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Submission to Selwyn District Council On: The Draft Rural Residential Strategy

Date: 27th February 2014

Client: Denwood Trustee Ltd

Prepared by: Anna Mackenzie

Date: 27/02/14

Reviewed by: Fiona Aston

Date: 27/02/14

SUBMISSION ON SELWYN DISTRICT COUNCILS DRAFT RURAL RESIDENTIAL STRATEGY

To Selwyn District Council, submissions@selwyn.govt.nz
Attention: Craig Friedel, Strategy and Policy Planner

Full Name of Submitter: Denwoods Trustee Ltd

This is a submission on the Draft Rural Residential Strategy ('RRS')

1. The specific provisions of the RRS that our submission relates to are:

Denwoods Trustee Ltd support in part applies to the whole of the Rural Residential Strategy (RRS), and in particular the identification of the Denwood site as a preliminary rural residential location (Area 5, Lincoln). The Trust's support of the Draft RRS is subject to the comments and relief sought below.

2. Our submission in SUPPORT IN PART is:

Denwoods Trustee Ltd support in part applies to the whole of the Rural Residential Strategy (RRS), and in particular the identification of the Denwood site as a preliminary rural residential location (Area 5, Lincoln). The Trust's support of the Draft RRS is subject to the comments and relief sought, and reasons, set out below.

Submitter

Denwoods Trustee Ltd ('Denwood') owns the land contained in the Area 5 (Lincoln) preliminary residential location (54.7 ha) included in the Draft Rural Residential Strategy ('RRS').

The total land area owned by Denwoods Trustees on the west side of Springs Road, Lincoln is 82.3776 ha. It comprises a total of four titles and is currently farmed principally for market gardening and cropping purposes. There is one existing dwelling on the property.

The part of the Denwood property not included in Area 5 (approximately 27 ha) has frontage to Springs Road and is zoned partly Living Z and partly Business 2B. This zoning has occurred under the SDC Plan Change 7 and LURP planning processes.

Background

A Plan Change request has been lodged (PC28) for the rezoning of Area 5 to Living 3, to enable rural residential development to occur. PC28 was publicly notified in December 2012. 7 submissions have been received on PC28 which are summarised in Appendix C to this submission.

The original plan change request lodged in 2011 was to rezone a larger part of the entire Denwood property for rural residential purposes, including the land now zoned LZ. Subsequent plan changes to regional and district planning documents have occurred since the application was lodged (including Chapter 12 A of the Canterbury Regional Policy Statement ('RPS'), Plan Changes 7, 17(withdrawn) and 32 to the District Plan, the Rural Residential Background Report, the Land Use Recovery Plan (LURP) amendments and directions including Chapter 6 of the RPS, and the subsequent current process for the Rural Residential Strategy (RRS)). This resulted in changes to the specific details of PC28, including reducing its area to the now proposed 57.7ha, and changing the rezoning requested to the now proposed Living 3 zoning. Development is to be in accordance with an Outline Development Plan which identifies different 'development areas' within the site with minimum average lot sizes ranging from 3000m² to 6000m². Notified PC28 is outlined in full on the Council's web site - <http://www.selwyn.govt.nz/services/planning/plan-changes/plan-change-28-denwood-trustees/pc28-denwood-trustees>.

Amendments to PC28

In response to consultation with SDC Council officers and their advisors (Andrew Craig, landscape architect), amendments have been made to the PC28 ODP, as set out in Appendix D. The amended ODP has a more organic, 'random' form and greater mix and range of lot sizes. The maximum total number of lots has been reduced to from 115 to 110.

Larger 1 ha lots are proposed in the middle area and generally smaller lots on the periphery and adjoining the LZ and B2B open space buffers, where an open/rural outlook can be enjoyed towards adjoining rural or open space areas. This addresses a concern raised that lots in the central area would not have the degree of ruralness or open outlook envisaged for rural residential lots; and the advice that smaller lots on the boundary with adjoining rural land was appropriate due the outlook obtainable to adjoining rural land. SDC and their advisors have confirmed that they support the amended ODP in principle (see Appendix I 'Consultation with SDC').

Notified PC28 includes minimum average lots sizes of 4000m² in the central area, with a sense of openness to be retained for individual lots by a number of mechanisms including minimum 15m front and internal boundaries. (i.e. for boundaries not shared with the road reserve) which combines to effectively form two 30m wide strips running east west and provides an open natural outlook to largely open space from these 'central/internal' lots. Larger minimum 6000m² lots were proposed on the south boundary (and a 10m treed landscape strip and 40m minimum dwelling setback). The treed buffer was proposed as comprising large scale rural trees planting at 10m spacing's in a staggered row. Andrew Craig supports the treed buffer but considers the larger minimum lot size is not necessary as there is always a change in landscape character at the rural/urban interface which is an acceptable landscape outcome.

As a result of the amended ODP and in response to the Te Taumutu runanga submission seeking greater use of native planting within the subdivision, the southern treed buffer has been amended to a 5m wide shelterbelt of totara trees. These are moderately fast growing and should reach 6-7m height in 10 years. They will:-

- Provide a substantial, robust, evergreen buffer between the site and OP Zone and general area to the south of the site.
- Provide for increased native plant species, biodiversity and habitat in an area where there is presently none.
- Provide an enduring shelter to residents in the L3 Zone from cold south-westerly winds.

SDC officers also considered that some of the detailed design rules were not necessary. Amendments to the PC28 (see Appendix E) remove rules those SDC consider to be unnecessary; and references to Chapter 12A of the Canterbury Regional Policy Statement ('RPS') which has been replaced by the Land Use Recovery Plan ('LURP').

RRS Assessment of Area 5

Denwood supports the identification of the Denwood site as a preliminary rural residential location, and seeks that it be confirmed as a definite location in the final RRS adopted by the Council.

Denwood agrees in general terms with the description of the site and the assessment of its suitability for rural residential purposes, subject to the proposed changes to the wording of paragraph 6.67 (pp 62 – 64 Draft RRS) as set out in Appendix A. These changes establish that all the matters referred to as requiring further assessment through a plan change have been adequately addressed through PC28 and/or the assessment of submissions on PC28 included with this submission.

Assessment of Area 5 Against RRS Location Criteria for Rural Residential Development (Appendix 1)

Denwood agrees with the RRS assessment that its site (Area 5) is consistent with the Draft RRS rural residential location criteria as set out in Appendix 1 of the RRS. Further more specific assessment of the proposal against these criteria is contained in Appendix B, to demonstrate how the criteria apply in light of the proposed provisions of Plan Change 28.

The Draft RRS (paragraph 6.2) sets out five pre-requisites to be met by sites nominated as rural residential locations. Denwood agrees with the RRS that Area 5 meets all of these. It confirms that as landowner, it has aspirations to rezone the land. This clearly evident by the fact that it has proceed with privately initiated Plan Change 28 seeking rezoning of its land to L3. Given the site's single ownership, Council can have the confidence that the site will be developed in a comprehensive and integrated manner, including with the B2A and LZ land adjoining the site to the east. The ODPs for the proposed L3 land included in PC28 and the approved ODPs contained in the District Plan for the adjoining LZ and B2B land provides further certainty in this regard.

Assessment Against Land Use Recovery Plan (LURP)

The gazetted LURP includes Chapter 6 of the Regional Policy Statement (which replaces C12A of the RPS). This includes Policy 6.3.9 Rural Residential. Future rural residential areas can only be provided for where in accordance with an adopted Rural Residential Development Strategy and subject to meeting criteria specified in Policy 6.3.9. The Draft

RRS includes the listed criteria in Appendix 1 (Rural Residential Location Criteria). Area 5 meets all of these criteria as set out in the assessment contained in Appendix B.

The Land Use Recovery Plan sets out (page 25) that limited rural residential development will be provided for to allow a range of choices of housing types for those needing to relocate, but without creating an inefficient use of land or infrastructure, and to protect future urban expansion, and avoid reverse sensitivity effects with rural land. Use of the Denwood site for rural residential development has been demonstrated through PC28 and this submission, as appropriate and desirable, and to be an efficient use of land and infrastructure which does not limit future urban growth and is unlikely to be developed for full urban development, and does not create adverse effects with surrounding rural land. Appendix C contains a comprehensive discussion of some of these issues in the context of the submissions lodged to PC28, and that appendix should be read as forming part of this submission.

Task 18: Selwyn District Council of the LURP requires SDC to amend its district plan to the extent necessary to include zoning and outline development plans in accordance with chapter 6 of the Regional Policy Statement for the following greenfield priority areas shown on map A, appendix 1:

'viii. Implementation of SDC rural residential development strategy.

Details of any changes and variations to be provided to the Minister for Canterbury Earthquake Recovery within 6 months of Gazettal of this Recovery Plan for the Minister to determine any public process required to give effect to those amendments.'

Denwood requests that SDC recommends to the Minister of Earthquake Recovery that PC28 be made operative immediately under the provisions of the CER Act with no further public process required.

The RRS hearing process is sufficient to consider the merits of the rezoning proposal and to ensure that all matters raised in submissions on PC28 are appropriately addressed. There is an urgent need for additional rural residential sections to provide for earthquake recovery housing needs which need to cover the full spectrum of housing types as identified in Appendix 11 of PC28.

There has been extensive consultation regarding the future development of Lincoln Township and adjoining land, including the subject site as outlined below. This has ensured that consideration of the development of this site has been well canvassed by the public, and specific concerns raised and addressed. It is considered that no further consultation is required.

Submissions/Consultation

The proposal to rezone this site (Area 5) to rural residential has been the subject of extensive consultation in recent years including the submissions made by Denwoods Trustees on Proposed Chapter 1 of the Canterbury Regional Policy Statement (now operative Chapter 6 as included in the Land Use Recovery Plan); the Background Rural

Residential Report; PC17; P32; and PC28 (private plan change request to rezone the land to L3). This has enabled the public to have extensive opinion on the matters raised within the proposed rezoning, including the current consultation on the Draft RRS which specifically looks at the site as a location for rural residential development adjoining Lincoln township. Submissions relating to the privately initiated Plan Change 28 have been received with a total of 7 submissions received. A discussion on each of the submissions, and the measures undertaken by Denwood to resolve these issues is attached in Appendix C

Relief Sought

That SDC adopt the Draft RRS as the approved RRS subject to:

- The amendments set out in Appendix A;
- Amendments to RRS Maps 5 and 26 as set out in Appendix F which delete the intensive farming site and buffer west of the Area 5 as there is no current or approved intensive farming activity on this land.
- That in relation to Task 18 of the LURP, SDC recommends to the Minister of Earthquake Recovery that PC28 be made operative immediately under the provisions of the CER Act with no further public process required.

Conclusion

Denwood considers that Area 5 of the Draft RRS, as proposed to be developed in accordance with PC28, is a suitable area for rural residential development on the edge of Lincoln. This site is an appropriate location at the south western edge of the Township and will achieve appropriate consolidation with the Township. The site can be serviced with reticulated services without putting undue pressure on existing systems, and will provide appropriate sections to meet the market demand. The site meets the criteria of the RRS, and is appropriate in the context of the provisions of LURP, and the Lincoln Structure Plan.

3. **We do wish to be heard in support of our submission.**
4. **If others make a similar submission, we will consider presenting a joint case with them at a hearing.**

5. Signed:..........27 February 2014

6. Address for service of submitter:

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Appendix A – Proposed amended wording for RRS Section 6 ‘Rural residential area assessment’

Note: proposed changes have been made with insertions identified with an underline and **bold** and deletions identified with a ~~strikethrough~~

Paragraph 6.1-2

6.1 The following rural residential areas have been identified by Council **as suitable locations for rural residential development.** ~~on a preliminary basis as a starting point to inform the consultation and comments phase of the Rural Residential Strategy process.~~

6.2 The preliminary **identified rural residential** locations satisfy the following pre-requisites:

Paragraph 6.67:

Sub-regional guidance – LURP/Chapter 6 to the CRPS

- The land holding is outside the Township boundary, but adjoins the Living Z and Business 2B zones that ensure the rural residential node is consolidated with the existing Township. This spatial proximity also assists in preserving the open space character between Lincoln and Christchurch City.
- Avoids the majority **all** of the sub-regional constraints outlined in Policy 6.3.9 of Chapter 6 of CRPS.
- Adjoins the Living Z and Business 2B zones, ensuring the site can be economically provided with reticulated water and wastewater.
- Stormwater management will be an important aspect of any redevelopment of the land holding given the high groundwater table, with specific treatment and disposal methods having been proposed through PC 28. There are no springs or natural waterways within the site, but there are several drains servicing the property and wider area.
- A submission lodged by Lincoln University in support of PC 28 resolves any potentially adverse effects the development of the site to rural residential densities may present this nationally important facility. ~~The consideration of PC 28 will also need to determine the appropriateness of rezoning land within the Rural Outer Plains zone, which is valued for its rural productive capacity and the potential loss of Class II versatile soils. Part of~~ **Part of Area 5 comprises Class 2 versatile soils. The current farming operation includes the 27ha of land now zoned LZ and B2B. Farming of the balance PC28 land will be impractical as access will be via the LZ and B2B land, and there will be potential for reverse sensitivity issues (however, buffers between the zones are proposed).**
- Avoids any identified Significant Natural Areas, designated sites or any other strategic infrastructure.

Rural residential form, function and character

- The sites location adjacent to the Township boundary, including Lincoln University to the north and the Te Whariki subdivision to the east, reduces the potential for

adverse reverse sensitivity effects, unconsolidated peri-urban sprawl and the urban form of Lincoln coalescing with Tai Tapu, Rolleston or Prebbleton. **Strong definitive boundaries along the southern and western boundaries have been proposed as part of PC28 through the use of buffers which will be landscaped to provide definition while maintaining rural outlook. The site forms a 'southern wrap' to the township of Lincoln, with the western boundary defined by an existing waterway, to be enhanced with riparian planting, the northern boundary adjoining Lincoln University, the southern boundary defined by a treed 5m landscape buffer, and the eastern boundary defined by landscaped buffers adjoining LZ and B2B zoning.** However, strong definitive boundaries to preclude additional peri-urban development to the west and south will need to be established through the PC 28 process.

- The risk of ribbon development occurring along Springs Road is reduced as the existing Living Z and Business 2B zones front this road.
- The location is not an obvious future residential growth path identified in the Lincoln Structure Plan, which is constrained by the Crown Research Institutes and Lincoln University to the west and north and natural constraints to the east and south.

