

Notice of Submission on Proposed Plan Change 82

Resource Management Act 1991 – Form 5

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This is a submission on proposed Plan Change 82 to the Selwyn District Plan – to rezone approximately 110 hectares of rural land in Rolleston Living MD and Business 1

- [1] Environment Canterbury opposes Plan Change 82, for the reasons outlined in this submission.
- [2] Environment Canterbury would not gain an advantage in trade competition through this submission.

The reasons for our submission are:

Inconsistency with the Canterbury Regional Policy Statement

- [3] The Canterbury Regional Policy Statement (CRPS) provides a clear and directive urban growth framework for the Greater Christchurch area.
- [4] 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. Urban development outside of these identified areas is to be avoided, unless expressly provided for in the CRPS.

- [5] Plan Change 82 (PC82) relates to land that has not been identified as a GPA or FDA on Map A, nor is development of the land for urban purposes expressly provided for in the CRPS.
- [6] The plan change request is therefore inconsistent with Objective 6.2.1 (3) which “*avoids urban development outside of existing urban areas or greenfield priority areas for development*”, Objective 6.2.2 which seeks “*consolidation and intensification of urban areas, and avoids unplanned expansion of urban areas*”, Objective 6.2.6 to “*identify and provide for Greater Christchurch’s land requirements for the recovery and growth of business activities in a manner that supports the settlement pattern brought about by Objective 6.2.2*”, and Policy 6.3.1 (4) to “*ensure new urban activities only occur within existing urban areas or identified greenfield priority areas as shown on Map A, unless otherwise expressly provided for in the CRPS*”.
- [7] Policy 6.3.11 in the CRPS identifies the circumstances in which a review of the extent and location of land for development will be undertaken. None of the identified circumstances have triggered the need for a review of the provision for additional land for development.
- [8] A significant amount of housing development capacity is already enabled by the CRPS. The *Our Space 2018-2048 Greater Christchurch Settlement Pattern Update (Our Space)* indicates there is existing capacity for nearly 74,000 dwellings in Greater Christchurch, against a housing target of 86,600, between 2018 to 2048. *Our Space* sets out a proposed approach to meet the projected shortfall, which includes intensification in existing urban areas and the identification of new FDAs in Rolleston, Rangiora and Kaiapoi. These locations have been identified in long-term growth strategies since 2007.
- [9] In July 2021 Change 1 to Chapter 6 of the CRPS was made operative. This amended Map A to identify FDAs to provide additional housing development capacity in Rolleston, Rangiora and Kaiapoi,¹ to support the outcomes of *Our Space*, address the projected shortfall, and ensure the provision of at least sufficient development capacity to meet expected demand for housing and for business land in accordance with NPS-UD requirements. Neither of these processes identified the land subject to PC82 as necessary to meet future growth demands in Greater Christchurch over the 30-year period to 2048.

National Policy Statement on Urban Development 2020

- [10] Environment Canterbury acknowledges that Policy 8 of the National Policy Statement on Urban Development (NPS-UD) requires local authority decisions affecting urban environments to be responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is unanticipated or out-of-sequence plan with planned land release.
- [11] Clause 3.8 requires that local authorities have particular regard to the development capacity provided by the plan change *if* that development capacity: (i) would contribute to

¹ Density scenarios indicate that, at a minimum density of at least 12 households per hectare, the future development areas could collectively provide for over 10,000 homes.

a well-functioning urban environment; and (ii) is well-connected along transport corridors; and (iii) meets the criteria set and included in a regional policy statement, which determine what plan changes will be treated as adding significantly to development capacity.

[12] Environment Canterbury is currently working with local councils to develop criteria to be inserted into the CRPS in relation to determining what plan changes will be treated as adding significantly to development capacity. To assist local authorities the Ministry for the Environment (MfE) released guidance on this matter in September 2020.²

[13] In addition to scale, the MfE guidance identifies ‘the extent to which the proposed development provides for identified demand’ and ‘the yield of the proposal relative to identified future needs’ as factors that should influence an assessment of the significance of a proposal. The 2021 HCA provides an assessment of expected housing demand and the sufficiency of development capacity, to 2051. With the inclusion of the FDAs identified through Change 1 to the CRPS, there is sufficient development capacity (including the required competitiveness margin) within Selwyn, Waimakariri and Christchurch City, to meet expected housing demand over the medium term to 2031 (ref. Table 3). We note further, the HCA does not take account of the additional capacity enabled by Medium Density Residential Standards to be introduced.

