The 18m long section between 5-10 Allendale Lane is only approximately 10m wide, whereas 13m is the minimum legal road width required by the Engineering Code of Practice and PDP.



Map showing the width of Allendale Lane as approximately 10m between 5 and 10 Allendale Lane

- 11.32 Mr Collins recommends that the applicant provides further detail to understand how an appropriate road cross section can be achieved with a 10m width between 5 and 10 Allendale Lane, including providing for all transport modes (walking, cycling, and servicing vehicles) and all infrastructure requirements such as utility trenches, stormwater catchment, street lighting etc. This is required for Council to understand whether a road is feasible and in Mr Collins' view could be a fatal flaw to servicing MRZ. Any zoning decision is contingent on this further information being provided and peer reviewed by Council favourably.

NPS-HPL

- 11.33 The Allendale Lane area consists of LUC2 soil (based on CRC 2019 mapping). However; Clause 3.4(2) of the NPS-HPL states that land identified for 'future urban development' must not be mapped as highly productive land at the commencement of the NPS-HPL (17 October 2022), noting that CRC must map HPL within 3 years of commencement of the NPS-HPL (i.e. by 17 October 2025). 'Future urban development' is defined in the NPS-HPL as land which is identified in a published Future Development Strategy as land suitable for commencing urban development over the next 10 years, or identified in strategic planning documents as an area suitable for commencing urban development over the next 10 years and at a level of detail that makes the boundaries of the area identifiable. The land is identified as being within the UGO in the notified PDP (given that it is identified as potentially suitable as a Large Lot Residential Zone in the RRS14) and therefore is identified for future urban development and is not considered to be subject to the NPS-HPL.



Urban Design

11.34 An ODP was included with the submission, and an amended ODP and narrative were included with the rebuttal evidence for DPR-0209 which was submitted in evidence subsequent to the close of the Variation 1 submissions. Mr Hugh Nicholson reviewed the ODP submitted with the Variation 1 submission and also considered the DPR-0209 version, and provided an assessment of the urban design effects of the proposal on behalf of Council.

11.35 The key findings of the urban design comments are as follows:

11.35.1 With PC69 the site will be completely surrounded by urban development and infrastructure. Rezoning would contribute to a compact and consolidated urban form, but connectivity is a concern;

11.35.2 With PC69, and if an acceptable road cross section can be provided, connectivity to the site would be moderate. However the ODP could be improved by:

- a. Providing a mid-site pedestrian/cycle connection from the local road across the Liffey Stream and the esplanade reserve to connect with the existing walkway that starts at Jimmy Adams Terrace and provides direct access to Ararira Springs Primary School and to the town centre;
- b. Providing pedestrian/cycle access along the full length of the northern edge of the Stormwater Basin and connections into the existing and proposed track networks at either end (noting that the amended DPR-0209 Rebuttal Evidence version of the ODP includes this);
- c. Re-aligning the southern end of the north-south road to connect with the legal road (Moirs Lane) in the southern corner of the site to future proof the possibility of a connection in the long term (noting that the amended DPR-0209 Rebuttal Evidence version of the ODP indicates a connection to Moirs Lane).

11.35.3 Provided the recommended changes are made to the ODP to improve connectivity and an acceptable road cross section can be provided, the site would have a moderate-high level of accessibility to public services and facilities.

11.35.4 Provided the recommended changes are made to the ODP to improve connectivity and an acceptable road cross section can be provided, the site has the potential to provide a high standard of residential amenity with good access to the Liffey Stream, the Lincoln Rail Trail, and the Lincoln town centre.

11.35.5 The provision of an appropriate odour setback is a significant urban design issue, both from the perspective of protecting the operation of essential infrastructure, but also from the perspective of providing a healthy and high-quality residential environment for future residents. A precautionary approach to odour setbacks would be appropriate from an urban design perspective.

11.35.6 Provided changes to improve connectivity and an acceptable road cross section can be provided, a minimum density of 12hh/ha would be appropriate recognising the site constraints.

Greenfield Framework

Criteria	Assessment
Does it maintain a consolidated and compact urban form?	Yes, within UGO and is surrounded by residential to the north, east and south (with PC69).
Does it support the township network?	Yes, within the Lincoln township.
If within the Urban Growth Overlay, is it consistent with the goals and outline development plan?	Within the UGO. Not subject to an existing ODP.
Does not effect the safe, efficient, and effective functioning of the strategic transport network?	There are no strategic transport routes.
Does not foreclose opportunity of planned strategic transport requirements?	There are no designations or public transport programs affected.
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?	None of these apply to the site.
Does not locate noise sensitive activities within the 50 db Ldn Air Noise Contours	The 50 db Ldn Air Noise Contour does not apply to the site.
The loss of highly productive land	The site is not subject to the NPS-HPL as it is identified for future urban use by the PDP by virtue of the UGO
Achieves the built form and amenity values of the zone sought	Yes, subject to MRZ provisions and a recommended odour setback.
Protects any heritage site and setting, and notable tree within the re-zoning area	No heritage site or setting or notable trees.
Preserves the rural amenity at the interface through landscape, density, or other development controls	There would be no rural interface if the PC69 land is rezoned for urban purposes.
Does not significantly impact existing or anticipated adjoining rural, dairy processing, industrial, inland port, or knowledge zones	N/A
Does not significantly impact the operation of important infrastructure, including strategic transport network	Residential development will have the potential to affect the Allendale Lane Wastewater Plant which is defined as 'important infrastructure' in the PDP. A 150m odour setback is recommended to address this issue.
How it aligns with existing or planned infrastructure, including public transport services, and connecting with water, wastewater, and stormwater networks where available	In terms of capacity, infrastructure upgrades will be needed however there are no insurmountable constraints.
Ensuring waste collection and disposal services are available or planned	Can be accommodated within detailed design.

Criteria	Assessment
Creates and maintains connectivity through the zoned land, including access to parks, commercial areas and community services	Provided the recommended changes are made to the ODP to improve connectivity and an acceptable road cross section can be provided, moderate-high levels of connectivity can be achieved.
Promotes walking, cycling and public transport access	The site is approximately 1.2 kilometres from the town centre and public transport routes. If a connection across the Liffey Stream was provided the site could access a pleasant and enjoyable pedestrian/cycle route alongside the Stream into town. With the recommended connection across the Liffey Stream the site would have good access to Ararira Springs Primary School and to the walking and cycling trails to the south of the township and the Lincoln Rail Trail.
The density proposed is 15hh/ha or the request outlines the constraints that require 12hh/ha	15 hh/ha is proposed but with the site constraints it is unclear what density can be practically achieved. The urban design peer review recommends a density of 12 hh/ha.
The request proposes a range of housing types, sizes and densities that respond to the demographic changes and social and affordable needs of the district	The request enables a range of housing types, sizes and densities that respond to the demographic changes and social and affordable needs of the District
An ODP is prepared	An ODP and narrative was submitted with the Variation 1 submission (and an amended ODP and a narrative was submitted with rebuttal evidence for DPR-0209 and Hearing 30.4).

