

Form 5

Submission on my notified Plan Change

Selwyn District Council

Clause 6 of First Schedule, Resource Management Act 1991

To Selwyn District Council

2 Norman Kirk Drive

PO Box 90

Rolleston

Christchurch 7614

FAX: 03-347-2799

090805033

SCANNED

1

1362



1. Full name of submitting Sinclair (28 Jozecom Place)

This is a submission on following proposed Plan Change:
PC11 (Rolleston Living Preferred Zone Structure Plan)

2. The specific provisions the proposal that my submission relates to are: Jozecom Place. In particular the proposed extension, Cul-de-sac and also the walkways that are proposed to link into East Maddison Road and into the Street. Although not directly in the plan we also wish to raise the issue of widening of the street adjoining footpaths in Jozecom Place.

3. *My submission in OPINION is:

a. I oppose the walkway is proposed to lead to East Maddison Road on these grounds:

Firstly, it has not been demonstrated to me that this is the best location for such a walkway. Secondly, the properties are between us and East Maddison are unlikely to be subdivided in the foreseeable future to allow linkage. The property next to us is already subdivided into 2 x 5000m² sections and the property is on East Maddison, according to the owner, is not to be subdivided. In view of this it seems that traffic flow on the walkways will be only from Frame Street through that walkway along towards the School but not directly from East Maddison. If the council concludes that a walkway is important to be in the next twenty years then it should look elsewhere. In view of these facts it makes sense to leave the idea of extending a walkway to East Maddison as unworkable or finding an alternative position for it.

b. I should also point out in the Hurunui district plans for Amberley under the section about **walkways / cycle ways** under strategic principles point 3 these points are made:
"3. Walking and Cycling Rites will only be required to be created on private land when that land is subdivided or a key linkage is required **and the landowners agree.**"
It seems that the Selwyn district council puts less importance on the views of the landowners.

c. I am also concerned with the type and the amount of walkway traffic that will potentially go along the walkway and the way it will provide a hazard to vehicles that are using the driveways at the head of the cul-de-sac.

d. There is a lack of clarity in what the walkways will look like. I have been told that the width of the walkways is to be wider than the dead-end walkway that goes to Frame Street and that the profile of the fences / hedges that border the walkway is to be changed from what the standard requirements are now for a walkway. There has also been a suggestion that the walkways could be shared with driveways that service the sections that may be created in our portion of land that is currently 28 Jozecom Place. What the requirements are for these driveway / walkways is unknown to us at this point. It seems that having shared land between driveways and walkways is good land utilization but we don't know what the rules will be that apply in this situation and therefore are unable to contribute to the discussion before any firm changes are made to the plan.

e. There is also a need for some clarity in what the proposed extension of the cul-de-sac will look like. What will be the width and what will be the exact location of the head of the cul-de-sac. Without these details it is difficult for us to make comments in this submission. Also in discussions with the council we

have heard that it may be that the council will widen Jozecom Place and that footpaths may be installed as well. Does this have any relationship to the plan change 11?

f. I would also like to see some clarification on the issues of who pays for what in terms of the cul-de-sac extension and the walkways. So until there is some clarify in these things it will be difficult for us to support these ideas.

**Resource Management (Forms, Fees, and
Schedule 1 Procedure) Regulations 2003**

4. I seek the following decision from Selwyn District Council:

- a. That the council removes the requirement for a walkway to go towards East Maddison.
- b. That the council provides details for what walkways would look like in terms of fencing / width and profile of surroundings.
- c. That the council provides details on what shared walkways / driveways would look like in terms of Width / fencing / footpaths etc.
- d. That the council clarify details of who pays for what and the compensation that the council will provide us for taking land for roads and walkways.
- e. That the council clarifies how the cycle ways / walkways will operate with pedestrians and cycles sharing the one pathway. What rules will apply to cycles on the pathway?
- f. That the council clarifies what the extension of Jozecom Place will look like and also what plans there are for the remainder of Jozecom Place in terms of any changes that are proposed.

5. I WISH to be heard in support of my submission



7.

Signature of submitter Date: 30/7/09

8. Address for service of submitter: 28 Jozecom Place, Rolleston 7614

Telephone: 3477350 Fax: 3477351

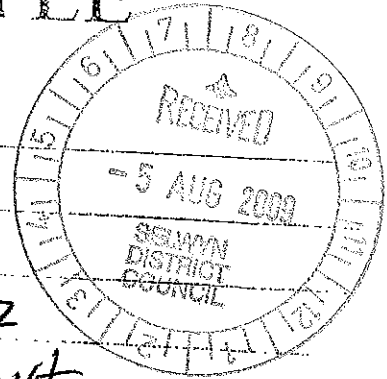
Email: dougsinclair@xtra.co.nz

Contact person: Doug Sinclair

SOUTHLAND TITLE

1363

SCANNED



TO: Selwyn District Council
Planning Department
submissions@selwyn.govt.nz
cc david.hattam@selwyn.govt.nz
cc alan.collins@clear.net.nz

From: Amos Collins
For Colfield Trust
c/o 282 Island Rd
Karapoi
usa-direct@hotmail.com

RE: Proposed Plan Change 11
Rolliston Living 1B Preferred
Zone Structure Plan



LandAmerica
Southland Title

www.southlandtitle.com

2 July 2009

Collins Amos Thomas & Alan Charles
The Colfield Trust
282 Island Road
RD 1
Kaiapoi
7691

Dear Sir/Madam,

PLAN CHANGE PC 080011 – Rolleston Living 1B deferred zone Structure Plan


You have received this notice as you have been identified as some one who may be affected by a change to the Selwyn District Plan.

Please find enclosed a copy of the public notice for the plan change. This will be advertised in The Press newspaper on Saturday 4 July 2009. The public notice explains how you may participate in the submission process. **Please note that submissions close on 4 August.**

The enclosed leaflet explains what changes we are intending to make and why. The full plan change and supporting material can be inspected at any of the Council's service centres or libraries. They can also be viewed and downloaded from the Council's website at www.selwyn.govt.nz.

For further information on the submission process or this plan change please contact me on (03) 347 2953.

Yours faithfully



David Hattam
Strategic Policy Planner

For further information regarding this plan change or the process outlined above, please contact David Hattam, Strategic Policy Planner on (03) 347 2953.

The closing date for submissions is 5.00pm on Monday 4 August 2009.

Selwyn District Plan
PROPOSED PLAN CHANGE 11
Rolleston Living 1B Deferred Zone Structure Plan

Selwyn District Council
Clause 5 of the First Schedule, Resource Management Act 1991

Proposed Plan Change 11 (Township Volume) is concerned with the part of Rolleston currently zoned as Living 1B deferred and with an adjacent parcel of land (726 East Maddisons Road). The Living 1B deferred zone area is subject to deferred residential zoning which is due to be lifted in January 2010. The proposed changes are intended to manage the transition of this area to urban use. The key changes are:

The introduction of new policies to Part B to manage intensification in the Rolleston Living 1B deferred area and to provide for the use of the structure plan to control subdivision.

Amendments to Part C to add new matters for discretion to ensure that subdivision and development in the area would progress according to the structure plan, and to preserve identified existing character.

Amendments to zoning to rezone the part of the area which is north of Lowes Road for Living 1 residential use (750m² minimum average allotment size), except for an area around Waterbridge Way which will be zoned as Living 1C (2000m² average allotment size and area specific rules). An area around Fairhurst Place would also be zoned as Living 1C.

The addition of the structure plan as an appendix to the plan and amendments to the relevant zone map.

The plan change and the assessment of why it is needed can be read at any of the Council's service centres and public libraries in Darfield, Leeston, Lincoln and Rolleston or online at www.selwyn.govt.nz.

Submissions

Any person or organisation may make a submission supporting or opposing any aspect of this plan change. Submissions must be written and in accordance with Form 5 of the Resource Management Regulations and is available from any Council Service Centre or on the website.

Submissions may be:

Posted to:	Planning Department, Selwyn District Council, PO Box 90, Rolleston 7643
Delivered to:	A Council service centre in Darfield, Lincoln, Leeston or Rolleston.
Faxed to:	(03) 347 2799 (if you fax your submission please post or deliver a copy to the details above)
Emailed to:	submissions@selwyn.govt.nz

At a later date, all submissions received will be summarised and published. Further Submissions will then be invited, allowing any person or organisation to support or oppose any of the initial submissions. A Council hearing will then be arranged to consider all submissions, after which the Council will decide whether to withdraw, retain or modify the plan change. Any submitter who is not satisfied with the Council's decision

Form 5
Submission on publicly notified Plan Change

Selwyn District Plan

Clause 6 of First Schedule, Resource Management Act 1991

To Selwyn District Council
2 Norman Kirk Drive
PO Box 90
Rolleston 7614
FAX: 03-347-2799

1. Full name of submitter: AMOS THOMAS COLLINS FOR COLFIELD TRUST

This is a submission on the following proposed Plan Change: PC 080011
Rolleston Living 1B deferred zone structure Plan (name and number of Plan Change)

2. The specific provisions of the proposal that my submission relates to are:
Application for variation from proposed
plan to allow subdivision of 33
Waterbride Way into 3 lots, at a (give details)
size less than 2,000m².
3. *My submission in SUPPORT / OPPOSITION is:
We wish to apply to subdivide
and have a variation approved
to allow 3 lots of a size less
than 2,000m². The layout of the
property due to size and shape
is compatible with this proposal.

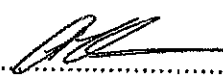
*Include whether you SUPPORT or OPPOSE specific parts of the plan change or wish to have them amended; and the reasons for your views. Continue on a separate sheet if necessary.

4. †I seek the following decision from Selwyn District Council:

Approval for variation from
proposed plan to allow
subdivision of 33 Waterbridge Way
into 3 lots, at a size less
than proposed 2,000 m².

†Give precise details, including the nature of any change sought. Continue on a separate sheet if necessary.

5. I WISH / ~~DO NOT WISH~~ to be heard in support of my submission (delete as applicable)
6. If others make a similar submission, I will consider presenting a joint case with them at a hearing
(delete if you would not consider presenting a joint case)

7.  Signature of submitter (or person authorised to sign on their behalf)

23/7/09
Date

8. Address for service of submitter: 282 ISLAND RD,
KAIAPOI

Telephone: Fax:

Email: usa-direct@hotmail.com

Contact person: Ames Collins Title Trustee (if appropriate)



090807037

(29)

1365

Resource Management (Forms, Fees, and
Procedure) Regulations 2003

Schedule 1

Form 5
Submission on publicly notified Plan Change
Selwyn District Plan

Clause 6 of First Schedule, Resource Management Act 1991



To Selwyn District Council
2 Norman Kirk Drive
PO Box 90
Rolleston 7614
FAX: 03-347-2799

1. Full name of submitter: Bruce Alan McLeay 27 Fairhurst Place

This is a submission on the following proposed Plan Change:

Plan Change 11 to Living 1B Deferred Zone ^{Rolleston}
(name and number of Plan Change)

2. The specific provisions of the proposal that my submission relates to are: section density,
roads and walkways proposed for Fairhurst Place
(give details).

3. *My submission in SUPPORT / OPPOSITION is: support of front sections being
rezoned to L1C. Would like to see all sections, including all the
backsections of Fairhurst Place also be rezoned to L1C, not L1B,
as this will change the whole rural feel of our area.
Opposition to putting roads north and south at the end of Fairhurst Place.
I strongly oppose the cutting down of the established radiata hedges
that would take place if the roads are put in. Also putting in
the road to the North would mean parents driving up Fairhurst Place
to drop off their children to go to the new school. And how many
children from home will go to this school? I can't think of one family.
The new school doesn't need 3 entrances to it. On a plan you had
penciled in a road going from Lewis Road into the new school and then
linking into Gaulds Road. You should spend our rates money on this
road, allocating an area outside the school for car parking.
Also you I oppose the proposed walkways linking the proposed road off going
north at the end of Fairhurst Place - (1) going into the school, & (2) going
around the school property cutting into our neighbours property. The major concern

*Include whether you SUPPORT or OPPOSE specific parts of the plan change or wish to have them amended; and the reasons for your views. Continue on a separate sheet if necessary.

