

FTC #50 Application for referred projects under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decisions

Application 2021-040 – Holmes Block Development Application 2021-041 – Skellerup Block Development

Date Submitted:	15 April 2021	Tracking #: 2021-B-07854
Security Level	In-Confidence	MfE Priority: Urgent

	Action sought:	Response by:
To Hon David Parker, Minister for the Environment	Decision on recommendations in Table A	TBA

Actions for Minister's Office Staff	Return the signed briefing to MfE Send attached letters and accompanying information (if agreed and signed)
Number of attachments: 2	Attachments: 1. Letters from the Minister for the Environment to relevant Ministers of the Crown 2. Copy of application and supporting information – to send with letters to Ministers

Ministry for the Environment contacts

Position	Name	Cell phone	1 st contact
Principal Author	Md Arif Hasan		
Responsible Manager	Rebecca Perrett (Acting)	s 9(2)(a)	✓
Director	Sara Clarke (Acting)	s 9(2)(a)	

FTC #50 Application for referred projects under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decisions

Key Messages

1. We seek your initial decisions on two applications for referral to an expert consenting panel (a panel) under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) from Rolleston West Residential Limited, for the following projects:
 - a. Holmes Block Development
 - b. Skellerup Block Development.
2. Both projects are for subdivision and development of land located at Dunns Crossing Road, Rolleston, Canterbury, as follows:
 - a. Holmes Block Development: subdivision of an 87.5 hectare site to create approximately 709 lots, 20 large lots (to subdivide at a later stage for comprehensive development of 343 residential units) and construction of approximately 1,052 residential units and a local centre
 - b. Skellerup Block Development: subdivision of a 73 hectare site to create approximately 571 lots, 21 large lots (to subdivide at a later stage for comprehensive development of 390 residential units) and construction of approximately 961 residential units and a local centre.
3. The projects both involve the following activities: subdivision of land, earthworks (including bulk earthworks), discharges associated with the earthworks, landscaping (including plantings), construction of three water services, roading, walkways and other transport infrastructure, and construction of residential units and local centres.
4. The applicant advises that both projects require resource consents for land use and subdivision under the Selwyn District Plan but has not identified any likely further resource consents requirements under the proposed Selwyn District Plan or the Canterbury Land and Water Regional Plan.
5. We have undertaken an initial (Stage 1) analysis of the applications and this is presented along with our recommendations in Table A.
6. Rolleston is an area of Greater Christchurch experiencing high levels of housing growth and a projected land supply shortage. Chapter 6 of the Canterbury Regional Policy Statement (CRPS) currently limits the ability for Selwyn District Council to rezone additional land in Rolleston for housing. Proposed Change 1 to Chapter 6 of the CRPS, which has been prepared under the Streamlined Planning Process (SPP)¹, aims to recognise Future Development Areas (FDAs) within Greater Christchurch.
7. The project sites are not identified as Future Development Areas under Proposed Change 1 to Chapter 6 of the CRPS. The applicant's parent company submitted on Proposed Change 1 to Chapter 6 of the CRPS, seeking inclusion of both project sites in Map A which identifies FDAs.
8. Environment Canterbury's written recommendations report on Proposed Change 1 to Chapter 6 concluded that adding additional FDAs was outside the scope of the proposed CRPS change which is a targeted response to the National Policy Statement on Urban

¹ A process under Subpart 5 and Part 5 of Schedule 1 of the Resource Management Act 1991, through a direction of the responsible Minister, to prepare a planning instrument to achieve an expeditious planning process.

Development (NPS-UD). The recommendations report notes that this proposed change is the first of a series of measures to progressively implement the policy direction in the NPS-UD. The Greater Christchurch settlement pattern is being reviewed and a Spatial Plan prepared to consider where future housing and business needs for Greater Christchurch should be met. This further strategic work is intended to inform a further review of the CRPS.