Landscape values

- **PC28 proposes a maximum of 110 rural residential lots. Development is to be in accordance with an ODP based on a layout which will ensure a rural/open space character for all lots. This includes larger 1 ha lots in the central area and generally smaller lots on the periphery and adjoining the LZ and B2B open space buffers, where an open/rural outlook can be enjoyed towards adjoining open space, as well as within the sites.** The development block represents a large development node, where significant numbers of households may collectively undermine the ability of the resulting development to meet land owner expectations or a rural residential lifestyle.
- PC 28 includes layouts, interface treatments and development controls to avoid any potentially adverse visual and amenity effects and achieve the necessary degree of 'ruralness' and 'rural residential character'.
- The substantive merits of the rezoning and any related effects, have been will need to be considered under the **Rural Residential Strategy and PC28** plan change processes.

Lincoln environs study area guidance

- The sites location adjacent to the Township boundary supports a rural residential node that is able to integrate with the existing settlement pattern.
- There is an opportunity to secure safe and efficient vehicle, pedestrian and cycle access to the Town centre via the road network, green space corridors and reserves are available as the site adjoins Lincoln University and the Te Whariki subdivision.
- Preliminary Area 5 is approximately 2.5km to the Town centre via Springs Road and Edwards Street, which will be reduced further once connections within the Te Whariki subdivision are completed.
- This proximity presents an opportunity to achieve strong connections between the proposed rural residential node and Lincoln, including the necessary access to

education facilities, shopping centre's, employment opportunities, community facilities, public transport connections and other services.

- The site is not subject to any identified natural hazards, Significant Natural Areas, potentially contaminated sites, Protected Trees, cultural sites, heritage sites or sites of ecological value and there are no significant servicing constraints.
- A number of constraints potentially impact on the viability of the site to accommodate rural residential densities, including the high groundwater table, drainage issues and the presence of springs. These constraints have been identified in PC 28 **which establishes** ~~will be assessed through the private plan change process~~ **that these constraints are able to be remedied or mitigated with effects which will be no more than minor.**
- ~~Additional site specific assessments will be required to confirm the presence of any potentially contaminated soils associated with the historic farm use. In addition, geotechnical investigations will also be required to establish the lands susceptibility to liquefaction and lateral spread during large earthquake events.~~ **PC28 includes a preliminary site investigation with respect to potential site contamination. The report considers that any issues relating to areas of potential contamination identified in the report can be managed to enable the site to be used for rural residential purposes**

Appendix B – Assessment Against RRS criteria for Lincoln

Rural Residential Strategy (2013) Location Criteria (reproduced)

The criteria are categorised into the following three groups:

C = The critical outcomes required to achieve the goals of the UDS and Appendix 1 of the Land Use Recovery Plan - Chapter 6 of the CRPS

SS = Site specific issues that require detailed assessments and contextual analysis to determine how any identified potentially adverse effects could be avoided, remedied or mitigated

NA = Matters that do not apply to certain geographic locations within the UDS area of the District

Generic Criteria	Lincoln	Proposed Site
Chapter 6 of the CRPS (LURP)		
Located outside the identified priority areas for development and existing urban areas	C	The site is located outside the Township boundary.
Located so that it can be economically provided with reticulated sewer and water supply integrated with a publicly owned system, and appropriate stormwater treatment and disposal	C	The site is located adjoining a Living z and Business 2B zone, ensuring it can economically be provided with reticulated services for water and waste water. The PC28 application includes detailed information, including technical reports, on proposed servicing of Area 5. The PC28 ODP shows an indicative stormwater management area and location of reticulated services and a proposed sewer pump station.
Access provided to a sealed road but not directly to Strategic and Arterial Roads (as identified in the District Plan), and State Highways	SS	The proposal includes new local roads to provide for access to individual lots.
Avoid noise sensitivity activities occurring within the 50 dBA Ldn air noise contour so as not to compromise the efficient operation of the Christchurch International Airport, or the health, well-being and amenity of people	NA	This criteria does not apply to this site.
Avoid the groundwater recharge zone for Christchurch City's drinking water	NA	This criteria does not apply to this site.

Avoid land required to protect the landscape character of the Port Hills	NA	This criteria does not apply to this site.
Not compromise the operational capacity of the West Melton Military Training Area or Burnham Military Camp	NA	This criteria does not apply to this site.
Support existing or upgraded community infrastructure and provide for good access to emergency services	C	The proposal includes an ODP which provides for a movement network to ensure access to emergency services is not limited. Options for future road connections to the B2B land and Ellesmere Junction Road via Lincoln University are shown, to maximise potential connectivity with existing and proposed roads and alternative access points to Area 5. The proposal is within 2.5km of Lincoln Township centre via Springs Road and Edwards Road, ensuring access to community infrastructure. It is 1.2km from the Gerald Street supermarket. As noted in the RRS these distances will be reduced further once connections within the Te Whariki subdivision (opposite on the east side of Springs Road) are completed; and this proximity presents an opportunity to achieve strong connections between the proposed rural residential node and Lincoln, including the necessary access to education facilities, shopping centre's, employment opportunities, community facilities, public transport connections and other services.
Not give rise to significant adverse reverse sensitivity effects with adjacent rural activities, including quarrying and agricultural research farms, or strategic infrastructure	SS	Lincoln University submitted on PC28 in support. Appropriate design and boundary treatments ensure that reverse sensitivity with other rural activities to the west and south do not arise, including proposed 1.8m high fencing along the boundary with Lincoln university and a further 5m high shelter belt along the Denwoods side of this fence). Potential reverse sensitivity concerns have been raised in the submission by Rockbrook Trust on PC28, and are discussed in the assessment of submissions (Appendix C and are not considered to be significant).

Avoid significant natural hazard areas, including steep or unstable land	Na	This criteria does not apply to this site.
Avoid significant adverse ecological effects	SS	The site does not contain any identified Significant Natural Areas.
Not significantly adversely affect ancestral land, water, sites, wahi tapu and wahi taonga to Ngai Tahu	SS	There are no identified cultural features on the site.
Avoid adverse effects on existing surface water quality	SS	PC 28 includes specific design for stormwater treatment and retention via wetlands, to ensure that there are no adverse effects on existing surface water quality, noting that the proposal includes the discharge to an existing drain which discharges into natural waterways.
Integrate into, or consolidate with, existing settlements	C	The site adjoins existing B2A and LZ zoned land and consolidates and integrates with the existing Township of Lincoln. It forms an appropriate southern 'wrap' to the township and its associated facilities."
Development site supports the development of an ODP and is not seen as a transition to full residential forms of development	C	The RRS (paragraph 5.27) seeks that rural residential developments <i>"retain an appropriate urban/rural interface edge on the periphery of Townships – rural residential development should not be a transition to higher more urban development, with definitive boundaries making urban areas more distinct from rural environments."</i> Notified PC28 includes a proposed ODP, which provides for average allotment sizes in different sub areas ranging from 3000m² to 6000m² and a maximum of 115 lots. An amended ODP now proposes a maximum of 110 lots. Living 3 zoning for this area will ensure that the site is not a transition to full residential forms of development. Specific boundary treatments incorporated into the ODPs for PC28 and the adjoining LZ and B2B zones to the east will ensure a clear separation between these proposed urban developments and the proposed rural residential development. A 50m open space buffer is required between the L3 and B2B zones, comprising a 15m wide landscape strip and acoustic mound and minimum 35m building setback within private L3 zones lots adjoining the landscape strip; and a 30m landscape strip is required between the L3 and LZ zones.
Rural residential form, function and character		

Avoid locations that are obvious residential growth paths	C	As stated in the RRS (paragraph 6.68) the site is not an obvious future residential growth path identified in the Lincoln Structure Plan, which is constrained by the Crown Research Institutes and Lincoln University to the west and north and natural constraints to the east and south.
Support locations that directly adjoin and are able to consolidate with Townships and residential Priority areas to support the provision of economically viable infrastructure and to promote social cohesion and ready access to recreational, employment and other services established within Townships	C	The site is located adjoining a LZ and B2A zone and will consolidate the existing Lincoln township, creating an appropriate 'southern wrap' to its urban form. The site is readily accessible to the existing town centre and the Gerald Street supermarket, with even more direct routes possible as the living zoned development on the opposite side of Springston Road continues to develop. The site has strong discernible boundaries which will ensure that future development beyond this site is not practical.
Support locations that can sustain a mixture of housing densities ranging from 0.3ha to 2ha in size whilst achieving an overall density of 1 to 2 hh/ha, but where the overall area supports sustainable enclaves in respect to the overall number of households to enable the anticipated rural residential form, function and character to be achieved	SS	The notified PC28 ODP proposed three distinct density areas within the development i.e. smaller 3000m² average lot sizes to the north, west and east; medium average 4000m² lot sizes within the central area; and larger 6000m² lots to the south, adjoining the Outer Plains Rural Zone. The maximum number of lots was 115. In response to discussions with Council planning staff and their landscape advisor, a revised ODP has been prepared (see Appendix D). The revised ODP has a more organic, 'random' form and greater mix and range of lot sizes. This includes larger 1 ha lots in the middle area and generally smaller lots on the periphery and adjoining the LZ and B2B open space buffers, where an open/rural outlook can be enjoyed towards adjoining open space, as well as within the sites. The maximum number of lots has been reduced to 110.
Avoid locations that may compromise the quality of ecosystems or indigenous biodiversity and ensure that rural residential areas do not adversely affect ancestral land, water, and the Wahi Tapu and Wahi	SS	The proposal site has a moderately high water table (but not as high as other parts of the township included the Te Whariki development to the east). PC 28 proposes wetlands to act as the treatment and retention of stormwater for this site, to ensure that there are no adverse effects

Taonga of Te Rununga o Ngai Tahu and Te Taumutu Rununga. These include the need to protect and enhance rivers, streams, groundwater, wetlands and springs within the catchment of Lake Ellesmere/Te Waihora, springs and any associated mahinga kai sites.		beyond the boundary of the site, and to ensure the protection of waterways and importantly Lake Ellesmere. There are no springs within the site.
Support locations that utilise existing road layouts and physical features as buffers and definitive boundaries between urban and rural residential activities to limit peri-urban sprawl	SS	Landsaped open spaces are required on the relevant ODPs for the PC28 L3 zone and the adjoining LZ and B2B zones. This will ensure visual and physical buffers between the proposed urban and rural residential areas and a high quality rural/urban interface and avoid peri-urban sprawl.
Landscape values		
Discernibly logical boundaries determined by strong natural or physical features	C	The site has strong physical edges/boundaries defined by existing/proposed physical features, including an enhanced existing waterway along the western boundary; University of Lincoln zoned land (B3) and University farmland zoned Outer Plains on western part of the northern boundary; 10m wide rural style planted open space located within private lots along the southern boundary; and the proposed Business 2 and Living Z Zone to the east of the Site.
Exclude land required to maintain the open space landscape character either between or surrounding the areas of urban activity within Greater Christchurch	SS	The proposal is located on the south side of the Township, thus will not reduce open space or landscape character between or surrounding the areas of urban activity within the Greater Christchurch area.
Protection of natural features, significant trees and vegetation	SS	The site does not contain any natural features, significant trees or vegetation of note. The existing drain on the western hedge is to be retained and enhanced with riparian planting. A 5m access strip will facilitate public access along the waterway edge, linking with the proposed wetland stormwater detention area in the south west part of the site.
Manage the amount of households within single locations to avoid the collective visual effects of intensified land use	C	The RRS (paragraph 5.27) notes that it is important to manage the number of dwellings within any single location to avoid the collective effects of intensified land uses (ideally no greater than 50hh) – large

		nodes are less able to provide the necessary degree of 'ruralness' that is required to meet the anticipated rural residential character and to satisfy the expectations of future land owners Area 5 can accommodate up to 110 rural residential households. Careful attention to design elements including the mix and location of different sized lots and rural design elements will ensure that the entire development will retain 'ruralness' and all lot owners will be able to enjoy an outlook with a high level of open space and rural elements. The larger central 1 ha lots will have an outlook onto other rural residential lots rather than rural land or open space buffers. However, they will be large enough to support small scale farming activity such as grazing and will have a very low proportion of built form to open space due to their large size, hence possessing a high level of 'internal' rural character.
Address the constraints to development identified in the Landscape Constraints Map prepared by Andrew Craig Landscape Architect (see Appendix 1 RRS13)	ss	There are no identified landscape constraints which affect the site.
Locations to adjoin Township boundary's by have an ability to achieve a degree of 'ruralness' as a consequence of adjoining land use and natural attributes	c	PC 28 includes layouts, interface treatments and development controls to avoid any potentially adverse visual and amenity effects and achieve the necessary degree of 'ruralness' and 'rural residential character'. These include generally larger lots within the interior part of the site; rural style fencing; generous front yard setbacks; building controls to ensure maintenance and enhancement of rural amenity and character (exterior colours limited to natural grey, green and brown hues only; maximum reflectivity 35%; and built site coverage per lot limited to 500m ² or 10%, whichever is the greater, dwelling curtilage area limited to 400m ² ..

