

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: JULIAN SAUNDERS TWISS ON BEHALF OF ROCKBROOK TRUST

This is a submission on the following proposed Plan Change:

PRIVATE PLAN CHANGE 28 (name and number of Plan Change)

2. The specific provisions of the proposal that my submission relates to are: the Changing of 57.7 ha Outer Plains Zoned land to a Living 3 Zone

3. *My submission in ~~SUPPORT~~ ^① / OPPOSITION is: based on Reverse Sensitivity to an adjoining rural block on the west of the land pertaining to be rezoned.

1) An intensive farming activity operated on Lot 2 DP 361975 until 2004

2) An effluent discharge consent was issued for the land above in 1993. In September 2009 this consent was surrendered unbeknown to the landowner. The landowner has instructed their lawyer to re-instate apply for a re-instatement of the consent to discharge effluent onto the property. This consent requires a 300 m buffer zone for surrounding residential dwellings. Alternatively

on this matter we would be happy to allow the zone change on the condition new titles are disallowed from objecting to the abattoir waste being discharged on the property next to them.

*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: ① Based on effluent discharge consent either a) the SDC postpones their decision until our consent litigation is brought to a conclusion or b) If allowed to proceed purchasers agreed not to obstruct the process that would have occurred under a single owner under Outer Plains Zoning (at a distance from the activity to give a natural barrier as exists currently)

†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. Julian for Rockbrook Trust 2/11/12
Signature of submitter (or person authorised to sign on their behalf) Date
8. Address for service of submitter: 247 ENGLISH ROAD, R.O. 4,
Christchurch
- Telephone: 325-2475 Fax: _____
- Email: julian.twiss@nairnscowts.co.nz
- Contact person: Julian Twiss Title Property Manager (if appropriate)

* See attached ② and In summary

- ② We run a beef cattle stud, including an American Bison breeding Operation. Our property is landlocked and has 10 current neighbours. We receive a number of current complaints when we wear our cattle (from noise) - This is a normal Outer Plains Zone activity. We fear 115 new neighbours will make our property unfarmable if they choose to group together.

We wish to require that all properties have covenanted on their title (if they proceed) that they cannot complain on normal rural activities attached to neighbouring properties. This should include:

- 1) Burning of Legal Outdoor fires under the Outer Plains Zone
- 2) Spraying of Weeds, agricultural sprays etc
- 3) Pest control and management with firearms, poisons etc
- 4) Use of chainsaws during normal farming hours of daybreak-dark (and other Agricultural Machinery ie tractors, trucks, for fertilizer spreading / spraying etc)
- 5) Bird Scavenging
- 6) Current offal pit regulations complying with Environment Canterbury rules WQL 22 and Rule 5.9
- 7) Weaning Cattle, mustering, yarding etc