Further Submissions

11.36 CCC's further submission opposes the rezoning request as it would not give effect to Policy 5 of the NPS-HPL. This is not agreed as the site is identified for future urban development and therefore is not subject to the NPS-HPL.

11.37 Furthermore, CCC consider it has been demonstrated that there is sufficient development capacity across the Greater Christchurch Partnership area and Selwyn District itself in the short and medium term in the 2021 Greater Christchurch Housing Development Capacity Assessment. CCC also consider further rezoning of land would not give effect to Policy 1 of the NPS-UD to contribute to well-functioning urban environments.

11.38 As per the SCGM update, it is agreed there is no short- or medium-term capacity issues. However the site is within the UGO and will be surrounded by residential development. The site is not considered to be subject to the NPS-HPL and the rezoning of this site to MRZ within the UGO is preferable to rezoning highly productive rural land outside the UGO, subject to the recommended amendments to the ODP and the transport effects being addressed.

11.39 The Orion further submission is not of relevance as there are no SEDL's which intersect this site.

Recommendation

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

11.40.1 Subject to demonstration of a suitable road cross-section and how transport effects can be appropriately managed:

- (a) Rezone the site MRZ with further consideration of the appropriate minimum density (i.e. 12 hh/ha or 15 hh/ha) depending on remaining constraints;
- (b) Remove the Urban Growth Overlay and Specific Control Area Rural Density (SCA-RD1) Overlay from the site;
- (c) Insert a new Development Area (DEV-LIX), subject to:
 - (i) Amending the ODP to:
 - Provide a mid-site pedestrian/cycle connection from the local road across the Liffey Stream and esplanade reserve to connect with the existing walkway that starts at Jimmy Adams Terrace and provides direct access to Ararira Springs Primary School and a walking/cycling route to the town centre;
 - Provide pedestrian/cycle access along the full length of the northern edge of the Stormwater Basin and connect into the existing and proposed track networks at either end and narrative to address the geotechnical, contaminated land, odour, and urban design recommended amendments;
 - Re-aligning the southern end of the north-south road to connect with the legal road (Moirs Lane) in the southern corner of the site to future proof the possibility of a connection in the long term;
 - Include a 150m odour setback.
 - (ii) Insert an ODP accompanying narrative which reflects the proposal, including the recommended amendments to the ODP and identifies remaining site constraints (i.e. geotechnical and contaminated land matters).
- (d) Amend MRZ-REQ12 to include a 150m setback that applies at the land use development stage.

11.41 Subject to demonstration of a suitable road cross-section and how transport effects can be appropriately managed, the potential amendments are set out in a consolidated manner in **Appendix 2**.

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

Section 32AA evaluation

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

Effectiveness and efficiency

11.44 The site is within the UGO and Lincoln Township and provides an opportunity to enhance the PDP's implementation of the NPS-UD and to increase the housing supply and choice in Selwyn. Rezoning assists with intensifying existing urban areas (given the surrounding area will be residential) and reducing the need for expansion into areas which are subject to the NPS-HPL. However the effectiveness and efficiency of the rezoning is contingent on the road cross section issue being appropriately addressed and the recommended amendments to the ODP, of which the odour setback is integral.

Costs and benefits

11.45 With respect to the proposed MRZ, the SCGM Update indicates that some additional residential supply in Lincoln would be helpful to allow Council to meet its obligations under the NPS-UD of adequately providing for growth, however this is in the long-term and beyond the life of the PDP. However, this site is in a good location central to Lincoln and adjacent to higher density residential activity where positive urban design outcomes can be achieved with amendments to the ODP and accompanying narrative.

11.46 Further benefits include the efficiency of infrastructure servicing and intensification is a better outcome than the development of highly productive rural land outside the UGO. A potential cost is odour effects if the recommended setback is not accepted and transport effects if a suitable cross-section cannot be achieved.

Risk of acting or not acting

11.47 The risk of not acting is that the site remains GRUZ which would be an anomaly in an otherwise residential area (particularly if the PC69 land is rezoned for urban purposes), which would not assist in implementing the RMA-EHS, NPS-UD, or CRPS or the projected long-term minor residential shortfall projected for Selwyn.

11.48 The risk of acting is considered negligible if it can be demonstrated that the road cross section and transport effects can be appropriately managed, and if amendments are made to the ODP and ODP narrative and MRZ-REQ12. Without these matters being addressed the risk of acting is considered high.

Conclusion as to the most appropriate option

11.49 The recommended zoning is considered to be the most appropriate option to achieve the purpose of the RMA-EHS than the notified version in the Variation, but only subject to further investigation of the road cross section and demonstration that transport effects can be appropriately managed, and the inclusion of an amended ODP and narrative, and an amended land use rule relating to the recommended odour setback.

12. Stewart, Townsend, Fraser (V1-0069)

Introduction

- 12.1 This section responds to the submission points relating to the request to rezone an area of land east of existing transmission lines from GRUZ to MRZ. GRZ was sought by the submitter in relation to this area of land at the PDP rezoning Hearing for Lincoln, as well as an 'Option B' for General Industrial Zone (GIZ) across a different site configuration (DPR-0136).

Submissions

- 12.2 Four submission points, and 41 further submission points were received in relation to this subtopic. Notably all further submission points are in opposition.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0069	Lynn & Malcolm Stewart, Lynn & Carol Townsend, Rick & Diane Fraser	001	Oppose	Amend the planning maps to rezone the following properties from GRUZ to MRZ in Lincoln: Lot 1 DP 67090 (part of) Lot 2 DP 70736 Lot 2 DP 335366 (part of) Lot 1 DP 335366 Lot 3 DP 26847 (part of) Lot 2 DP 26847 (part of) Lot 1 DP 26847
V1-0049	Transpower	FS001	Oppose	<i>In the absence of the identification of the National Grid as a qualifying matter within the Selwyn District, disallow the submission to the extent that the MRZ applies to land that is traversed by the 'National Grid Yard' and 'National Grid Subdivision Corridor'.</i>
V1-0049	Transpower	FS002	Oppose	<i>In the absence of the identification of the National Grid as a qualifying matter within the Selwyn District, disallow the submission to the extent that the MRZ applies to land that is traversed by the 'National Grid Yard' and 'National Grid Subdivision Corridor'.</i>
V1-0055	AgResearch Limited	FS051	Oppose	Disallow the submission
V1-0080	CCC	FS018	Oppose	Reject the submission
V1-0088	Orion	FS028	Oppose In Part	<i>Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.</i>
V1-0120	Plant & Food	FS001	Oppose	Reject the submission point
V1-0121	Charmaine & Rod Fairbrass	FS001	Oppose	<i>That the request to rezone the land parcels from GRUZ to MDZ be rejected</i>
V1-0121	Charmaine & Rod Fairbrass	FS004	Oppose	<i>That the requests to rezone the land parcels to MDZ and GIZ be disallowed in full</i>
V1-0123	Jill Gordon & Ross Thomas	FS001	Oppose	<i>That the request to rezone the land parcels from GRUZ to MDZ be rejected</i>