LINCOLN ENVIRONS STUDY AREA CRITERIA		
Urban form and growth management	Critical or site specific matter	Proposal site
Rural residential development nodes to: (a) adjoin the residential priority areas and Living zone land; and (b) be consistent with the urban settlement patterns and strategic planning outcome outlined in the Lincoln Structure Plan and the Growth of Township objectives and policies of the District Plan	C	Achieved – Refer to PC 28 for more detail including Appendix 3 of PC 28.
Lincoln has capacity to support an increased population base within rural residential living environments as it is an identified Key Activity Centre that has the community infrastructure, services and business areas to support a large self-sustaining community	C	Achieved – Appendix 11 of PC28 is a letter outlining the market demand for rural residential development in Selwyn. Area 5 is the only preliminary rural residential location at Lincoln.
Preclude rural residential development south of the proposed Lincoln by-pass that would be severed from Lincoln and would contribute to poor integration and connectivity with the Township (refer to Appendix 2 – Map 26)	SS	Achieved
Avoid ribbon development along the alignment of reticulated services and strategic roads that may undermine the contrast between rural and urban forms of development and the distinctiveness of the primary gateways to Lincoln (refer to Appendix 2 – Map 26)	SS	Achieved – given the location of B2A and LZ land along the road frontage
Avoid locations that may contribute to the long term coalescence of Lincoln with the Townships of Rolleston, West Melton, Templeton and Springston (refer to Appendix 2 – Map 28)	C	Achieved – the site is located on the southern side of the township away from other urban centres.
Rural character and productivity		
Support locations that maintain appropriate separation from the	SS	Achieved. There is no currently operational or

Intensive Farming Activities legitimately established on the periphery of Lincoln (see Appendix 2 – Map 5)		consented intensive farming activity on land west of Area 5, as shown on Map 5. See discussion under 'Rockbrook Trust' submission, Appendix x below. This notation should be removed from Map 5.
Maintain the visual distinction and amenity contrast between the rural periphery of Lincoln and the urban forms of Prebbleton, Springston, Rolleston and Christchurch City	C	Achieved – the site is located on the southern side of the township away from other urban centres.
Preserve the rural character and productive capacity of large rural land holdings and the Rural (Outer Plains) zoned land to the west and south of Lincoln (refer to Appendix 2 – Map 26)	SS	Achieved – Appendix 3 of PC28 provides an assessment against the objectives and policies of the District Plan and includes discussion on the rural character and productive capacity of land. See also discussion of this issue under Environmental, cultural and heritage values. Area 5 is largely outside the boundary area for 'rural productively/outlook' on Map 26, apart from part shown as within an intensive farming buffer. The intensive farming buffer should be removed as the intensive farming activity does not exist. See discussion of Rockbrook Trust submission in Appendix C.
Strategic Infrastructure		
Avoid locations that may not be able to connect to strategic infrastructure where it is available and cost effective to do so, including roading, stormwater management and reticulated water and wastewater networks (refer to the 5Waters Activity Management Plan and Transportation Activity Management Plan)	C	Achieved – The proposal has access to an existing road and adjoins existing business and living zoned land, and reticulated services can be extended to service proposed development
Avoid locations that may undermine the efficient operation of the strategic Infrastructure referenced in the District Planning Maps and the associated Study Area Maps contained in Appendix 2 – Map 5: Transpower high voltage transmission lines, Transpower	C	Achieved – the University has indicated that they see no conflict between the development of the site and their activities.

electricity substation (TP5), Crown Research Institutes and Lincoln University research facilities, Weedons Road Cemetery (D171), Lincoln Golf Course (D126), Landfill to the west of the Township (D385), Lincoln Wastewater Treatment plant (D153), Integrated stormwater management scheme on the eastern boundary of Lincoln, Broadfield Primary School (ME17) and consideration of the strategic importance of Ellesmere Junction Road as a collector route between SH1 and SH75 (Christchurch to Akaroa)		
Natural hazards		
Avoid locations that are constrained by the high groundwater table, SDC recorded flood sites, Lower Plains and Lake Ellesmere Flood Areas and associated land drainage issues (including drains, springs and waterways) (see Appendix 2 – Map 17)	SS	Achieved – Although the site is identified as having a high groundwater table, the servicing report provided as part of PC28 sets out how this will be mitigated and remedied.
Avoid locations where liquefaction and lateral spreading was observed during the Canterbury Earthquakes, in addition to areas made up of fine saturated soils and where there is a high groundwater that may be susceptible to significant damage during further earthquake events (see Appendix 2 – Map 20)	SS	Achieved – The site has been assessed as under the Geotechnical report provided as part of PC28 as suitable for rural residential development.
Environmental, cultural and heritage values		
Avoid Land that may compromise the health, longevity or setting of the registered Protected Tree located on Shands Road to the north-west of Lincoln (T81) (See Appendix 2 – Map 5)	SS	Achieved
Avoid locations that may compromise the cultural values attributed to the Wahi Taonga Management Site to the north-east of Lincoln (Oven C65) (see Appendix 2 – Map 5)	SS	Achieved
Avoid locations that may compromise the historic values attributed to the registered Heritage Buildings in proximity to Lincoln, including specifically Wheatsheaf House (H302), Greenpark War memorial and gates (H316 & H318) and green	SS	Achieved

Park Memorial gates (H317) (see Appendix 2 – Map 5)		
Consider the extent to which any locations may reduce the productive capacity of Class I and II versatile soils on the periphery of Lincoln (see Appendix 2 – Map 21)	SS	Achieved – part of Area 5 is Class 2 soils and partly Class 3 (they are a mix of Templeton moderately deep silt loam/on sandy loam, Eyre shallow silt loam and Wakanui deep silt loam). The current farming operation includes the 27 ha of land now zoned LZ and B2B. Farming of the balance PC28 land will be impractical as access will be via the LZ and B2B land, and there will be potential for reverse sensitivity issues (however, buffers between the zones are proposed). See also assessment of objectives and policies in Appendix 3 of PC28 in relation to versatile soils (Policy B.1.1.8)
Investigate the environmental impacts of facilitating rural residential growth on land that may be potentially contaminated, including sites identified to the north-west and south of Lincoln(see Appendix 2 – Map 5)	SS	The identified sites do not affect the site. PC28 includes a preliminary site investigation. The report considers that any issues relating to areas of potential contamination identified in the report can be managed to enable the site to be used for rural residential purposes (see Appendix C, submission 7 relating to CDHB's submission for further discussion)

Appendix C – Summary of Submissions and Proposed Resolutions

Submission 1: Rockbrook Trust – Oppose in Part

Seeks the decision be put on hold until litigation relating to their consent was concluded so they could reinstate intensive farming activities; and if PC28 was granted, sought no complaints covenants which would ensure that future lot owners/occupiers could not complain about 'normal farming activities' taking place on submitters land including:

- Burning of legal outdoor fires;
- Spraying of weeds, agricultural sprays etc.
- Pest control and management, fire arms etc.
- Use of chainsaws during normal farming hours of daybreak to dark, and other agricultural machinery;
- Bird scarers;
- Current offal pit regulations complying with ECAN rules WQL22 and Rule 5.9;
- Weaning cattle, mustering, yarding etc.

Rockbrook Trust is an adjoining landowner to the west of Area 5. Map 10 of the RRS shows an intensive farming activity on this site, and an intensive farming buffer which extends into the south west portion of Area 5. This is not correct. The notation covering this intensive farming activity needs to be removed from the RRS.

Investigation indicates that there is no legally established intensive farming activity on this site, or 'live' consent for spreading of effluent, so a buffer distance from the same is not required (a past discharge consent for discharge of effluent for part of this area lapsed in 2009). No new consents for activities associated with intensive farming have been sought from Environment Canterbury on Lot 2 DP 361975 to the south-west of the proposal site. Further background information is set out under 'Background to Intensive Farming Activity' below.

The Rockbrook submission notes that there is beef cattle stud on the property and seeks a no complaints covenant with respect to normal rural activities. Denwood Trustees advises that there are around 15-29 cattle grazed on the property. Rural residential zones by definition adjoin rural areas use for farming purposes so residents can expect farming activities on neighbouring rural land. A no complaints covenant as sought by the submitter is unnecessary and inappropriate.

It is further noted that land to the west of the site, including the Rockbrook Trust land, is 'buffered' by an existing waterway on the western site boundary, which is to be restored as part of the initial development phase

Background to Intensive Farming Activity

The Background to the intensive farming activities on the adjoining site to the Rockbrook Trust land is outlined below. This clearly establishes that there are no legally established intensive farming activities on the site.

- There was a chicken abattoir on current Rockbrook Trust land (marked hatched on Map 26) close to the southern boundary, near the chicken sheds on the adjoining triangular

block to the south (Lot 1 DP 361975). Buildings still exist but it is unclear what their current use is, if any.

- There was a chicken farm (rearing chickens) on adjoining triangular block to south (Lot 1 DP 361975) which is now used as an onion factory, it is understood that the chicken farm closed in 2009.
- Chicken effluent (water mixed with blood) was spread on the Rockbrook Trust land. However, resource consent for the spreading of this effluent refers to Lot 2 DP 13560, Pt Lots 1 + 2 DP 2086 & Pt RS2456, and of these consents only RS2456 is a current Certificate of Title. The Rockbrook Trust land was created by subdivision in 2006. It is assumed the previous titles presumably refer to what is now Lots 1 & 2 DP 361875 (ie. Rockbrook Trust land and triangular land to south)
- The chicken farm and abattoir were run jointly by former owners, Cloverlea Farms. There was also disposal of offal in large offal pits near the abattoir, and it is understood that the chicken farm and abattoir came under pressure to close or change its processing, including trucking away offal, rather than disposing in pits on the site. Subsequently Cloverlaea Farms surrendered the consent in 2009.
- It is also understood that part of the site owned by Rockbrook Trust may be contaminated as a result of the previous offal pit activity and that the land may not all be suitable for grazing. Anecdotal evidence identified that the previous chicken effluent spreading activity did create unpleasant odours.

In terms of re-establishing intensive chicken farming, abattoir or effluent spreading activity relevant statutory provisions are:-

Chicken Farm

Selwyn District Plan:

- 1) Establishment of a new site for intensive livestock production is a restrictive discretionary activity in the Selwyn District Plan with matters for discretion including adverse effects from odour, dust, noise, or traffic on surrounding properties and effectiveness of mitigation measures to address potential adverse effects. If an intensive farming activity were to establish on the RBT site this would be a 'new site' as the previous chicken rearing activity was on the triangular block to the south (Lot 1 DP 361975), and in any event the activity on that site has ceased.
- 2) The Selwyn District Plan 300m setback rule from existing intensive livestock production units applies to new subdivisions in the Rural Zone, so is not directly relevant, but indicates the degree of separation generally necessary between existing intensive farming activity and new rural subdivisions and associated rural dwellings. A lesser distance can be feasible but requires site specific assessment to address such matters as wind direction, frequency of winds most likely to cause odorous conditions, type and scale of operation, mitigation measures etc.
- 3) The previous chicken farm on Lot 1 DP 361975 is not owned by Rockbrook Trust and was more than 300m from the Denwood Trust property.

Regional Plans:

NRRP – Chapter 3 Air Quality: intensive poultry farms established after June 2002 are a permitted activity if size is less than 2000 poultry and discharge of odour is not noxious, dangerous or offensive beyond boundary of site (Rule AQL59). Intensive broiler and breeder poultry farms established after June 2002 for up to 30 000 poultry are a controlled activity (Rule AQL60) and any other intensive poultry farms are a restricted discretionary activity where not located within 200m of a sensitive activity located on a different property.

Abattoir

Selwyn District Plan:

1) An abattoir would come under the Selwyn District Plan definition of a Rural Industrial Activity. If it requires an Offensive Trade Licence under the Health Act 1956, it is a discretionary activity. Permitted rural industrial activities are limited in size to no more than 100m² (maximum area covered by buildings, loading, storage and waste areas) and no more than 2 full time equivalent staff. If larger scale, they are a discretionary activity. It is unclear what the size of the previous abattoir was, but it seems likely it would need a discretionary consent under the District Plan.

Effluent Spreading

1) NRRP – Chapter 3 Air Quality: effluent spreading permitted subject to discharge of odour beyond site boundary and the dispersal or deposition of particles or droplets is not being noxious, dangerous, offensive or objectionable to an extent that there is an adverse effect on the environment. Expert advice suggests that effluent spreading is unlikely to meet this condition for all of Rockbrook Trust site if there is L3 zoned land to the east.

2) Land & Water Plan: discharge of animal effluent is a restricted discretionary activity, subject to conditions including that the discharge is not within 20m of a surface water body, or within a group or community drinking water supply protection area.

Disposal of Offal

Selwyn District Plan:

1) Disposal of solid waste including offal is permitted in relation to activities which do not generate more than 3m³ of waste per week, averaged over a calendar year. Otherwise, these activities are considered as restricted discretionary.

NRRP

1) NRRP – Chapter 3 Air Quality: offal pits established after 2 June 2002 are permitted if a completely covered pit (with impermeable material or soil) is not located within 50m of a sensitive activity on another property, or 100m if not covered, and additional conditions apply. Otherwise, this would be a discretionary activity.

2) Land & Water Plan – offal pits permitted where has a volume less than 50m³ and no more than one pit is constructed or used per site per annum, and other conditions apply. Otherwise, this is considered as a restricted discretionary.

Conclusion

It seems unlikely that the previous abattoir or effluent spreading activities on the Rockbrock property will wish to re-establish, as they related to the disposal of by-products from the previous chicken farm activity on land to the south (lot 1 DP 361975) which is now closed (and used as an onion factory). If they did wish to establish any new intensive farming activity, resource consents would be required, and there would need to be setbacks from the PC28 L3 zone.

Submission 2: Ecan – Oppose

- Concerns around climate change on the levels of the water table and the impact this may have on liquefaction potential
- Staging of the proposal sought to enable efficient integration of land use and infrastructure
- Sought to limit the development to 52 sections prior to 2016

Pattle Delmore (stormwater experts) advise that given the distance of the site from the coast (21km), climate change resulting in higher sea levels will have less than a minor change to the groundwater levels at the site. Due to their being less the minor change to the groundwater levels, Aureon (geotech experts) do not foresee any significant changes to the liquefaction susceptibility of the site due to the presence of soils that exhibit a higher resistance to liquefaction. (see copy of letter attached as Appendix G).

The phasing of future development of greenfield residential areas proposed in Change 1 and Chapter 12A of the Regional Policy Statement has been removed in Chapter 6 of the RPS as included in the Land Use Recovery Plan. The deferred status of the adjoining LZ land has been removed in the LURP amendments. Chapter 6 includes provisions (Policy 6.3.9) relating to rural residential development. Given this changed policy context, staging is of the PC28 is not considered appropriate or necessary.

Submission 3: Lincoln University – Support

Sought that a 1.8m high wooden fence and 5m high shelter belt behind the fence be included along the northern boundary. A fence is to be erected in stages complementing development of the site, and prior to development occurring in relation to any stage. Covenants will be included to require the shelter belt to be maintained at 5m height once established.

These matters have been addressed by private agreement between the parties and are already included as part of the suite of rules subject to PC28.

Submission 4: New Zealand Fire service – Oppose in Part

Concern was raised regarding access for firefighting vehicles down accessways.

This matter has been resolved. NZTS advise that they will withdraw their submission.

Submission 5: Denwood Trustees Ltd – Support

The applicant proposed an amended ODP to clarify points of concern around a potential walkway connection.

No further action was required as part of this submission.

Note: a further revised ODP providing for a greater mix and range of lot sizes is now proposed (see Appendix D).

Submission 6: Te Taumutu Rūnanga – oppose the whole plan change (ECAN further submission in support)

No process to incorporate an assessment of tangata whenua values has been undertaken and there has been no engagement with Te Taumutu Runanga re same. Te Taumutu Runanga request a Cultural Impact Assessment (CIA) is undertaken to assess the potential effects on tangata whenua values in the plan change process to provide certainty to Runanga that their values would be included. A list of matters of concern to tangata whenua that need to be included in the CIA that were not included in the plan change are now identified within the submission relating to existing waterways, water quality and quantity/riparian management; protection of any wahi tapu and wahi taonga values; restoration of native indigenous species, in particular taonga and mahinga kai species; use of low impact design features.

