

Notice of Submission on an Application for Resource Consent – Selwyn District Council

Submission made by electronic means.

1. SUBMITTER DETAILS

Name of Submitter: Canterbury Regional Council

Physical Address: 200 Tuam Street

Postal Address: PO Box 345

Email Address: [REDACTED]

My Address for service for receiving documents and communication about this application is: [REDACTED]

2. APPLICATION DETAILS

Application Reference Number: RC225715 and RC225716

Name of Applicant: Kevler Development Limited

Application Site Address: Springston Rolleston Road, Rolleston

Description of the Proposed Activity: To undertake a staged subdivision (RC225715) creating 266 fee-simple allotments and a land use consent (RC225716) to establish residential dwellings, new roading, vehicle access and to undertake earthworks that will not comply with the relevant provision of the Operative District Plan (Rural Volume).

3. SUBMISSION DETAILS

This is a submission on the proposed staged subdivision and land use consent application to the Operative Selwyn District Plan.

We submit neither in support, nor opposition of this application.

Environment Canterbury could not gain an advantage in trade competition through this submission.

I am not directly affected by an effect of the subject matter of the submission that—

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

The reasons for our submission are:

- (1) The Canterbury Regional Policy Statement (CRPS) provides a clear and directive urban growth framework for the Greater Christchurch Area.
- (2) Map A identifies the location and extent of urban development that will support recovery, rebuilding and planning for future growth and infrastructure delivery in Greater Christchurch. The policy framework in Chapter 6 seeks to accommodate expected growth and enable urban development within identified spatial areas in a way that achieves consolidated and coordinated urban growth which is integrated with the provision of infrastructure. This framework provides for the development of land within existing urban areas, greenfield priority areas (GPAs), and future development areas (FDAs), at a rate and in locations that meet anticipated demand and enables the efficient provision and use of network infrastructure.
- (3) The proposed application seeks to subdivide and use land that has been identified as a Future Development Area on Map A of Chapter 6 of the CRPS.
- (4) CRPS Policy 6.3.12 for Future Development Areas requires conditions to be met to enable urban development in the identified FDAs. Clause 6.3.12(1) requires that the zoning of additional land must be demonstrated as needed to address a shortfall in the medium term to achieve housing bottom lines. Table 1 of the Housing and Business Development Capacity Assessment (HBA) 2021, prepared by the Greater Christchurch Partnership, indicates a shortfall of households in Selwyn in the medium term excluding the Future Urban Development Areas, however with their inclusion at 15hh/ha this shortfall becomes a surplus.
- (5) The existing lot and proposed lots while located within a rural zone in Selwyn's operative and proposed district plans (PDP), are generally in accordance with the Outline Development Plan in Variation 1 of the PDP at DEV-RO14 with some minor adjustments to the location of roads from a traffic safety perspective.
- (6) Under Variation 1, the site is located in a Medium Density Residential Zone with decisions due in August, the variation has no appeal rights except on points of law. This site would then be subject to the medium density residential standards under the RMA – Enabling Housing Supply and Other Matters Amendment Act 2021. Under this Amendment Act there is no minimum lot size or shape size requirements.
- (7) The proposal gives effect to the NPS-UD Objectives including:
 - Objective 1 that New Zealand has well-functioning urban environments,
 - Objective 2 that decisions improve housing affordability,
 - Objective 3 to enable more people to live in areas where there is high demand for housing, and
 - Objective 6 for decisions on urban development to be integrated with infrastructure planning and funding decisions, strategic over the medium and long term and responsive.
- (8) The provisions in the NPS-HPL are not applicable because of the site's classification as a future urban development as per clause 3.5(7).

- (9) The site is not located in a soil erosion risk area as shown in the Land and Water Regional Plan (LWRP), nor in a community drinking water protection area, nor is adjacent to a Statutory Acknowledgement Area or within a drains and watercourses area as per the Flood Protection and Drainage Bylaw 2019¹.
- (10) As the site is located over semi-unconfined or unconfined aquifers then Rule 5.175 from the LWRP applies if there is any excavation. Rule 5.177 applies if any deposition activity is likely to occur. If excavation occurs and the conditions of these rules cannot be met, then a resource consent will be required from Canterbury Regional Council.
- (11) Section 3.2 of the Applicants' Earthworks Management Plan indicates that construction phase stormwater generated will be retained on site and soak pits will be installed. If any stormwater discharge occurs through construction or ongoing use, LWRP rules 5.94A to 5.97 will need to be assessed. Rule 5.95 applies if the stormwater from the site is to be discharged to land through soak holes.
- (12) The Listed Land Use Register (LLUR) indicates the property has been used or is currently used for activities likely to cause contamination. The detailed environmental site investigation provided, considers it highly unlikely that there will be a risk to human health from chemical contamination of the new residential development through subdividing, developing, and occupying the land. The site investigation implements Policy 17.3.2 of the CRPS to achieve Objective 17.2.1 for the protection of people and the environment from the adverse effects of contaminated land.
- (13) For the reasons set out above, the proposed resource consent application is not inconsistent with the CRPS, and the NPS-UD. It is not subject to the NPS-HPL. If the conditions of the relevant rules in the LWRP cannot be met, a resource consent from Canterbury Regional Council will be required.

We would not be in opposition of the Council if the decision made is to approve the resource consent application.

4. SUBMISSION AT THE HEARING

We do not wish to be heard in support of our submission.

¹ Available at <https://www.ecan.govt.nz/your-region/your-environment/river-and-drain-management/flood-protection-and-drainage-bylaw/#:~:text=The%20Flood%20Protection%20and%20Drainage%20Bylaw%20prevents%20landowners%20from%20putting,written%20permission%20from%20Environment%20Canterbury.>

5. SIGNATURE



Jeff Smith

Team Leader Planning & Strategy

31/05/2023

(Authorised under delegation from the Canterbury Regional Council).