

Attachment A

Urban Design and Landscape Evidence

IN THE MATTER OF the Resource Management
Act 1991

AND

IN THE MATTER OF Plan Change 10 to the
Operative Selwyn District Plan

REPORT BY IAN CRAIG

HARRISON GRIERSON CONSULTANTS LIMITED

26 MARCH 2010

1.0 INTRODUCTION AND QUALIFICATIONS

- 1.1 My full name is Ian Grant Craig. I hold the qualifications of Bachelor of Architecture with Honours and Bachelor of Planning, both from the University of Auckland. I have 20 years experience with architectural and planning consultancies in London, Wellington and Auckland, including a total of 14 years with Harrison Grierson Consultants Limited. I am a full Member of the New Zealand Planning Institute. I am a Senior Principal of Harrison Grierson and employed as Urban Design Manager, based in Auckland, and leading a team of 12 urban designers and landscape architects in offices throughout the North Island.
- 1.2 During my time with Harrison Grierson, a large portion of my experience has been in the preparation of master plans for the development of new growth areas. Depending on the scale and timing of the project, this work leads into detailed layout design and resource consent work, and/or supports Plan Change work. Often, this work involves translating urban design concepts into workable rules, development controls and assessment criteria for Plan Changes.
- 1.3 I have undertaken projects of this type for land, housing and business development clients throughout New Zealand, including a number of projects in Christchurch City and Selwyn District.
- 1.4 I have been asked to report on submissions to Plan Change 10 which relate to areas of my particular expertise in urban design and visual impact.

- 1.5 While I am an experienced planner this report does not present a full statutory planning commentary. The report of Mr Ben Rhodes covers wider planning and resource management issues.

2.0 INVOLVEMENT PRIOR TO PLAN CHANGE 10

- 2.1 Plan Change 10 seeks to apply a new Business 2A Zone over the land zoned Business 2 in the existing Izone Southern Business Hub, and also including the Rural Inner Plains zoned growth area known as Area SR1 in Change 1 to the Canterbury Regional Policy Statement
- 2.2 At the time of notification of the Plan Change the newly zoned area did not exactly match the growth area known as Area SR1 in Change 1 as notified. However, decisions on Proposed Change 1 released in December 2009 saw the Area SR1 boundary adjusted to match the area now being rezoned from Rural Inner Plains to Business 2A. All of this land is intended to become an extension of the Izone Southern Business Hub, a large-scale modern and high amenity business park.
- 2.3 I am familiar with Izone because I was the original urban designer who led the process of developing its first master plan, in 2001. This early work was used to support a Variation to the Proposed District Plan that created the Business 2 zone.
- 2.4 Izone has been broadly successful in the intervening years. I was involved again in 2006 when Harrison Grierson was commissioned by SDC to develop concepts for what we called an "Amenity Hub" and linkages to it, which has now been established in the existing Business Park.
- 2.5 In 2007 Harrison Grierson was engaged by Selwyn District Council to provide preliminary urban design advice looking at the possible directions and extent of an expanded Izone long term, should this occur in future.
- 2.6 Proposed Change 1 to the Regional Policy Statement had identified two areas for business growth adjacent to the existing business park. Area SR2 was identified by us as the logical next stage of development in preference to Area SR1.
- 2.7 Policy 8 of Change 1 requires that when it is proposed to amend a district plan to provide for urban activities an *Outline Development Plan* shall be prepared, and then sets down requirements for it. In 2008 Harrison Grierson was engaged

by Selwyn District Council to prepare the "Outline Development Plan" for Area SR2. This was re-zoned to Business 2 zone by way of Plan Change 5 in 2008.

- 2.8 For the hearings of Plan Change 5, in December 2008, Harrison Grierson was engaged to provide a report on urban design and visual impact issues raised by submitters, which formed part of the Officer Report on Plan Change 5, and also for me to attend the hearing, answer questions and provide comments for the Commissioner.
- 2.9 In 2009, I also prepared and presented urban design evidence to the hearings of Izone's submission to Proposed Change 1. As noted, the decisions from that process resulted in regularising the boundary of Area SR1, as well as recognising significant additional future growth areas (now known as Areas SR16 and SR17).

3.0 INVOLVEMENT IN PLAN CHANGE 10

- 3.1 For Plan Change 10, we have provided assistance with preparation of the Plan Change in a similar but more comprehensive way to that provided for Plan Change 5. This included preparation of the *Outline Development Plan Background Report*, and the *Visual Impact Assessment* that formed background documents to the Plan Change, as well as collaborating with the rest of the consultant team in the preparation of the provisions for the new zone.
- 3.2 Policy 7 of Change 1 is of particular relevance to the content of an *Outline Development Plan*. This policy identifies a series of design matters to be provided for when preparing any urban development, in addition to identifying that the principles of the Urban Design Protocol (Ministry for the Environment, 2005) shall be observed.
- 3.3 Methods 7.1 and 7.2 note that :
- 7.1 "Territorial authorities and developers will apply the Urban Design Protocol (Ministry for the Environment, 2005).
- 7.2 Territorial authorities will ensure that Outline Development Plans and Urban Intensification Plans are completed in accordance with Policies 7 and 8."
- 3.4 The *Outline Development Plan* has this been prepared to be consistent with the non-statutory Urban Design Protocol, to which Selwyn District Council is a signatory. For completeness, Appendix 1 to the *Outline Development Plan*

Background Report provided a summary assessment of the proposal against the principles of the Protocol, under its "seven Cs" of good urban design.

- 3.5 The preparation of the *Visual Impact Assessment* has followed the same general methodology to that which was used in the Report to the hearing of Plan Change 5. Its focus is on that part of the rezoning area which is changing from Rural Inner Plains to Business 2A, as the extent of visual change arising from developments under these zonings will be more obvious than any change arising from the relatively minor differences between the Business 2 zone and the new Business 2A provisions.
- 3.6 The *Visual Impact Assessment* was prepared in draft first during the preparation of the Plan Change, and was then able to be updated to confirm that specific provision were being included in the Plan Change to address issues that had been flagged in the drafts of the report.