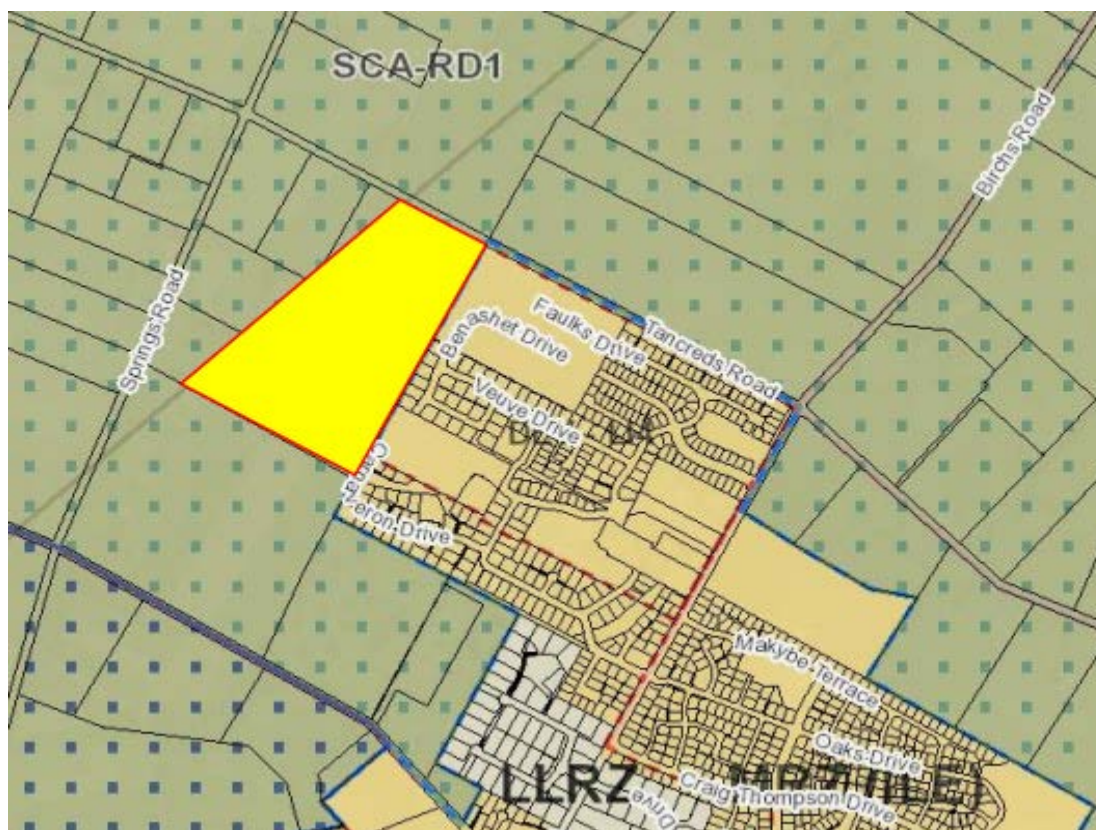
Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0124	Ellie and Dan Jenkins	FS001	Oppose	<i>That the request to rezone be denied.</i>
V1-0124	Ellie and Dan Jenkins	FS004	Oppose	<i>That the requests to rezone the land parcels to MDZ and GIZ be disallowed in full.</i>
V1-0125	Rachael and Daryll Maiden	FS001	Oppose	<i>That the request to rezone the land parcels from GRUZ to MDZ be rejected</i>
V1-0125	Rachael and Daryll Maiden	FS004	Oppose	<i>That the requests to rezone the land parcels to MDZ and GIZ be disallowed in full</i>
V1-0129	RM and KR Templeton	FS001	Oppose	<i>That the request to rezone the land parcels from GRUZ to MRZ be rejected.</i>
V1-0132	Andrea & Steve Vercoe	FS001	Oppose	<i>That the request to rezone the land parcels from GRUZ to MDZ be rejected</i>
V1-0132	Andrea & Steve Vercoe	FS005	Oppose	<i>That the requests to rezone the land parcels to MDZ and GIZ be disallowed in full</i>
V1-0132	Andrea & Steve Vercoe	FS007	Oppose	<i>That the request to include the proposed outline plan in the Proposed District Plan be rejected.</i>
V1-0133	PGG Wrightson Seeds Limited	FS001	Oppose	<i>Reject the rezoning request.</i>
V1-0069	Lynn & Malcolm Stewart, Lynn & Carol Townsend, Rick & Diane Fraser	002	Oppose	Insert a new development area, with associated outline development plan and narrative, to guide development to the northwest of Lincoln, generally bounded by Trancreds Road and Springs Road.
V1-0055	AgResearch Limited	FS052	Oppose	<i>Disallow the submission</i>
V1-0121	Charmaine & Rod Fairbrass	FS002	Oppose	<i>That the request to include the proposed outline plan in the Proposed District Plan be rejected.</i>
V1-0121	Charmaine & Rod Fairbrass	FS006	Oppose	<i>That the request to include the proposed outline plan in the Proposed District Plan be rejected.</i>
V1-0123	Jill Gordon & Ross Thomas	FS002	Oppose	<i>That the request to include the proposed outline plan in the Proposed District Plan be rejected.</i>
V1-0124	Ellie and Dan Jenkins	FS002	Oppose	<i>That the request to include the proposed outline plan in the proposed district plan be rejected</i>
V1-0124	Ellie and Dan Jenkins	FS006	Oppose	<i>That the request to turn the bare section on Benashet Drive into a road/walkway be denied in full.</i>
V1-0125	Rachael and Daryll Maiden	FS002	Oppose	<i>That the request to include the proposed outline plan in the Proposed District Plan be rejected.</i>
V1-0129	RM and KR Templeton	FS002	Oppose	<i>That the request to include the proposed outline development plan in the Proposed District Plan be rejected.</i>
V1-0132	Andrea & Steve Vercoe	FS002	Oppose	<i>That the request to include the proposed outline plan in the Proposed District Plan be rejected.</i>
V1-0132	Andrea & Steve Vercoe	FS003	Oppose	<i>That the request to include the proposed outline plan in the Proposed District Plan be rejected.</i>
V1-0133	PGG Wrightson Seeds Limited	FS002	Oppose	<i>Reject the rezoning request.</i>
V1-0069	Lynn & Malcolm Stewart, Lynn & Carol Townsend, Rick & Diane Fraser	004	Oppose	Delete the specific control area overlay from the following properties in Lincoln: Lot 1 DP 67090 (part of) Lot 2 DP 70736 Lot 2 DP 335366 (part of) Lot 1 DP 335366