A meeting with an MKT representative on site identified specific concerns around a lack of native planting, and a concern over stormwater treatment and disposal either affecting groundwater or Lake Ellesmere. It was confirmed that there are no springs on the site. Denwoods Trustee Ltd advisors then provided MKT with a letter outlining how the application addressed their concerns (copy attached as Appendix H), but as yet, we are still waiting for a response from MKT as to the suitability of the proposed solutions and if they consider a CIA is still required.

The proposed solutions include the following:

- A 5m riparian strip along the drain at the western end of the site including planting of native species (MKT submission requests a 20m esplanade reserve but this is not supported by SDC).
- The creation of a wetland to retain and treat stormwater, which will be planted in native species, and will only have limited water transfer between ground water and the base of the wetland, until the wetland can self-seal with organic matter.
- A discussion as to the merits of using dense native planting along the southern boundary landscape strip, or the proposed more open planting regime, with a preference to maintain rural outlook for residents and enable passive surveillance for crime prevention.

Note: the ODP has been amended to require a 5m wide landscape buffer along the southern site boundary, to be planted with native totara, 1.8m high at the time of planting, and at 5m spacings. These will provide a relatively dense shelterbelt and reach 6-7m height within 10 years.

Submission 7: Canterbury District Health Board – Neutral

Sought that applicant deals with poor stormwater drainage in the area in the west of the site and if not possible does not put allotments here. They sought a preliminary site investigation be undertaken to ensure there is no contaminated land or remediate any contaminated land

found, and note that there may be potential for leaching of contaminants from the adjoining Lincoln University landfill; and that there should be a guarantee that SDC could provide water and wastewater reticulation.

Stormwater

Stormwater management for the rural residential development is based on treatment via detention and wetlands with storage for flood control. The Site east boundary follows the natural 'high point' of the entire Denwood Trustees landholding east of Springs Road and accordingly, all stormwater will be discharged via gravity to a detention basin and wetland area location in the south west corner of the Site, and from here to an existing private drain along the west Site boundary. The PC28 application includes a detailed stormwater report from recognised experts (Pattle Delamore).

Contamination

The PC28 application includes a preliminary site investigation. The assessment identifies several issues related to potential site contamination but considers they can be managed so as to make the site suitable for the intended residential and recreational development.

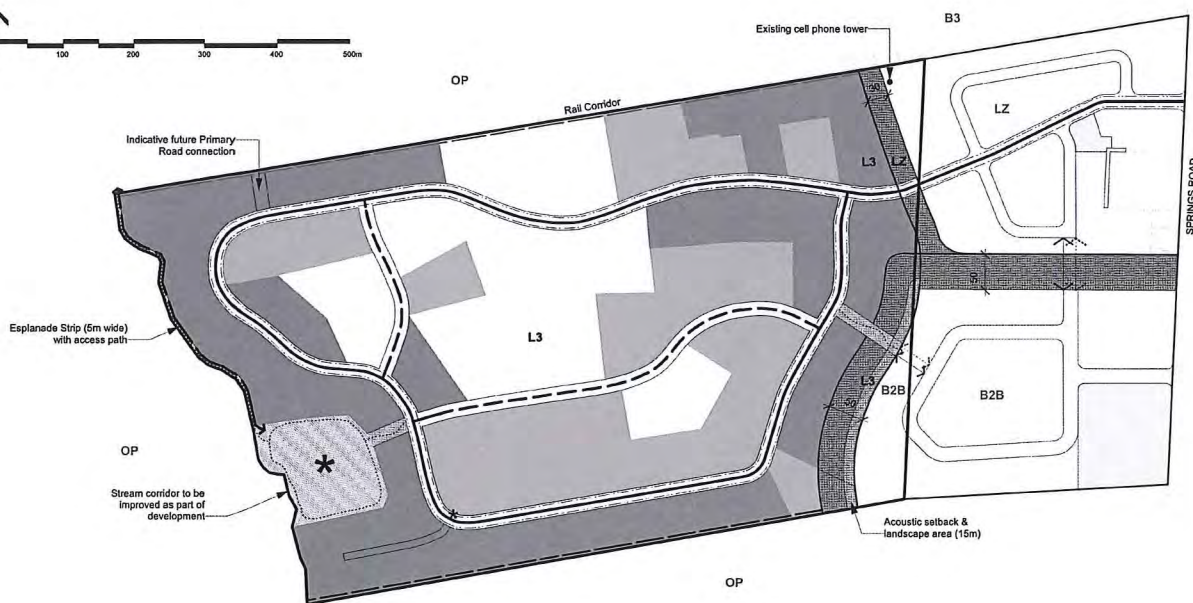
The assessment includes recommendations relevant to ensuring the land is suitable for its intended future rural residential use. These matters can be addressed at the subdivision stage.

The above matters relate to decommissioning and associated sampling of existing above and underground storage tanks ; removal of all solid waste from the site; confirmation of no past DDT use on the site soils; disposal of waste oil currently kept on site; further investigation of a current consent application to discharge contaminants from a closed landfill on adjoining land to the north owned by Lincoln University; soil sampling in the vicinity of the stock effluent pond and general farm building area; and confirmation that the cell tower buffer zone meets the relevant national standards for cell towers (National Environmental Standards for Telecommunications Facilities).

With respect to the cell tower, a 30m buffer has been included in the LZ Zone, where the tower is located.

Pattle Delmore have advised that the proposed rural residential subdivision development will not intercept groundwater so there is no potential for leading of leachates. The adjoining Lincoln University landfill is now closed.

Appendix D – Revised ODP



KEY

- Site Boundary
- Zone Boundary
- Primary Route (within Road Reserve)
- - - Secondary Route
- - - * Gravity sewer main routes & indicative location of sewer pump station
- - - Water main routes
- ▨ Indicative Stormwater Management Area & Reserve

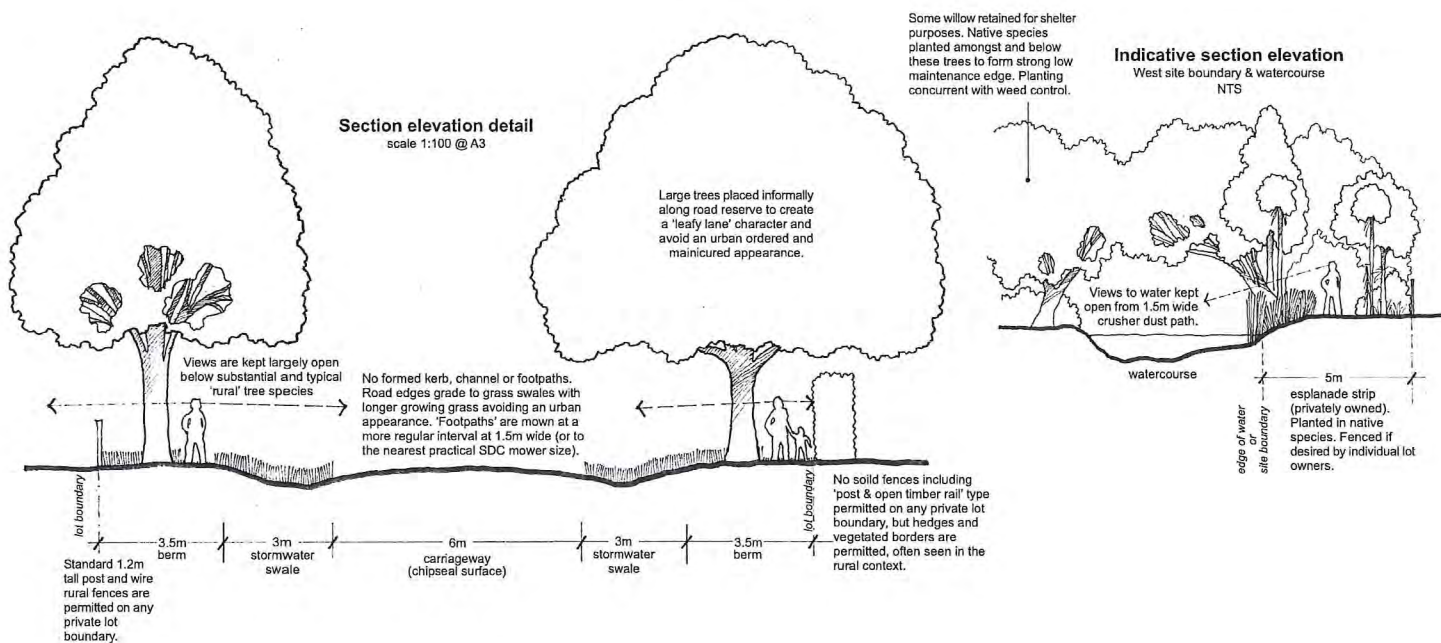
- ▨ 30-50m Landscape Buffer & Building Setback (LZ, L3 & B2B Zones)
- ← * Key Open Space Location & Linkages
- - - Indicative Cycle & Pedestrian Route
- - - Potential Road Connection
- Shelterbelt (maintained at 5m height plus 1.8m tall timber paling fence along northern site boundary)
- Landscape Strip (Tolara tree line, planted at 5m spacings and 1.8m tail at time of planting along southern site boundary)

L3 Zones

- ▨ Minimum lot size 3000m²
- ▨ Average lot size not less than 5000m², minimum lot size 4000m²
- ▨ Average lot size not less than 9000m², minimum lot size 6000m²

OUTLINE DEVELOPMENT PLAN AREA 5 - LINCOLN

Plan Change 28 February 25, 2014



attachment 13 Cross-Sectional Treatments

Lincoln L3 Zone

February 25, 2014
Scales as shown

Appendix E

Revised PC28 Amendments to District Plan (February 2014)

Note: revisions are highlighted in yellow

2. PROPOSED AMENDMENTS TO THE DISTRICT PLAN

- 2.1 It is considered that the most appropriate means to achieve the proposed plan change is to largely adopt the existing provisions of the Living 3 zoning of the Selwyn District Plan, which currently applies to two rural residential zones at Rolleston. No new objectives are proposed, existing objectives in the Growth of Township volume and the proposed Living 3 objectives and policies as part of PC 32 set the framework for the zone. An additional rule is proposed to defer some lot allocation for the site to the 2017 to 2026 period to be consistent with Chapter 12A and proposed Objective B3.4.6 of PC32.
- 2.2 For the purposes of this Plan Change Request, any existing text from the District Plan is shown in *italics*, any text proposed to be added by this Plan Change Request is shown as **bold underlined and in italics** and text to be deleted as ~~*strikethrough in italics*~~. Please note that only the proposed new and amended provisions to the District Plan are shown in this section and therefore should be read in conjunction with the full text of the District Plan. The provisions proposed below may require some existing provisions to be renumbered / amended accordingly.
- 2.3 The following specific changes are sought to the District Plan to enable the rezoning to proceed:

Amendment 1 Amend Planning Maps 8 and 115 (Sheets 1 and 2) to identify the zoning of the site as Living 3.

Amendment 2 Insert Living 3 Zone and description into Table A4.4 – Description of Township Zones as follows:

Zone Description

Living 3

As for Living 2 Zone, but with specific controls and design elements incorporated to ensure development of the land is reflective of and retains elements of rural character expected of the Living 3 zone, which in essence is a rural residential zone, so as to visually set the development apart from the neighbouring urban area. Similar to the Living 2 zone, larger sections (with a lower building density than the Lincoln Living 2 zone), more space between dwellings, semi rural outlook and in some landscape settings, and in circumstances where there is not a preference for shelter planting, panoramic views are characteristics of the Living 3 Zone. panoramic views and rural outlook are characteristic of the Living 3 Zone.

For the Lincoln L3 Zone, a high amenity 'treed' environment is proposed along the Zone boundaries given

the location and characteristics of the Zone interfaces (urban to east, exposure to 'southerly' weather conditions to south, an existing waterway to be enhanced with riparian planting to the west, and Lincoln University to the north, who seek shelterbelt planting and a wooden fence along the common boundary).

Amendment 3 Amend Rule 4.2.1 for Buildings and Landscaping as follows:

Except for the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 37 & 38, and the Living 3 Zone at Lincoln identified on the Outline Development Plan in Appendix 39 any principal building shall be a permitted activity if the area between the road boundary and the principal building is landscaped with shrubs and:

- *Planted in lawn, and/or*
- *Paved or sealed, and/or*
- *Dressed with bark chips or similar material.*

Note: *Except that fences on boundaries adjoining reserve areas, cycle ways or pedestrian accessways identified in the Outline Development Plan for Lincoln in Appendix 18 shall not exceed 1.2m in height.*

Amendment 4 Insert new Rules 4.2.2B & 4.2.3B for Buildings and Landscaping as follows:

For the Living 3 Zone at Lincoln identified on the Outline Development Plan in Appendix 39 the following shall apply:

4.2.2B Any principal dwelling shall be a permitted activity if:

- i. The area between all road boundaries and a line parallel to and 20m back from the road boundary is landscaped with shrubs and specimen trees covering as a minimum 30% of the area; and**
- ii. Within the 40m building setback area applying to all lots on the southern boundary, in addition to the 10m wide landscape strip shown on the ODP, and to be planted at the time of subdivision, additional landscaping within these setback areas shall include at least 10 rural style specimen trees;**
- iii. The number of specimen trees in the area covered by area i. above is not less than 1 per 10m of road frontage or part thereof; and**
- iv. The trees in areas i. and ii. above are not less than 1.8m tall at the time of planting, selected from the respective lists provided below;**
- v. All lots that abound the northern boundary of the zone have a 1.8m high wooden fence and with a shelterbelt to be maintained at a height of 5m;**
- vi. Any paved surface area within the area i. does not exceed 100m² in area; and**
- vii. The list of suitable specimen trees for the purpose of this rule is:**
Alnus spp (alder), Castanea and Aesculus spp (chestnut), Cupressus spp (macrocarpa) Eucalyptus spp (gum), Fagus spp (beech), Fraxinus spp (ash), Juglans sp (walnut), Liquidambar spp (liquidambar), Platanus spp (plane), Podocarpus sp (totara), Populus spp (poplar), Quercus spp (oak), Robinia spp (locust), Tilia spp (lime), Ulmus spp (elm)
- viii. The Council will require a planting plan to be submitted at building consent stage, identifying**

~~compliance with the above control.~~

~~ix. The landscaping shall be maintained and if dead, diseased or damaged, shall be removed and replaced.~~

4.2.3B Boundary treatment on a road or Rural zoned boundary or in the area between the road boundary and the line of the front of the principal building or in the area between the Rural Zone boundary and the line of the rear of the principal building (except the rear boundary of those lots adjoining the northern boundary) :

- i. Shall be limited to a rural maximum height of 1.2m, be at least 50% open, and be post and rail or post and wire only; and**
- ii. Shall be of a length equal to or greater than 80% of the length of the front boundary, of a minimum height of 0.6m and be at least 50% open; or**
- iii. Hedges**

Re-number existing Rules 4.2.2 and 4.2.3 to 4.2.2A and 4.2.3A .