4.0 OUTLINE OF THIS REPORT

- 4.1 This report principally reviews submission points related to urban design and visual impact matters. There were 35 original submissions and 6 further submissions. **Attachment One** shows the locations of the submitters' properties. **Attachments One** and **Two** also show the locations that were chosen as publicly accessible viewpoints for analysis when the *Visual Impact Assessment* was undertaken. Not surprisingly, the majority of the submitters are in the Armack Drive Rural Residential area, in the general vicinity of the area being newly rezoned.
- 4.2 While a number of the original submissions oppose the entire Plan Change, I have identified 16 submitters (plus the Selwyn Central Community Board) that raise specific issues that relate to my areas of expertise. The locations of the 16 submitters' properties, together with a short summary of their various concerns, are shown on **Attachment Two**. Again, most of these are in the Armack Drive area.
- 4.3 The issues raised can be classified into five broad areas:
- Proximity of industrial uses to the Armack Drive area (and need for a buffer in between);
 - Rural amenity, rural outlook and landscape values;

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- Height, size, and appearance of buildings;
 - Measures to screen, including effectiveness of existing shelterbelt;
 - Changes to the recession plane control.
- 4.4 Selwyn Central Community Board (supported by Solid Energy in one of its three further submissions) raises the matter of the proposed reflectivity control, upon which I will also comment.
- 4.5 To evaluate these submissions I have reviewed again the Plan Change provisions, the *Outline Development Plan Background Report* and the *Visual Impact Assessment*.
- 4.6 In the next section I briefly outline the various measures in the Plan Change to deal with visual and amenity issues. In Section 6.0 I address each of the above submission issues in turn.

5.0 MEASURES IN THE PLAN CHANGE ASSOCIATED WITH AMENITY

- 5.1 The Plan Change contains numerous new or amended measures associated with amenity and visual effects, and the associated Assessment of Effects (Sections 4.20 through 4.69 in particular) provides a good summary of many of the measures, their rationale, and potential effects. My own brief summary of the key areas is set down below:

Outline Development Plan

- 5.2 A new Outline Development Plan for the whole new zone has been introduced to replace and expand upon the original Business 2 Outline Development Plan and the Outline Development Plan introduced specifically for Area SR2 (also known as "Precinct 2") under Plan Change 5. This will make the District Plan easier to use, and reflects the comprehensive way in which we have addressed the masterplanning to date.
- 5.3 While ultimately drawn up by Aurecon it reflects the design position reached by the team in respect of the Concept Plan, as explained in the *Outline Development Plan Background Report*. Thus it carries forward and expands upon earlier design components, for example the main roading pattern and hierarchy, the concept of "Amenity Hubs" (as defined by the District Plan since Plan Change 5) at the heart of each "Precinct", and road cross sections first introduced

through Plan Change 5. It adds new material and referencing to the new provisions, for example identifying where three different landscape treatments will be applied to the periphery.

General Street and Frontage Landscape Treatments

- 5.4 Relative to the provisions for soft landscaping of frontage strips and roads which existed in the earlier Business 2 provisions, a suite of changes has been made to regularise the approach, broaden the species list, and account for anomalies in the frontage planting requirements (for example clarifying that it does not apply to the Railway Road frontage because of its more specific provisions associated with retention of the existing hedgerow). As no submission seems to raise any concerns about these changes I will not dwell further on them.

Rural Boundary Treatments

- 5.5 The Outline Development Plan includes annotations of "Landscape Treatment One", and "Landscape Treatment Two" for current Rural zone boundaries. These have been slightly modified from the edge requirements which previously existed, including a requirement for a minimum width of 5m for a landscaping strip in the area subject to Landscape Treatment Two (as the long term outer edge of the development, facing Tunlaw Farm). The setback rule (16.7.2.4) applicable to Rural zone boundaries has been increased to 15m in the Landscape Treatment One area to allow for a pedestrian walkway required through the Outline Development Plan drawing. No submission seems to raise any concerns about these changes.

Railway Road Frontage Treatment

- 5.6 As a consequence of recommendations arising out of the initial drafts of the *Visual Impact Assessment*, the Plan Change protects the existing shelterbelt along the entire Business 2A frontage to Railway Road by identifying it as part of "Landscape Treatment Three" (Rule 24.1.3.13), which applies to the Railway Road frontage. To protect its health, resource consent is required for storage of materials (controlled activity - Rule 22.10.2) and creation of impermeable surfaces (restricted discretionary activity- Rule 22.10.4) within 5m of it. To create breaks in it for road or rail access requires resource consent (Rule 17.6.1) as a restricted discretionary activity, (or discretionary activity if that break is greater than 30m in length - Rule 17.6.3).

- 5.7 Notably, Landscape Treatment Three also requires the establishment of *another* shelterbelt (referred to as a "secondary planning strip") on the *other* side of Railway Road, within the Council road reserve. Rule 24.1.3.19 requires that this must be planted prior to any new certificates of title being issued for Precinct 3, and clauses under the description of Landscape Treatment Three require that both shelterbelts *"shall be maintained, and if dead, diseased or damaged, shall be removed and replaced"*.

Height Limit

- 5.8 The Business 2 zone has a permitted height limit of 15m for building and 25m for structures. Plan Change 10 creates the Business 2A zone which modifies this approach in some aspects, and applies the modified control to the whole of the Plan Change area.
- 5.9 These is a minor modification to the definition of "height", as applied to the Business 2A zone, increasing the exemption for lift shafts and other minor vertical extensions to the main structure of the building, from 2m to 5m, but limiting this exemption to 10% of the plan area of the building.
- 5.10 The Plan Change also introduces an ability to establish buildings of up to 20m in height as a restricted discretionary activity (Rule 16.6.3). There is a "non-notification clause" associated with this consent type, provided the building is located more than 150m from Hoskyns Road or Railway Road. The exercise of discretion is restricted under Rule 16.6.5 to a series of matters associated with the need for the height, the use of the site as a consequence, the appearance of the building and ability to mitigate views of it, the proportion of the whole building which exceeds the 40% reflectivity value, the extent by which this is exceeded, and whether this can be mitigated.
- 5.11 The restricted discretionary status is dependent on those parts of the building over the 15m height line having a reflectivity of 40% or less. If this is not achieved, the status reverts to discretionary activity (Rule 16.6.6).
- 5.12 The rationale for these changes is clearly outlined under Amendment 46 (Page 15 of the Plan Change).

Recession Planes

- 5.13 The Plan Change has modified the application of building recession planes. The exact change is difficult to follow so I have set out the issues associated with the change under my response below to the submissions which highlight this confusion.