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				Lot 3 DP 26847 (part of) Lot 2 DP 26847 (part of) Lot 1 DP 26847
V1-0055	AgResearch Limited	FS054	Oppose	Disallow the submission
V1-0121	Charmaine & Rod Fairbrass	FS005	Oppose	That the Rural Density overlay is not removed from the properties under discussion and these remain zoned GRUZ
V1-0123	Jill Gordon & Ross Thomas	FS004	Oppose	That the requests to rezone the land parcels to MDZ and GIZ be disallowed in full.
V1-0124	Ellie and Dan Jenkins	FS005	Oppose	That the rural density overlay is not removed from the properties under discussion and these remain zoned as GRUZ.
V1-0125	Rachael and Daryll Maiden	FS005	Oppose	That the Rural Density overlay is not removed from the properties under discussion and these remain zoned GRUZ
V1-0129	RM and KR Templeton	FS004	Oppose	That the requests to rezone the land parcels to MRZ and GIZ be disallowed in full.
V1-0132	Andrea & Steve Vercoe	FS006	Oppose	That the Rural Density overlay is not removed from the properties under discussion and these remain zoned GRUZ
V1-0133	PGG Wrightson Seeds Limited	FS003	Oppose	Reject the rezoning request.
V1-0069	Lynn & Malcolm Stewart, Lynn & Carol Townsend, Rick & Diane Fraser	005	Oppose	Delete the rural density overlay from the following properties in Lincoln: Lot 1 DP 67090 (part of) Lot 2 DP 70736 Lot 2 DP 335366 (part of) Lot 1 DP 335366 Lot 3 DP 26847 (part of) Lot 2 DP 26847 (part of) Lot 1 DP 26847
V1-0055	AgResearch Limited	FS055	Oppose	Disallow the submission
V1-0123	Jill Gordon & Ross Thomas	FS005	Oppose	That the Rural Density overlay is not removed from the properties under discussion and these remain zoned GRUZ.
V1-0129	RM and KR Templeton	FS005	Oppose	That the Rural Density overlay is not removed from the properties under discussion and these remain zoned GRUZ.
V1-0133	PGG Wrightson Seeds Limited	FS004	Oppose	Reject the rezoning request.

Analysis

- 12.3 Lynn & Malcolm Stewart, Lynn & Carol Townsend & Rick Fraser (STF)²⁰ are seeking that the land shown in the figure below be rezoned from GRUZ to MRZ, that an ODP and narrative is inserted, and that the Specific Control Area 1 and Rural Density Overlays be uplifted.

²⁰ V1-0069.001, V1-0069.002, V1-0069.004 and V1-0069.005 - Broadfield Estates Limited



- 12.4 The subject site has a total area of approximately 19.8ha as detailed below. Only those parts of the lots east of the Christchurch-Twizel A transmission line are proposed to be included and therefore only part of four of the following lots is sought to be rezoned:

Address	Legal Description	Site Area (ha)
1137 Springs Rd	Lot 1 DP 335366	5.369
1153 Springs Rd	Lot 1 DP 67090	4.954 (part)
1/1153 Springs Rd	Lot 2 DP 335366	5.415 (part)
2/1153 Springs Rd	Lot 2 DP 70736	5.085
Tancreds Rd	Lot 3 DP 26847	4.11 (part)
Tancreds Rd	Lot 2 DP 26847	4.1075 (part)
Tancreds Rd	Lot 1 DP 26847	4.1088

12.5 A proposed ODP has been submitted (copied below) with an accompanying narrative.



12.6 As part of the PDP Rezoning process, STF submitted that the site subject to their Variation 1 submission be rezoned to GRZ and that land to the west of the transmission lines be zoned GIZ. An 'Option B' proposal was also put forward in rebuttal evidence following the s42a report for GIZ zoning only across a different lot configuration. It was recommended that the relief sought of GRZ and GIZ be rejected²¹. No planning analysis of Option B was undertaken as it was presented in rebuttal evidence following the preparation of the s42a report, however the Panel

²¹ https://www.selwyn.govt.nz/_data/assets/pdf_file/0011/1423946/s42A-Rezoning-Report-Lincoln-20-December-2022.pdf - Refer to Section 10

did seek a further transport and a noise peer review to address the transport and noise effects of 'Option B'.

- 12.7 The Council peer reviews of submitter evidence submitted as part of the rezoning hearing addressed in the s42a report focused on the GIZ component of the original rezoning request only and not GRZ (and not 'Option B' given this was proposed after the s42a report). The submitters technical reports for DPR-0136 have been resubmitted with the Variation 1 submission and have now been peer reviewed in the context of the proposed MRZ only.

Geotechnical

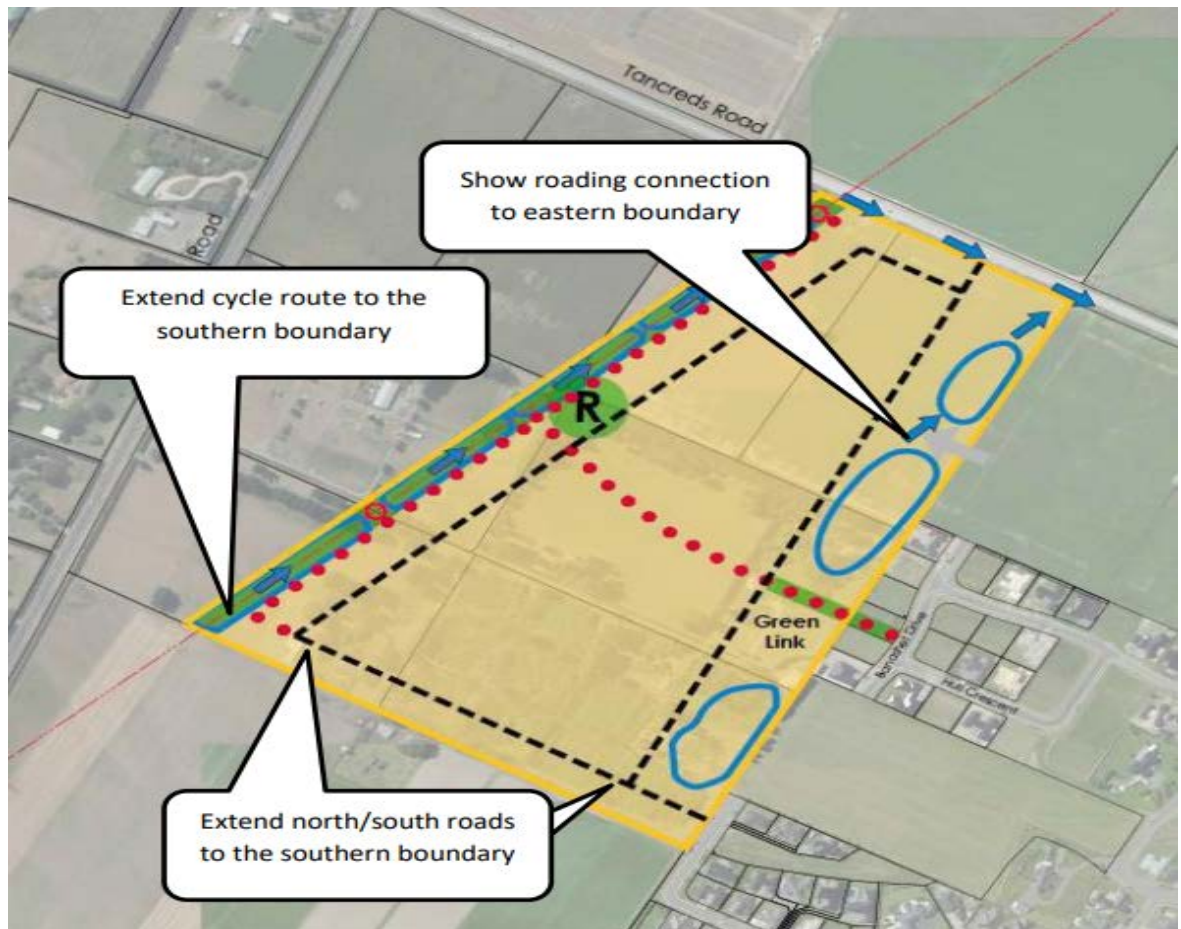
- 12.8 A Geotechnical Report prepared by Kristian Fairley of KGA Geotechnical dated 9 September 2022 was included with the submission and peer reviewed by Mr Ian McCahon for Council. The report concludes that the site is suitable for the proposed rezoning in terms of geotechnical constraints.
- 12.9 Mr McCahon considers that the report adequately characterises the geotechnical conditions and the extent of testing meets the recommendations of the MBIE Guidance for Plan Changes. Overall, Mr McCahon considers the evidence is sufficient to demonstrate that the proposed MRZ land is geotechnically suitable for development. I adopt Mr McCahon's expert evidence in this regard.