9. In 2011 private plan changes to the Selwyn District Plan amended the zoning of the two blocks subject to the current referral application from the Rural Outer Plains to the Living 3 Zone and enabled low density rural residential development on each site. These plan changes also introduced Outline Development Plans which set minimum lot sizes and influence low density dwelling yield to maintain rural character. No development of these sites has occurred since these plan changes became operative.
10. The applicant recently lodged a private plan change (PPC73) to the Selwyn District Plan to amend the zoning of both sites from Living 3 to Living Z to enable higher density residential development and Business 1 (Local Centre) to provide for local centres. The applicant says that this increased intensification is needed to make development of the sites viable. PPC73 was publicly notified on 31 March 2021 and submissions to the plan change close on 3 May 2021.
11. Both projects meet all the eligibility criteria in section 18 of the FTCA, but more analysis is needed to advise you on matters in section 23(5) which may influence your referral decision. A key issue is the appropriateness of referring these projects under the FTCA given that the proposed development intensity does not align with existing or proposed CRPS policy or policy within the Selwyn District Plan or Proposed Selwyn District Plan.
12. PPC73 may result in policy changes to the Selwyn District Plan which enable increased residential intensification of the project sites. However, as noted above the recommendations report for Proposed Change 1 to Chapter 6 of the CRPS does not support submissions seeking policy changes to enable district plan changes for more intensive residential development of the project sites. We understand that a briefing note will be prepared on Proposed Change 1 to Chapter 6 of the CRPS SPP process for your consideration in mid to late May 2021 and that the next stage for PPC73 will be the submission analysis process. Therefore, neither of these planning processes are likely to be concluded by the time a Stage 2 briefing is prepared for these projects.
13. There is no requirement under the FTCA for you to delay decision making on these projects until the outcome of other planning processes is known or for you to decline projects based on lack of alignment with regional or district planning policy. If you agree to progress the referral applications to Stage 2 of our analysis, comments from relevant Ministers, local authorities and other parties such as Greater Christchurch partnership will provide valuable input to inform your consideration of the appropriateness of referring these projects under the FTCA given the lack of alignment with the CRPS and district planning policy. Our Stage 2 briefing will also inform you of any developments with Proposed Change 1 to Chapter 6 of the CRPS and PPC73 (including submissions) and implications for these projects.
14. We therefore recommend you progress both applications to the next stage of analysis (Stage 2) as the projects have the potential to meet the purpose of the FTCA despite the noted planning issues. We recommend that you invite comments from:
 - a. Ministers listed in section 21(6) of the FTCA
 - b. Selwyn District Council
 - c. Environment Canterbury

- d. Greater Christchurch Partnership², and the following individual GCP partners (additional to those named above):
- i. Te Rūnanga o Ngāi Tahu
 - ii. Christchurch City Council
 - iii. Waimakariri District Council
 - iv. Canterbury District Health Board
 - v. Waka Kotahi NZ Transport Agency
15. We recommend that you invite the individual GCP partners to comment on the application to refer the projects in addition to their representative body as there may be a wide range of views from different partners and the timeframes may limit opportunities for a coordinated response from partners.
16. We also recommend seeking specific feedback from local authorities and other GCP partners on the appropriateness of using the FTCA for these projects given the existing and proposed regional and district planning policy for these sites do not provide for this level of residential intensification, and on the need for roading upgrades.
17. We also recommend you request further information from the applicant, as detailed in Table A.

Statutory Framework Summary

18. You are the sole decision maker for referral of both projects as they will not occur in the coastal marine area.
19. You may decline the referral applications before seeking comments from the relevant local authorities and any relevant Ministers:
- a. if you are satisfied that these projects do not meet referral criteria in section 18 of the FTCA, (which include you being satisfied these projects meet the purpose of the FTCA) (see sections 18(2) and 23(1) of the FTCA)
 - b. for any other reason (see section 23(2) of the FTCA).
20. If you do not decline the referral applications at this stage, section 21 of the FTCA:
- a. requires you to provide these applications to, and invite comments from, the relevant local authorities and the relevant Ministers
 - b. permits you to provide these applications to and invite comments from any other person.
21. You are also able to request further information from the applicant or any relevant local authority at any time before you decide to decline or accept the referral applications (see section 22 of the FTCA).

² The Greater Christchurch Partnership partners are Environment Canterbury, Te Rūnanga o Ngāi Tahu, Canterbury District Health Board, Christchurch City Council, Waimakariri District Council, Selwyn District Council and Waka Kotahi NZ Transport Agency.

Action Sought

22. Please indicate your decisions on the recommendations listed in Table A.

Signature



Rebecca Perrett
Manager – Fast Track Consenting

Released under the provision of
the Official Information Act 1982

Projects to progress

[illegible]