6.0 THE SUBMISSIONS

Submissions on Proximity of Industrial Uses to Armack Drive

- 6.1 Several submitters in the Armack Drive and Wards Road area raise the issue of the proximity of industrial uses to rural residential landholdings – essentially that the rezoning area is too close to an established rural-residential area. Some, such as Kevin Chaney, call for a “buffer zone of Rural land” to be established between the uses, which would lessen the measurable effects of development, be they visual, noise or traffic effects. A 1km buffer is suggested by Mr Chaney.
- 6.2 Essentially these are submissions on large scale urban design matters, raising the question of whether diverse uses such as rural-residential and industrial should exist in proximity to each other, or what kind of buffer or barrier should be between them. Certainly in urban situations it is common planning practice for industrial and residential uses to share common boundaries, and attention is often given through District Plan provisions to the interface within, say, 50m of the common boundary.
- 6.3 The master planning for Izone has always seen Railway Road as its southwestern extremity, not least because of the presense of rural-residential properties in the area, and various forms of visual screening and physical separation have been contemplated even though separations much greater than 50m are involved.
- 6.4 **Attachment Three** is a recent aerial photograph to scale. It includes a green dashed line showing a 1km separation from the rear of the Armack Drive properties, as suggested by the submitter, which can be seen to encompass a large proportion of Izone (including all of Precinct 3 and most of Precinct 1). I have also shown as a red dashed line the 150m line beyond which applications for buildings within the 15m to 20m bracket may be processed without public notification.

- 6.5 I note that undeveloped rural land parcels owned by WJ Robinson and AH International Limited are located between the Armack Drive properties and Railway Road. To some extent these already form a "buffer". Typical dimensions from the rear of the Armack Drive properties to the proposed zone boundary are also shown on the attachment as ranging from 104m to 218m.
- 6.6 Based on examination of views of the site from a similar distance to that which would be appreciated from the Armack Drive houses. I concur, however, that such a separation on its own would not be an effective visual buffer, thus the detailed measures to reinforce this through detailed measures to protect the existing shelterbelt and supplement it.

Submissions on Rural Amenity and Landscape Values

- 6.7 Some submissions raise issues about loss of rural character and rural amenity value *per se*.
- 6.8 The land that the Plan Change rezones from Rural Inner Plains to Business 2A is located on level land that continues for significant distances around the site. Because of this ongoing flatness, there are few views of the site from the surrounding area.
- 6.9 The surrounding landscape character to the north and west of the development area is rural, characterised largely by open fields, with some grouped tree plantings, especially where there are clusters of rural residential development such as on Armack Drive, and reasonably extensive use of long shelterbelts and hedgerows. The hedgerows are well established, and typically range from six to eight metres in height. The area has an amenity value provided by the openness of the landscape and expansive views of sky, a general lack of built development, and the boldness and strong linearity of the hedgerows that characterise the area.
- 6.10 While pleasant, the landscape is in my opinion neither unique nor outstanding within the vast and relatively similar Canterbury Plains rural landscape.
- 6.11 The land that has previously been zoned Business 2 has, or is assuming, a commercial/industrial visual character as Izone evolves. Precinct 1, within the land which was previously zoned Business 2 zone is already in a state of rapid change away from rural character. Given that the land to which Plan Change 10 applies has been identified as a business growth area through Change 1 to the

Regional Policy Statement, it is clearly anticipated in a regional and local sense that the newly zoned land too, will change in its visual character. The recent decision on Change 1 which regularised that shape of Area SR1 is beneficial in confirming that the Plan Change's creation of a compact shape and form for the area.

- 6.12 All of this is acknowledged in the *Visual Impact Assessment* and provides a context for any assessment – such that the document focus is on mitigation, softening and managing visual change rather than challenging its validity in the first place. I reconfirm my view that this is the appropriate approach, and do not consider that these submissions require any further action.

Submissions on Height and Appearance of Buildings

- 6.13 Some submitters raise the height of buildings as an issue. Often these concerns are interlinked with the ability of foreground trees (and the existing Railway Road shelterbelt) to soften the buildings, for example Warwick Robinson's opposition to the Plan Change on grounds which include "*visual pollution and detracting from landscape values caused by large unsightly buildings rising above the tree lines*". Screening issues are discussed further below.
- 6.14 It is important to note first that the proposed height limit of 15m for buildings and 25m for structures is not unusual in the context of either Selwyn District's Business zones or those of other District Plans, and is the same permitted height limit applied to the Business 2 zone throughout the District. Table C16.1 of the Operative District Plan provides for structures of up to 25m in height in every business zone (30m in the Business 3 zone, which I understand is applied to Lincoln University). Allowable building heights vary from 8 metres plus roof allowance, to 30 metres (Business 3 zone again), in Selwyn's various business zones.
- 6.15 It should be noted also that it is always difficult to undertake visual assessments of Plan Changes, as one is considering the possible impact of a performance standard or rule rather than a specific proposal, and must be inherently conservative in preparation of evaluative material. This is particularly the case for permitted height limits, which are the basis for the Photomontages in the *Visual Impact Assessment*.
- 6.16 So the *Visual Impact Assessment* considered both the "worst case" impact (of a 15m high building built to the 10m setback lines on all roads), and more

importantly the "likely" impact on particular viewpoints of what I consider to be a realistic depiction of typical heights. Even then the "likely" photomontages included in the *Visual Impact Assessment* overstate the likely impact of buildings – as noted in the Visual Impact Assessment (page 14) even the "likely" scenario markedly "overstates the likely impact because of the likelihood of gaps between buildings, modulation, and greater setbacks along the Railway Road boundary".

- 6.17 To determine what is "likely" I reapplied the same rationale that I used in reporting on Plan Change 5 in 2008 - i.e I examined the existing and planned buildings of Izone at the time, and also considered built development on comparable business parks in Auckland, to determine what heights and forms I should assume. The report explains these investigations in detail and appends the height surveys, which were undertaken in November 2008.
- 6.18 Visual impact was examined and modelled from six key public viewpoints, with a seventh viewpoint, Armack Drive, being unable to be usefully modelled. The resultant report shows the key findings, which is that the visual impact stands or falls on the ability to retain the existing shelterbelt and supplement/replace it as required.
- 6.19 Lorraine Tolhoek submits that "*no evidence is shown to support a change in the District Plan of Building Height and Definition of Height. The new CRT Seed Store is up to 20.5m in height – is one of many instances where a required height is over the standard 15m?*" I note the CRT seed store was under construction (its main warehouse components, which have a maximum height of 9.3m, were partially framed) when the height survey was undertaken in November 2008. Since then it has been completed and includes a portion, the mills area, for which consent was granted for a 20.4m height. I note also the explanation for the height limit modifications (clause 4.50 of the AEE in particular discusses emergent requirements for modular racking storage systems).
- 6.20 While I am aware of these trends, based on my observations of typical business areas, in 2008 and now, in my opinion it is still highly unlikely that a large proportion of the buildings will be built to the full potential of the 15m permitted height limit.
- 6.21 Turning to the changes to potential height achievable under a restricted discretionary process, as noted in the *Visual Impact Assessment*, applications for buildings in the 15m to 20m bracket will have the added procedure of a resource

consent process through which specific mitigations of bulk and appearance can be provided because the specific building design can be considered. I assisted in the writing of the criteria that will in effect be applied to these applications (i.e the matters to which discretion is restricted under Rule 16.6.5) and I am generally satisfied that they will give Council a broad ambit for considering (and if necessary rejecting) applications for over height buildings.