[14] In this context, it is questionable that the proposed 1320 lots represents significant development capacity.

[15] The second limb of Policy 8 is that the out-of-sequence development must contribute to a well-functioning urban environment. Policy 1 of the NPS-UD identifies that well-functioning urban environments must, as a minimum:

- a) have or enable a variety of homes that:
 - i. meet the needs. In terms of type, price, and location, of different households; and
 - ii. enable Māori to express their cultural traditions and norms; and
- b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and
- c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and
- d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and
- e) support reductions in greenhouse gas emissions; and
- f) are resilient to the likely current and future effects of climate change.

[16] The provision of development capacity beyond that planned for and required to meet expected demand needs to be balanced with other responsibilities and functions of local authorities (for example Section 30(1)(ba) and (gb) of the RMA) that require the strategic integration and an efficient and effective provision of infrastructure). Unplanned and out of sequence development may support competition in land and development markets but could equally undermine urban form objectives, delay development in growth and urban

² Ministry for the Environment, NPS on Urban Development 2020 – Understanding and implementing responsive planning policies, page 5.

regeneration areas already identified through the CRPS and thereby underutilise the associated supporting infrastructure in these locations, and ultimately undermine the achievement of a well-functioning urban environment.

- [17] To trigger the responsiveness policies in the NPS-UD, a proposed development also needs to be well-connected along transport corridors (ref. clause 3.8 (b)). The MfE guidance on understanding and implementing the responsive planning policies states that ideally the transport corridors should be connected via a range of transport modes or there should be plans for this in the future. At a minimum, the corridors should be designed to allow for a range of modes in the future. The guidance further states that, if possible, people should not need to rely solely on private vehicles to travel within a proposed development, to and/or from other urban areas, or to access essential services like employment, and health or community services.
- [18] The 'well-functioning urban environment' and 'well-connected along transport corridors' criteria signal the importance of considering the location of a proposed development in relation to other areas and amenities, relative accessibility, and transport infrastructure and / or options, when assessing unplanned development proposals such as this proposed plan change.
- [19] The proposed plan change does not give effect to a number of other key objectives and policies in the NPS-UD, including but not limited to:
- Objective 6(a)-(b), that local authority decisions on urban development that affect urban environments are integrated with infrastructure planning and funding decisions, and strategic over the medium and long term.
 - Objective 8(a), that NZ's urban environments support reductions in greenhouse gas emissions.
 - Policy 3, which seeks targeted intensification of existing urban areas. One of the reasons for doing so is to use urban land more productively and efficiently and reduce pressure for urban expansion/sprawl into greenfield areas. PC81 runs counter to the intention of the Resource Management Amendment Act and the NPS-UD, which both seek greater levels of intensification in existing urban areas.
 - Policy 6, which requires particular regard to be given to (a) the planned urban built form anticipated by RMA planning documents that have given effect to the NPS, and (c) the benefits of urban development that are consistent with well-functioning urban environments.

Additional matters

Contaminated land

- [20] CRPS Policy 17.3.1 seeks identification of sites historically or presently used for an activity that could have, or has, resulted in contamination, and where appropriate the verification of the existence and nature of that contamination. CRPS policy 17.3.2 requires a site investigation to be undertaken on potentially contaminated land to determine the nature and extent of contamination prior to new subdivision, use or development to ensure any actual or potential adverse effects of contaminated land can be avoided, remedied, or mitigated.

[21] This site features Hazardous Activities and Industries List (HAIL) activities. The Preliminary Site Investigation recommends that these sites be further investigated and remediated if required, which we support.

[22] We note that the proposal triggers the application of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. The site should be investigated by a Suitably Qualified and Experienced Person. Depending on the results of detailed site investigation, remedial and site validation works may be required.

Flood hazard

[23] We note the applicant has stated that the development will be designed to treat and discharge stormwater on the site, reducing runoff downstream of the development. However, careful design will still be required to ensure that the development does not exacerbate flooding on surrounding properties. Appropriate investigation, design, and construction will be required to ensure the flood hazards on site are adequately mitigated, whilst also managing any off-site effects.