I have is the selling off of part of the school land, as where it is proposed to sell off does not even give it a full size football field. And should Rolleston grow and the school need new class rooms - they will be short of land. All the school land on the south side of your proposed Rd from Lewis Rd to Gaulds Rd should remain as school land.

Yours sincerely, Bruce McLeay

- †Give precise details, including the nature of any change sought. Continue on a separate sheet if necessary.

- Contact person: Title(if appropriate)

Form 5

**Submission on publicly notified Plan Change
Selwyn District Plan**

Clause 6 of First Schedule, Resource Management Act 1991

To Selwyn District Council

2 Norman Kirk Drive

PO Box 90

Rolleston

Christchurch 7614

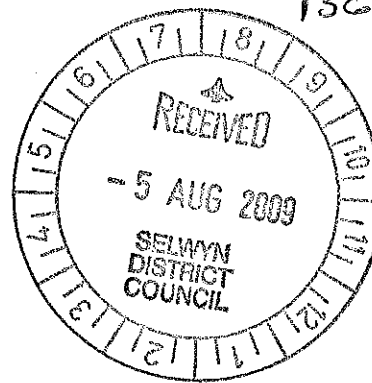
FAX: 03-347-2799

090805033

SCANNED

①

1362



1. Full name of submitter: Doug Sinclair (28 Jozecom Place)

This is a submission on the following proposed Plan Change:
PC11 (Rolleston Living 1B Deferred Zone Structure Plan)

2. The specific provisions of the proposal that my submission relates to are: Jozecom Place. In particular the proposed extension of the Cul-de-sac and also the walkways that are proposed to link into East Maddison Road and into Frame Street. Although not directly in the plan we also wish to raise the issue of widening of the street and putting footpaths in Jozecom Place.

3. *My submission in OPPOSITION is:

a. I oppose the walk way that is proposed to lead to East Maddison Road on these grounds:

Firstly, it has not been demonstrated to me that this is the best location for such a walkway. Secondly, the properties that are between us and East Maddison are unlikely to be subdivided in the foreseeable future to allow the linkage. The property next to us is already subdivided into 2 x 5000m2 sections and the property that is on East Maddison, according to the owner, is not to be subdivided. In view of this it seems that the traffic flow on the walkways will be only from Frame Street through that walkway along towards the new School but not directly from East Maddison. If the council concludes that a walkway is important to have in the next twenty years then it should look elsewhere. In view of these facts it makes sense to leave the idea of extending a walkway to East Maddison as unworkable or finding an alternative position for it.

b. I should also point out that in the Hurunui district plans for Amberley under the section about **walkways / cycle ways** that under strategic principles point 3 these points are made:

"3. Walking and Cycling Routes will only be required to be created on private land when that land is subdivided or a key linkage is required **and the landowners agree.**"

It seems that the Selwyn district council puts less importance on the views of the landowners.

c. I am also concerned with the type and the amount of walkway traffic that will potentially go along the walkway and the way it will provide a hazard to vehicles that are using the driveways at the head of the cul-de-sac.

d. There is a lack of clarity in what the walkways will look like. I have been told that the width of the walkways is to be wider than the dead-end walkway that goes to Frame Street and that the profile of the fences / hedges that border the walkway is to be changed from what the standard requirements are now for a walkway. There has also been a suggestion that the walkways could be shared with driveways that service the sections that may be created in our portion of land that is currently 28 Jozecom Place. What the requirements are for these driveway / walkways is unknown to us as this point. It seems that having shared land between driveways and walkways is good land utilization but we don't know what the rules will be that apply in this situation and therefore are unable to contribute to the discussion before any firm changes are made to the plan.

e. There is also a need for some clarity in what the proposed extension of the cul-de-sac will look like. What will be the width and what will be the exact location of the head of the cul-de-sac. Without these details it is difficult for us to make comments in this submission. Also in discussions with the council we

have heard that it may be that the council will widen Jozecom Place and that footpaths may be installed as well. Does this have any relationship to the plan change 11?

f. I would also like to see some clarification on the issues of who pays for what in terms of the cul-de-sac extension and the walkways. So until there is some clarify in these things it will be difficult for us to support these ideas.

**Resource Management (Forms, Fees, and
Schedule 1 Procedure) Regulations 2003**

4. I seek the following decision from Selwyn District Council:

- a. That the council removes the requirement for a walkway to go towards East Maddison.
- b. That the council provides details for what walkways would look like in terms of fencing / width and profile of surroundings.
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- f. That the council clarifies what the extension of Jozecom Place will look like and also what plans there are for the remainder of Jozecom Place in terms of any changes that are proposed.

5. I WISH to be heard in support of my submission

7. 

Signature of submitter Date: 30/7/09

8. Address for service of submitter: 28 Jozecom Place, Rolleston 7614

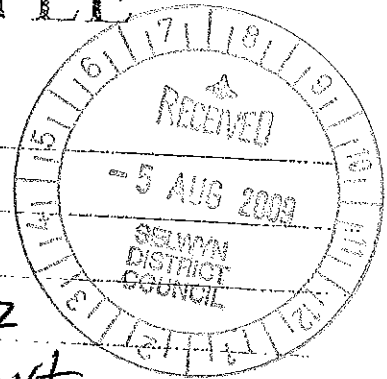
Telephone: 3477350 Fax: 3477351

Email: dougsinclair@xtra.co.nz

Contact person: Doug Sinclair

1363
SOUTHLAND TITLE

SCANNED



TO: Selwyn District Council
Planning Department
submissions@selwyn.govt.nz
cc david.hattam@selwyn.govt.nz
cc alan.collins@clear.net.nz

From: Amos Collins
For Colfield Trust
c/o 282 Island Rd
Karapoi
usa-direct@hotmail.com

RE: Proposed Plan Change 11
Rolliston Ling 1B Preferred
Zone Structure Plan.

2 July 2009

Collins Amos Thomas & Alan Charles
The Colfield Trust
282 Island Road
RD 1
Kaiapoi
7691

Dear Sir/Madam,

PLAN CHANGE PC 080011 – Rolleston Living 1B deferred zone Structure Plan

You have received this notice as you have been identified as some one who may be affected by a change to the Selwyn District Plan.

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Yours faithfully



David Hattam
Strategic Policy Planner

For further information regarding this plan change or the process outlined above, please contact David Hattam, Strategic Policy Planner on (03) 347 2953.

The closing date for submissions is 5.00pm on Monday 4 August 2009.

Selwyn District Plan
PROPOSED PLAN CHANGE 11
Rolleston Living 1B Deferred Zone Structure Plan

Selwyn District Council
Clause 5 of the First Schedule, Resource Management Act 1991

Proposed Plan Change 11 (Township Volume) is concerned with the part of Rolleston currently zoned as Living 1B deferred and with an adjacent parcel of land (726 East Maddisons Road). The Living 1B deferred zone area is subject to deferred residential zoning which is due to be lifted in January 2010. The proposed changes are intended to manage the transition of this area to urban use. The key changes are:

The introduction of new policies to Part B to manage intensification in the Rolleston Living 1B deferred area and to provide for the use of the structure plan to control subdivision.

Amendments to Part C to add new matters for discretion to ensure that subdivision and development in the area would progress according to the structure plan, and to preserve identified existing character.

Amendments to zoning to rezone the part of the area which is north of Lowes Road for Living 1 residential use (750m² minimum average allotment size), except for an area around Waterbridge Way which will be zoned as Living 1C (2000m² average allotment size and area specific rules). An area around Fairhurst Place would also be zoned as Living 1C.

The addition of the structure plan as an appendix to the plan and amendments to the relevant zone map.

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Submissions

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Posted to:	Planning Department, Selwyn District Council, PO Box 90, Rolleston 7643
Delivered to:	A Council service centre in Darfield, Lincoln, Leeston or Rolleston.
Faxed to:	(03) 347 2799 (if you fax your submission please post or deliver a copy to the details above)
Emailed to:	submissions@selwyn.govt.nz

At a later date, all submissions received will be summarised and published. Further Submissions will then be invited, allowing any person or organisation to support or oppose any of the initial submissions. A Council hearing will then be arranged to consider all submissions, after which the Council will decide whether to withdraw, retain or modify the plan change. Any submitter who is not satisfied with the Council's decision

Form 5
Submission on publicly notified Plan Change
Selwyn District Plan

Clause 6 of First Schedule, Resource Management Act 1991

To Selwyn District Council
2 Norman Kirk Drive
PO Box 90
Rolleston 7614
FAX: 03-347-2799

1. Full name of submitter: AMOS THOMAS COLLINS FOR COLFIELD TRUST

This is a submission on the following proposed Plan Change: PC 080011
Rolleston Living 1B deferred zone Structure Plan (name and number of Plan Change)

2. The specific provisions of the proposal that my submission relates to are: Application for variation from proposed plan to allow subdivision of 33 Waterbride Way into 3 lots, at a size less than 2,000m². (give details).
3. *My submission in SUPPORT ~~OPPOSITION~~:
We wish to apply to subdivide and have a variation approved to allow 3 lots of a size less than 2,000m². The layout of the property due to size and shape is compatible with this proposal.

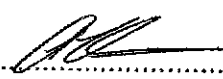
*Include whether you SUPPORT or OPPOSE specific parts of the plan change or wish to have them amended; and the reasons for your views. Continue on a separate sheet if necessary.

4. †I seek the following decision from Selwyn District Council:

Approval for variation from
proposed plan to allow
subdivision of 33 Waterbridge Way
into 3 lots, at a size less
than proposed 2,000 m².

†Give precise details, including the nature of any change sought. Continue on a separate sheet if necessary.

5. I WISH / ~~DO NOT WISH~~ to be heard in support of my submission (delete as applicable)
6. If others make a similar submission, I will consider presenting a joint case with them at a hearing
(delete if you would not consider presenting a joint case)

7.  Signature of submitter (or person authorised to sign on their behalf)

23/7/09
Date

8. Address for service of submitter: 282 ISLAND RD,
KAIAPOI

Telephone: Fax:

Email: usa-direct@hotmail.com

Contact person: Ames Collins Title Trustee (if appropriate)

SCANNED

4

David Hattam

090805046

From: Carron Stevenson
Sent: Monday, 20 July 2009 8:30 a.m.
To: David Hattam
Subject: FW: Plan Change 11: Rolleston Living 1B Deferred Zone Structured Plan

1367

Hi David, I have replied to Michelle so that she knows we have received her e-mail, and let her know that I was passing the e-mail on to you to contact them. - Caz

From: Michelle [mailto:bluebobu@yahoo.com]
Sent: Sunday, 19 July 2009 11:11 p.m.
To: Web - Planning Selwyn
Subject: Plan Change 11: Rolleston Living 1B Deferred Zone Structured Plan

Dear Sir:

We recently purchased the property at 145B Brookside Road, Rolleston (Legal Description: Lot 1, DP 304070 BLK III LEESTON SD, Area 0.4067).

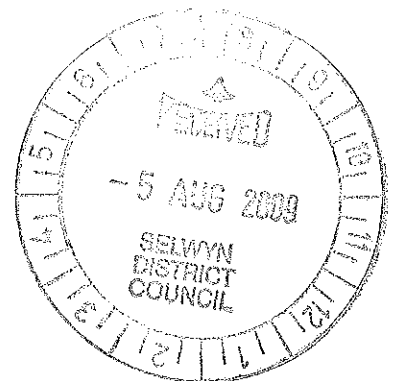
We have noticed that our property is on the 1B deferred zone and there are new roads planned to our land. We would like to make our comment to you on NOT TO have the new roads developed on our land as we purchased this property to enjoy the lifestyle of a big section.

please reply in writing to let us know this email has been received.
If there were any enquiries or further discussions, we look forward to hearing from you again.

Thank you.