Amendment 5 Amend existing Rule 4.2.2 for Buildings and Landscaping as follows and any other subsequent numbering amendments:

~~4.2.24~~ Any activity which does not comply with Rule 4.2.1 or 4.2.2A or B shall be a discretionary activity.

Amendment 6: Amend existing Rule 4.2.5 as follows:

4.2.5 Any activity which does not comply with Rule ~~4.2.3~~ **4.2.3A or B** shall be a restricted discretionary activity. Council shall restrict the exercise of its discretion to the consideration of:

Amendment 7 Amend 'Table C4.1 Site Coverage Allowances' as follows:

Zone		Coverage
<u>Living 3</u>	<u>Lincoln</u>	<u>Lesser of 10% or 500m², and 400m² for the dwelling curtilage</u>

Amendment 8 Add new definition to Definitions Section as follows:

Dwelling curtilage: means the area immediately adjoining a dwelling which is used for recreational, outdoor living and functional purposes accessory to the dwelling and includes swimming pools, courtyards, decks, tennis courts, washing lines and hard-stands but excludes buildings, gardens, driveways and vehicle turning areas.

Amendment 9 Amend Reasons for Rules Building Density as follows:

Due to the lower density environments of the Living 2 **and 3** zones, it is generally considered inappropriate for there to be more than one dwelling per allotment.

Amendment 10 Amend Reasons for Rules Building Coverage by adding after the last paragraph the following:

In the Lincoln Living 3 low density rural residential zone site coverage and the size and location of the dwelling curtilage are controlled in order to avoid visual clutter and retain open, natural character consistent with the maintenance of 'ruralness' within the Zone and as viewed from adjoining zones.

Amendment 13 Amend Rule 4.9.2 for Buildings and Building Position as follows:

Except as provided in Rules 4.9.3 to 4.9.28, any building which complies with the setback distances from internal boundaries and road boundaries, as set out in Table C4.2 below.

Lincoln

Any building in the Living 3 Zone at Lincoln (as shown on the Outline Development Plan in Appendix 39) shall be set back at least:

- i. 10m metres from the southern Lincoln LZ zone boundary
- ii. 20 metres from any internal road boundary
- iii. for all central lots (i.e. all lots which do not adjoin any of the L3 zone boundaries) 15m from the lot rear boundary
- iv. 35 metres from the acoustic setback identified on the Outline Development Plan in Appendix 39

Amendment 14 Insert new paragraph 5 within 'Reasons for Rules – Building Position' as follows:

Controls on side, rear and front yard spaces apply to sites on the southern boundary of in the Living 3 Zone at Lincoln identified on the Outline Development Plan in Appendix 39 in order to retain views between residences and to assist in retaining elements of rural character including a sense of openness and to provide visual integration with rural land to the south and visual attractiveness and to provide space for a 10m wide landscaped area on the southern boundary. This is shown on the ODP and is required to be established at the time of subdivision. A building setback from the acoustic and landscape area adjoining the Business 2 zone on the site's eastern boundary will assist to manage reverse sensitivity effects with this zone and maintain open space and semi-rural character.

Amendment 15 Insert new Rule 4.14 Buildings and External Appearance as follows:

4.14 BUILDINGS AND EXTERNAL APPEARANCE

Permitted Activities – Buildings and External Appearance

For all residential development located in the Living 3 Zone at Lincoln identified on the Outline Development Plan in Appendix 39

4.14.1 The exterior colours of any dwelling and any accessory building shall be limited to natural grey, green and brown hues only, and a maximum reflectivity of 35%.

Note:

Reflectance applies to the exterior surfaces of the building, excluding any spouting, window frames or glass. The reflectance value of any exterior finish is measured using the reflectance value for the colour recorded on the paint chart for that paint. If the colour used does not have a reflectance value recorded on the paint chart, the applicant shall supply evidence of its reflectance value using the reflectance value recorded on the paint chart for a paint finish of the same colour. Where finish is an alternative to paint e.g. stone, brick, unpainted timber, the applicant shall supply evidence of the reflectance value of the product used.

Restricted Discretionary Activity – Buildings and External Appearance

4.14.2 Any Activity which does not comply with 4.14.1 shall be a restricted discretionary activity

The Council shall restrict the exercise of its discretion to consideration of:-

- 4.14.2.1 The design of the building including height, size/scale, external finish, colour and reflectance value;
- 4.14.2.2 The visibility of the building from land which is publicly owned and freely accessible by the public, and from adjoining Rural and Living Zones;
- 4.14.2.3 The extent to which the building, and if a dwelling, any associated curtilage may:
 - (a) Dominate or detract from the openness, visual coherence, rural outlook and rural character of the Living 3 Zone and adjoining areas;
 - (b) Include earthworks, new planting or other methods to assist in mitigation of adverse landscape effects;
 - (c) Use topography or vegetation to assist in mitigation or containment of visual effects;
 - (d) Affect the amenity values of adjoining properties

Amendment 16 Insert new Reason for Rules after Setbacks from Waterways as follows:

Buildings and External Appearance

Rule 4.14 is intended to ensure that the exterior appearance of buildings, including dwellings, in the Lincoln Living 3 Zone is consistent with maintenance of 'ruralness' in this low density rural residential zone, Building colours are restricted to recessive, natural colours only.

Amendment 17 Insert new Rule 5.1.1.6 for Roding and Engineering Standards as follows:

For the Living 3 Zone at Lincoln identified on the Outline Development Plan in Appendix 39, the road shall include the respective cross sectional treatments as shown in Appendix 39.

Amendment 18 Amend Rule 5.2.1.6 for Roding and Engineering Standards as follows:

The vehicular accessway is formed to the relevant standards in Appendix 13; and in addition for the Living 3 Zone at Lincoln identified on the Outline Development Plan in Appendix 39, private vehicular accessways servicing less than three sites shall have a maximum formed width of 3.5m at the road boundary and within 10m of the road boundary; and

Amendment 19 Insert new paragraph 3 within 'Reasons for Rules – Living Zone Rules – Rooding' as follows:

A maximum width applies to accessways within the front 10m of sites in the Living 3 Zone at Lincoln identified on the Outline Development Plan in Appendix 39 in order to avoid dominance of landscaped front yard areas by wide paved accessway surfaces, which could compromise the rural character the zone is expected to create.

Amendment 20 Insert new Rule 12.1.3.24 for Subdivision General Standard as follows:

Lincoln

Any subdivision of land within the area shown in Appendix 39 (Living 3 Zone at Lincoln):

- i. *where any conflict occurs with Rule E13.3.1 the cross sections in Appendix 39 shall take precedence.*

Amendment 21 Insert new Rule 12.1.3.40 for Subdivision General Standard as follows:

Within the Living 3 zone at Lincoln no more than 52 rural residential allotments shall be created by subdivision within the period ending 31 December 2016, or such greater number of rural residential allotments as is possible whilst still giving effect to Chapter 12.4 of the Canterbury Regional Policy Statement and the Selwyn District Plan

Amendment 22 Amend 'Table C12.1 – Allotment Sizes' (Page C12-012) as follows:

Township Z	Zone	Average Allotment Size Not Less Than
Lincoln	<u><i>Lincoln L3 (Appendix39)</i></u>	<u><i>The average and minimum lot sizes shall be as shown on the Appendix 39 ODP)</i></u> <i>The maximum number of allotments within the area defined by the Outline Development Plan at Appendix 39 shall be 115,110</i>

Amendment 23 Insert new matter over which Council has restricted the exercise of its discretion at Clause 12.1.4.79 as follows:

Lincoln

In relation to the Living 3 Zone at Lincoln as shown in Appendix 39:

- a) *Whether the pattern of development and subdivision including roading, stormwater detention, landscape buffer areas and acoustic buffering is consistent with the Outline Development Plan in Appendix 39;*
- b) *Whether local roading, and trees and planting on roads and lots, are proposed in general accordance with the Outline Development Plan, road cross section(s) and associated planting schedules and requirements shown in Appendix 39;*

- c) Whether the roading pattern and proposed hard and soft landscape treatments in the road reserve will create a rural character to the development and distinguish it from conventional suburban development;
- d) Whether suburban road patterns and details such as cul de sacs, arbitrary curves, suburban style street lighting and kerb and channel are avoided;
- e) Whether the provision for public walkways is consistent with the public walkways identified on the Outline Development Plan in Appendix 39;
- f) Whether the treatment of the western boundary waterway and riparian strip enhances ecological and public amenity values and provides for public access
- g) Methods used to ensure the subdivision design and subsequent built development maintains rural character, including consent notices and requirements for works, fencing, planting and riparian restoration to be undertaken at the time of subdivision; and
- h) The need for site investigations or other methods to address any adverse effects resulting from past agricultural or horticultural use of the site

Amendment 2 Insert new paragraph 6 in 'Reasons for Rules' (Page C12-031) as follows:

Rule 12.1.3.40 has been incorporated to give effect to Chapter 12A of the Canterbury Regional Policy Statement in as far as it relates to the allocation of rural residential households to the Selwyn District Council within the first and second sequence periods shown on Policy 6 Table 1 Chapter 12A of the Canterbury Regional Policy Statement. The rule includes some flexibility in required rural residential household numbers in order to provide for the sale or transfer of development rights between rural residential zones. The quantum of rural residential households provided for in Chapter 12A of the Regional Policy Statement is limited to 200 households for the planning period up to 31 December 2016. There is a risk that some of those allocated rural residential households for the planning period will not be available for development. This outcome would not provide a degree of housing lifestyle choices as provided for through Chapter 12A of the Regional Policy Statement. In these circumstances it would be desirable to provide for greater than 52 lots within the Living 3 zone at Lincoln to give effect to the Regional Policy Statement and the objectives and policies for the Living 3 zone as part of this Plan.

Amendment 25 Amend Appendix 13 – Transport 'Table E13.9 – Roading Standards' (Page E13009) as follows:

Type of Road	Legal Width (m) Min	Legal Width (m) Max	Carriageway Width (m) Min	Carriageway Width (m) Max	Kerb & Channel	Footpath(s)
<u>Local Roads – Living 3 Zone at Lincoln (as</u>	<u>19m</u>	<u>19m</u>	<u>6m</u>	<u>8m</u>	<u>Nil</u>	<u>Nil (other than</u>

<u><i>shown on the Road Cross Sectional Treatment Plan at Appendix 39</i></u>						<u><i>informal on both sides of road within grass berms)</i></u>
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Amendment 26 Amend Standard E13.3.1.5 for Appendix 13 – Transport; Roding Standards (Page E13-009) as follows:

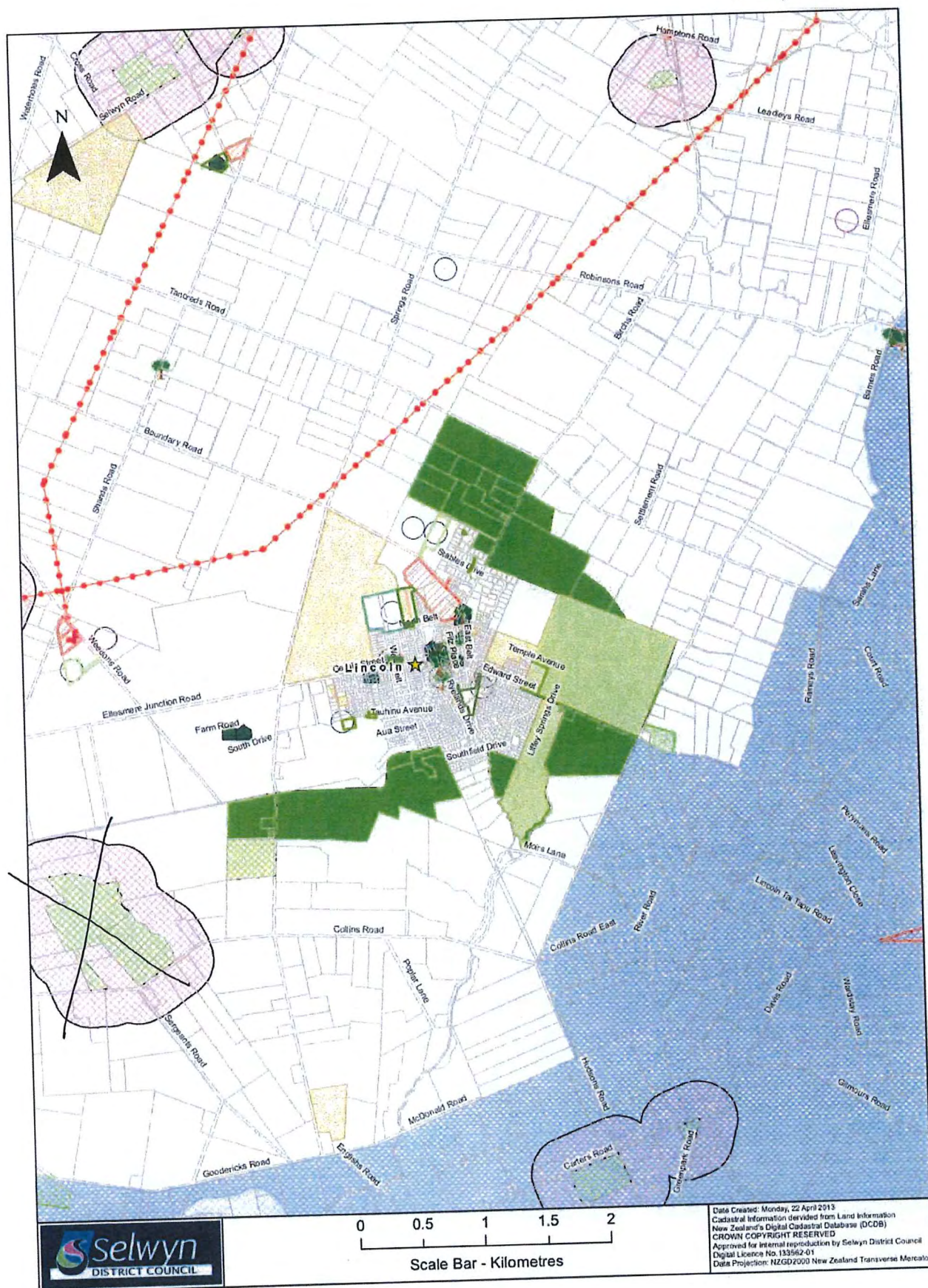
*Any local road in the Living 3 Zone at Rolleston **and Lincoln** shall be constructed in substantial accordance with the recommended road cross sections shown in the Outline Development Plan in Appendices 37, 38 **and 39.***

Amendment 27 Include the Outline Development Plan and Cross Sectional Treatments Plans (Area 5 Lincoln) attached at **Annexure 13** to this document as a new **Appendix 39** to the District Plan.