Infrastructure

[24] Policy 6.3.5(2) of the CRPS seeks to ensure that the nature, timing and sequencing of new development is co-ordinated with the development, funding, implementation and operation of transport and other infrastructure.

[25] Other plan change requests in the Rolleston area are currently being processed or assessed by Selwyn District Council for notification. These proposals could collectively yield in excess of 5,000 additional households and could significantly alter the most appropriate infrastructure options to facilitate future development. This further suggests that a strategic planning exercise is required to consider the most appropriate scale, direction and timing of any growth for the township, linked to a coordinated assessment of the available options to overcome identified infrastructure constraints.

[26] In addition, whilst acknowledging the setbacks proposed within the Outline Development Plan, we remain concerned that residential urban development of the subject land could give rise to reverse sensitivity, particularly with regard to the planned expansion of the Rolleston Wastewater Treatment Plant and Rolleston Resource Recovery Park. These facilities comprise important strategic infrastructure for the Selwyn District and Policy 6.3.5 (3) seeks to ensure the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained.

Transport and Public Transport

[27] CRPS Policies 6.3.4 and 6.3.5 seek to ensure an efficient and effective transport network across Greater Christchurch, with Policy 6.3.4 (2) stating:

“providing patterns of development that optimise use of existing network capacity and ensuring that, where possible, new building projects support increased uptake of active and public transport, and provide opportunities for modal choice”.

- [28] Policy 6.3.2 (3) of the CRPS requires “emphasis at a local level placed on walking, cycling and public transport as more sustainable forms of transport”. Policy 6.3.3 (8) requires outline development plans to “demonstrate how effective provision is made for a range of transport options including public transport”.
- [29] The application site is not directly served by regular public transport and there is currently no additional public transport planned to service the site. There is a Metro service that operates from the more central part of Rolleston, but this is not within an acceptable walkable catchment. In addition, the proposed plan change does not provide for any integrated transport options. Development in this location is therefore likely to be dependent on private motor vehicle use.
- [30] The proposed plan change does not meet the above policies, or the wider transport network and land use integration outcomes sought.

Conclusion

- [31] In summary, for the reasons set out above, the proposed plan change does not give effect to policy direction in the CRPS and the strategic sub-regional land use and infrastructure planning framework for Greater Christchurch. The RMA requires that the Selwyn District Plan must give effect to the CRPS. The inclusion of the process provided for by Policy 8 and clause 3.8 of the NPS-UD does not negate the urban growth framework contained in the CRPS and the obligation to give effect to it.
- [32] Environment Canterbury does not consider it has been sufficiently demonstrated that the proposed plan change will contribute to a well-functioning urban environment and that the development is, or will be, well connected.
- [33] Any reassessment regarding the desirability of additional growth around Rolleston is best considered as part of a future spatial planning exercise rather than ad-hoc and individual assessments prompted by private plan change requests. This would ensure that the benefits and implications of urban growth around Rolleston are appropriately weighed against alternative spatial growth scenarios such that sufficient development capacity is enabled at a Greater Christchurch level in a manner that best delivers the outcomes sought by the shared vision established through the Greater Christchurch Partnership (GCP).
- [34] A comprehensive spatial planning exercise has recently been initiated by the GCP as part of an Urban Growth Partnership with the Crown. Through this spatial planning exercise there will be opportunities to strategically consider preferred locations for future urban growth. It is expected that the Greater Christchurch Spatial Plan will fulfil the requirements of the NPS-UD to prepare a future development strategy, as well as integrating the future mass rapid transit and public transport business cases that are currently underway to determine routes and investment requirements to significantly improve the provision of public transport services across Greater Christchurch.

The decision we would like the Council to make is:

Decline the plan change in its entirety.

Without prejudice to the relief sought that the plan change be declined in its entirety, if the plan change is not declined Environment Canterbury seeks changes to the plan change to address issues raised in this submission.

We wish to speak in support of our submission at the hearing on this plan change.

Andrew Parrish

Planning Section Manager

(Authorised under delegation from the Canterbury Regional Council)

Date 09/05/2022