

Before an Independent Commissioner  
At Selwyn District

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*under:* the Resource Management Act 1991

*in the matter of:* an application to the Selwyn District Council  
(RC246049) to erect a residential unit on an  
undersized rural allotment at McDonald Road, Lincoln

*between:* **Paul & Jo-Anne Campbell**  
*Applicants*

*and:* **Selwyn District Council**  
*Consent Authority*

Summary statement of Evidence of Bryan McGillan

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Dated: 2 September 2025

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## **SUMMARY STATEMENT OF EVIDENCE OF BRYAN MCGILLAN**

- 1 My full name is Bryan McGillan.
- 2 I prepared a statement of evidence dated 21 July 2025 in support of the Application.
- 3 I provide a brief summary of my evidence below.
- 4 I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court of New Zealand Practice Note 2023 and that I have complied with it when preparing my evidence.

### **SUMMARY**

- 5 The Site is a rural allotment in the General Rural Zone under the Partially Operative Selwyn District Plan (*POSDP*). The Application is non-complying under GRUZ-R5 and GRUZ-P2 due to the undersized nature of the Site. The Application involves a single, modest residential unit (72m<sup>2</sup>) with associated infrastructure.
- 6 The adjoining properties are a combination of residential dwellings on lifestyle blocks and rural pastoral land further to the west, consistent with the predominant land use in the area. There is an existing level of residential development in the surrounding environment with land parcels with dwellings varying between 1.59 ha and 10 ha in the immediate vicinity.
- 7 I agree with the Section 42A Report that the effects of the Applications are assessed as no more than minor.
- 8 In respect of the submitters concerns I consider that they either do not relate to this Application or that any adverse effect is at the lower end of minor.
- 9 The key matters in contention as identified in the Section 42A Report are:
  - 9.1 Precedent Effects;
  - 9.2 Plan Integrity; and
  - 9.3 Consistency With Relevant Objectives and Policies

### **PRECEDENT EFFECTS**

- 10 The context of the existing environment and the proposed activity are sufficiently unique that they do not create a precedent likely to be replicated.
- 11 The proposal is an efficient use of a structurally isolated site that will contribute to the wider rural community. The Application relates to

an existing site and does not involve subdivision or further fragmentation of rural land. I consider that there are positive benefits to the Applicants and the wider community from the proposed activity.

### **PLAN INTEGRITY**

- 12 I consider the Application does not threaten plan integrity. The POSDP provides for mitigation of adverse effects through more than one avenue.
- 13 Consideration of the permitted baseline indicates the proposal is not far removed in nature from those permitted activities.
- 14 The Application aligns with the broader strategic objectives and policies of the POSDP and high-order planning documents, which have informed the construction of the POSDP.

### **CONSISTENCY WITH RELEVANT OBJECTIVES AND POLICIES**

- 15 Policies GRUZ-P2 and GRUZ-P7 are directive, but do not prohibit the grant of the Application. We are aware that similar applications have previously been granted.
- 16 I agree with the Section 42A Report that reverse sensitivity effects are at most minor. The proposed dwelling meets all setback requirements, and reverse sensitivity effects are considered negligible due to the nature of neighbouring properties. The proposal is consistent with the direction of GRUZ-P7 and will not adversely affect the rural character and amenity.
- 17 GRUZ-P2 in the context of the Application is not a prohibition. The Application will not result in any significant loss of highly productive land and is appropriate for the scale of the site. I consider that a pathway for the consent of the proposal exists.

### **CONCLUSION**

- 18 I reiterate the conclusion from my evidence in chief:
  - 18.1 The application passes the s 104D gateway test because the effects are no more than minor.
  - 18.2 The concerns raised in the Section 42A Report about precedent effects are overstated, and the plan's integrity is not undermined.
  - 18.3 This is a site-specific, effects-based, and policy-consistent application that warrants approval. It is not fundamentally contrary to the overall policy intent of the POSDP.

Dated: 2 September 2025

BJ McGillan

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Bryan McGillan