Yours sincerely

Wei-Ker Lin & Yi-Ya Lai
Property owner



5

SCANNED

Resource Management (Forms, Fees, and
Procedure) Regulations 2003

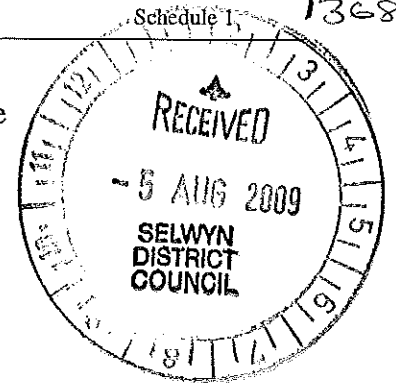
090805023

Schedule 1

1368

Form 5
Submission on publicly notified Plan Change
Selwyn District Plan

Clause 6 of First Schedule, Resource Management Act 1991



To Selwyn District Council
2 Norman Kirk Drive
PO Box 90
Rolleston 7614
FAX: 03-347-2799

Corravally Ltd.

1. Full name of submitter: John David Owens, Sandra Essie Marie Owens.
This is a submission on the following proposed Plan Change:
Plan Change PC 080011 - Rolleston Living 1B Deferred zone structure.
(name and number of Plan Change)

2. The specific provisions of the proposal that my submission relates to are:
Rezoning the part of the area which is North of Lowes Road
Living 1 residential use (750m² minimum average allotment size)
.....(give details).

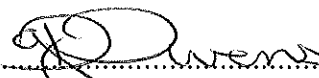
3. *My submission in SUPPORT ~~OPPOSITION~~ is: to support the proposed
Plan change to rezone to Living 1 (residential
750m² density)
smaller allotment sizes means better land use
since the town infrastructure is already in
place.

*Include whether you SUPPORT or OPPOSE specific parts of the plan change or wish to have them amended; and the reasons for your views. Continue on a separate sheet if necessary.

4. †I seek the following decision from Selwyn District Council:
We agree to the proposed change but would like the
SDC to consider that the proposed main feeder
road for sewer and services including access
between Lowes and Brookside Roads will be
disproportionately encroaching Lot 1 DP 329736,
therefore ask the SDC to look favourably at
fair compensation for land taken before a final
decision is made.

†Give precise details, including the nature of any change sought. Continue on a separate sheet if necessary.

5. I WISH ~~DO NOT WISH~~ to be heard in support of my submission (delete as applicable)
6. If others make a similar submission, I will consider presenting a joint case with them at a hearing
(delete if you would not consider presenting a joint case)

7.  4/8/09
Signature of submitter (or person authorised to sign on their behalf) Date

8. Address for service of submitter: * John & Sandra Owens
908 Two Chain Road RD 7 Christchurch 7677

Telephone: 03 3476 091 Fax: 03 3476 503

Email: jandsowens@xtra.co.nz

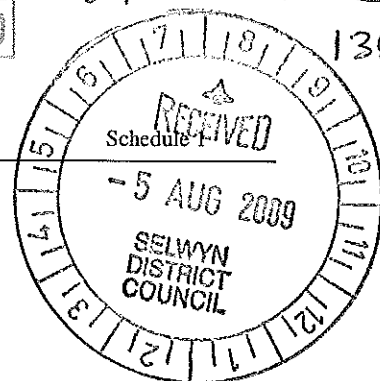
Contact person: John Owens Title (if appropriate)

SCANNED

Resource Management (Forms, Fees, and
Procedure) Regulations 2003

Form 5
Submission on publicly notified Plan Change
Selwyn District Plan

Clause 6 of First Schedule, Resource Management Act 1991



To Selwyn District Council
2 Norman Kirk Drive
PO Box 90
Rolleston 7614
FAX: 03-347-2799

347 8620

1. Full name of submitter: DOUGLAS LAWSON & SUSAN LAWSON
Doug and Susan Lawson (LAWSON)

This is a submission on the following proposed Plan Change: 183 LOWES ROAD ROLLESTON
.....(name and number of Plan Change)

2. The specific provisions of the proposal that my submission relates to are: OUR ABOVE PROPERTY
AND THE AMENDMENTS THAT ARE APPLICABLE
.....
.....(give details).

3. *My submission in SUPPORT / ~~OPPOSITION~~ is:

WE AGREE WITH THE NEW POLICIES TO CONTROL
THE INTENSIFICATION OF THE SUBDIVISION AREA AS
SET OUT

IN PARTICULAR WE ARE PLEASED THAT THE
AREA TAKEN BY THE PRESENT NUOIST CAMP
IS TO BECOME A PARK RESERVE

ALSO WE WISH (AT SOMETIME) TO HAVE THE
FRONT SECTION (ALONG SIDE THE ROAD (LOWES))
TO BE SUBDIVIDED IF POSSIBLE

THIS MAY REQUIRE THE FAIRHURST AGREEMENT
TO BE EXAMINED

PLEASE ADVISE

*Include whether you SUPPORT or OPPOSE specific parts of the plan change or wish to have them amended; and the reasons for your views. Continue on a separate sheet if necessary.

4. †I seek the following decision from Selwyn District Council:

PLEASE REFER TO #3 AND OUR WISH
TO SUBDIVIDE OUR FRONT SECTION.

†Give precise details, including the nature of any change sought. Continue on a separate sheet if necessary.

5. I WISH / ~~DO NOT WISH~~ to be heard in support of my submission (delete as applicable)

6. If others make a similar submission, I will consider presenting a joint case with them at a hearing ✓
(delete if you would not consider presenting a joint case)

7.
Signature of submitter (or person authorised to sign on their behalf) Date

8. Address for service of submitter:

Telephone: Fax:

Email:

Contact person: Title (if appropriate)

SCANNED

7

1370

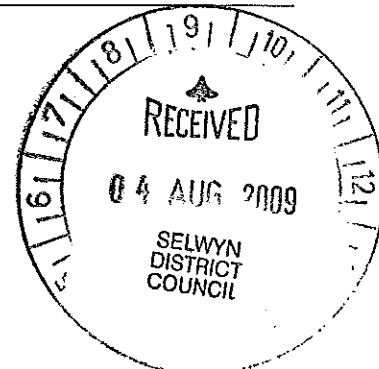
090805041

Resource Management (Forms, Fees, and
Procedure) Regulations 2003

Schedule 1

Form 5
Submission on publicly notified Plan Change
Selwyn District Plan

Clause 6 of First Schedule, Resource Management Act 1991



To Selwyn District Council
2 Norman Kirk Drive
PO Box 90
Rolleston 7614
FAX: 03-347-2799

1. Full name of submitter: Stephen David Bersburg for Baibersam Rentals
at 12 Jozeeon Pl.
This is a submission on the following proposed Plan Change:
Rolleston Living 1B Defined Zone PC11 (name and number of Plan Change)

2. The specific provisions of the proposal that my submission relates to are: Average & minimum
lot size.
.....
..... (give details).

3. *My submission in SUPPORT / OPPOSITION is: that the average lot size
be dropped to the 1000 m² with a minimum
lot area of 500 m².

This will allow a more flexible development
of the site in the future.

*Include whether you SUPPORT or OPPOSE specific parts of the plan change or wish to have them amended; and the reasons for your views. Continue on a separate sheet if necessary.

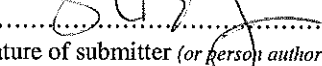
4. †I seek the following decision from Selwyn District Council:

to reduce the average lot size for zoning 1B
to 1000 m² with a minimum of 500 m².

†Give precise details, including the nature of any change sought. Continue on a separate sheet if necessary.

5. I WISH / ~~DO NOT WISH~~ to be heard in support of my submission (delete as applicable)

6. If others make a similar submission, I will consider presenting a joint case with them at a hearing
(delete if you would not consider presenting a joint case)

7.  4-8-09
Signature of submitter (or person authorised to sign on their behalf) Date

8. Address for service of submitter:

21 Waterbury Way.

Telephone: Fax: Mobile 027 2499328

Email:

Contact person: Title(if appropriate)

SCANNED

8

090805040

Resource Management (Forms, Fees, and Procedure) Regulations 2003

Schedule 1 1371

Form 5
Submission on publicly notified Plan Change
Selwyn District Plan

Clause 6 of First Schedule, Resource Management Act 1991



To Selwyn District Council
2 Norman Kirk Drive
PO Box 90
Rolleston 7614
FAX: 03-347-2799

1. Full name of submitter: Stephen David Bensberg & Sharon Louise Bensberg.

This is a submission on the following proposed Plan Change:

Rolleston Living 1B Deferred Zone - Plan Change 11
.....(name and number of Plan Change)

2. The specific provisions of the proposal that my submission relates to are: Average and minimum lot size.
.....
.....(give details).

3A. 3. *My submission in SUPPORT / OPPOSITION is: ① the average lot size of 750 m² for Living 1, with no minimum lot size.
② the average lot size of 2000 m² for Living 1c with a minimum of 1000 m²
③ the boundaries of the Living 1, Living 1B & 1C zone as shown in the plan change.

3B. My submission in Opposition is, oppose the 1200 m² average with a minimum of 750 for the Living 1B zone.

The reasoning behind my request is that there is an increasing need for smaller lot sizes for the elderly population. This population is increasing & will continue to increase as a portion of the overall population. This elderly segment of the population also tends to prefer smaller section sizes,

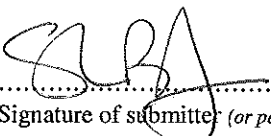
*Include whether you SUPPORT or OPPOSE specific parts of the plan change or wish to have them amended; and the reasons for your views. Continue on a separate sheet if necessary.

due to their reduced health & the smaller lots requiring less maintenance etc. Therefore a reduction in average & minimum lot sizes will help in providing more options and more locations where suitable sections can be provided.

4. †I seek the following decision from Selwyn District Council:

- (1) to keep the Lving 1, Lving 1B average & minimum lot size as proposed in PC 11.
- (2) to keep the Lving 1, Lving 1B & 1C zone boundaries as shown.
- (3) to reduce the average lot size for Lving 1B to 1000 m² with a minimum lot size of 500 m².

†Give precise details, including the nature of any change sought. Continue on a separate sheet if necessary.

5. I WISH / ~~DO NOT WISH~~ to be heard in support of my submission (delete as applicable)6. If others make a similar submission, I will consider presenting a joint case with them at a hearing
(delete if you would not consider presenting a joint case)7. 
Signature of submitter (or person authorised to sign on their behalf)4-8-09
Date

8. Address for service of submitter:

27 Watubridge Way

Telephone: 03 347 9400 Fax: Mobile 027 2499328

Email: ssbersburg@xtra.co.nz.

Contact person: Steve Bersburg Title(if appropriate)

Form 5
Submission on publicly notified Plan Change
Selwyn District Plan

Clause 6 of First Schedule, Resource Management Act 1991

090805039

1372



To Selwyn District Council
2 Norman Kirk Drive
PO Box 90
Rolleston
Christchurch 7614
FAX: 03-347-2799

1. Full name of submitter:.....Annette Foster.....

This is a submission on the following proposed Plan Change:

Proposed Plan Change 11: Rolleston Living, 1B De Peral(name and number of Plan Change)
Structure Plan.

2. The specific provisions of the proposal that my submission relates to are:.....

8.1.1 Provision of Connections.....

.....(give details).

3. *My submission in SUPPORT / OPPOSITION is:

8.1.1 Provision of Connections - Support Roads & walkways
to provide connectivity so that the transport network
is efficient and convenient for a number of transport modes
e.g. Road linking Fairhurst Place - Jozecom Place
- Walkway to new Primary school - through to Goulds Rd.
- Fairhurst Place walkway to Manor Drive
- Walkway from Jozecom to Trane Creek
- Walkway / Cycleway Jozecom to East Madder Rd.

Weighting of the benefits of Good Urban Design specifically
in Relation to Roadway / Cycleway / Walkway to the future
increased population, compared to the existing land owners.
This Plan change is being prepared for the future development of the
area. Consideration should be given to the wider connectivity to the Rest of
the Rolleston Community. The Council Promoted their involvement
as providing the best long term outcome for the wider Rolleston Community
not just for the existing land owners.

*Include whether you SUPPORT or OPPOSE specific parts of the plan change or wish to have them amended; and the reasons for your views. Continue on a separate sheet if necessary.