Project description	Projects details	Project funding	Is Project eligible for referral? [section 18(3)]	Will the Project help to achieve the purpose of the FTCA? [section 18(2)]						Recommendations	Minister's decisions
				Economic benefits and costs for people or industries affected by COVID-19 [section 19(a)]	Effect on social and cultural wellbeing of current and future generations [section 19(b)]	Likelihood the Project will progress faster under the FTCA than would otherwise be the case [section 19(c)]	Public benefit [section 19(d)]	Potential for significant adverse environmental effects, including greenhouse gas emissions [section 19(e)]	Any other relevant matters [section 19(f)]		
		and the Holiday Inn Melbourne on Flinders <ul style="list-style-type: none">Regents Park and Hyde Park developments in Christchurch.						effects and appropriate mitigation should the Project be referred.		<p>for this Project given the existing and proposed regional and district planning policy for this site does not provide for this level of residential intensification, and the need for roading upgrades</p> <p>h. Agree to seek further information from the applicant on the requirements for consents under the Canterbury Land and Water Regional Plan and the Proposed Selwyn District Plan</p> <p>i. Sign the attached letters to Ministers listed in section 21(6) of the FTCA</p> <p>j. Note that while awaiting these comments and further information, the Ministry for the Environment will, in consultation with the Office of Māori Crown Relations – Te Arawhiti, prepare a report for the purpose of section 17 of the FTCA.</p>	<p>Yes/No</p> <p>Yes/No</p>
<p>Project name</p> <p>Skellerup Block Development</p> <p>Applicant</p> <p>Rolleston West Residential Limited</p> <p>Location</p> <p>Dunns Crossing Road, Rolleston</p> <p>Legal description</p> <p>Part Rural Section 31354, Part Rural Section 31356 and Part Section 4 Reserve 1342</p>	<p>The Project will involve activities such as:</p> <p>a. subdivide land to:</p> <ul style="list-style-type: none">create approximately 571 lotscreate approximately 21 large lots (to subdivide at a later stage for comprehensive development of 390 residential units) <p>b. earthworks (including bulk earthworks)</p> <p>c. discharges associated with earthworks</p> <p>d. landscaping (including plantings)</p> <p>e. construction of roading, walkways, and other transport infrastructure</p>	<p>The applicant notes that Rolleston West Residential Limited (the Applicant) is a subsidiary of Carter Group Limited. However, according to the companies register website Rolleston West Residential Limited is a subsidiary of Leo Investments Limited and Michael Joseph Ryan and Philip Maurice Carter.</p> <p>The applicant confirms that the Project will be self-funded.</p> <p>The applicant listed some of</p>	<p>Based on available information at this stage, we consider the Project does not:</p> <ul style="list-style-type: none">include any prohibited activitiesinclude land returned under a Treaty settlementoccur in a customary marine title area or protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011. <p>The current rural residential zoning does not prohibit</p>	<p>The applicant estimates that the Project will provide:</p> <ul style="list-style-type: none">approximately 806 direct full-time equivalent (FTE) jobs will be created per annum over a 5-year planning and construction periodthe delivery of the Project will inject a total of \$92.6 million to the construction industry which has been affected by COVID-19.	<p>The Project will provide for the social wellbeing of current and future generations as it will:</p> <ul style="list-style-type: none">provide an additional housing supply in an area that has been rapidly growing and has a projected housing capacity shortfall in the medium termprovide a diverse range of housing types which is likely to increase housing affordabilitydeliver greenspace, supporting infrastructure and a local centre, which will facilitate community connection and provide opportunity for physical activities.	<p>The applicant considers that the FTCA will allow the Project to progress about 15 months faster than under standard RMA processes, due to the likelihood of notification and appeals under standard process.</p> <p>We recommend seeking feedback from relevant local authorities on the use of the FTCA or standard RMA processes.</p>	<p>Based on the information provided we consider the Project may result in the following public benefits:</p> <ul style="list-style-type: none">generating employment over a 5 year planning and construction periodincreasing housing supply in an area with a housing capacity shortfallproviding infrastructure to facilitate community connection and physical activities.	<p>The Project has the potential for adverse environmental effects including:</p> <ul style="list-style-type: none">expanding the Rolleston town centre outside the existing zoned urban area and the Future Development Areas identified in Proposed Change 1 to Chapter 6 of the CRPSdust, traffic and other temporary construction effectsreverse sensitivity effects on the Pines Wastewater Treatment Plant and Pines Resource Recovery Parkpotential transport emissions	<p>A key issue requiring further analysis is the appropriateness of referring these Projects under the FTCA given that they are not identified as Future Development Areas in existing planning policy, Proposed Change 1 to Chapter 6 of the CRPS, or the operative or proposed Selwyn District Plans.</p> <p>The applicant has lodged a private plan change request to the Selwyn District Plan (Plan Change 73) seeking to rezone the sites from Living 3 (rural residential) to Living Z (higher density residential) and Business 1 (Local Centre). This plan change was publicly notified on 31 March</p>	<p>a. Note that section 23(3) of the FTCA permits you to decline the application for referral without inviting comments on an application from the relevant local authorities and any relevant Ministers</p> <p>b. Note that the application has not been provided to or had any comments sought from relevant local authorities or relevant Ministers and that you are required to do so if you do not decline the application under section 23(3) of the FTCA</p> <p>c. Note that section 21(3) of the FTCA permits you to forward an application to, and invite written comments from, any other person</p> <p>d. Note that section 22 of the FTCA permits you to request further information from the applicant at any time before you decide whether to accept or decline an application</p> <p>e. Agree to progress the Skellerup Block Development to our Stage 2 analysis. The Project warrants further analysis because it has potential to</p>	<p>Yes/No</p>