Contaminated Land

- 12.10 A PSI prepared by Hollie Griffith of Momentum Environmental Ltd dated September 2022 was included with the submission, and with DPR-0136. The report was peer reviewed by Mr Rowan Freeman for Council. The PSI identifies HAIL activities (HAIL G5 and HAIL I) and a site which Mr Freeman considers should also be indicated as HAIL in the PSI report (a diesel storage tank - HAIL A17). It is considered that development of this land which includes HAIL can be appropriately managed at the time of any consents in accordance with the NESCS. It is also of note that Ms Griffith's evidence for DPR-0136 dated 14 September 2022 recommends that a DSI is undertaken prior to development occurring.

Transport

- 12.11 Peer review of the transport evidence prepared by Mr Chris Rossiter in relation to DPR-0136 and the ITA was carried out by Mr Mat Collins for Council.
- 12.12 Mr Collins considers that any development within the site is likely to create adverse traffic safety effects at the Springs/Tancreds Road intersection that are likely to require third party land (not subject to this proposal) to mitigate. Council has no plans to upgrade this intersection. Mr Collins recommends that the rezoning be declined as there is no certainty that the necessary safety mitigation can be delivered.
- 12.13 If the Panel were of a mind to approve the rezoning, Mr Collins considers the submitter should provide walking and cycling facilities on the southern side of Tancreds Road, and make improvements to the Birchs Road/Tancreds Road intersection to mitigate safety effects generated by the rezoning. Amendments are also recommended to the ODP.



Recommended amendments to ODP

12.14 In my view the traffic effects of the proposal have not been adequately addressed and this is a primary reason why the proposed rezoning is not supported.

Economics

12.15 Council's Economic expert Mr Derek Foy has undertaken a peer review of the submission and the economic evidence associated with DPR-0136 as relevant to V1-0069. Mr Foy addresses the SCGM Update. Notably this was completed in April 2023 (refer to the Selwyn Residential Capacity and Demand Model - IPI 2023 report in **Appendix 3**) after the submitter's Economics report was completed, and Mr Foy acknowledges that the submitter's economist has not had the benefit of access to the new SCGM outputs.

12.16 The SCGM Update indicates a residential capacity shortfall is projected to arise by around 2048 (year 25 of the NPS-UD). However; in Mr Foy's opinion the Springs/Tancred site is not an appropriate location on which to accommodate future residential growth given the site is outside the FUDA identified in the CRPS and OurSpace, and is on HPL, resulting in economic costs. Potential reverse sensitivity effects and the economic costs are also raised by further submitters.

Infrastructure

12.17 Mr Blake-Manson has peer reviewed the submission which includes a servicing report, and the infrastructure evidence associated with DPR-0136 as relevant to V1-0069. Mr Blake-Manson

notes that efficient utilisation of infrastructure is planned well in advance in accordance with strategies, standards and modelling of forecast demand where priority is to service development within the Lincoln township, whereas this site is outside of the Lincoln township service area.

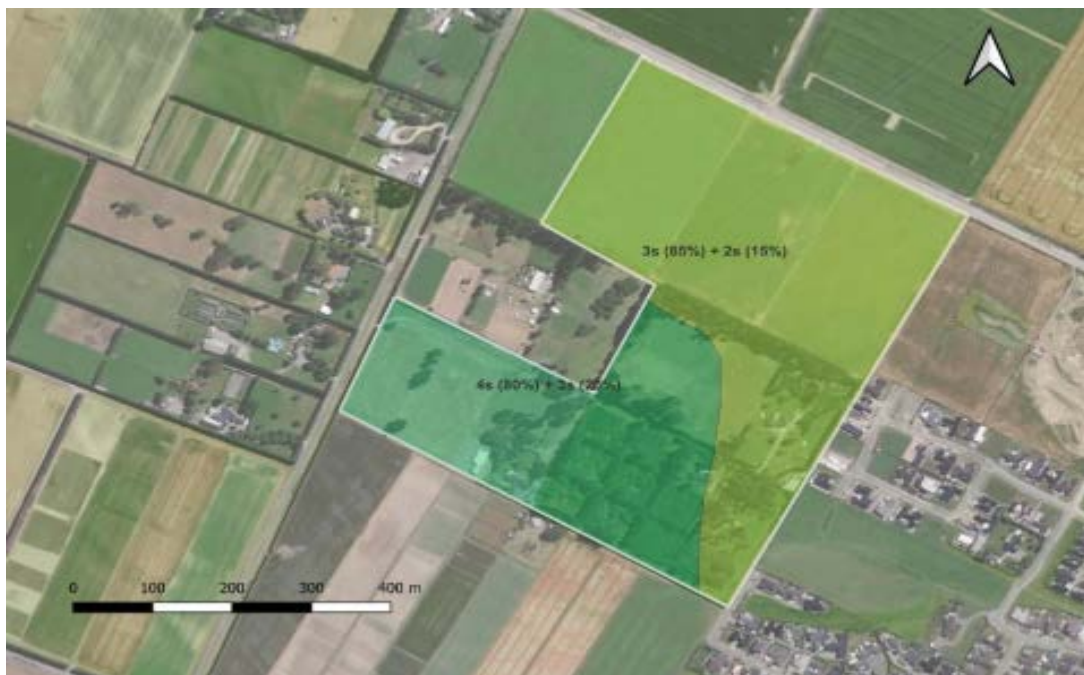
- 12.18 Water could be made available to service this rezoning, however it is more complex to treat and dispose of wastewater for sites outside of the current Lincoln township wastewater service area. The submitter seeks to convey wastewater directly to the Barton Fields system. Mr Blake-Manson comments that programme upgrades are focussed within the existing network and not outside of it, but that future works including a new pumpstation have been identified for northern areas, but not until 2053 (i.e. 30 year horizon).
- 12.19 The submitter has identified general options for stormwater treatment, attenuation and disposal within the development, including disposal to ground and to Tancreds Road. Stormwater consent will be required as will an Engineering Approval process.
- 12.20 Overall, the site is outside of the Lincoln Township and Council priority is to service development with the township.