4. †I seek the following decision from Selwyn District Council:

Council Support Following linkages
 Road linking Fairhurst Place - Jozecom Place
 Walkway to New Primary School - through to Goulds Rd.
 Fairhurst Place Walkway/Cycleway to Manor Drive
 Jozecom Place Walkway/Cycleway to Frame Cres
 Jozecom Place Walkway/Cycleway to East Maddisons Rd.

Policy to be stronger in support of the future residents
 and their ability to have improved connectivity to the wider
 Rolleston Community

†Give precise details, including the nature of any change sought. Continue on a separate sheet if necessary.

5. I WISH / ~~DO NOT WISH~~ to be heard in support of my submission (delete as applicable)

6. If others make a similar submission, I will consider presenting a joint case with them at a hearing
 (delete if you would not consider presenting a joint case)

7. HP Foster 3-08-09
 Signature of submitter (or person authorised to sign on their behalf) Date

8. Address for service of submitter: "Broomleigh" Dynes Rd Rolleston
RDP Christchurch 7678

Telephone: 03 347-8651 Fax:

Email: ap.dj.foster@xtra.co.nz

Contact person: Annette Foster Title (if appropriate)

090805040

Resource Management (Forms, Fees, and Procedure) Regulations 2003

Schedule 1 1371

Form 5
Submission on publicly notified Plan Change
Selwyn District Plan

Clause 6 of First Schedule, Resource Management Act 1991



To Selwyn District Council
2 Norman Kirk Drive
PO Box 90
Rolleston 7614
FAX: 03-347-2799

1. Full name of submitter: Stephen David Bensberg & Sharon Louise Bensberg.

This is a submission on the following proposed Plan Change:

Rolleston Living 1B Deferred Zone - Plan Change 11
(name and number of Plan Change)

2. The specific provisions of the proposal that my submission relates to are: Average and minimum lot size.

(give details).

3A. 3. *My submission in SUPPORT / OPPOSITION IS: ① the average lot size of 750 m² for Living 1, with no minimum lot size.
② the average lot size of 2000 m² for Living 1c with a minimum of 1000 m²
③ the boundaries of the Living 1, Living 1B & 1C zone as shown in the plan change.

3B. My submission in Opposition is, oppose the 1200 m² average with a minimum of 750 for the Living 1B zone.

The reasoning behind my request is that there is an increasing need for smaller lot sizes for the elderly population. This population is increasing & will continue to increase as a portion of the overall population. This elderly segment of the population also tends to prefer smaller section sizes.

*Include whether you SUPPORT or OPPOSE specific parts of the plan change or wish to have them amended; and the reasons for your views. Continue on a separate sheet if necessary.

due to their reduced health & the smaller lots requiring less maintenance etc. Therefore a reduction in average & minimum lot sizes will help in providing more options, and more locations where suitable sections can be provided.

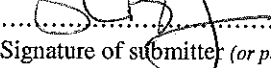
4. †I seek the following decision from Selwyn District Council:

- (1) to keep the zoning 1, zoning 1BC average &
minimum lot size as proposed in PC 11.
(2) to keep the zoning 1, zoning 1B & 1C zone
boundaries as shown.
(3) to reduce the average lot size for zoning 1B
to 1000 m² with a minimum lot size of 500 m².

†Give precise details, including the nature of any change sought. Continue on a separate sheet if necessary.

5. I WISH / ~~DO NOT WISH~~ to be heard in support of my submission (delete as applicable)

6. If others make a similar submission, I will consider presenting a joint case with them at a hearing
(delete if you would not consider presenting a joint case)

7.  4-8-09
Signature of submitter (or person authorised to sign on their behalf) Date

8. Address for service of submitter: 27 Waterbridge Way

Telephone: 03 347 9400 Fax: Mobile 027 2499328

Email: ssbersburg@xtra.co.nz

Contact person: Steve Bersburg Title (if appropriate)

SCANNED

090805038

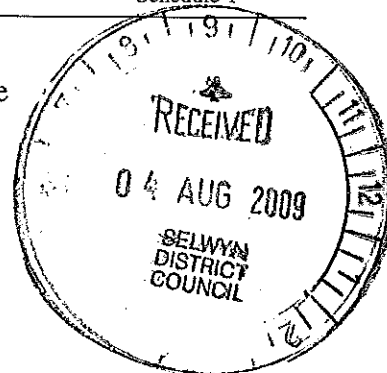
1373

Resource Management (Forms, Fees, and Procedure) Regulations 2003

Schedule 1

Form 5
Submission on publicly notified Plan Change
Selwyn District Plan

Clause 6 of First Schedule, Resource Management Act 1991



To Selwyn District Council
2 Norman Kirk Drive
PO Box 90
Rolleston 7614
FAX: 03-347-2799

1. Full name of submitter: Richard & Rachel Ireland

This is a submission on the following proposed Plan Change: PC 020011
Rolleston Living 16 deferred zone Structure Plan (name and number of Plan Change)

2. The specific provisions of the proposal that my submission relates to are: Linkage between
Fairhurst Place & Gore.com Place
.....
..... (give details).

3. *My submission in **SUPPORT** / **OPPOSITION** is:
We are opposed to this proposal because:
(a) Our lawyer was not notified of this in November 2008 when we
were making our purchase yet the council must have known of it,
(b) We bought here because it is away from any roads or through
traffic,
(c) A road will not improve the value of our property as proposed
by council,
(d) We will have to redevelop the roadside of our property at
more expense to us,
(e) We have a young family so we will have to re-build with
more suitable zoning of a road goes ahead - more cost,
(f) A road will make us more vulnerable and so we will have
to improve our security,
(g) Our house will be very close to the road,
(h) Our daughter is just getting over fear of possible predators,
Placement of a road next to the house will not help this,
(i) We don't know of anyone who would do it.

*Include whether you **SUPPORT** or **OPPOSE** specific parts of the plan change or wish to have them amended; and the reasons for your views. Continue on a separate sheet if necessary.

(j) In the short time we have been here we have only seen
the council act with a heavy hand


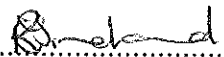
(k) Any suggestions offered have been ignored or readily dismissed
without serious consideration,

(l) Connecting Fairhurst & Gore.com does not affect the known road
suggested by council as necessary for school - it is taking advantage of a decision

4. †I seek the following decision from Selwyn District Council: That they listen to
those people directly affected and not link Fairhurst place
and Goreau place on this route

†Give precise details, including the nature of any change sought. Continue on a separate sheet if necessary.

5. I WISH / ~~DO NOT WISH~~ to be heard in support of my submission (delete as applicable)
6. If others make a similar submission, I will consider presenting a joint case with them at a hearing
(delete if you would not consider presenting a joint case)

7.   4/8/09
Signature of submitter (or person authorised to sign on their behalf) Date

8. Address for service of submitter: 36 Fairhurst Place
Rollerton

Telephone: 347 8790 Fax:

Email: rich.mch.ireland@clear.net.nz

Contact person: Richard & Rachel Ireland Title Mr & Mrs (if appropriate)

Resource Management (Forms, Fees, and Procedure)
Regulations 2003

090805037 (11)
1374

Schedule 1

Form 5

Submission on publicly notified proposal for policy statement or plan

Clause 6 of First Schedule, Resource Management Act 1991

SCANNED

To

Selwyn District Council

Name of submitter:

Selwyn Central Community Board

This is a submission on the following proposed policy statement (or on the following proposed plan or on a proposed change to the following policy statement or plan) (the proposal):

Selwyn District Plan PROPOSED PLAN CHANGE 11
Rolleston Living 1B Deferred Zone Structure Plan

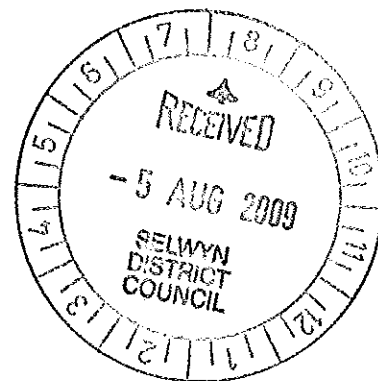
The specific provisions of the proposal that my submission relates to are:

Proposed Plan Change 11

The proposed zoning (Map B)

The amendments to the District Plan

The proposed Structure Plan Map (Map A)



My submission is:

The Selwyn Central Community Board (the Board) supports Proposed Plan Change as notified with an amendment to the notified structure plan as described below.

The Board notes that the Selwyn District Council has consulted the residents and property owners in the area associated with Plan Change 11 and that the Plan Change is an outcome of that consultation. The Board commends the Council on its consultation and desire manage the transition from a rural residential environment to an urban environment to achieve a quality outcome for residents, landowners and the community.

The Board supports the proposed zoning changes (a Living 1 zone area, Living 1C zone areas and retention of a Living 1B zone area) as shown on the notified "Map B Proposed New Zoning."

The Board supports the amendments to the Selwyn District Plan required by Plan Change 11.

The Board requests that the structure plan be amended by the addition of a neighbourhood reserve and the addition of an additional link road. The reserve is shown in green and the link road in red in "Figure 1 Requested Amended Structure Plan (Map A)" attached to this submission. The positions of the reserve and link road are indicative (explained below).

Resource Management (Forms, Fees, and Procedure)
Regulations 2003

Schedule 1

The plan as notified did not show a neighbourhood reserve in the Living 1 zone bounded by Brookside Road, East Maddisons Road and Lowes Road. It is a policy of the Selwyn District Council that there should be a neighbourhood reserve within 400 – 500 metres of households in a Living 1 zone. The proposed additional neighbourhood reserve located in a central position in this block means this requirement is met for this block. The shown position is indicative. A reserve close to this position will fulfill the Selwyn District Council policy.

The proposed indicated link road shows the location for a linking road from Brookside Road into the "Canterbury Sun Club Inc." land to link with the indicative road shown crossing the Canterbury Sun Club Inc." land. It is important to indicate that a link is required from Brookside Road into this area as a link road from Brookside Road into this area will increase the vehicle, cycling and pedestrian connectivity when this area is developed. This additional link road will signal to any developer that a linking road is required in this area.

I seek the following decision from the local authority:

The Board asks that Plan Change 11 with the amendments to the Structure Plan map requested above be adopted.

I wish ~~(or do not wish)~~ to be heard in support of my submission.

* If others make a similar submission, I will consider presenting a joint case with them at a hearing.

M. A. Alexander

August 3 2009

Signature of submitter (or person authorised to sign on behalf of submitter)

Address for service of submitter: **Selwyn Central Community Board
C/- PO Box 90, Rolleston 7643**