Submissions on Screening, and Effectiveness of the Existing Shelterbelt

- 6.22 Though expressed in various ways, it is clear that a concern of many submitters is the potential impact of buildings and structures built to the above-noted maximum heights, and the ability for the existing and proposed shelterbelts along Railway Road to hide these.
- 6.23 The urban design approach to the expanded Izone design has always seen Railway Road as the south-western extremity of the finalised development, and thus a location where this termination must be reinforced by the physical layout and edge treatment, and where mitigation of views from the rural area becomes an important factor. By comparison, Hoskyns Road has never been seen in this way, and as such does not include a landscape treatment based on screening of views, because of the long term intention to expand into very large parcels to the east of this (as confirmed by decisions on Change 1).
- 6.24 As can be observed from reading the *Visual Impact Assessment* the retention of the existing shelterbelt along Railway Road in a healthy state was identified at an early stage as "*a critical mitigating factor in reducing the visual impact of the development*" (VIA, p14).
- 6.25 It is important to note first that under the Business 2 zone there was no direct rule-based reference to the retention of the shelterbelt along Railway Road. The Outline Development Plan which appeared at Appendix 22 simply included the annotation "Existing Shelterbelt". The proposed mechanisms of "Landscape Treatment Three" and the associated consent processes associated with creation of gaps, storage of materials and creation of impermeable surfaces, provide a much greater assurance of processes to ensure the long term integrity of the existing and the new shelterbelts.
- 6.26 The Plan Change is transparent in that there will likely be gaps created in the principal shelterbelt – one for the potential road access to Railway Road and shown on the Outline Development Plan, and potentially more for rail sidings. It

was principally for this reason that the concept of the second shelterbelt, on the other side of the roadway, was envisioned as a further screening device specifically targeting the Armack Drive properties (though through the effects of parallax - i.e that closer objects appear taller - it may also be that in due course this will become the only shelterbelt visible from the Armack Drive properties).

- 6.27 The species Leyland cypress was selected by a senior landscape architect in my team in consultation with a Council officer, as the species most likely to do well in these particular conditions.
- 6.28 **Attachment Four** shows the intentions graphically. That is, the new hedgerow will block views from the southwest through the gap created by the road access, and that, because they will be offset, the gaps required for any rail sidings will not result in a "double gap".
- 6.29 Landscape Treatment Three requires that both shelterbelts *"shall be maintained, and if dead, diseased or damaged, shall be removed and replaced"*. While unusual, clauses of this nature have long been used in the Selwyn District Plan, and in this location in legal road, Council, through Izone, will be able to undertake the ongoing maintenance.
- 6.30 In principle, I remain satisfied that the proposed suite of provisions associated with the ongoing protection of the primary shelterbelt and the establishment of the new shelterbelt ("secondary planting strip") are generally appropriate in ensuring long term mitigation of visual effects of permitted height buildings in Izone (and, depending on the location, will likely contribute significant mitigation to buildings within the restricted discretionary height band).
- 6.31 However, in re-examining the Plan provisions, I have noted an anomaly I consider should be corrected in the light of the submitters' concerns, namely that the provisions associated with the "secondary planting strip" are silent on what to do about breaks in this new shelterbelt, once established, which might be required for rail crossings. While the secondary planting strip shall be maintained and replaced if dead, diseased or damaged, what happens if a gap is required to facilitate a rail siding?
- 6.32 My recommendation is to deal with this by modifying Rule 17.6.1 to apply to the secondary planting strip, once established – that is, it will become a restricted discretionary activity to create gaps in this planting strip as well. References in

17.6.2 and the note thereafter, and the note under Landscape Treatment Three in Rule 24.1.3.3 would need also to be modified as follows:

Rule 17.6.1: (Amendment 49 under Plan Change 10)

*"The establishment of a road or rail crossing requiring a break in the existing primary shelterbelt **or future secondary planting strip** required by Landscape Treatment Three in Rule 24.1.3.13 along the Railway Road frontage of the Business 2A zone shall be restricted discretionary activity".*

Rule 17.6.2: (Amendment 50 under Plan Change 10)

Add the words "**or future secondary planting strip**" after "existing primary shelterbelt" in clauses 17.6.2.1, 17.6.2.2 and 17.6.2.4.

Reasons for Rules (page C17-005):(Amendment 52 under Plan Change 10)

*"The Business 2A zone is screened from the land to the west through the existing primary shelterbelt along Railway Road. **In time, this screening will be supplemented by a secondary planting strip required by Landscape Treatment Three in Rule 24.1.3.13, which will form a second shelterbelt.** The creation of breaks within **these** shelterbelts for road and rail crossings are identified to occur on the Outline Development Plan at Appendix 22 of the District Plan. Rule 17.6.1 recognises that while such breaks in the existing primary shelterbelt **and future secondary planting strip** are appropriate to create access for road and rail linkages, such breaks will allow views into the Business 2A zone from that land to the west to a limited extent, and as such the potential adverse effects of such breaks in this screening needs to be considered."*

Last sentence in Note to Rule 24.1.3.3 (Amendment 81 under Plan Change 10)

*"Refer to Rule 17.6.1 in respect of road or rail crossings that require breaks in the existing primary shelterbelt **or future secondary planting strip** along Railway Road."*

Submissions on Recession Plane Controls

- 6.33 Two submissions query the proposed changes to recession plane control, and quite rightly highlight that the situation is unclear. Rule 16.7.1 is the relevant clause, and it has been modified under Amendment 41 of Plan Change 10. As

drafted previously it was particularly difficult to follow in respect of the Railway Road area.