Soils

- 12.21 The submitter has attached the evidence of Mr Mthamo in relation to versatile soils dated 9 September 2022 which was presented at the Lincoln Rezoning Hearing in relation to DPR-0136. The submitter also submitted rebuttal evidenced prepared by Sharn Hainsworth dated 3 February 2023 in relation to DPR-0136 concerning soil classification, which was not included with the Variation 1 submission.
- 12.22 The NPS-HPL applies to the subject site which contains LUC 1 (dark green) and 3 (light green) soils. In the interim, in the absence of any other mapping being available, the existing Canterbury Maps LUC soil information has been relied on.



- 12.23 Mr Mthamo identifies that the site consists of LUC 1 and 3 soils, but in his opinion the use of LUC classes in defining soil versatility is only a first step, and site-specific information should be taken into account. Mr Mthamo considers drainage to be a major issue at this site which makes the soils less productive than assumed by the LUC classes. He also considers the reduction of HPL would be very small.
- 12.24 The evidence of Ms Bernard is based on the 'Option B' site configuration presented at the Lincoln Rezoning Hearing in association with DPR-0136 of entirely GIZ zoning, but the findings are also relevant to this proposal for the land to the east of the transmission lines proposed to be rezoned MRZ. Ms Bernard concludes that: *"The NZLRI shows the southwest corner of this site to be predominantly shallow soils (Class 3s land) but field reconnaissance showed that they are predominantly very shallow soils (Class 4s land). The NZLRI shows the north and northeast of the site to be Class 1w1 land but using S-map and field reconnaissance I showed that this is most likely to be predominantly Class 3s land. I consider the 10.7 ha of land in the southwest of the site to not be HPL (land use options and productivity are severely limited). I consider the 17.1 ha in the north and northeast of the site to be HPL but at the lowest productivity in the spectrum of productivity within the HPL definition (land use options are moderately limited)."* Therefore, the area proposed to be developed still includes HPL according to Ms Bernard's assessment. It is also of note that the NPS-HPL requires that any change to LUC mapping needs to be accepted by the regional council (clause 3.4(5)(a)). No evidence has been provided of CRC accepting this recommended change to the land use classification.



- 12.25 Council made the decision not to peer review the submitter's soils evidence as it is considered that it has not been demonstrated that the zoning is required to provide sufficient development capacity to meet demand for housing to give effect to the NPS-UD (to satisfy clause 3.6(1)(a) of the NPS-HPL), or that there are no other reasonably practicable and feasible options for providing capacity (to satisfy clause 3.6(1)(b) of the NPS-HPL). It has also not been demonstrated that the

benefits of rezoning outweigh the costs associated with the loss of highly productive land (clause 3.6(1)(c) of the NPS-HPL). Furthermore, if the soils classification evidence of Ms Bernard is relied on, it concludes that the land to the north east is LUC2 and LUC3 and therefore is still subject to the NPS-HPL.

12.26 CCC²² also oppose the submission as the proposed zoning would not give effect to Policy 5 of the NPS-HPL, and it has not been demonstrated that there is insufficient development capacity in the short and medium term. This is agreed.

12.27 In summary, it is considered the proposed development is inconsistent with the NPS-HPL.

National Grid

12.28 Transpower²³ oppose the submission on the basis that the submission seeks to apply MRZ to an area of land that is traversed by the National Grid and, as notified, the Proposed Variation does not include the 'National Grid Yard' or 'National Grid Subdivision Corridor' (and associated provisions, as modified by Transpower's submission and supporting expert evidence to the Proposed District Plan) as qualifying matters.

12.29 The National Grid aligns with the proposed western boundary of the subject site. The National Grid is defined as important infrastructure in the PDP and there are definitions of 'National Grid Yard' and 'National Grid Subdivision Corridor' and associated rules in the EI Chapter to prevent sensitive activities within these specified corridors which extend either side of the National Grid. The Qualifying Matters as notified by Variation 1 are set out in HPW30 of the PDP. SEDL's (which are distinct from the National Grid) have been identified as a qualifying matter, but the National Grid has not. It is understood Council did not consider it necessary to include the National Grid as a qualifying matter as no MRZ was proposed in proximity to the National Grid and therefore there was no need to add it as a generic qualifying matter. However as a result of this proposed rezoning through submissions, this matter would need to be addressed and likely included as a qualifying matter should the Panel be of a mind to rezone this site. The proposed ODP does show a green link and secondary flow path beneath the National Grid and not developable land (and the ODP narrative further explains that this area is proposed as a multi-functional corridor (i.e. open space buffer providing a setback, stormwater management). However; formalising the National Grid as a qualifying matter should the rezoning be supported is likely to be necessary.

12.30 Orion's further submission²⁴ is not relevant to this site as the electricity line is the National Grid and not a SEDL.

Reverse Sensitivity

12.31 Plant & Food²⁵ and AgResearch²⁶ further submitted (and in relation to DPR-0136) with concerns about reverse sensitivity in relation to the P&F 'Smiths Block' immediately adjacent to the southern site boundary, and the AgResearch land on the opposite side of Springs Road. At the

²² V1-0055.FS018 CCC

²³ V1-0049.FS001 Transpower

²⁴ V1-0088.FS018 Orion

²⁵ V1-020.FS001 Plant & Food

²⁶ V1-0055.FS051 AgResearch

Hearings for DPR-0136 the submitters stated that their concerns fall away with respect to industrial zoning, but they remain concerned about residential zoning.

12.32 PGG Wrightson Seeds Limited also strongly oppose the rezoning as they lease land along Tancred Road in close proximity to the proposed rezoning for the purposes of agricultural research and are concerned with reverse sensitivity effects. The submitter is also concerned with adverse effects including rural amenity, traffic, noise and urban sprawl and considers there are more appropriate locations for MRZ.