Telephone: **03 347 6393**

Fax/email: **03 347 6392** **mark.alexander@selwyn.govt.nz**

Contact person: **Mark Alexander** **Selwyn Central Community Board Member**

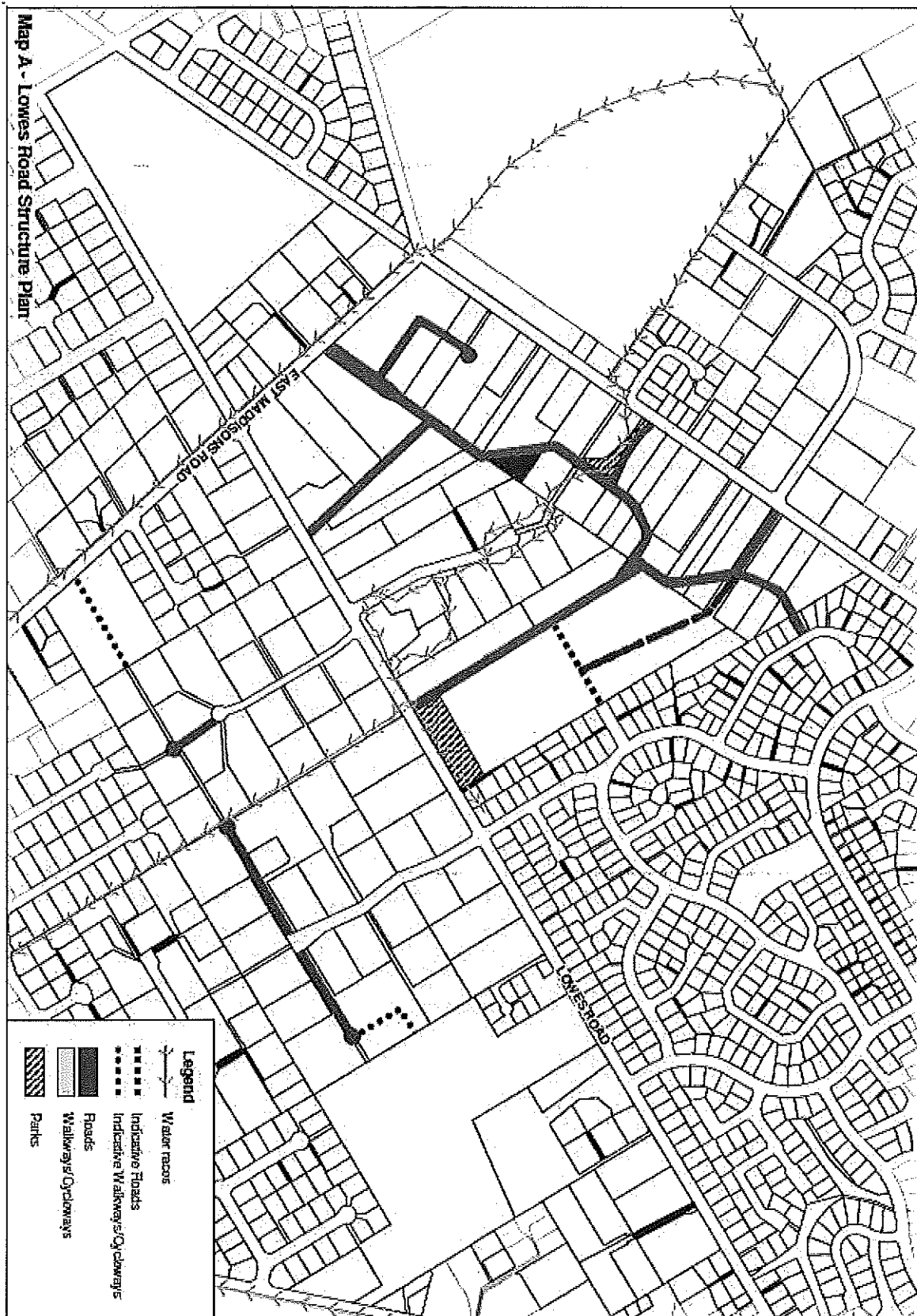


Figure 1 Requested Amended Structure Plan (Map A)



Form 5
Submission on publicly notified Plan Change
Selwyn District Plan

Clause 6 of First Schedule, Resource Management Act 1991

To Selwyn District Council
2 Norman Kirk Drive
PO Box 90
Rolleston
Christchurch 7614
FAX: 03-347-2799

1. Full name of submitter: Tania Rochelle Foster and Michael Howard Croucher

This is a submission on the following proposed Plan Change:

Plan Change 11 – Rolleston Living 1B Deferred Zone Structure Plan

2. The specific provisions of the proposal that my submission relates to are:

- Subdivision General – Rule 12.1.4.48 (d)
- Provision of Reserves South of Lowes Road
- Density – Table C12.1
- Buildings and Streetscene – Rule 4.13.2

3. *My submission in SUPPORT / OPPOSITION is:

SUPPORT

- Subdivision General – Rule 12.1.4.48 (d)

The rule provides protection for adjoining landowners by ensuring that the necessary linkages will be created at the time of subdivision by neighbours.

- Provision of Reserves within the Structure Plan Area

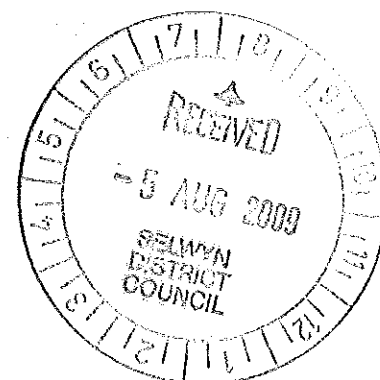
In particular in areas where advantage can be taken of the unique characteristics of the area (i.e. water-races).

OPPOSE

- Density – Table C12.1

The Living 1B & 1C zone **does not**

- acknowledge the areas future central position in the urban area of Rolleston as defined in the UDS.
- “..promote land use patterns that will reduce the demand for transport” Selwyn District Council Plan, Policy B.2.1.10



- "Promote and encourage comprehensive development and redevelopment to achieve good urban design outcomes" Plan Change 11, 6.9.3
- "Promote higher density development around new nodes and lower density around the perimeter" Plan Change 11, 6.9.4
- Buildings and Streetscene – Rule 4.13.2

In a normal set of circumstances this rule would be difficult to comply with. Sections are normally designed with the narrowest side facing the road in order to comply with this rule you would need to have a minimum of 12m wide of dwelling facing the road if the dwelling had a double garage (6m).

**Include whether you SUPPORT or OPPOSE specific parts of the plan change or wish to have them amended; and the reasons for your views. Continue on a separate sheet if necessary.*

4. I seek the following decision from Selwyn District Council:

- Density – Table C12.1

Replace the Living 1B & 1C Zoning provisions within the Structure Plan Area with Living 1.

- Buildings and Streetscene – Rule 4.13.2

Rewrite the rule to enable compliance by a typical dwelling on a typical allotment with compliant setbacks to neighbouring boundaries.

**Give precise details, including the nature of any change sought. Continue on a separate sheet if necessary.*

5. I WISH / ~~DO NOT WISH~~ to be heard in support of my submission (delete as applicable)

6. If others make a similar submission, I will consider presenting a joint case with them at a hearing

(delete if you would not consider presenting a joint case)

7.  03.08.09

Signature of submitter (or person authorised to sign on their behalf) Date

8. Address for service of submitter: 27 Jozecom Place
Rolleston 7614

Telephone: 021 295 1873.....Fax:

Email: crouch@xtra.co.nz.....

Contact person: Tania Foster.....Title(If appropriate)

13

SCANNED

090805035

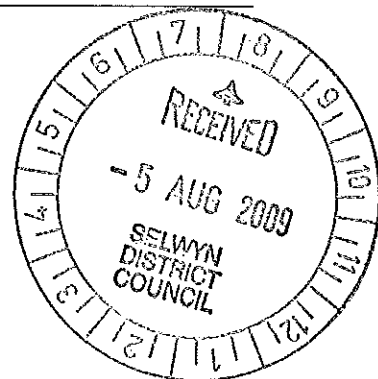
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Resource Management (Forms, Fees, and
Procedure) Regulations 2003

Schedule 1

Form 5
Submission on publicly notified Plan Change
Selwyn District Plan

Clause 6 of First Schedule, Resource Management Act 1991



To Selwyn District Council
2 Norman Kirk Drive
PO Box 90
Rolleston
Christchurch 7614
FAX: 03-347-2799

1. Full name of submitter: CAM MACMILLAN (FOR PINEGLADES NATURIST CLUB INC)

This is a submission on the following proposed Plan Change:

PC 080011 (name and number of Plan Change)
ROLLESTON LIVING 1B DEFERRED ZONE STRUCTURE PLAN

2. The specific provisions of the proposal that my submission relates to are:

ON ATTACHED SHEET
(give details).

3. *My submission in ~~SUPPORT~~ / OPPOSITION is:

ON ATTACHED SHEET

*Include whether you SUPPORT or OPPOSE specific parts of the plan change or wish to have them amended; and the reasons for your views. Continue on a separate sheet if necessary.

4. †I seek the following decision from Selwyn District Council:
-
-
- ON ATTACHED SHEET
-
-
-
-
-
-
-
-

†Give precise details, including the nature of any change sought. Continue on a separate sheet if necessary.

5. I WISH / ~~DO NOT WISH~~ to be heard in support of my submission (delete as applicable)
6. If others make a similar submission, I will consider presenting a joint case with them at a hearing
(delete if you would not consider presenting a joint case)

7. L. Macmillan 3RD August 2009
Signature of submitter (or person authorised to sign on their behalf) Date

8. Address for service of submitter:

PO Box 1823 CHCH

Telephone: 383-8348 Fax: 383-8348

Email: linda_mac@xtra.co.nz

Contact person: CAM MACMILLAN Title (if appropriate)

APPENDIX

Submission 1

Question 3. My submission in OPPOSITION is:

Appendix 4. 2.1 New Roads

On previous council proposals a road intersected our Brookside Road property at approximately 90°. The latest version of the proposal indicates the road approaching and crossing our property at approximately 45°. This will make it extremely dangerous exiting our property as we will need to be looking to the left and back 45° for approaching traffic. We believe that this is in conflict with 7.4 and 7.5 of the Structure Plan which outline the desire to design safe roads. If this road were to remain at this angle to our property we would oppose any purchase of our land to provide any roadway. We would be prepared to have amicable discussions with the appropriate council staff to rectify this dangerous problem.

The new proposed road from Brookside Road runs along the section of land that the club currently uses as an entrance. Direct access from Brookside Road will be lost to the club along with signage on a main road. The ability to develop this land to its maximum potential will be compromised resulting in a loss of much needed funds we could derive from the sale of this land.

Question 4. I seek the following decision from Selwyn District Council:

If the problems above can be resolved we have two requests regarding the property the roads will cut through:

- a) That Pineglades receive fair compensation for this land as the roads provide no benefit to the club.
- b) That the road from Brookside Road be named "Pineglades Drive". This will provide direction to Pineglades for visitors and recognition of Pineglades being a part of Rolleston for over 50 years.

If the problems above cannot be resolved Pineglades requests that the proposed roads be removed from the plan.

Submission 2

Question 3. My submission in OPPOSITION is:

9.3 Option 3: "The most appropriate sites for reserves are identified and the council has certainty about obtaining the land at the time of subdivision".

The proposed reserve along Pineglades' Lowes Road boundary is a greater contribution than landowners are required to make at the time of subdivision. While this indicative reserve remains on the Structure Plan we are concerned that the council may, in the future, make a compulsory purchase of this land to provide the required reserve area for other developments. Pineglades would then be deprived of exclusive use of this area which we have spent many years creating. As there is no intention by Pineglades to sell or subdivide any land it would seem presumptuous of the council to allocate a reserve that is unlikely to eventuate.

If this proposed reserve remains on the structure plan we are concerned that the council may put protection orders on trees which would restrict our future development of this area. We are currently following a plan formulated by Canterbury University School of Forestry in 1992 and runs to 2028.

Question 4. I seek the following decision from Selwyn District Council:

That the proposed reserve on the property of Pineglades Naturist Club be removed from the Structure Plan. If this property is sold in the future the required reserve contribution can be determined at this time.

Submission 3

Question 3. My submission in OPPOSITION is:

8.2.5 Reverse sensitivity.

Considerable time and expense has been put into creating shelter belts on our boundaries. These are now well established and any restrictions placed on these would reduce their effectiveness. This issue singles out Pineglades from other land owners. The council mentions "preservation of character" as being desirable.

Question 4. I seek the following decision from Selwyn District Council:

Pineglades wishes for this issue to be removed from documentation so that we can maintain our Grounds Management Plan designed by The School of Forestry, Canterbury University.

Submission 4

Question 3. My submission in OPPOSITION is:

"9.3 Controls on the erection of tall fencing next to roads and right of ways".

"4.13.3, 4.13.3.2, 4.13.3.3"

This precludes Pineglades from fencing extensive road boundaries for privacy and security. Pineglades requires screening from the roadways for public sensitivity. We wish to maintain privacy from the public and fencing would be the logical choice. As we have shown our empathy with environmental conservation by our tree planting, we would endeavour to make this unobtrusive and in keeping with the environment.

Question 4. I seek the following decision from Selwyn District Council:

Pineglades requests an exclusion from this provision to allow for solid 1.8 meter high fencing on all boundaries as we have special requirements.