- 6.34 Previously Note 1 of Rule 16.7.1 applied a control of 2.5m plus various angles ("Recession Plane A") to any "*internal boundary*" (which is defined by the Plan as being a boundary that is not a road boundary) adjoining the Rural zone. The clause also referred to the common boundary between the Business 2 and Rural zones "*as depicted on the Outline Development Plan at Appendix 22*".
- 6.35 Note 2 of the rule also applied a more liberal control (based on 6m – "Recession Plane B") to internal boundaries that *don't* adjoin the Rural zone. It had a superfluous clause excepting the common boundary of the Business 2 zone and the Rural zone – superfluous because these are boundaries that *do* adjoin the Rural zone and are thus dealt with under Note 1. The latter clause is being deleted through Plan Change 10.
- 6.36 The application of any control to the internal boundaries in the Business 2A zone has been removed through the addition of Rule 16.7.1.1, with the rationale clearly explained in the AEE associated with the Plan Change (clauses 4.61 to 4.68, pp 46-48). The rationale for deletion of the internal boundary recession plane is well explained in the AEE (clauses 4.63 to 4.68) and I concur with these i.e there is no driving need to protect business users from the effects of neighbouring buildings.
- 6.37 Recession Plane A is now applied to any "internal" boundary between the Business 2A and Rural zone, just as it previously applied to the common boundary between the Business 2 and Rural zones. This is consistent, and appropriate.
- 6.38 The situation regarding the Railway Road boundary of the Business 2a (and former Business 2) zone is particularly unclear. There was previously no specific rule reference to a Recession Plane applying to the Railway Road boundary (or any road boundary since a "road" boundary is not an "internal" boundary). Under the previous rule the associated Outline Development Plan (referred to in Note 1) did include an annotation along Railway Road indicating that "Recession Plane B applies" (refer **Attachment Five**).
- 6.39 My reading of the provisions is that there is no reference to "road boundaries" and that therefore no recession plane typically applies to road boundaries. This

would be consistent with normal planning practice and with the stated intention of the rule, which is to protect rural and living zones, not roads.

- 6.40 This leaves with the only clue as to what was meant to have applied before being the annotation "Recession Plane B applies" on the former ODP drawing, which, has not been carried through to the new ODP drawing.
- 6.41 Plan Change 10 therefore seems therefore to be saying that no recession plane applies to the Railway Road boundary. Extensive setbacks (10m) still apply to the Railway Road and Hoskyns Road boundaries. However, it was certainly not intended by the Plan Change team that a lesser recession plane should be applied to Railway Road.
- 6.42 As noted under the previous provisions, the rules were unclear, but even if Recession Plane B was applied, it would, on this particular boundary orientation, impose a 6.0m plus 36 degrees restriction on the building envelope. A setback of 10m from Railway Road would mean that the recession plane envelope would be at a height of 13.26m at the 10m line.
- 6.43 As noted, **Attachment Five** shows the original Outline Development Plan, highlighting the only clue we have in regard to the recession plane that formerly was intended, and a cross section through the Railway Road boundary which shows that the recession plane – if indeed it had applied – would make some (albeit relatively limited) difference relative to the effects of a permitted 15m high building.
- 6.44 In the light of the submissions, it would be consistent to apply at least whatever appears to have applied (or been intended to apply) under the previous regime. This would also have a further impact on where buildings within the 15m to 20m restricted discretionary band might be able to occur, i.e they would need to be set back even further from Railway Road. For the avoidance of doubt I recommend that the rule needs to clearly state the situation for Railway Road – i.e that recession Plane B applies – through the following recommended change:

Rule 16.7.1 (Amendment 41 under Plan Change 10)

Add clause 3:

"3. Recession Plane B - applies to the road boundary of Railway Road where it directly adjoins the Business 2A zone."

Submission and Further Submission on Reflectivity Control

6.45 Selwyn Central Community Board, supported by Solid Energy, raise issues with the reflectivity controls that have been built into the rules related to buildings that are greater than the permitted height. Essentially, in order to advance as a restricted discretionary activity the proposed rule requires that parts of the building above the 15m line should not exceed a reflectivity value of 40%.

6.46 Selwyn Central Community Board contends that there should be no discretion regarding the reflectivity of any part of the taller building or structure.

6.47 Specifically it seeks the deletion of clauses 16.6.5.4, 16.6.5.5, and 16.6.5.6, which state:

"16.6.5.4 The extent to which the exterior building surfaces exceed the reflectivity value

16.6.5.5 The proportion and overall dimensions of the external surface of the building which exceeds the reflectivity value

16.6.5.6 Whether the effect of the reflectivity can be reduced or mitigated by shadows from eaves, surface texturing, panels or proximity to surfaces with lower reflectivity values."

6.48 Solid Energy supports this, observing that the clauses which restrict the exercise of the discretion at the very least cause confusion in implying that the reflectivity can be exceeded within the realms of the restricted discretionary activity application (suggesting clarification of this as an alternative to deleting the clauses).

6.49 The Selwyn Central Community Board also seeks that any structure exceeding 15m in the Business 2A zone shall comply with Rule 16.6.3 – i.e. it would be a restricted discretionary activity up to 20m, provided all parts above 15m met the 40% reflectivity control. Specifically it proposes a rule that refers structures back to compliance with Rule 16.6.3. Solid Energy does not support this.

6.50 While the specific decision sought does not exactly match the statements in the body of the submission, my reading of the intent of the submission is that once a building or structure extends above the 15m line *all of the building or structure* must comply with the reflectivity control in order to be treated as restricted discretionary. Once a building reaches 20m it becomes discretionary

anyway, and I am unclear whether the submitter thinks that a 20m height (rather than 25m) should apply to the structure (before it defaults to discretionary).

- 6.51 Firstly I concur that on first reading that the three clauses could cause some confusion, but I think it is reasonably clear that the clauses are asking the person making the assessment to consider the whole building – for example the parts above 15m would have to have a lower reflectivity than 40% to be covered by the rule, but the balance need not, so one would then ask by how much and over what extent the rest of the building was exceeding the reflectivity control.
- 6.52 Reflectivity is primarily a measure of the lightness or darkness of a colour of a surface, and is usually identified by a paint manufacturer. It is not a control of colour *per se* – it is possible to have a low reflectance (dark) orange building, or a high reflectivity (bright) brown building. In general, reflectivity of under 37% is used as a control in sensitive landscapes (which, as I have noted, this is not). The Selwyn District Plan itself adopts 37% as appropriate in the Landscape Management Alpine Villages zone (at Arthurs Pass and Castle Hill). On the other hand, examination of colour charts often reveals that most of the colour range is below 60%. We settled on 40% as giving a reasonable colour range but still keeping reflectivity down to a reasonable level.
- 6.53 I have some sympathy for the submitter's proposition that *"if any part of a taller building or structure is reflective then that will draw the eye of the observer to the structure and highlight the presence of the building or structure. The effect of any reflection would be similar to that of a window of a house built on a hillside when that window reflects the sunlight. The eye of the observer is drawn to the window and then to the house."*
- 6.54 The key point to note though is that the submitter describes a house on a hillside, where the whole house will thus been seen. Izone, as I have pointed out, is sitting on large flat plain, from most of which it will be hard to get a glimpse of the whole building, without being within Izone itself (and the rule is not directed towards a concern about the appearance of buildings when viewed from within Izone).
- 6.55 From outside the zone, foreground buildings, trees, etc will tend to limit the appreciation of the tall building to its upper extremities. The aim of the rule

therefore is to focus on compliance in these locations, while allowing some variety in reflectivity for colours further down. I think this is appropriate, both from a visual impact perspective, and because any requirement to make the whole of the building low reflectivity may result in problems with cooling and ventilation , and thus not be energy efficient.