Amendment 28 Any consequential amendments and renumbering of provisions as required to give effect to the plan change request.

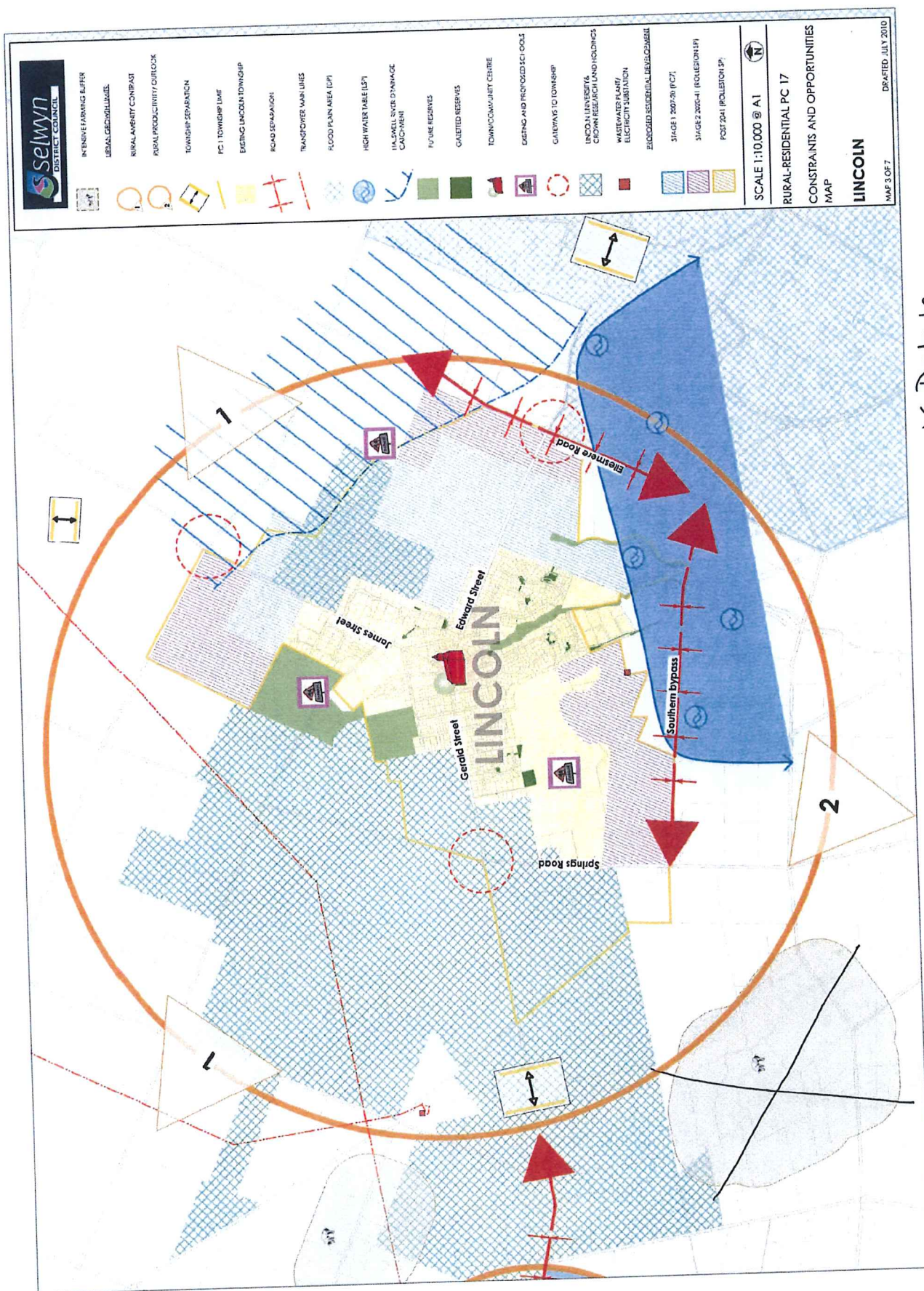
Appendix F – Changes to Maps 5 and 26 of RRS

Map 10



X delete

Map 26



X Delete

Appendix G – Letter from Aurecon

Aurecon New Zealand Limited
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150 Cavendish Road
(PO Box 1061)
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New Zealand

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E christchurch@ap.aurecongroup.com
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07 February 2013

Denwood Trustees Limited
C/- Fiona Aston Consultancy
CHRISTCHURCH 8140

Attention: Caroline Hutchison

Dear Caroline

DENWOOD TRUSTEES LIMITED – PLAN CHANGE 28 - SPRINGS ROAD, LINCOLN

We refer to our recent correspondence regarding the submissions on the above proposed plan change, in particular the submission from Environment Canterbury (ECan).

ECan was concerned with the effect of climate change on the level of the water table, and the impact this may have on seismically triggered liquefaction and subsequent ground preparation.

We have investigated the effect of climate change, and have conferred with the applicant stormwater consultants (Pattle Delamore Partners Ltd) to ascertain what information they have on groundwater.

Pattle Delamore Partners Ltd were of an opinion that given the distance of the site from the coast (21km), climate change resulting in higher sea levels will have less than a minor change to the groundwater levels at the site.

Due to there being a less than minor change to the groundwater levels as indicated above, we do not foresee any significant changes to the liquefaction susceptibility of the site due to the presence of soils that exhibit a higher resistance to liquefaction.

Should you have any queries or require clarification on any issues, please feel free to contact the writer.

Yours Sincerely

A handwritten signature in black ink, appearing to read "Jan Kupec". Below the signature, the words "elect. sign" are written in a smaller, cursive script.

Dr Jan Kupec

PhD MSc candIng MIPENZ CPEng IntPE MRSNZ | NZGS IGS ISSMGE NZSEE

Technical Director - Ground Engineering

Appendix H – Letter to MKT

Fiona Aston Consultancy Ltd

Resource Management & Planning

PO Box 1435 Christchurch 8140 Ph 03 3322618 Email fiona@fionaaston.co.nz

Monday, August 19, 2013

Mahaanui Kurataiao Ltd
PO Box 3246
Christchurch
Attn. ANDREA LOBB

Dear Andrea

RE: Submission on Plan Change 28 (DenwoodTrustees), Springs Road, Lincoln

Thank for meeting with Anna MacKenzie on site last week to view the PC28 site and discuss issues raised in the MKT submission on PC28. As discussed, we are keen to address the issues you have raised in your submission with a view to resolving matters prior the PC28 hearing where possible.

We note that no consultation with local Rununga was undertaken prior to submitting this application for rezoning, and we apologise for this oversight.

Your submission noted the lack of consideration of current Iwi Management Plans and matters you consider to be relevant were included in your submission. We have considered these provisions and comment as below.

Te Taumutu Rūnanga Natural Resource Management Plan

3.3 O Te Whenua

Policy 2. Buffer zones must have riparian planting along the waterways.

3.3.4 Drainage

Policy 5. Planting along the margins of drains should be used to control sedimentation, reduce weed growth and the amount of weed cutting is necessary

3.4. Riparian zones

Policy 1. No abstraction from springs and connected groundwater.

Policy 2. Restoration of productive capacity of wetland ecosystems.

Policy 3. No further draining of existing wetlands

Policy 4 That existing wetland areas be maintained and enhanced to provide for provide for tuna (eel) habitat and other mahinga kai

Policy 5 Actively encourage restoration of wetland area with indigenous vegetation to protect ecosystem health

3.5.2 Indigenous flora and fauna

Policy 1. Advocate for habitat enhancement and the restoration and reintroduction of indigenous species programs.

The proposal includes a planted riparian strip along the western drain which will provide for weed control and control of sediment. There are no springs on the site and water is anticipated to be supplied from a reticulated system. There are no wetlands on the site, although the proposal does include one as part of the stormwater management system which will include indigenous species.

Te Rūnanga o Ngāi Tahu Freshwater Policy Statement

6.2 Objective Restore, maintain and protect the mauri of freshwater resources.

Policy 1. Accord priority to ensuring the availability of sufficient quantities of water of appropriate water quality to restore, maintain and protect the mauri of the waterbody.

Policy 4. Protect the opportunities for Ngāi Tahu's uses of freshwater resources in the future.

6.3. Policy 2. Restore and enhance the mahinga kai values of lakes, rivers, streams, wetlands, estuaries and riparian margins

Policy 4. Restore access to freshwater resources for cultural activities including the harvest of mahinga kai.

The proposal includes a 5m riparian strip which would provide access to the drain system. Water will be treated to ensure appropriate quality of water is released into the drain, and the wetland system will ensure that water is released into the drain at a rate to ensure erosion of the drain system from increased flow resulting from the proposed rural residential development does not occur.

Te Waihora Joint Management Plan

2.3 Nga wai

Method 2.3 (f) Advocate;

(b) The retention and restoration of water flows in Te Waihora tributaries and springs for the maintenance of water quality and freshwater habitats.

The quantity and quality of water being released into the drain which flows into the LII stream and ends up in Te Waihora will be similar, if not improved in comparison with current conditions. This will be achieved through appropriate stormwater management.

In addition to the provisions set out in your submission we also note that the Mahaanui Iwi Management Plan has been released since the application for rezoning was made. Consideration of the relevant provisions in this Plan has been made as follows:

Part 5, Policy WM6.6: Where there are water quality issues, we need to address the source of the problem, and not just dig deeper wells or find new ways to treat water.

Part 5, WM6.16 To require, in the first instance, that all potential contaminants that may enter water (e.g. nutrients, sediments and chemicals) are managed on site and at source rather than discharged off site. This applies to both rural and urban activities.

In this instance the potential source of potential water quality degradation is the stormwater from the site, however appropriate on-site treatment will ensure there is no actual water quality degradation.

Part 5, WM6.19 To promote the restoration of wetlands and riparian areas as part of maintaining and improving water quality, due to the natural pollution abatement (treatment) functions of these taonga.

Part 5, WM12.5 To require that all waterways in the urban and built environment have buffers or set back areas from residential, commercial or other urban activity that are:

(a) At least 10 metres, and up to 30 metres; and

(b) Up to 50 metres where there is the space, such as towards river mouths and in greenfield areas.

A landscaped 5m wide esplanade strip is included in the proposal, which will contain native species. The land will remain in private ownership but will include riparian planting and a 1m wide walkway. A wider esplanade reserve is not proposed as part of this development as the Council is unwilling to assume ownership of a reserve area as it considers the width and significance of the water course does not warrant this approach.

Part 5, P6.1 To require on-site solutions to stormwater management in all new urban, commercial, industrial and rural developments (zero stormwater discharge off site) based on a multi tiered approach to stormwater management:

- (a) Education - engaging greater general public awareness of stormwater and its interaction with the natural environment, encouraging them to take steps to protect their local environment and perhaps re-use stormwater where appropriate;*
- (b) Reducing volume entering system - implementing measures that reduce the volume of stormwater requiring treatment (e.g. rainwater collection tanks);*
- (c) Reduce contaminants and sediments entering system - maximising opportunities to reduce contaminants entering stormwater e.g. oil collection pits in carparks, education of residents, treat the water, methods to improve quality; and*
- (d) Discharge to land based methods, including swales, stormwater basins, retention basins, and constructed wetponds and wetlands (environmental infrastructure), using appropriate native plant species, recognising the ability of particular species to absorb water and filter waste.*

The proposal includes a comprehensive stormwater management discussion which sets out the most appropriate stormwater methods for this specific site. On-site treatment of stormwater is included as part of this discussion

Part 6, TW4.1 To require that the management of land and water in the Te Waihora catchment recognises and provides for the relationship between catchment land use, tributary flow, drain management, water quality, the coastal environment and the cultural health of Te Waihora.

In recognition of the flow of this drain into the LII stream, and then into Te Waihora (Lake Ellesmere), onsite treatment of stormwater is proposed, which will include storage of excess runoff to reduce the amount of water flowing into the Lake during storm events. After a storm event the excess runoff will be discharged slowly into the drain to partially replicate flow from soils that would occur if the land remained as farmland. Note given the rural residential nature of the development will retain large areas of grass/landscaping so that the natural release of water from the soils after a storm event will still occur. Within the submission, MKT noted a number of matters which they felt need to be addressed. The applicant has considered these matters and addressed them as follows:

RMA Matters

Protection of the water quality and quantity of the drain (waterway) in the middle of the site which is significant as these drains (waterways) flow into Te Waihora

How the discharge of the Stormwater will affect the water quality of the waterway and downstream waterways including Te Waihora (Te Waihora is a tribal taonga and represents a major mahinga kai and is an important source of mana)

The potential adverse effects of the cumulative and incremental changes in the development of the rural residential areas on the water quality and quantity of the waterways catchment

While no formal stormwater management plan has been drawn up for this site, given that this is only a plan change stage and not a subdivision stage, the applicant has provided as

part of the application (in appendix 5), an extensive stormwater management report with the express purpose of demonstrating the stormwater options for this site.

This reports details options for designing a stormwater management system that enables water to be treated on the site before being released into the existing drain at the western end of the site. Release of water into this drain would be impeded by wetland areas to ensure it was not at a greater rate than currently occurs.

The general stormwater management concept is as follows:

Description of Stormwater Runoff

Currently tormwater runoff from the site is directed into a road side drain which runs along Springs Road east of the site and a private drain which runs along the western boundary of the site. Land located between the site east boundary and Springs Road is also owned by Denwood Trustees is has been rezoned Living Z and Business 2A. Both of these drains flow into local drainage networks which flow into the LII River and eventually into Lake Ellesmere. There is also another drain which enters the site from the north and passes through the property and flows into the drain on the western boundary of the site.

The drain in the middle of the site is a private drain and it is not part of the Selwyn District Council network, however a stockwater race flows into the drain. This drain forms part of the drainage network on the site and flows toward the western boundary drain. No firm decision has been made as to how this drain will be managed but at this stage flow in this drain will be piped to the drain at the western end of the site as currently occurs.