In Summary

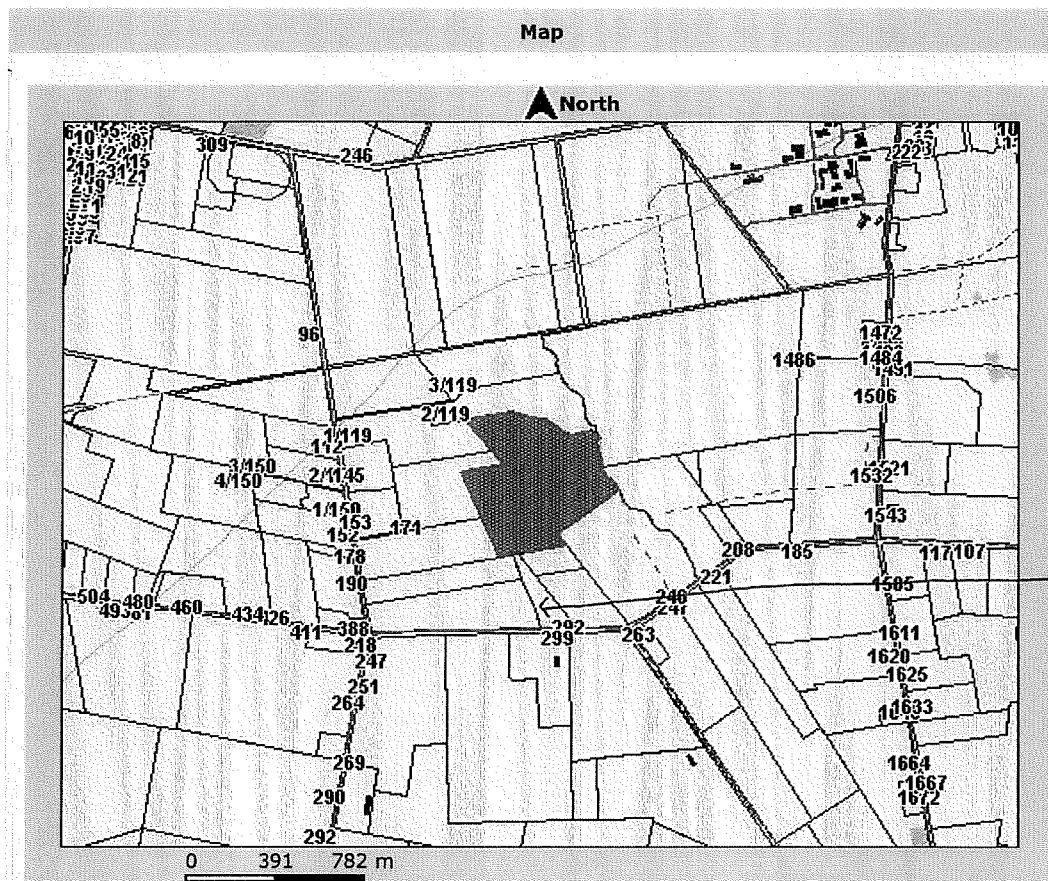
- 1) We have instructed our lawyer to commence proceedings for re-instatement of the consent to discharge effluent onto the property adjoining

This property was purchased by Rockbrook Trust on 9 March 2006 when it became the registered proprietor. And if the correct paperwork had been done when the licence was surrendered on 30 September 2009, we should have been notified to enable our rights to be protected. David Lyell of Cloverlea Foods Limited when he executed the surrender of Resource Consent on 30 September 2009 had no right, title or interest in ~~any~~ ^{the} property and the execution of the surrender was without foundation. It has caused Rockbrook Trust a great deal of anxiety and frustration and it must be heard before the application has a full hearing.

- 2) We also wish to retain the rights we currently have under the Outer Plains Zone (Selwyn District Council). Normally a buffer zone of Inner Plains zoning would separate residential / rural residential zones from Farming Activities (ie a lifestyle block zone) - otherwise two incompatible activities would abut. This would result in a serious loss of farming utility on our part and resulting loss of property value and rights. Our property is landlocked with a right of way over an onion processing plant to gain access.

we do not have the ability to benefit from
town encroachment. So our farming and previous
processing activities are the highest and best use
of our property. Denwoods Trustees are requesting
permission to hinder this (if not cause our
cattle and bison breeding to be untenable) We
currently operate with difficulty with 10 neighbours.
Another 115 neighbours would have serious
implications.

ROCKBROOK TRUSTS PROPERTY



Current
right of
way through
this property
(Onion Processing
Property with
associated odours
refuse etc)
ie We are a
farming Property
Under Outer
Plains Zoning
Rules. The
Property is not
suitable for
lifestyle. ie
our driveway is
lined with red
Onions not red
oaks.

Map legend

23 Address Point	○ Suburb	▲ Locality	± Monument
□ Pylon	■ Railway Station	↓ Tower	— Powerline
----- Metalled Road	--- Unmetalled Road	▭ Parcel	✈ Airport
■ Building	▦ Cemetery	▨ Golf Course	▨ Sports Field
▨ Landfill	▨ Quarry	▨ Residential Area	▭ Reservoirs
▨ Swamp	▨ Scrub	▨ Forest / Woodland	

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