6.56 Because the ability to perceive large or full extents of tall buildings will vary from place to place, a distinction is made as to when such applications may be processed without notification, which relates to being set back 150m from the Railway Road or Hoskyns Road. The three clauses the submitter wants to delete thus also become very important – it is important to consider how much and over what extent the rest of the building might exceed this control. Thus, there is a clear ability to turn down an application which, for example, proposes a building with very high reflectivity on the walls and low reflectivity only on the roof structure.

6.57 As for utility structures, the definition of buildings under the District Plan captures just about any structure and thus applies the 15m limit to it. Only slender utility structures such as masts or poles could be built to the 25m height. As such, these are unlikely to have a significant surface area, and I do not consider there is any need to apply a reflectivity control to these.

6.58 I conclude that there is no need to modify the rules as suggested by the submitter and further submitter.

7.0 SUMMARY AND RECOMMENDATIONS

7.1 Having considered in detail submissions raising matters related to urban design and visual impact, and reviewed our earlier visual assessment based on likely outcomes of the development controls, I am of the view that the Plan Change should be advanced generally as notified.

7.2 However, in response to submissions on the effectiveness of the planned screening regime along Railway Road, and on the recession plane control, I have proposed further changes to better ensure the intentions of the related rules are met, as follows:

Rule 16.7.1 (Amendment 41 under Plan Change 10)

Add clause 3:

"3. Recession Plane B - applies to the road boundary of Railway Road where it directly adjoins the Business 2A zone."

Rule 17.6.1 (Amendment 49 under Plan Change 10)

*"The establishment of a road or rail crossing requiring a break in the existing primary shelterbelt **or future secondary planting strip** required by Landscape Treatment Three in Rule 24.1.3.13 along the Railway Road frontage of the Business 2A zone shall be restricted discretionary activity".*

Rule 17.6.2 (Amendment 50 under Plan Change 10)

Add the words "**or future secondary planting strip**" after "existing primary shelterbelt" in clauses 17.6.2.1, 17.6.2.2 and 17.6.2.4.

Reasons for Rules (page C17-005) (Amendment 52 under Plan Change 10)

*"The Business 2A zone is screened from the land to the west through the existing primary shelterbelt along Railway Road. **In time, this screening will be supplemented by a secondary planting strip required by Landscape Treatment Three in Rule 24.1.3.13, which will form a second shelterbelt.** The creation of breaks within **these** shelterbelts for road and rail crossings are identified to occur on the Outline Development Plan at Appendix 22 of the District Plan. Rule 17.6.1 recognises that while such breaks in the existing primary shelterbelt **and future secondary planting strip** are appropriate to create access for road and rail linkages, such breaks will allow views into the Business 2A zone from that land to the west to a limited extent, and as such the potential adverse effects of such breaks in this screening needs to be considered."*

Last sentence in Note to Rule 24.1.3.3 (Amendment 81 under Plan Change 10)

*"Refer to Rule 17.6.1 in respect of road or rail crossings that require breaks in the existing primary shelterbelt **or future secondary planting strip** along Railway Road."*