SCANNED

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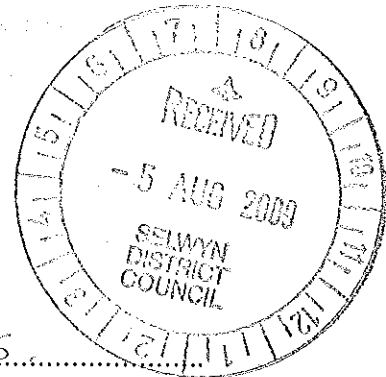
Resource Management (Forms, Fees, and
Procedure) Regulations 2003

Schedule 1 1377

Form 5
Submission on publicly notified Plan Change
Selwyn District Plan

Clause 6 of First Schedule, Resource Management Act 1991

To Selwyn District Council
2 Norman Kirk Drive
PO Box 90
Rolleston 7614
FAX: 03-347-2799



1. Full name of submitter: MR. STEVEN BRUCE-JONES

This is a submission on the following proposed Plan Change:

COLLECTOR LIVING 13 DEFERRED ZONE (name and number of Plan Change)
STRUCTURE PLAN 11.

2. The specific provisions of the proposal that my submission relates to are:

THE 200 M² TRIANGULAR PIECE OF LAND
THAT IS WASTED AT THE BOTTOM OF
MY GARDEN. (give details).

3. *My submission in SUPPORT / OPPOSITION is:

I OPPOSE THE STRUCTURE PLAN 13 AS THE ROAD
THROUGH MY LAND AT AN ANGLE LEAVING
APPROX 200 M² TRIANGLE OF WASTE GROUND
WHICH IS OF NO USE TO ANYONE. I
SUGGEST & HAVING CONSULTED WITH
MY NEIGHBOURS WHO AGREE THAT THE
ATTACHED PLAN WOULD BE MUCH BETTER
AS IT WASTES NO LAND & SATISFIES
YOUR REQUIREMENTS & MAKES SUBDIVIDING
IN THE FUTURE MORE REALISTIC.
I HOPE COMMON SENSE WILL PREVAIL
& EVERYONE WILL BE HAPPY.
AWAITING YOUR RESPONSE TO THIS
NEW PLAN, THANK YOU.

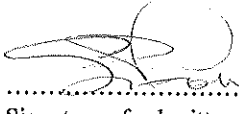
*Include whether you SUPPORT or OPPOSE specific parts of the plan change or wish to have them amended; and the reasons for your views. Continue on a separate sheet if necessary.

4. †I seek the following decision from Selwyn District Council:

THE ROAD PLAN IS CHANGED SO
IT RUNS ALONG THE BOUNDARY OF
MY LAND & NOT CUTTING ACROSS
IT.

†Give precise details, including the nature of any change sought. Continue on a separate sheet if necessary.

5. I WISH / ~~DO NOT WISH~~ to be heard in support of my submission (delete as applicable)
6. If others make a similar submission, I will consider presenting a joint case with them at a hearing
(delete if you would not consider presenting a joint case)

7. 
- Signature of submitter (or person authorised to sign on their behalf)

30/7/09
Date

8. Address for service of submitter: 141 BROOKSIDE B,
ROLESTON

Telephone: 347 8121 Fax:

Email:

Contact person: Title (if appropriate)

BROOKSIDE L.

143

141

139

37.5 M

TINY HILL LANE

37.5 M

37.5 M

750 M² SECTIONS.

20 M

NEW ROAD.

750 M²

TO THE
PINES.



STEVEN BRUCE-JONES,

141 Brookside Rd.

347 8121.

090805004

1378

15

SCANNED

4 August 2009

Planning Department
Selwyn District Council
PO Box 90
ROLLESTON 7643



{mds}law
BARRISTERS & SOLICITORS

Dear Sirs

PLAN CHANGE 11 - SUBMISSIONS OF ANDREW PALLISER AND KATHRYN WINCHESTER

Please find enclosed a copy of the above submission on Plan Change 11. We also emailed a copy this afternoon but provide the hard copy in the event that is more convenient to you.

Yours faithfully
MDS LAW

A handwritten signature in cursive script, appearing to read "Tara Allardyce".

Tara Allardyce
Senior Solicitor

taraallardyce@mdslaw.co.nz
DDI: +64 3 371 0497
Mob: 021 224 2961

Partner Ref: L Lloyd

ENCL
cc: Andrew Palliser and Kathryn Winchester - 31 Waterbridge Way, Rolleston 7614

TAA-222446-1-7-V1

PARTNERS

Lindsay Lloyd LLB
Don McBeath LLB
Mark Abbot LLB (Hons)
Mark Tutty LLB, B.Com
Katherine Ewer LLB

ASSOCIATE

Vaughan Taylor LLB, BA

CONSULTANT

John Stringer

Form 5
Submission on publicly notified Plan Change
Selwyn District Plan

Clause 6 of First Schedule, Resource Management Act 1991

To: Selwyn District
Council 2 Norman
Kirk Drive PO Box
90
Rolleston
Christchurch 7614
FAX: 03-347-2799

1. ***FULL NAMES OF SUBMITTERS (as individuals):***

- 1.1 Andrew Pailliser
- 1.2 Kathryn Winchester

THIS IS A SUBMISSION ON THE FOLLOWING PROPOSED PLAN CHANGE:

Plan Change 11

2. ***THE SPECIFIC PROVISIONS OF THE PROPOSAL THAT MY SUBMISSION
RELATES TO ARE:***

Part B Policies

- Policy B.4.2.9 together with its associated Explanation and Reasons

Part C Rules

- | | |
|----------|--------------------------------|
| ▪ 4.9.19 | ▪ 4.13.3 |
| ▪ 4.9.20 | ▪ 4.13.4 |
| ▪ 4.9.21 | ▪ Table C12.1- allotment sizes |
| ▪ 4.9.26 | ▪ 12.1.4.48 |
| ▪ 4.9.27 | ▪ 12.1.4.49 |
| ▪ 4.9.28 | ▪ 12.1.4.50 |
| ▪ 4.9.29 | ▪ 12.1.6.5 |
| ▪ 4.13.1 | ▪ 12.1.7.4 |
| ▪ 4.13.2 | ▪ 12.1.7.5 |

3. MY SUBMISSION IN OPPOSITION IS:**3.1. GENERAL COMMENTS REGARDING INCLUSION OF A NEW STRUCTURE PLAN IN THE DISTRICT PLAN:**

We are the owners of 31 Waterbridge Way.

Our property is at the northernmost end of that road and is comprised of 5,023 m². There is currently one dwelling situated on the site which is our family home. The property is traversed by a creek and the course of that waterway is shown on the proposed Structure Plan.

We took possession of our property 6 October 2006 and were presented with walkway information from the vendor 9 October 2006 claiming they knew nothing about this matter. We were not advised prior to purchase by the Council that they had plans that could potentially alter our property and we would like to have on record the fact that we would not have proceeded with the purchase had we been advised of these facts.

We would also like to have on record that a Council employee, Nick Regnaut, advised Andy verbally that the walkway issue was a dead one and would not proceed. The round of further consultation and the publication of this Plan Change 11 therefore come as an unwelcome shock to us.

3.1.1 Current Rules regarding development of our land

Under the current District Plan our property is deemed to be "Living 1B deferred".

This means there is presently a moratorium on subdividing down to areas smaller than 5,000m². Given that our property is only 23m² above that threshold there is currently no potential for carving up this site. However, the moratorium is to be lifted in 2010 and our property could then be subdivided so that the average allotment would be 1,200m² and the minimum would be 750m². Theoretically we could create 4 allotments from our 5,023m² section in 2010 if the status quo was maintained.

Paragraph 8.3.2 of the Section 32 Report acknowledges the expectations of existing landowners saying that the "area has been zoned for residential use since 2003 and landowners have a legitimate right to expect to subdivide their land". We would go further and add that owners have been lead to believe since 2003 that subdivision would be of the variety mentioned above (1,200m² average lot and 750m² minimum lot) rather than what is now being proposed.

3.1.2 Plan Change 11 is more restrictive (in terms of subdivision) than the status quo

Plan Change 11 is significantly more restrictive than the status quo.

Under Plan Change 11 our property falls within one of the two "Special character low density areas" and, as such, would become a Living 1C property. The same is true of the other properties that adjoin Waterbridge Way.

If Plan Change 11 is allowed to become operative in its current form one major impact on us would be to substantially restrict subdivision of our site. Under the proposed zoning we would

be allowed (subject to gaining resource consent on a restricted discretionary basis) to subdivide in the following manner:

Average allotments to be 2,000m² and the minimum size to be 1,000m².

Average lot size - Applying this to our site means we could get two allotments from our property which is a significant difference from the situation if the plan was left unaltered and the moratorium lapsed in 2010. We acknowledge that Plan Change 11 does not entirely preclude us from applying for an average lot size of between 1,200m² 2,000m² but that involves a discretionary resource consent application and means gaining approval is less certain. Furthermore, Rule 12.1.7.5 makes any application for an average lot size less than 1200m² a non complying activity thereby virtually eradicating any possibility of average lot sizes beneath the 1,200m² altogether.

Minimum lot size - The rules are also ambiguous about what minimum lot sizes would be permissible. We know that Plan Change 11 means that our property would need to apply for consent on a restricted discretionary basis for any minimum lot size over 1,000m² and that a discretionary application is needed for average lot sizes between 1,200m² and 2,000m² by virtue of Rule 12.1.6.5. However, Rule 12.1.6.5 says nothing about discretionary applications being entertained for minimum lot sizes under the 1,000m² threshold. We are therefore left to presume that the minimum lot size would remain 1,000m² even if resource consent was obtained to reduce the average to 1,200m². Again, this is a significant departure from the 750m² minimum that would otherwise have operated in 2010.

Simply, we are in a worse situation under the proposed scheme than we would be (so far as subdivision is concerned) than we would otherwise have been under the current plan. To illustrate the comparison we have included the following table:

	Average Lot Size	Minimum Lot Size
Current Rule in District Plan (Living 1B deferred) - operative until 2010		5,000m ²
In 2010 when moratorium is lifted	1,200m ²	750m ²
Under Proposed Plan Change 11	2,000m ²	1,000m ²

We are clearly not alone in this since other people on Waterbridge Way and Fairhurst Place are affected in the same way.

We do actually like the semi-rural feel of this area and may not wish to subdivide ourselves. However, Plan Change 11 does constrain development and has a knock-on effect should we ever wish to sell. We feel this diminution in opportunity needs to be acknowledged and is one of the reasons we oppose the amendment to the plan. We also consider that it runs counter the expectations raised in people about what they would be entitled to do with their properties once the moratorium ends.

3.1.3 Plan Change 11 may never achieve the intended structure plan layout

Proposed Policy B.4.2.9 says that it is the Council's intention to constrain all development so that the pattern of future development will chime with the design put forward in the Structure Plan.

This means that consents will only be granted where they make provision for the various pre-ordained roads, walkways, reserves and so forth. Having a pre-determined pattern for future development may be a sensible strategy in many respects but there are some practical problems associated with implementing the idea. We feel the Council has not adequately dealt with these practical issues and we give three examples to illustrate the problem.

▪ **Example 1 – Piece-meal implementation of the Structure Plan**

The creation of the new roads and walkways will only occur when a particular site owner seeks consent to redevelop its property. So, for example, a person ("Person A") whose property is located immediately to the south of Brookside Road will be expected to make provision for the new loop road which is supposed to arc its way from Lowes Road to East Maddisons Road.

But the plan says nothing about how this will actually be achieved in practise. A glance at the map shows that ownership in this area is very fragmented – there is no single owner-developer who will release large chunks of land in one go. Furthermore, most of the properties already have a dwelling upon them. This is a very different situation from the one the Council might face if the land was a greenfield site in single ownership. Consequently, the process and pace of development/subdivision is likely to be piecemeal. Conversely, provision of the infrastructure system (ie the roads and paths) requires a co-ordinated effort.

▪ **Example 2 – Problems accessing land during interim phase**

Using the example of Person A, how will his resource consent application to subdivide actually be accommodated under this system? After all, Person A might be happy to set aside the portion of land which is needed for the future road and to configure his subdivision in a way to ensure that happens. But until the road is actually built (which relies on all the other people around about Person A also choosing to develop their land) how will the new residents of Person A's property get in and out? If new houses are to be built they need some way of accessing the site while they wait for the new road to be built.

