

## V1 Rolleston Rezoning Requests – Reporting Officer Memo

### 1. Purpose

- 1.1. The purpose of this memo is to alert the panel to any updates to the Officer report following receipt of the rebuttal evidence.

### 2. Yoursection V1-0025

- 2.1. I have read and considered the planning rebuttal evidence provided by Ms. Seaton. My position as outlined in my s42A report remains unchanged in relation to this submission.
- 2.2. Ms. Seaton proposed a number of amendments to the development area narrative, which I generally support, however I consider that the narrative should be redrafted, incorporating these amendments, as per that included in the s42A report, particularly in terms of where text is included.
- 2.3. I also reiterate that the ODP needs to be updated to reflect the drafting conventions of the PDP.

### 3. Brendean V1-0093 and Hughes V1-0116

- 3.1. I have read and considered the planning rebuttal evidence provide by the submitter, including all relevant PSI's. On the basis of the evidence provided, and a per the JWS, I confirm that I now recommend that the submissions of both submitters be accepted for the following reasons:
  - 3.1.1. I consider that the proposed rezoning is an appropriate way to achieve the Urban Growth provisions of the PDP, both as notified and as recommended to be amended by the Urban Growth s42A reporting officer, including UG-O1, UG-O2, UG-P1, UG-P2, and UG-P7 – P13.
  - 3.1.2. I consider that the rezoning request is exempt from the NPS-HPL as the land has been identified for 'future urban development' under Clause 3.5(7)(b)(i).
  - 3.1.3. The rezoning enables the growth of the Rolleston township in a manner consistent with the RSP.
  - 3.1.4. It has been demonstrated that the area can be effectively serviced and that the effects on the local transport network can be managed, having regard to planned infrastructure upgrades by the Council.
- 3.2. I therefore recommend that the Hearings Panel:
  - 3.2.1. Amend the Planning Maps to rezone the identified sites from GRUZ to MRZ;
  - 3.2.2. Remove the Urban Growth overlay and the Rural Density overlay the identified sites;
  - 3.2.3. Insert a new Development Area (DEV-ROC), including the ODP and narrative as set out in the Planning JWS for Brendean and Hughes.
  - 3.2.4. Make provision for SUB-REQ13.11 to apply to DEV-ROC.
- 3.3. Consequential amendments are required to Appendix 1 of my s42A report in terms of recommendations on submissions.

### 4. Applefields V1-0084

- 4.1. I have read and considered the planning rebuttal evidence provided by Mr. Thomson. My position as outlined in my s42A report remains unchanged in relation to this submission.
- 4.2. In response to my recommendation that the development area narrative be amended to address the potential for reverse sensitivity effects from the neighbouring intensive primary production operation to the south of the site, Mr. Thomson proposed an alternative wording, along with an amendment to GRUZ-REQ10.
- 4.3. I do not consider that it is necessary to amend GRUZ-REQ10 as this provision is only relevant in relation to activities within that zone.
- 4.4. In Mr. Thomson's supplementary evidence he also no longer considers that this is necessary and has proposed that amended wording be included in the development area narrative. I am generally supportive of this wording, except that I do not support the including of the final line of the text "*while minimising the effect on residential subdivision yields*". I consider that this wording could be interpreted as implying that a reduced subdivision yield due to the need to address the potential for reverse sensitivity effects could be used as the basis for not appropriately addressing reverse sensitivity effects. As such, I recommend that the amended wording the narrative be accepted in part only.

### 5. Four Stars and Gould V1-0053 and Gould V1-0089

- 5.1. I have read and considered the planning rebuttal evidence provided by the submitters.
- 5.2. For clarification, I record that only the submission of Gould (V1-0089) was considered in my s42A report. This submission requested that the balance of the land included in the UGO on the western side of Rolleston be rezoned from GRUZ to MRZ. This submission was not supported by any substantive evidence, and this remains the case following the publication of my s42A report. As such, my position as outlined in the Rolleston Rezone s42A report remains unchanged in relation to this submission.
- 5.3. The submission of Four Stars and Gould (V1-0053) was addressed in the Residential s42A report, as it related to land proposed to be rezoned by Council through Variation 1. Four Stars and Gould supported the proposed rezoning of that part of their site that was not affected by the air noise contour to MRZ, and the Residential s42A report recommended that this submission point be accepted.
- 5.4. However, the submitter also requested that DEV-RO12 be amended to include the land that is subject to the current 50Ldn Airport Noise Contour. As DEV-RO12 was included in Variation 1, this submission point was also addressed by the Residential s42A report, at paragraph 12.31.
- 5.5. While I acknowledge that perhaps this hearing would have been a better location to consider the merits of rezoning the submitters land that it is under the air noise contour, I was also the author of the Residential s42A report, and my position remains unchanged in relation to the rezoning of land under the air noise contour to MRZ, for the same reasons as set out in the Residential s42A report.

## **6. Foodstuffs V1-0111**

- 6.1. I record that, with their original submission, Foodstuffs did not provide any substantive evidence in support of their rezoning request from MRZ, as notified, to ‘an appropriate commercial zone’. On the basis that insufficient evidence was proposed, I recommended that the submission be rejected.
- 6.2. As rebuttal evidence, Foodstuffs has now provided a range of expert evidence in support of their request to rezone the entirety of the site at 157 Levi Road to LFRZ. This exceeds the extent of the area granted resource consent for a supermarket.
- 6.3. As the material was provided by rebuttal, I consider that this evidence was provided too late in the Variation 1 process to consider this and so I advise the Panel that there has been no peer review undertaken of the evidence provided.
- 6.4. I do note that legal submission on behalf of Foodstuffs, at paragraph 30, indicates that I have not raised any issues with the scope of Foodstuff’s submission within Variation 1.
- 6.5. For clarification, I record that, as the original submission did not contain any substantive evidence, including reference to the proposed zone requested, I did not consider the submission in any detail. As such, while I did not raise issues of scope, it was not because I did not consider that there were any, it was rather that I did not consider there was sufficient detail within the submission with which to undertake a substantive assessment.
- 6.6. Should the Panel be of a mind to allow consideration of the Foodstuffs submission, I would request that the Panel allow Council time to peer review the rebuttal evidence provided and prepare an addendum to this S42A report addressing the rebuttal evidence and the issue of scope.

## **7. CCC Further Submission**

- 7.1. I advise that CCC (V1-0080) advised on 12 May that they wished to withdraw their further submission FS006 in relation to the original submission of CGPL (V1-0103).