.....
Ian Grant Craig

BArch(Hons), BPlan, MNZPI

26 March 2010

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PLAN CHANGE 10 TO THE
OPERATIVE SELWYN DISTRICT PLAN

ATTACHMENTS TO THE REPORT OF

IAN CRAIG

HARRISON GRIERSON CONSULTANTS LIMITED

26 March 2010

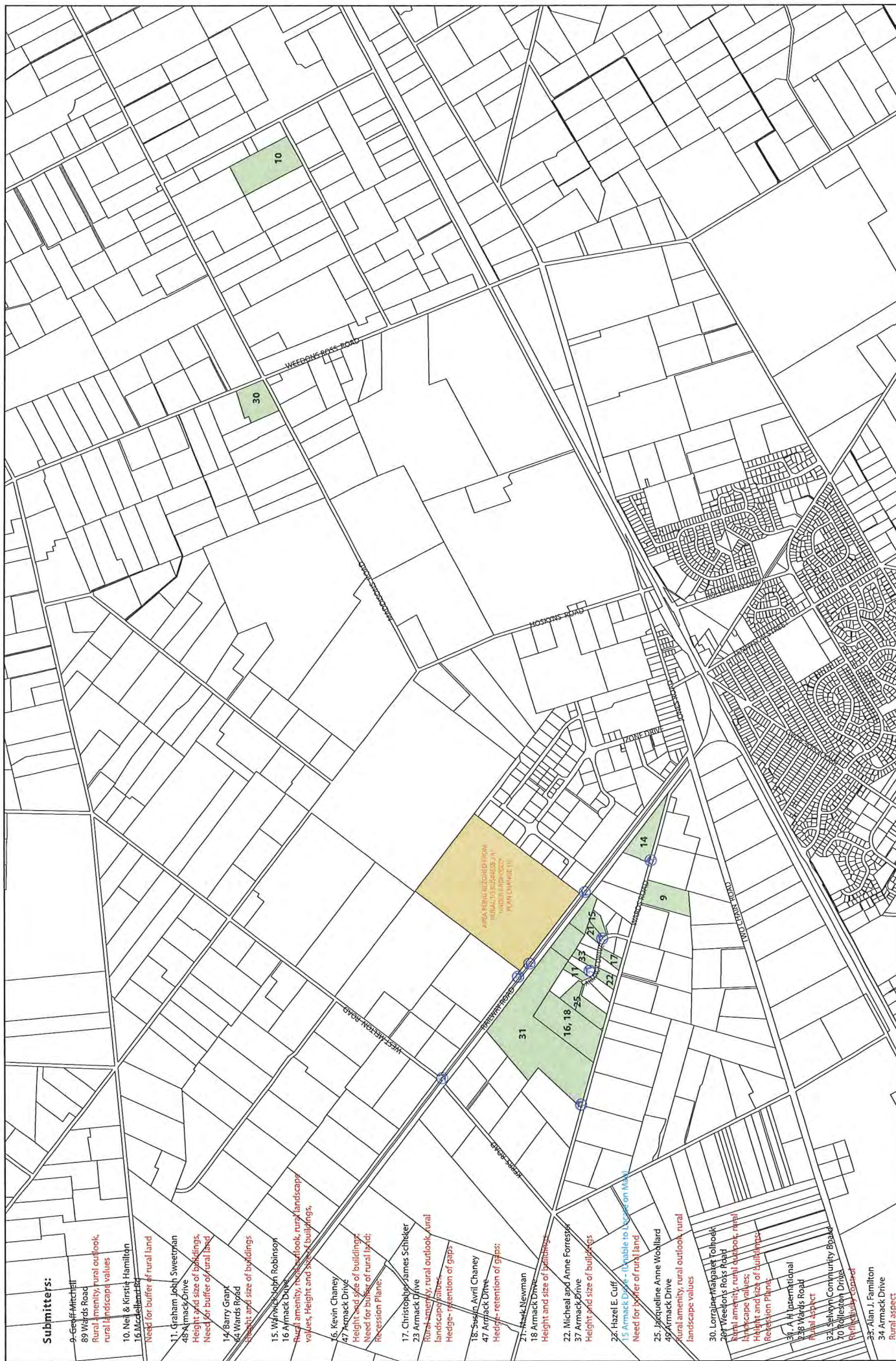


HARRISON
GRIERSON



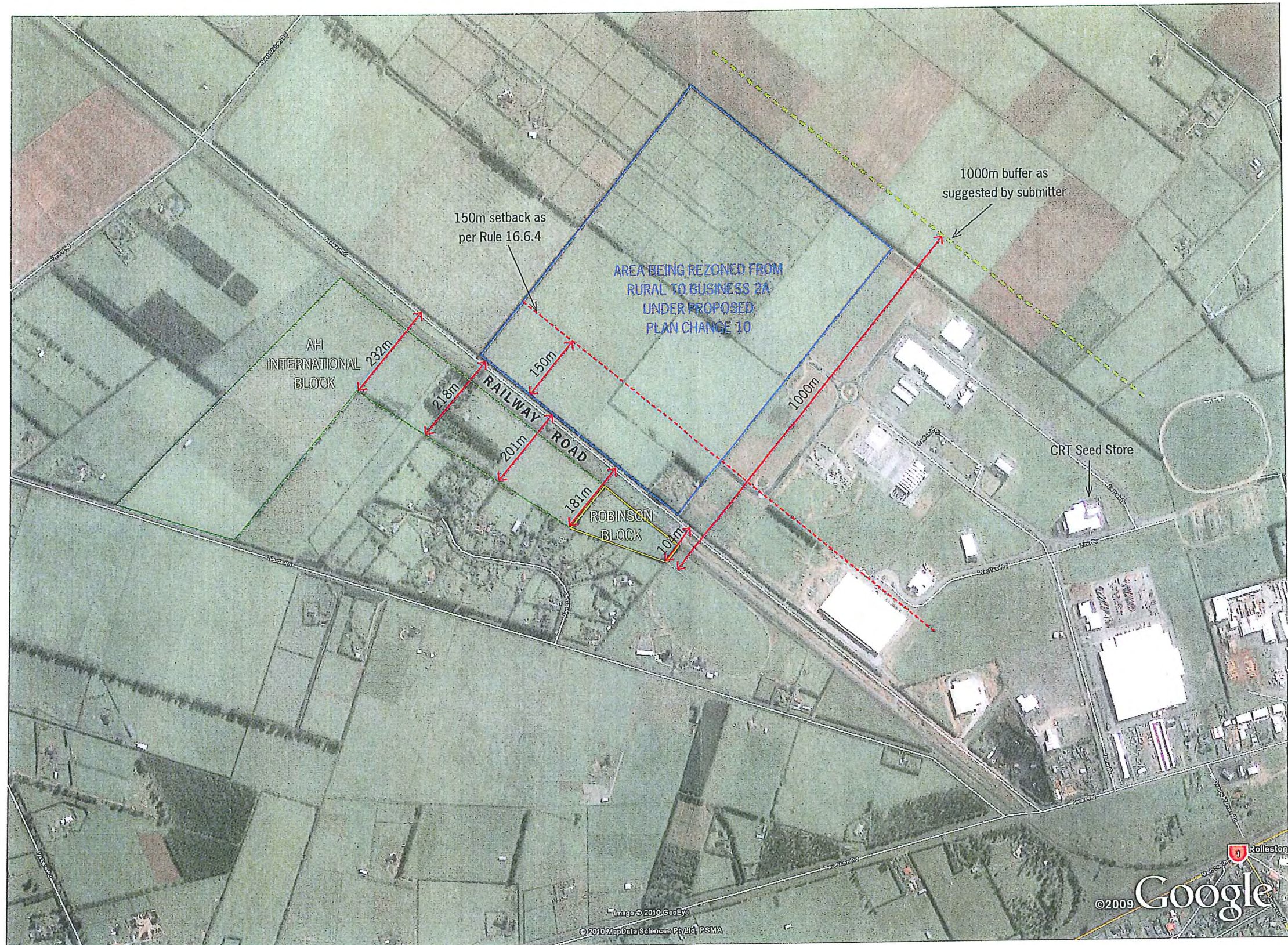
- 1. John & Marilyn Ollett
28 Armack Drive
- 2. George Schwass
41 Armack Drive
- 3. Mike Meskimon
1 Armack Drive
- 4. Karl L. Polischek & Sue Stroud
22 Armack Drive
- 5. Eric Malcolm Baird
11 Armack Drive
- 6. Robert John Yearman
1028 Newtons Road
- 7. Grant Miller
95 Wards Road
- 8. Sandra Van Tulder
Main South Road
- 9. Geoff Mitchell
89 Wards Road
- 10. Neil & Kirstie Hamilton
16 McClelland Rd
- 11. Graham John Sweetman
48 Armack Drive
- 12. Mark and Angela Harris
223 Rolleston Drive
- 13. Paul & Claire Harris
39 Kinglear Drive
- 14. Barry Grant
64 Wards Road
- 15. Warwick John Robinson
16 Armack Drive
- 16. Kevin Chaney
47 Armack Drive
- 17. Christopher James Schicker
23 Armack Drive
- 18. Susan Avril Chaney
47 Armack Drive
- 19. Frits Van Tulder
Main South Road
- 20. Judith and Allan Harris
90 Wards Road
- 21. Mark Newman
18 Armack Drive
- 22. Michael and Anne Forrester
37 Armack Drive
- 23. Hazel E. Cuff
13 Armack Drive (unable to locate on map)
- 24. Caroline Mary Saunders
14 Armack Drive
- 25. Jacqueline Anne Woolard
49 Armack Drive
- 26. NZ Fire Service
- 27. Andrew Derek Harris
45 Armack Drive
- 28. Mr KJ & S. Masson
67 Wards Road
- 29. Neroli Harris
45 Armack Drive
- 30. Lorraine Margaret Tolhoek
201 Weedons Ross Road
- 31. AH International
238 Wards Road
- 32. Selwyn Community Board
70 Rolleston Drive
- 33. Alan J. Farnilton
34 Armack Drive
- 34. Rolleston Square Ltd
70 Rolleston Drive
- 35. Lewis Gaire Herdman Thompson
Lives in Nelson