Provision of these new roads and walkways relies on a critical mass of people deciding to develop. What if that critical mass is never reached or it takes decades for it to be reached? In the interim people's ability to develop their properties or build structures on them is severely curtailed. Furthermore, the leaders of the pack will have to either:

- wait for critical mass to be reached before they can implement their consents;
- or
- make alternative access provision in the interim at considerable extra cost.

▪ **Example 3 – Paying twice for the same road**

In effect, people like Person A may have to pay twice for the same thing: first, providing a temporary connection between his new allotments and the existing road, and then again by way of the development contribution for the road which might or might not be built eventually.

There is not enough detail in the Section 32 Report nor in the wording of Plan Change 11 for us to evaluate how these issues will be approached and resolved in practise. We cannot therefore say with any certainty what the costs or benefits of this strategy are.

3.1.4 The proposal amounts to a de facto "designation" which adversely impacts on landowners

The Section 32 Report acknowledges that formal designation pursuant to Part 8 of the RMA is one option for achieving the intended layout. It goes on though to say that this is not a preferred strategy because formally designating the various roads and walkways raises the prospect of people then forcing the Council's hand by asking the Council to buy the property off them.

The Section 32 Report explains that this is undesirable because the Council would have to pay for the land in the near future but could not recoup those costs of holding the property or putting in the new infrastructure until other people decided to develop their sites. In other words, the Council would become the "banker".

Although the problems of designation are partially acknowledged in the Section 32 Report the answer has simply been to shift the financial burden sideways. Plan Change 11, in all but name, is a designation because it virtually eliminates the possibility of people developing in a way that compromises the intended road layout. For instance, it puts an embargo on erecting buildings in the path of the intended roads. In effect, this is simply transferring the cost onto the individual property owners whose property values are adversely impacted by the need to make provision for a possible roadway. The landowners suffer an opportunity cost because their land is blighted by the possibility of a roadway being required at some later stage.

In the meantime, landowners are significantly constrained in terms of how they can use or develop their land but cannot seek any compensation from the Council for that constraint. Under the current proposal the usability of their properties is severely constrained but there is no indication of how long it will take for development to reach a critical mass and for the proposed roads to actually be built. This means there is significant uncertainty about property values in the interim.

3.1.5 Insufficient information is provided about how development contributions will be calculated

We note that the mechanism for calculating development contributions is not addressed in this Plan Change.

We are advised that the mechanisms and calculations of development contributions will be dealt with through a separate consultation process and pursuant to the Long Term Council Community Plan.

As a consequence, we do not know when the development contribution will be triggered and that is significant for someone in Person A's position. Significant questions need to be addressed such as:

- *If payment of the development contribution (or setting aside the roadway) is triggered at the time that subdivision consent is granted but the roadway never eventuates how will the payer be reimbursed and when?*

We note that paragraph 9.2.3 of the Section 32 Report says that the council will construct the infrastructure at the time the adjacent land is developed and then recover the costs from others who are subdividing. But, with respect, it seems unlikely that the Council would proceed in this manner. If it did so it would have segments of partially completed roads strewn across the area. What is much more likely is that the Council will be forced to purchase the areas it requires for roads using the designation/compulsory acquisition strategy.

- *How will contributions be calculated?*

Clearly some people own land which the roads/paths are expected to traverse while others do not. If a person has to yield up land to the Council so that a walkway/road can pass over their land how will that contribution be calculated relative to the financial contribution that might be made by others whose land is not crossed by one of the indicative roads/walkways?

- *Where land is to be yielded up to the Council for use as a new road or walkway will the valuation take cognisance of the fact that some people will be able to create fewer allotments because a sizeable portion of their land is unusable thanks to it being allocated as roadway?*

In some instances the quantity of land required for the new roadway/walkway may mean that the landowner is able to get fewer allotments from his property than if the road had not needed to be set aside. In this way the proposed road ends up costing the landowner twice: once, when the land has to be transferred to the Council by way of a contribution and, second, when its land area is subtracted from the original dimensions of the property meaning that one less allotment might be available than would have otherwise been the case.

- *Will the development contribution system encourage landowners to hold out until the end when the Council might be inclined to value their "ransom strip" more highly in order to get the new road?*

3.2. COMMENTS SPECIFIC TO OUR PROPERTY

As alluded to above, the proposed structure plan shows a walkway/cycleway crossing the north eastern corner of our property.

3.2.1 Unjustified restriction on our land use

As a consequence of Rule 4.9.19, we will not be able to build on this land even though we may never choose to subdivide our property. We consider this to be an unfair restriction on the future use of our land. There is no guarantee that the road connection to the north of our property will ever come to fruition and yet the provision of the walkway across our land is superfluous if it does not. For the reasons set out in 1.3 above it is far from certain whether the

structure plan will take shape at all, let alone in the next decade or so. And yet, provision of the walkway is entirely redundant if the roads that it is meant to connect to are never constructed. Given the significant uncertainties about the structure plan ever coming to fruition we consider the walkway is an unjustified blight on our property.

3.2.2 Insufficient detail regarding location and size of the proposed walkway

Should we ever wish to develop our land by subdividing it the walkway will present significant constraints. Depending on the dimensions of the walkway it may even affect the number of allotments we could obtain from a subdivision. We have been told (verbally) by the Council that the area of land on our property needed for the walkway is approximately 400m². This is far from apparent though when looking at the structure plan. In the absence of any clear surveying of the site or undertakings by the Council as to the size and location of the walkway we are at a considerable disadvantage. We cannot assess what impact this would have on our ability to subdivide or to build.

Rule 4.9.19 requires any new buildings to be positioned at least 2m from any proposed walkway. It refers to the plan shown in Appendix 33. This plan simply does not contain sufficient detail nor is it of sufficient scale for us to understand the implications for our property. We consider much greater consultation about size and location of any of these proposed walkways is needed before any further work is undertaken in relation to Plan Change 11. Furthermore, we consider that binding assurances ought to be given to property owners as the maximum dimensions and the location of the walkways so that they can know precisely how the proposal affects their land.

3.2.3 New assessment criteria regarding the water race will further restrict our landuse

Rule 12.1.4.49 says that new assessment matters will be added to the list of things that are to be considered when deciding whether to grant consent to subdivide our property on Waterbridge Way. Amongst these is consideration of whether the subdivision will require the repositioning of the existing water race or that it be piped. In essence this is indicating that anything but minor alterations to the existing water race will thwart attempts to develop our property.

First, we do not understand why this is an issue that needs to concern Selwyn District Council since any adverse ecological impact would be dealt with under the auspices of a water permit from the Regional Council. We must therefore assume that the Council wishes the water race to remain where it is because of some aesthetic advantage it offers. That in turn implies that members of the public will be able to enjoy those aesthetic attributes from some public area – presumably from the walkway. This serves to highlight our concern that the walkway is not there merely to allow people to pass from one area to another but that some feature is to be made of the water race. We are therefore concerned that some reverse sensitivity argument could be brought to bear should we wish to develop our land in the future in a way that either impacts on the water-race itself or which merely disrupts the public's view of it. Again, we consider this to be an unacceptable risk.

3.2.4 Proposed walkway severs access to a portion of our land

The proposed walkway is positioned in such a way that it severs our access to a triangular piece of land in the north eastern corner of our plot. In this way the proposed walkway effectively renders that chunk unusable since it will not be accessible except via the walkway/cycleway and

will be utterly dislocated from the rest of the property. There is no compensation offered for the consequential loss of that other corner portion of land yet it is no longer usable by us. We consider that this orphaned land needs to be addressed with us directly before any further efforts are made to proceed with this Plan Change

3.2.5 The walkway will change Waterbridge Way into a through route

If the walkway was to go ahead as planned, and assuming the road infrastructure does eventuate, then this walkway will give access to the public across land which was previously ours. Essentially Waterbridge Way will become a through route for cyclists and pedestrians where it is now a no exit street. This entirely changes the nature of the street but it also presents social and safety issues which are not present now. The concerns we have include the following:

Privacy and security concerns - The Council has (verbally) advised that the walkway/cycleway will not be fenced. Other information about the landscaping or design of the walkway, including whether it would be lit, is also unknown to us at this stage but may be addressed in some (as yet unseen) design guide. Without this additional information about the likely design and fencing (or lack of) we cannot know how this might impact on our privacy or security. It is most unlikely that we would wish for there to be no fence between ourselves and the new path since that would simply invite trespassing. There is also a risk of it being used as a congregating area which could encourage anti-social behaviour, noise, graffiti and so forth on our doorstep. Again, we believe inadequate information is available about the nature of this walkway for us to support its inclusion in the structure plan and we oppose it on that basis.

Proposed walkway is superfluous - We note that two new road ways are provided for in the structure plan and which run parallel to Waterbridge Way. One to the east and one to the west of Waterbridge Way. We consider that these roads would provide ample access through the area and that a walkway is superfluous and that an adequate walkable perimeter would be met with the new roading.

Safety concerns - Our driveway is situated close to where the walkway/cycleway would connect with Waterbridge Way. We are concerned about the risks of pedestrians and cyclists sharing this area with vehicles.

- The new walkway would cause pedestrians and cyclists to spill out into Waterbridge Way which is not adequately designed for their use. For instance, there is no street lighting in the middle section of Waterbridge Way. Also, there are two single lane bridges to negotiate. We are concerned that adding pedestrians and cyclists to this road will compromise safety as they are forced to jostle with cars in a poorly lit and poorly designed rural environment.
- At paragraph 8.2 of the Section 32 Report Waterbridge Way is identified as having special character and identify. Two of the features picked out for special mention are the hump-back bridges and the rural-style road formation (no curbing and channelling or footpaths). We do not see how that rural identity can be maintained but at the same time an influx of pedestrians and cyclists be accommodated safely.

3.2.6 Uncertainty over compulsory acquisition in the future

There is no guarantee that the walkway would not be compulsorily acquired if we decided not to subdivide. We consider this to be unacceptable

3.3. SUMMARY OF REASONS FOR OPPOSING PLAN CHANGE 11 (subdivision and structure plan)

General Objections	Objections to inclusion of new Waterbridge Way walkway/cycleway
<ul style="list-style-type: none"> ▪ Plan change 11 is more restrictive than the status quo in terms of subdivisions. ▪ Plan Change 11 will have a negative impact on our property value since it reduces the scope for us to subdivide. ▪ Plan Change 11 is unlikely to achieve the layout proposed in the Structure Plan because it fails to address the practical barriers to implementation which include: <ul style="list-style-type: none"> ○ The layout does not alleviate the risk of piece-meal or chaotic development because it relies of a critical mass of subdivisions being achieved. ○ It fails to provide interim access to properties pending completion of the new road infrastructure. ○ Early subdividers may be penalised because they will need to offer alternative access until the roads are built – effectively paying twice for the same access. ○ There is a risk inadequate subdivisions will occur and the roads will never be constructed ▪ The proposal amounts to a de facto “designation” because it prevents people building on the proposed roads/walkways and so forth. Landowners are severely constrained in terms of landuse yet there is no guarantee the layout will ever be achieved. 	<ul style="list-style-type: none"> ▪ The proposed walkway/cycleway is an unjustified and unwelcome restriction on our landuse. ▪ There is insufficient information as to the exact location and dimensions of the proposed new path. ▪ New assessment criteria regarding the existing water race further restricts our ability to develop our property. ▪ A reverse sensitivity argument may be made by future pedestrians/cyclists should we wish to modify the water race. ▪ The proposed walkway/cycleway severs access to part of our land. ▪ The proposed walkway/cycleway will change Waterbridge Way into a thoroughfare and will therefore create new problems for residents, including us, and these issues are not adequately confronted in Plan Change 11: <ul style="list-style-type: none"> ○ Privacy and security issues which have not been addressed in the Plan Change such as noise, anti-social behaviour. ○ Safety concerns for pedestrians and cyclists sharing Waterbridge Way which is not a suitable roadway for that type of use. ▪ Significant concern over the potential for the land designated as the walkway/cycleway to be compulsorily

- Inadequate information as to how acquired in the future. development contributions will be calculated is contained in Plan Change 11 for residents to understand the full impact of the Structure Plan on their properties.