The drain along the western boundary is a private drain too, it is not part of the Selwyn District Council network, and a stockwater race, which is part of the Paparua Stockwater race network, flows into the this drain.

The general fall of the site is to the southwest corner of the site. An area of 1.97 ha has been set aside in the south west corner for stormwater treatment and flood control. Stormwater will be collected via grassed swales and conveyed to this treatment and storage area. Due to the likelihood of high groundwater in this area natural infiltration systems are not considered a viable option, therefore it is proposed to utilise to a first flush basin and surface flow wetland system to treat the stormwater. This system will also provide control of runoff from large events to minimise the risk of flooding from this site. It is expected that the wetland will use a pipe with an outfall structure to discharge the water to the drain. The rate of discharge will be constrained to pre-development conditions. As such there will be a low risk of erosion in the drain. Any potential erosion can be mitigated with an appropriately designed outfall structure, which can be considered in more detail at the subdivision stage.

Runoff Water Quality and Downstream Effects

In terms of water quality, no data is available for the private drains on the site. The only data available is from Ecan in 1994, where monthly water quality data was collected from the LII River at Pannetts Road Bridge. High concentrations were recorded representative of stormater runoff from land being used for agricultural purposes.

Stormwater from rural residential activity is expected to have pollutants on the impervious surfaces that will be washed off during a rain event. Contaminants include those commonly found in typical roof, road and hardstanding areas.

The proposed treatment method for all stormwater is a 'first flush system'. The mechanism for the first flush basin and wetland for retaining chemicals include settling and trapping of suspended solids, the uptake of some dissolved contaminants and the absorption of dissolved heavy metals.

The proposed treatment system is consistent with others which have been adopted elsewhere and meet tangata whenua requirements. For instance in the Lincoln Township Lincoln Land Developments and Selwyn District Council (SDC) have both been granted consents (CRC092128.1 & CRC111663.1) by ECan. For CRC092128.1 stormwater from roads, residential roofs and residential hardstand areas shall be discharged into the communal wetland, wet pond and basin systems via swales. This is consistent with what is proposed for PC28. Consent CRC111663.1 specifies the performance of the stormwater treatment systems. SDC have designed a constructed wetland that provides both treatment and detention storage to comply with the performance requirements.

Christchurch City Council has recently been granted a consent (CRC131249) for discharge of treated stormwater originating from roads and hardstand surfaces to the Styx River and its tributaries. CRC131249 envisaged the use of stormwater treatment train which consisted of a dry sedimentation basin which acts as a first flush basin for the first 25 mm of the rainfall event followed by an infiltration basin or a wetland.

It is understood that all these consents have required consultation with the appropriate local Rununga and their representatives.

The run off from rural residential development will have lower nutrient loads than rural land use and unlike current runoff will be treated prior to discharge, resulting in a better environmental outcome. The stormwater and flooding system proposed will limit water discharge to pre-development levels and as such will have less than minor adverse cumulative effects on the water catchment.

The protection of any possible waipuna (Springs) on the site

There are no springs on the site..

Groundwater protection especially given the high water table

The constructed wetland will have less than minor effect on the groundwater due to the fact that when groundwater levels rise an upward hydraulic pressure occurs. In such circumstances where the stormwater management system intercepts this groundwater it will seep out into the wetland and become surface water which will then mix with stormwater runoff and then discharge into the drain on the boundary of the site.

During periods when the groundwater level is below the base of the treatment system there is the potential for water to seep through the base to the groundwater effectively acting as an

infiltration basin. However as the treatment system will not be designed to infiltrate with the use of soils with low permeability, any stormwater that does infiltrate will receive a very high level of treatment for contaminant removal. In fact over time wetlands tend to self-seal with the deposition of organic matter as the wetland plants shed material as they grow.

The meeting with MKT raised issues about breaking through the confining layer to the underlying groundwater. There is no intention of cutting through the confining layer on site as this will release groundwater which will be detrimental to the site development.

The protection of any wahi tapu and wahi taonga values

The SDC Rural Residential Background Report ('RRBR') (adopted by Council in February 2011) outlines methods to manage rural residential development in the eastern portion of Selwyn District.. It includes assessment criteria for determining appropriate locations for rural residential areas, including township specific criteria, including Lincoln. The following statements were included in the RRBR when considering constraints and opportunities for rural residential development:

Not adversely affect ancestral land, water sites, Waahi tapu and Waahi taonga of Te Runanga o Ngai Tahu and Te Taumutu Runanga;(RRBR page 37)

4.142 The consideration of providing a rural residential zone into the District Plan is of relevance to Iwi in enacting their Kaitiakitanga, particularly in relation to acknowledging cultural values, protecting sites of significance and securing, enhancing and maintaining indigenous biodiversity and ecosystems. The intensification of rural land holdings may also be perceived as being inconsistent with 'Whenua' – the relationship with land and resources and the consideration of the way in which the whole environment functions. (RRBR page 55)

4.147 Attention needs to be given to the effects of rural residential development on Statutory Acknowledgement Sites registered in the Appendices of the District Plan and Part II matters of the RMA91. (RRBR page 56)

The District Plan is required to give effect to the provisions of the RMA, the Canterbury Regional Policy Statement and any other relevant planning document. Neither the District Plan or RRBR identify the PC28 site as containing any sites which may be of significance for wahi tapu and wahi taonga values.

Based on the consideration of the other relevant matters raised in your submission and the lack of identification of any specific wahi tapu or wahi taonga values, I it is considered that the PC28 proposal provides for the protection of any wahi tapu and wahi taonga values.

The enhancement and restoration of indigenous biodiversity and mahinga kai values through native plantings

The protection of the waterways with a 20m wide riparian margin of native planting on both sides

The adverse effects of planting mainly exotic trees on runanga values associated with providing and restoring native, indigenous species and in particular taonga and mahinga kai species

Western Boundary:

The applicant only owns land (the riparian margin) along the eastern boundary of the western drain to the centreline of the drain. As such they can only influence what happens on the eastern side of the drain. They cannot undertake riparian planting on the western side of the drain which is in separate ownership. Currently the margin on the drain eastern bank is choked with exotic weeds including, but not limited to, blackberry, broom and gorse. There are other exotic tree species present such as willow and poplar. Rank pasture grass is in the areas more open to light.

By contrast the western stream margin (on the neighbours side) has been cleared, with the land used for agricultural purposes more or less right up to the water edge. It is our understanding that the margins of the stream would have very limited if any ecological value at all. We cannot comment on in-stream values of the drain.

The proposed esplanade strip is 5m wide by approximately 400m long and includes an access path. Assuming the esplanade strip is located on the 'dry' bank, and is not measured from the centreline of the stream, the area available for planting would be more or less 4m wide, covering some 1600m², if a 1m wide path is allowed for. The proposed esplanade strip would be far too narrow to re-introduce biodiversity values that may or may not have once occurred at the drain, however the use of appropriate native plants which do not cause the choking of the drain could be considered. The applicant would appreciate rununga's input as to what is considered appropriate species in these circumstances. We note in your submission that you favour in particular taonga and mahinga kai species.

Riparian planting will not provide any benefits in terms of mitigating overland flow runoff from the proposed rural residential development to the drain. This is because it is proposed to collect the runoff from impervious surfaces and direct them to a treatment basin and therefore runoff from the site will not be required to flow overland to the drain, through any planted areas.

A landscape strip is proposed along the eastern boundary of the western drain. A landscape strip (as opposed to an esplanade reserve which is held in Council ownership) would be held in the ownership of individual properties, but full public access is provided for. The individual land owner rather than the Council maintains the esplanade strip.

Council officers have confirmed that they do not support a 20m esplanade reserve for maintenance reasons and because it leads to a dead end, rather than links with other walkways. Council are of the view that it would not fulfil a wider recreational benefit other than for those in the immediate development area. Taking the Council's position into account, and in consideration of tanagata whenua values, the applicant has proposed the 5m landscape esplanade strip.

In this case context is crucial. Currently the stream does not link with any other area of biodiversity value. The watercourse assumes a similar character downstream of the site where it connects with an open drain at Collins Road. Upstream of the site the watercourse is more or less an open drain as far as Ellesmere Junction Road. These neighbouring land areas are under intensive farming practices now, and this is unlikely to change in the

foreseeable future. Any enhancement or restoration of biodiversity and mahinga kai values would be in isolation.

The intent of the landscape strip as per the ODP is for two reasons. The first is to maintain a natural edge and end point to the rezoned land, and secondly, for aesthetic reasons where the developer, or individual landowners may be required to remove and control weeds, and that any additional planting be indigenous species that would be found locally occurring in other nearby parts of the District in similar settings. This would then be available for peoples' enjoyment where they could walk along the path and see down into the stream. It may be possible that some trees are left in-situ to act as shelter for establishing native plants and to provide roosts for birds.

Southern Boundary:

Along the southern boundary of the site a 10m wide landscape strip is proposed. The purpose of the 10m wide landscape strip is to partly provide a setback to built development, and partly to provide an area where large scale trees may be planted for a buffer (note, not a screen) to the built development. The intent is not to conceal or contain the rural residential development, as part of the purpose of rural residential living is to have an outlook to the rural landscape where possible.

Even if this 10m strip was planted out with dense native planting, it would not link with the proposed western boundary landscape strip as that terminates quite a way to the north. Therefore any connections from the western boundary landscape strip to the drain running along Springs Road would be tentative at best. We are in favour of providing ecological corridors where it is realistic such as where meaningful links with existing swathes of healthy indigenous vegetation is possible. In the context of this case in isolation it is unlikely to be realistic.

While a number of exotic trees have been proposed for the southern boundary planting the applicant is prepared to consider native trees along this boundary, as long as they achieve a similar visual effect with a higher canopy and openness at ground level to provide for rural outlook and amenity. Any suggestions regarding appropriate native species would be welcomed.

Any subdivision of the site under the proposed L3 (rural residential) zoning is a Restricted Discretionary Activity and requires resource consent. Proposed PC28 assessment matters to be included in the District Plan for such applications (Refer Amendment 23 of notified PC28the) include:

- *Whether the provision for public walkways is consistent with the public walkways identified on the ODP in Appendix 39;*
- *Whether the treatment of the western boundary waterway and riparian strip enhances ecological and public amenity, and provides for public access*

Methods used to ensure the subdivision design and subsequent built development maintains rural character, including consent notices and requirements for works, fencing, planting and riparian restoration to be undertaken at the time of subdivision Amendments/additions to the

above assessment matters could be considered to give greater explicit recognition of tangata whenua values, for example:-

- *Whether the treatment of the western boundary waterway and riparian strip enhances ecological and tangata values and public amenity and provides for public access*
- *Whether the proposed subdivision stormwater management features and southern boundary planting as shown on the ODP in Appendix 39 enhance tangata whenua values, including by providing and restoring native, indigenous species, in particular taonga and mahinga kai species*
- *Methods used to ensure the subdivision design and subsequent built development maintains rural character and utilises low impact design features such as rainwater collection, including consent notices and requirements for works, fencing, planting and riparian restoration to be undertaken at the time of subdivision.*

The lack of monitoring of the water quality and quantity of the surface waterways and groundwater and the protection and restoration of indigenous biodiversity

Water quality monitoring is not a matter generally addressed as part of a District Plan Change application. The Rununga will have the opportunity to comment on proposed monitoring when a consent application to discharge stormwater from this site is lodged with Environment Canterbury. The extent of the monitoring will depend on the assessment of environmental effects, and as the discharge will be adopted by SDC, be consistent with similar monitoring SDC are carrying out elsewhere (e.g. as they have established for the Lincoln Global Consent). The water quality monitoring offered will address the protection of any indigenous biodiversity. The stormwater treatment system will include the selection of plants appropriate to this area. It is preferable to source plants from the area surrounding any proposed wetland to ensure the development of a healthy wetland that stands up to the rigours of the environment of the area.

Non RMA Matters

The expression of Ngai Tahu cultural identity through the naming of streets, reserves and artwork within the development

The proposed plan change does not include street names at this stage, as streets have not been identified, but rather only an indicative roading layout proposed. Consideration of street names will not be made until post subdivision stage and as such the applicant is not in a position to consider these.

Provision for low impact house design features such as rainwater collection which is critical given the high water table in the site

There are currently no requirements under the District Plan for the use of storage tanks for rainwater collection, or any other low impact house design features.

The applicant is unsure about any mechanism to make such a requirement on potential future owners at this plan change stage, and considers that this is a matter much better

provided for at the subdivision consents stage. We have suggested an amended subdivision assessment matter as a potential method to address this issue.

Runanga Advisory Group

We understand from the discussions at the on site meeting, that the Runanga may wish to have the opportunity for ongoing consultation and input into the proposed PC28 rural residential development, including at the subsequent resource consenting and implementation stages (subdivision, earthworks, stormwater discharge etc.). This could be by way of a Runanga Advisory Group, with the suggestion from Andrea that this be funded by the applicant.

Conclusion

Overall the applicant considers that although specific assessment of tangata whenua values is not included in the PC28 AEE -, that consideration of the issues raised by MKT have been addressed in the PC28 application and in this response to your submission including in relation to the effect on water quality or quantity in the existing drain, which eventually flows into Te Waihora. The proposed stormwater treatment and retention system ensures that appropriate water quality and quantity is maintained both within the site and downstream. Specific design of the infrastructure is the only way to determine if the confining groundwater layer will be breached during construction, however all reasonable attempts will be made to avoid this as it will result in additional costs for the development. No adverse effects will occur to the confined aquifer by avoiding excavation through the confining layer. In the unlikely event that it needed to occur appropriate measures to mitigate adverse effects of this will need to be included into any resource consent applications for these works.

The applicant is prepared to provide native planting within the proposed 5m landscape strip on the western boundary, within the wetland area for stormwater retention, and along the southern site boundary (subject to appropriate species to ensure rural outlook and amenity is maintained). However the applicant notes that they are not in a position to provide a 20m esplanade reserve adjoining the western drain as this is not supported by SDC. Suggested amendments to the subsequent subdivision consent assessment matters for the PC28 will give explicit recognition to tangata whenua values of particular importance to this site.

We welcome further dialogue with you, with a view to resolving matters prior to the hearing.

Yours sincerely

The image shows two handwritten signatures in blue ink. The signature on the left is 'Fiona Aston' and the signature on the right is 'Anna Mackenzie'.