ATTACHMENT 1: Plan Showing Submitters and Representative Viewpoint Locations

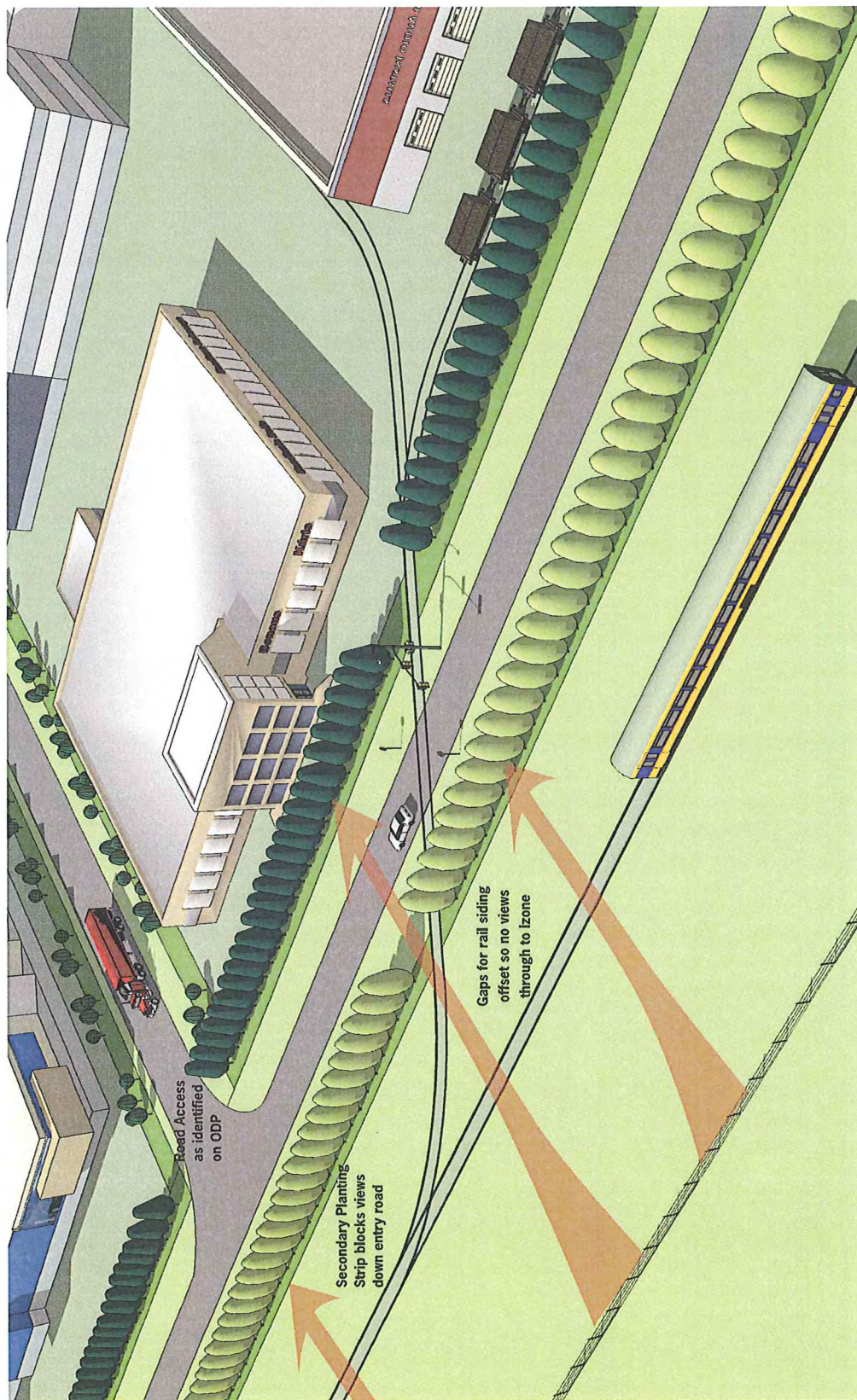


Submitters:

- 9- Geoff Mitchell
89 Wards Road
Rural amenity, rural outlook,
rural landscape values
- 10- Neil & Kirstie Hamilton
16 Macdonald Drive
Need for buffer of rural land
- 11- Graham John Sweetman
48 Armac Drive
Height and size of buildings
Need for buffer of rural land
- 14- Barry Gony
24 Wards Road
Height and size of buildings
Rural amenity, rural outlook, rural landscape
values, Height and size of buildings
- 15- Wilfred John Robinson
16 Armac Drive
Rural amenity, rural outlook, rural landscape
values, Height and size of buildings
- 16- Kevin Chaney
47 Armac Drive
Height and size of buildings
Need for buffer of rural land;
Recession Plane
- 17- Christopher James Scheller
23 Armac Drive
Rural amenity, rural outlook, rural
landscape values
Hedge- retention of gaps
- 18- Susan Avril Chaney
47 Armac Drive
Hedge- retention of gaps
- 21- Mack Newman
18 Armac Drive
Height and size of buildings
- 22- Michael and Anne Forrester
37 Armac Drive
Height and size of buildings
- 23- Hazel E. Cuff
15 Armac Drive - (Unable to locate on Map)
Need for buffer of rural land
- 25- Jacqueline Anne Woodard
49 Armac Drive
Rural amenity, rural outlook, rural
landscape values
- 30- Loraine Margaret Tolhoek
487 Weedons Road
Rural amenity, rural outlook, rural
landscape values
Height and size of buildings
Recession Plane
- 31- A H International
128 Wards Road
Rural aspect
- 32- Selwyn Community Board
70 Rolleston Drive
Rural amenity, rural outlook
- 33- Alan J. Farnham
34 Armac Drive
Rural aspect



Scale 1:10,000 at A3



ATTACHMENT 4: Diagram Showing Intentions of Screening Regime

OUTLINE DEVELOPMENT PLAN — BUSINESS 2 ZONE, ROLLESTON