12.33 Landscape rebuttal evidence prepared by Mr Jeremy Head dated 3 February 2023 was submitted in relation to DPR-0136 for the applicant, but this focussed on 'Option B' and proposed Industrial zoning over a different site configuration. It is considered that further information is required to demonstrate how reverse sensitivity effects in relation to this proposal are proposed to be addressed, such as landscape buffers, setbacks etc, in relation to all three further submitters' sites. It is also agreed with PGG Wrightson Seeds Limited that there are adverse traffic effects which in my view are significant, and that there are more appropriate locations for MRZ.

Other further submissions

12.34 A number of other further submissions have been received in opposition to the proposal, including from Jill Gordon and Ross Thomas who own 1137 Springs Road, whose lot is part of the proposed rezoning proposal. Ms Gordon & Mr Thomas also expressed concern regarding the submitter's DPR rezoning proposal (DPR-0136) which is recorded in the procedural section of the Lincoln Rezoning s42a report (they were not submitters but as land owners their concerns were brought to the Panel's attention)²⁷.

12.35 In summary, the issues raised by Ms Gordon and Mr Thomas and the other further submitters include:

- The proposal does not preserve the character or high amenity values of Lincoln;
- The proposal undermines the sustainable and planned management of the Lincoln township and the retention of an important rural land resource;
- The proposal is contrary to the Lincoln Structure Plan and the RRS14;
- There is ample feasible development capacity in Lincoln to meet anticipated demands
- The proposed development is primarily driven for financial gain which does not conform to the Urban Growth objectives and is contrary to the community agreed Selwyn District Council plans and strategies;
- Concern about the proposed accessway to Barton Fields and the ability of these roads to cope safely with additional traffic and the safety risk to young families, as well as property devaluation.

12.36 The existing Barton Fields ODP (DEV-L14) does not include any connection from Barton Fields to the subject site (as the subject site is zoned GRUZ where residential development was not

²⁷ https://www.selwyn.govt.nz/data/assets/pdf_file/0011/1423946/s42A-Rezoning-Report-Lincoln-20-December-2022.pdf - Paragraph 5.6

envisaged at the time of the Barton Fields development). The proposed ODP shows a green link and cycle route connection only and not a road. Ms Aston's evidence dated 1 August 2022 for DPR-0136 states that 15 Benashet Drive provides a potential access link as this lot is owned by one of the submitters (the Stewart's); however, the proposed development is not dependent on securing access to Barton Fields. As a pedestrian and cycle link only, additional traffic and safety risks for Barton Fields are avoided, however the other concerns remain.

- 12.37 Overall, I agree with the submitters that this site is not suitable for residential development. The proposal is outside of the UGO and the economic evidence is that there is sufficient residential capacity in the short to medium term to meet demand without this development. The development is also inconsistent with the NPS-HPL.

NPS-UD Policy 8 Rezoning Framework

- 12.38 The s42a report for the Lincoln Rezoning Hearing in relation to DPR-0136 considered the NPS-UD Policy 8 significance criteria and the Greenfield Rezoning Framework. That assessment concluded that the site cannot be described as 'well connected' due to the adverse traffic safety effects and therefore is arguably inconsistent with Policy 8. The residential component of the proposal was also found to be inconsistent with the Greenfield Framework with respect to: maintaining a consolidated and compact urban form; unsubstantiated demand for additional land; the site is outside the UGO; adverse traffic safety effects which cannot be appropriately mitigated; the loss of HPL; and reverse sensitivity effects.
- 12.39 The submission for V1-0069 has a Greenfield Rezoning Framework assessment attached (Appendix 7) which differs to the assessment submitted for DPR-0136. I rely on the assessment provided in the Lincoln Rezoning Report against the Greenfield Framework and assessment is also carried out against the Intensification Framework in the context of the proposed MRZ being sought below.

Intensification Framework

Criteria	Assessment
Helps the efficient use of infrastructure	The site is outside of the infrastructure service area and any new planned infrastructure (wastewater) is not proposed until 2053. Does not contribute toward the efficient use of infrastructure.
The request responds to the demographic changes and social and affordable needs of the district.	There is insufficient economic evidence which supports the demand for more housing at this location.
Does it improve self-sufficiency for the town centres?	Economic evidence states that the proposal provides more households to support the township services/amenities and facilities but does not specifically address economic activity and self-sufficiency of the town centre.
Promotes the regeneration of buildings and land	No regeneration proposed - greenfield site.

Criteria	Assessment
Does not significantly impact the surrounding environment	The proposal will result in adverse traffic safety effects.
Does not undermine the operation of infrastructure	Would undermine the roading infrastructure. The National Grid is not currently a qualifying matter and should the Panel support the rezoning, would likely need to be included as a qualifying matter to avoid residential rezoning affecting the operation of this important infrastructure.
Does not affect the safe, efficient, and effective functioning of the strategic transport network?	Will impact on the wider transport network in terms of safety and delays.
Achieves the built form and amenity values of the zone sought	Can be achieved via an ODP and the MRZ provisions.
Creates and maintains connectivity through the zoned land, including access to parks, commercial areas and community services	Changes would need to be made to the ODP to enhance connectivity.
Promotes walking, cycling and public transport access	Indicative pedestrian and cycle routes shown.

12.40 On the basis of the above assessment, I recommend that the submission points are rejected for the following reasons:

- 12.40.1 The adverse traffic safety effects, which have not been demonstrated as being practicable to mitigate;
- 12.40.2 The adverse economic effects including: a lack of evidential basis to support the need for additional residential development to assist with meeting short to medium term demand;
- 12.40.3 The impact on LUC 1 and 3 soils and inconsistency with the NPS-HPL;
- 12.40.4 Potential reverse sensitivity effects with respect to the Plant & Food, AgResearch Farms, PGG Wrightson Seeds and their operations, where mitigation has not been addressed;
- 12.40.5 Inconsistency with the NPS-UD Policy 8 significance criteria and with the Greenfield and Intensification Frameworks in several respects.

Recommendation

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

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

13. Barry Moir (V1-0094)

Introduction

- 13.1 This section responds to the submission points relating to 828 Ellesmere Road, Lincoln and the request to rezone the site from GRUZ to MRZ.