3.4. ADDITIONAL REASONS FOR OPPOSING

3.4.1 Rules regarding 6m set back from road boundary/swellings or family flats (R4.9.20 4.9.21, 4.9.28 and 4.9.29).

The uncertainty pertaining to these set back rules is compounded in the circumstances because we cannot be sure about the probable location of the proposed walkway. Since our intention may be to construct a large shed on the eastern side of our site we oppose the 6m set back rules and the assessment criteria pertaining to the rules.

3.4.2 Maximum fence height of 1m (Rule 4.13.1 & 4.13.4).

We consider this to be an unfair rule. We do not wish the public to be able to look into our property from the walkway or elsewhere for that matter. We do not want our property to be subjected to noise pollution from ever increasing foot/cycle traffic. Since the Council typically asks for private enterprise to erect 1.8-2.0m high fences to be constructed to attenuate noise which the private apartments are responsible for. Similarly the Council ought to take comparable steps if its proposed walkway/cycleway is constructed. A solid and high paling fence would be the minimum we would expect to shield our property.

3.4.3 Minimising the number of crossing points over the water race (Rule 12.1.4.50).

If our property was to be subdivided it would be essential for an additional crossing to be added as there is insufficient room for us to share. We therefore do not wish to see our scope for adding additional crossings to be limited and we reject the need to make any such additional crossing conform with the bridges on Waterbridge Way. We consider this to be unnecessary, onerous and expensive. It is not clear whether this rule would apply to all crossings including those which are not visible from Waterbridge Way.

4. *WE SEEK THE FOLLOWING DECISION FROM SELWYN DISTRICT COUNCIL*

That Plan Change 11 be rejected

Or

Plan Change 11 be amended following further consultation (and where appropriate written agreements) with property owners to address concerns raised in foregoing submission. And Selwyn District Council publish further information regarding the "design guide" and the Long Term Council Community Plan so people can assess the impact of Plan Change 11 more effectively and understand how development contributions and loss of land will be dealt with.

5. *WE WISH / ~~DO NOT WISH~~ to be heard in support of our submission*

6. *If others make a similar submission, I will consider presenting a joint*

case with them at a hearing.

7. *SEE OVERLEAF for signature panel*
Signature of submitter 1 (or person authorised to sign on their behalf) / Date

SEE OVERLEAF for signature panel
Signature of submitter 2 (or person authorised to sign on their behalf) / Date

8. *Address for service of submitters:*

31 Waterbridge Way, Rolleston

Telephone:

Fax:

Email:

Resource Management (Forms, Fees, and
Procedure) Regulations 2003

Schedule 1

The uncertainty pertaining to these set back rules is compounded in the circumstances because we cannot be sure about the probable location of the proposed walkway. Since our intention may be to construct a large shed on the eastern side of our site we oppose the 6m set back rules and the assessment criteria pertaining to the rules.

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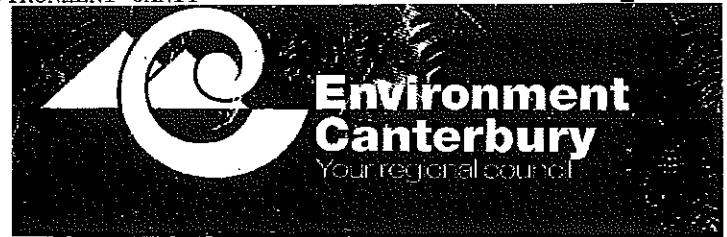
Plan Change 11 be amended following further consultation (and where appropriate written agreements) with property owners to address concerns raised in foregoing submission

5. WE WISH / DO NOT WISH to be heard in support of our submission

6. If others make a similar submission, I will consider presenting a joint case with them at a hearing.

7. Signature of submitter 1 (or person authorised to sign on their behalf) / Date

Signature of submitter 2 (or person authorised to sign on their behalf) / Date

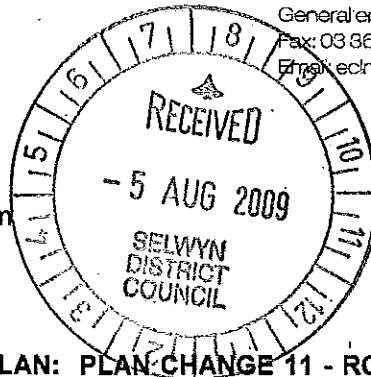


4 August 2009

Selwyn District Council
2 Norman Kirk Drive
ROLLESTON

Attention: David Hattam

Dear David



58 Kilmore Street, PO Box 345, Christchurch

General enquiries: 03 365 3828

Fax: 03 365 3194

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SELWYN DISTRICT PLAN: PLAN CHANGE 11 - ROLLESTON LIVING 1B STRUCTURE PLAN

I write with reference to the above.

Environment Canterbury commends the Selwyn District Council for the lead they have taken in this matter and to the general provisions of the proposed Plan Change. This will enable the Council to manage the urban development process including increased urban activity whilst protecting key attributes of the more sensitive areas (Waterbridge Way and Fairhurst Place). The use of a Structure Plan, incorporated into the District Plan, provides for more certainty in achieving the integration of land use with transport and connectivity to the surrounding area. Overall the Plan Change will give effect to regional policy and the provisions of the Greater Christchurch Urban Development Strategy.

It will be seen from the attached that ECan have lodged submissions both in support and opposition to the Plan Change. Those submitted in opposition relate to detailed wording matters only and in no way oppose the central tenet of the Plan Change which ECan supports.

Yours faithfully

Michael D Rachlin
SENIOR RESOURCE MANAGEMENT PLANNER

Our Ref: NO1C/SELW/DIS/200/CHA/11
Your Ref:
Contact:



Form 5

SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY STATEMENT OR PLAN*Clause 6 of First Schedule, Resource Management Act 1991*

TO: Selwyn District Council
P. O. Box 90
ROLLESTON 7643

NAME OF SUBMITTER: Canterbury Regional Council

ADDRESS: 58 Kilmore Street
P. O. Box 345
CHRISTCHURCH 8140

1. THE CANTERBURY REGIONAL COUNCIL OPPOSES IN PART AND SUPPORTS IN PART PROPOSED PLAN CHANGE 11 TO THE SELWYN DISTRICT PLAN: ROLLESTON LIVING 1B DEFERRED ZONE STRUCTURE PLAN.
2. THE PARTICULAR PARTS OF THE PROPOSED PLAN CHANGE THAT THE CANTERBURY REGIONAL COUNCIL:

(a) OPPOSES ARE:

- Volume 1: Restricted Discretionary Activities – Buildings and Building Position, clause 4.9.27
- Volume 1: Restricted Discretionary Activities – Buildings and Building Position, clause 4.9.29
- Volume 1: Restricted Discretionary Activities – Subdivision – General, clause 12.1.4.48
- Volume 1: Rolleston Special Character Low Density Areas (Living 1C zoning) - Assessment Matters, clause 12.1.4.49
- Volume 1: Permitted Activities – Building and Building Position – clause 4.9.2

(b) SUPPORTS ARE:

- The remainder of the Proposed Plan Change 11

3. THE REASONS FOR MAKING THIS SUBMISSION ARE:

The Canterbury Regional Council opposes:

- Clause 4.9.27 - the wording of this clause is unclear and imprecise, and would make implementation of this rule difficult. In particular the use of 'frustrate' in the rule is difficult to interpret, whilst criterion a) would appear to extend discretion beyond the matters contained in the main body of the clause. These factors may

undermine the effectiveness of the rule in implementing the objectives of the District Plan.

- Clause 4.9.29 - Criterion a) appears to refer to the wrong rule and should refer to 4.9.27
- Clause 12.1.4.48 - the wording of this clause is unclear and imprecise, and would make implementation of this rule difficult. In particular the use of 'logical' in relation to whether a layout is in general accordance with the structure plan would be difficult to assess and goes beyond the purpose of the structure plan. This might undermine the effectiveness of the rule in implementing the objectives of the District Plan.
- Clause 12.1.4.9 - the wording states that consideration, 'should' be given to likely size, shape and location of any dwelling to be built on the new lots. The use of the word "should" lacks direction and could undermine the effectiveness of the rule in implementing the objectives of the District Plan.
- Clause 4.9.2 - this should be amended to refer to proposed clauses 4.9.20 and 4.9.21 since these represent exemptions from this clause as well as those already listed. Without their inclusion two setback requirements would exist for the Plan Change area with no certainty over which one prevails. This might undermine the effectiveness of the rule in implementing the objectives of the District Plan.

The Canterbury Regional Council supports the remainder of Proposed Plan Change 11, and specifically:

- *New Policy B.4.2.9 which provides for the management and intensification of urban development in the structure plan area*
- *The proposed Structure Plan which will represent a key tool in achieving urban design outcomes for the Plan Change area including connectivity through the subject site and to surrounding areas*
- *The proposed rules (save for those listed above) which will help to implement the objectives and policies of the District Plan including proposed policy B.4.2.9.*

These provisions are seen as being consistent with the Canterbury Regional Policy Statement and the Greater Christchurch Urban Development Strategy. They would strengthen Selwyn District Council's ability to manage urban development, promote intensification in the right location and improve movement connectivity to the surrounding area.

4. THE CANTERBURY REGIONAL COUNCIL SEEKS THE FOLLOWING DECISION FROM THE SELWYN DISTRICT COUNCIL:

1).

That clause 4.9.27 is amended to read as follows or other words having similar effect:

Restricted Discretionary Activities – Buildings and Building Position

4.9.27

Under rule 4.9.26 the Council shall restrict the use of its discretion to consideration of whether the erection of the building would ~~frustrate~~ prevent the ability for the structure plan movement network connections and reserves shown on the structure plan in Appendix 33 ~~from being obtained at future subdivision~~. In assessing this, regard shall be given to:

a) The location of the building with regard to whether it would ~~obstruct that~~ prevent implementation of the structure plan in achieving road, pedestrian and cycle links to the surrounding area.

2).

That clause 4.9.29 is amended to read as follows or other words having similar effect:

Restricted Discretionary Activities – Buildings and Building Position

4.9.29

Under rule 4.9.28 the Council shall restrict the use of its discretion to consideration of:

a) the matters listed under rule ~~4.9.26~~ 4.9.27

3).

That clause 12.1.4.48 is amended to read as follows or other words having similar effect:

Restricted Discretionary Activities – Sub-division - General

12.1.4.48

As proposed in Plan Change subject to following changes to criterion c):

c) that the layout will result in a ~~logical pattern~~ cohesive development for the area as a whole providing for the movement network and reserves shown in the structure plan

4).

That clause 12.1.4.49 is amended to read as follows or other words having similar effect:

Rolleston Special Character Low Density Areas (Living 1C zoning)

12.1.4.49

As proposed in Plan Change subject to following change in last paragraph:

In the assessment of this matter, consideration ~~should~~ will be given to the likely size, shape and location of any dwelling to be built on the new lots

5).

That clause 4.9.2 is amended to read as follows or other words having similar effect:

Permitted Activities – Buildings and Building Position

4.9.2

Except as provided in Rules 4.9.3 to 4.9.20, any building which complies with the setback distances from internal boundaries and road boundaries, as set out in Table C.4.2 below.

6).

That, in all other matters, Proposed Plan Change 11 be approved.

B. THE CANTERBURY REGIONAL COUNCIL DOES WISH TO BE HEARD IN SUPPORT OF ITS SUBMISSION.



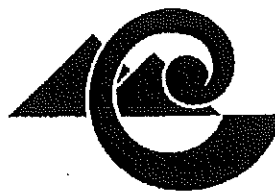
Vin Smith
Regional Planning Manager

Date: 3rd August 2009

ADDRESS FOR SERVICE OF SUBMITTER:

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58 Kilmore Street
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Contact Person: Michael Rachlin, Senior Resource Management Planner
Email: Michael.rachlin@ecan.govt.nz

FAX**Environment
Canterbury**
Your regional council

To: David Hattam
Fax No: 03 347 2799 **File No:** **Total pages:** 6
From: Mike Rudin
Date: 4/8/09 **Requires a reply:** ☐

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Environment Canterbury
is the promotional name of the
Canterbury Regional Council.