FIONA ASTON

ANNA MACKENZIE

Principal

Senior Planner

Appendix I – Consultation with SDC

Fiona Aston

From: Craig Friedel
Sent: Thursday, 16 May 2013 7:43 a.m.
To: fiona@fionaaston.co.nz
Cc: Jeremy Head (jeremyhead@xtra.co.nz); pru@prusteven.co.nz
Subject: FW: Revised Denwoods ODP
Attachments: denwdpc28odp313.pdf

Hi Fiona,

I have received comments from Gabi Wolfer (urban design), Andrew Craig and Mark Rykers. I have yet to receive comments from Murray England, but thought it best to get back to you with a preliminary response in lieu of Murray's feedback. I will forward through his comments in due course, but note that if the size and general locations of the stormwater basin is the same as the latest application then I suspect the amended layout will not present any concerns from a stormwater perspective.

Urban design

Gabi is generally supportive of the amended layout, particularly the breaking up of the linear road network that presented initial concerns in respect to traffic speeds. I recall the ODP lodged with the Denwoods Trustee submission included an 'Indicative future roading connection', but just wanted to confirm that this was still being proposed. Gabi suggested that the through connection into the Business 2B zone identified on the draft concept should align directly with the intersection of the proposed 'Lane' and the 'Primary Road'. A second connection into the site would promote connectivity and make the development more resilient should the single connection into the Living Z zone be unable to be used for whatever reason (i.e. road works, vehicle crash, natural event...).

Landscape and visual

Andrew Craig has responded with the following email:

"Hi Craig

I've had a close look at the Denwoods ODP and am pretty happy with it. I see that Jeremy has adopted the principle of providing smaller lots on the perimeter and larger in the centre. This should result in abundant space in the core with 'borrowed' open space from the surrounding rural land and road corridor. My only suggestion is that a building setback is imposed at the western boundary in from the wee stream. I recommend 10m. This will create a high amenity green waterway corridor along this boundary which will have the added advantage of providing habitat for birds. Overall I'm confident the latest ODP will provide a good rural residential environment. This is assuming of course, that all other design matters are factored in such as fencing, setbacks and road treatments etc.

I think that pretty well covers it. If you need me to elaborate please let me know.

regards...Andrew

Andrew Craig Landscape Architect Ltd"

Open space

Mark Rykers has responded with the following email:

"Hi Craig,

I have read the comments related to the proposed Landscape Strip and agree that this will help to provide a natural edge to the boundary of the L3 land. Although it currently leads to a dead end there may be potential for links to be created in the future and it maintains public access alongside a water course with potential for enhancement. The strip forms part of the adjoining properties and as such there is no responsibility for Council to maintain. They do however provide the risk of development by the property owners or erection of structures that would preclude public access. All in all I do not have an objection to the provision of the strip as proposed. I would not support a 20 m wide esplanade reserve as the width and significance of the water course does not warrant this approach.

Regards,

Mark"

Kind regards

Craig Friedel
Strategy & Policy Planner
Strategy & Policy Team
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From: Fiona Aston [mailto:fiona@fionaaston.co.nz]
Sent: Thursday, 9 May 2013 8:54 a.m.
To: Craig Friedel
Cc: Pru Steven; jeremy head
Subject: Revised Denwood ODP

Hi Craig

Please find attached preliminary revised ODP for PC28 (Denwood Trustees).

The large (green) lots are maximum 1ha, the smaller olive green lots approx. 7500m², and the smallest (cream) lots would be around minimums of 2500m² - 3000m². On a first cut count up the area of small lots is 18.9ha, medium sized lots 20ha and large lots 13ha. This gives an overall area of buildable lots of 52ha or 103 lots which is just over an 0.5ha average.

The revisions take into account matters raised at our meeting in February with yourself and Andrew Craig. Amendments include:-

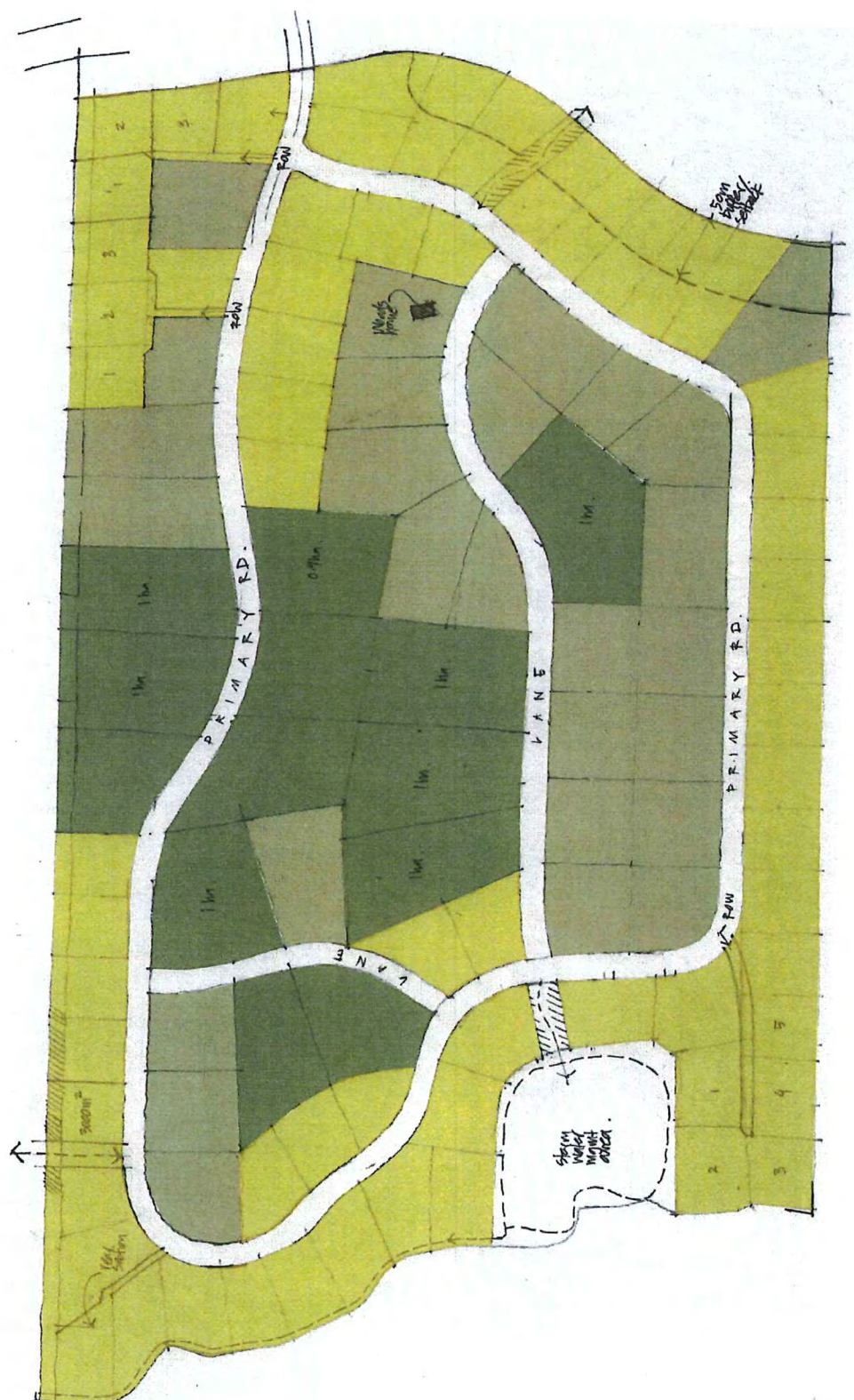
- concentrating the smaller lots around the periphery of the Site, but not slavishly;
- inclusion of some larger lots (around 1 ha) to break up the repetitive patterning, typically located internally;
- greater variety and mix of lot sizes and locations to promote a less regimented landscape outcome.

Jeremy has shown the ODP to Andrew C who is positive about the changes. Are you able to consult with other SDC staff and also with Andrew C and come back to us with your comments. Will you talk with Murray England, Andrew Maze and Mark Rykers? Anyone else?

Re Mark – as per the original proposal, PC28 proposes a 5m esplanade strip and riparian planting along the western boundary waterway (a drain). This doesn't link with any other public walkways as Lincoln University opposed to using the former railway corridor on northern boundary to link with Springs Road. Te Taumutu Runanga seek a 20m wide riparian corridor on both sides of the waterway. However, this is obviously not feasible on the western side, beyond the application site + realistically, attempts to restore to enhance or restore biodiversity and mahinga kai would not be effective given that the waterway links with other open drains to north (as far as Ellesmere Junction Road) and south (Collins Road) where neighbouring landuses are intensive farming. The purpose of the esplanade strip is to maintain a natural edge and well defined western boundary to the proposed L3 subdivision, and for aesthetic reasons, primarily for the benefit users of the walkway and lot owners adjoining the waterway.

Kind regards, Fiona

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FILE NOTE

Officer: Craig Friedel – Strategy and Policy Planner

Date: 20th February 2013 [10am to 12:30pm]

Project: Plan Change 28

Attendees: Fiona Aston, Fiona Aston Consultancy (FA); Jeremy Head – Jeremy Head Landscape Architects (JH); Andrew Craig – Andrew Craig Landscape Architects (AC); Craig Friedel - Strategy and Policy Planner (CF)

Purpose

- To discuss the extent to which PC 28 achieves the anticipated rural residential, form, function and character anticipated by the RRBR and PC 32
- To highlight the primary issues that Council Officer's will be addressing in evidence preparation

Primary issues identified by the Council

- PC 28 focuses on specific development controls v. PC 32/RRBR relying on density (1.75hh/ha – average lot size of 7,500m²) and overall yield
- There is a level of comfort with the general location i.e. integration with the township and PC 7 rezoning process and because the request allocates a portion of rural residential household allocations to Lincoln, which is a Key Activity Centre
- A key question that is being considered in preparing evidence and determining the appropriateness of the rezoning is whether the methods being promoted are sufficient to address the collective effect of 115hh being established within this particular development block
- Landscape assessment undertaken by AC to inform the RRBR/PC32 suggests an optimal size of 1ha and nodes containing no greater than 50hh as being optimal. The RRBR recognises a degree of flexibility is appropriate in respect to lot sizes, with sizes ranging between 0.3 – 2ha sitting within the rural residential spectrum (with low-density residential and rural sitting either side of this spectrum)
- AC's draft evidence prepared for PC 28 queries whether a future subdivision implementing the ODP and rules package would enable future residents to appreciate the degree of 'ruralness' anticipated for rural residential living environments
- The RRBR in general, and the following objective and policy in PC 32, will be the focus of the planning assessment:

"Objective B3.4.6

To manage rural residential activities by facilitating a maximum of 200 households in each of the periods to 2016, 2017 to 2026 and 2027 to 2041 through the Living 3 Zone, which are to establish outside the Urban Limits in close proximity to Townships in the Greater Christchurch Urban Development Strategy area to:

- Avoid significant adverse landscape and visual effects on rural character and amenity
 - ...
 - Avoid incompatible amenity expectations between different land uses, particularly between rural residential living environments and the sensitive boundary interfaces of the Living 3 zone with Townships and Rural zoned land
 - ...
- The Rockwood Trust submission was emphasized as a case in point in respect to reverse sensitivity effects
- “Policy B3.4.3 (b)
- ...
- Rural residential living environments are expected to deliver the following amenity outcomes and levels of service:
- appropriate subdivision layouts and household numbers that allow easy and safe movement through and between neighbourhoods, achieve a degree of openness and rural character and avoid the collective effects of high densities of built form”
- The subdivision assessment matters within PC 32 are also relevant i.e. does the ODP provide sufficient direction in respect to achieving the desired outcomes?

Discussion

- AC identified a preference for a range of lot sizes, with smaller lots distributed amongst larger parcels so that a degree of ‘ruralness’ can be achieved for each parcel – apparent uniformity of the PC 28 ODP v. random layouts/’openness’
- Fencing controls were identified as being important, with reference being made to the typologies contained within PC 32 rather than a detailed rules package to reach the same outcome
- FA identified that an underlying scheme plan would be prepared to assist in establishing the overall outcomes of what was being proposed at subdivision – it was indicated that this would be provided prior to the hearing
- CF identified that any amendments will need to be within scope, but that submissions provided for movement in design and any changes that reduced effects would be supported
- JH identified the context of the site, with it not being a truly rural landscape with the township and University as a feature on the northern skyline, with the intended visual reference points in PC 28 seeking to achieve a treed and open environment
- JH highlighted that the application aims to ‘avoid adverse effects’ rather than providing ‘mitigation’
- CF cautioned that the primary aim should be to achieve ‘rural residential’ rather than ‘rural’ character i.e. low density living environment with discernible ‘ruralness’ rather than truly ‘rural’
- CF emphasised that PC 32 has weight because submissions have closed and the RRBR is adopted Council policy
- FA reviewed the specific rules and development controls put forward by PC 28, acknowledging that some of them could be refined or removed if the site density and yield is able to address the matters raised at the meeting in respect to rural residential form, function and character. CF raised a specific query around the intent and appropriateness of the proposed rule seeking to restrict paved areas to 100m² in size
- The southern boundary was discussed. AC was not necessarily concerned with adverse reverse sensitivity effects as similar boundary interfaces are common with townships and effects can be managed. JH outlined the intent of the landscape strip and densities
- The western boundary was discussed. There was general agreement between JH and AC that a sense of ruralness was present due to the farming operations, but that there was limited rural outlook because of plantings and vegetation
- The northern boundary was discussed. FA outlined the boundary treatments, which for the most part had been in response to requests made by Lincoln University. AC confirmed a level of comfortable with the

conclusion that this outlook was not necessarily open, but that the adjoining land use activities within the University (i.e. trial plots) did achieve a sense of ruralness

- The riparian margin was discussed, particularly the extent to which it may be accessed by the public and whether Council would want to secure public access. CF outlined the basis for not necessarily supporting reserves within rural residential environments, but advised that he would discuss access to the riparian strip with Mark Rykers
- AC identified that 'integration' was a key component of Change 1 and that it had been discussed throughout hearings considering rural residential rezoning applications
- CF queried whether the noise bund on the boundary of the proposed Business 2B and Living Z zoned land was based on rural residential activities establishing on the balance. FA confirmed that it had been factored in to the assessment, but that she would investigate to ensure that was the case

Outcomes and actions

- CF to await a response and the outcome of on-going discussions prior to progressing with the drafting of evidence
- CF to discuss reserve provision and public access requirements with Mark Rykers
- AC and JH to discuss matters raised at meeting
- FA confirmed that the applicant would review approach, including whether an amended densities, layout and yield could reduce the need for specific development controls
- FA to confirm timeframes for any on-going discussions and associated amendments to assist in confirming hearing timeframes and evidence preparation