Submissions

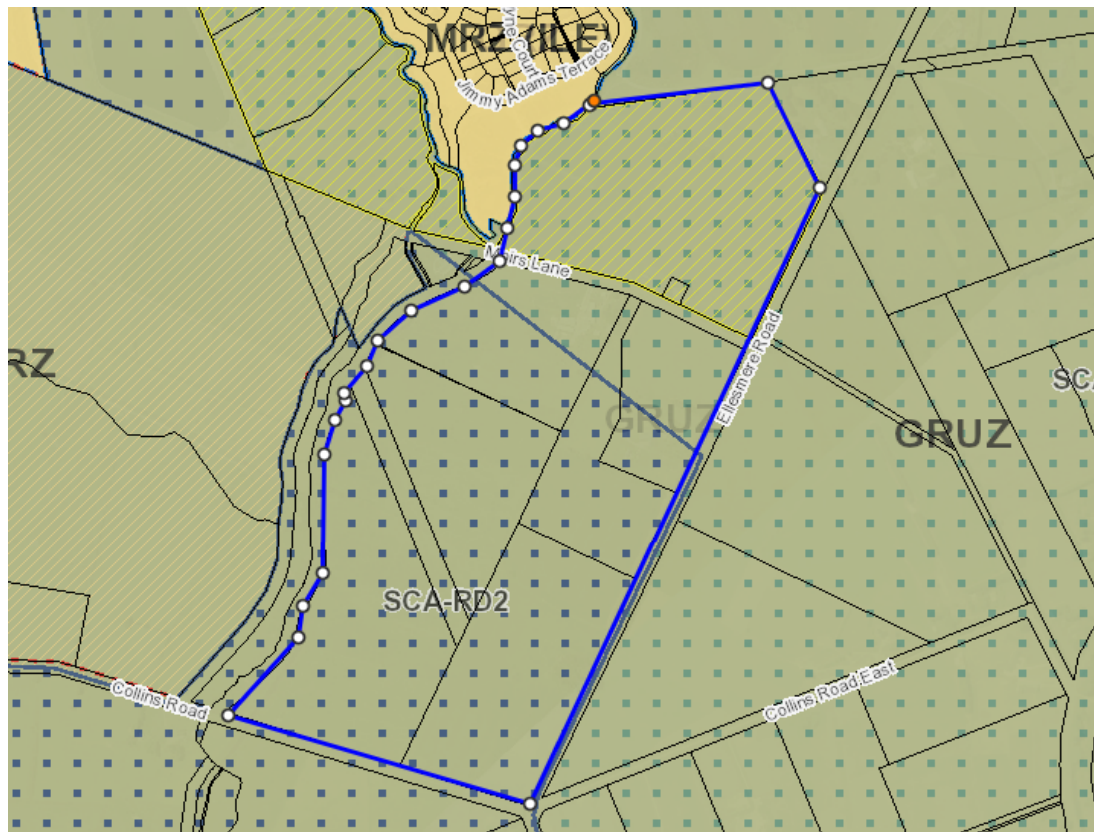
- 13.2 One submission point and two further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0094	Barry Moir	001	Support In Part	Rezone 828 Ellesmere Road (legally described as Rural Sections 17202, 38995, 38996 Part Rural Sections 10139, 10399, 10644 BLK V HALSWELL SD, CFRs 649/98 4B/749 24A/932 24A/954 37B/526) from GRUZ to MRZ
V1-0080	CCC	FS003	Oppose	Reject the submission
V1-0088	Orion	FS006	Oppose In Part	Should land be rezoned as a result of any submission on Variation 1 to the proposed District Plan, that the corridor protection provisions sought in earlier Orion submissions and/or as amended in hearing evidence are applied to the rezoned land where that land intersects with the SEDLs.

Analysis

- 13.3 Barry Moir²⁸ is seeking to rezone the area of land identified below from GRUZ to MRZ, and refers to his PDP rezoning submission (DPR-0150). The area of land referred to in the submitters evidence for DPR-0150 includes land at 16 (Lot 1 DP 17916 - 0.10 ha), 19 (Lots 1-3 DP 562488 - 16.58ha) and 25 Moirs Lane (Rural Secs 17202, 38955 and Pt Rural Secs 10399 and 10644 - 35.11 ha), which has a combined area of 51.79 ha.

²⁸ V1-0094.001 Barry Moir



- 13.4 The original submission requested that the Council consider “the Lincoln boundary as suitable for GRZ or LLRZ, and that land down to Collins Road be considered as GIZ, if not rural residential.” The submitter’s evidence clarified the relief being sought at the PDP rezoning hearing, as illustrated by Attachment A (copied below). The submitter is seeking MDRS (which is MRZ) north of Moirs Lane, a strip of Business zoning, and the remainder as MRZ/GRZ, including greenspace next to the LII River.



- 13.5 In association with DPR-0150 the submitter provided a Geotechnical Report prepared by Geoconsult dated 29 September 2020 and a PSI prepared by Malloch Environmental dated August 2020, both of which relate to a subdivision of 19 Moirs Lane. These reports are addressed below.

Geotechnical

- 13.6 Mr Ian McCahon has peer reviewed the geotechnical assessment and concludes that it is limited in that it characterises the geotechnical conditions at one location only of a large site. There is insufficient information to be able to adequately assess the suitability of the bulk of the site for residential development, and particularly for MRZ, given the soft compressible soils and liquefaction potential that has been identified. It is Mr McCahon's opinion that additional deep geotechnical testing and assessment is required to properly support a plan change and to meet the intent of the MBIE Guidance.

Land Contamination

- 13.7 Mr Rowan Freeman of PDP has peer reviewed the PSI. Mr Freeman considers that a PSI of the area not covered by the existing PSI will be required, and that a DSI could be needed to quantify the potential risk of the identified HAIL sites within Lots 1-3 DP 562488. HAIL activities do not preclude the site being rezoned, but further investigations will be required in accordance with the NESCS.

Further submissions

- 13.8 CCC further submitted in opposition as the properties are located on HPL and are subject to the NPS-HPL where the proposed rezoning would not give effect to Policy 5 of the NPS HPL which outlines that urban rezoning of highly productive land is to be avoided. Furthermore, it has been demonstrated that there is sufficient development capacity across the Greater Christchurch Partnership area and Selwyn District itself in the short and medium term in the 2021 Greater Christchurch Housing Development Capacity Assessment. Further rezoning of land would not give effect to Policy 1 of the NPS UD to contribute to well-functioning urban environments. I agree.
- 13.9 Orion's further submission is not relevant as there are no electricity lines that intersect with this site.

Planning Assessment

- 13.10 The subject site is zoned GRUZ. The land to the north of Moirs Lane is within the UGO, however the remainder of the site is outside of the UGO and therefore is not identified for future growth. Furthermore, the site is subject to the NPS-HPL and is subject to LUC 2 and 3 soils, where urban rezoning is sought to be avoided. No assessment against the NPS-HPL has been provided.



- 13.11 As no or insufficient supporting evidence has been provided to address the rezoning proposal and the intensification of rural land subject to the NPS-HPL that is largely outside of the UGO, the rezoning proposal is recommended to be rejected.

Recommendation

- 13.12 I recommend, for the reasons given above, that the Hearings Panel retain the variation provision as notified.
- 13.13 It is recommended that submissions are accepted in part as shown in **Appendix 1**.

14. Conclusion

- 14.1 For the reasons set out in the Section 32AA evaluations and included throughout this report, I consider that the recommended 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.