

Proposed Plan Change 28 - Denwood Trustees, proposed Lincoln Living 3 zone
Summary of Decisions Sought

Introduction

The period for making submissions to Plan Change 28 to the District Plan closed on 28 November 2012. This is the second stage of the public submission process where people have the opportunity to make further submissions.

Further submissions give the opportunity for the public to either support or oppose the submissions received and summarised or aspects of these submissions. Please note it is not another opportunity to make fresh submissions on the Plan Change itself, as a further submission can only relate to a submission which has already been lodged.

The further submission Form 6 is available at all Council offices and online at: <http://www.selwyn.govt.nz/services/planning/planning-forms/form-6-further-submissions> - <http://www.selwyn.govt.nz/services/planning/planning-forms/submission-forms-pdfs/submission-forms>

THE SUMMARY

Sub No.	Submitter	Wishes to be Heard	Request	Decision No	Decisions Sought
1	Rockbrook Trust	Yes	Oppose in part	D1.1	Council postpone making a decision on the request until the litigation that is being advanced to reinstate the previously surrendered consent that facilitated intensive farming activities on the submitters land is brought to a conclusion.
				D1.2	If allowed to proceed, that the purchasers agree not to obstruct the current legitimate rural based activities taking place on the submitters land. Adverse reverse sensitivity effects related to the farming operations on the submitters land arising from the intensive development proposed under PC 28 may make the on-going rural activities taking place on the submitters property untenable.
2	Ecan	Yes	Oppose	D2.1	The plan change proponent undertake further investigative work into the effect of climate change on the level of the water table, and the impact this may have on liquefaction potential and any subsequent ground preparation measures. The results of any geotechnical investigation may include a requirement for finished ground levels on the site or any other recommendations arising from modelling to manage liquefaction risk.
				D2.2	Include appropriate Rules and/or amend the Outline Development Plan to provide for the staging of development across the zone at a rate and in locations that will ensure the efficient integration of land use and infrastructure, and which otherwise avoids sporadic development across the zone.
				D2.3	Amend Rule 12.1.3.40 to read: " <u>Within the Living 3 zone at Lincoln no more than 52 rural residential allotments shall be created by subdivision ending 31 December 2016. , or such greater number of rural residential allotments as is possible whilst still giving effect to Chapter 12A of the Canterbury Regional Policy Statement and Selwyn District Plan .</u> "
3	Lincoln University	Reserved	Support	D3.1	That the proposed plan change incorporates the proposed mitigation measures along the northern boundary of the subject land, being the land that adjoins Lincoln University. This includes the erection of a 1.8m high wooden fence on the boundary with Lincoln University and includes shelterbelt planting behind the fence to a minimum height of 5m once established, with covenants ensuring that the shelterbelt is maintained at a 5m height once established.
4	NZ Fire Service	Yes	Oppose in part	D4.1	Concern is raised with proposed Amendment 18: "... <u>private vehicular access ways serving less than three sites shall have a maximum formed width of 3.5m at the road boundary and within 10m of the road boundary</u> ". A minimum access width of 4m is requested to ensure Fire Service appliances have sufficient vehicular access to all the properties for fire fighting purposes, as per the NZFS Code of Practice.
5	Denwood Trustees Ltd	Yes	Support	D5.1	That the PC 28 ODP be replaced within the one attached to this submission and dated 27 November 2012. This amended ODP replaces the current notation " <i>Indicative Future Primary Road Connection</i> " in the north-west of the site to " <i>Possible Future Link</i> ", which seeks to clarify the purpose and function of this proposed link.

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				D5.2	That the following additional Rule be added to the Distrct Plan Township Rules Subdivision section: <i>Rule 12.1.24</i> <i>In the Living 3 Zone at Lincoln, any subdivision shall be in general accordance with the Outline Development Plan in Appendix 39.</i>
6	Te Taumutu Rununga	Yes	Oppose	D6.1	No process to incorporate an assessment of tangata whenua values has been undertaken. Te Taumutu Rununga request that PC 28 be declined unless a Cultural Impact Assessment (CIA) is undertaken to assess the potential effects on tangata whenua values in the plan change process to provide certainty to Rununga that their values would be included. The CIA process should be formalised between the applicant and Te Taumutu Rununga to assure all steps are taken to incorporate tangata whenua values in the development of the area. An extensive list of matters of concern to tangata whenua that need to be included in the CIA and are not included in the plan change are identified within the submission.
7	Canterbury District Health Board	No	Neutral	D7.1	Should PC 28 be approved, then the following condition should be applied: High Groundwater Levels <i>The applicant adequately mediates potential for poor stormwater drainage in the area in the west of the site that has high groundwater. If this does not adequately address the issue, no lots be located in the area that has high groundwater issues.</i>
				D7.2	Should PC 28 be approved, then the following condition should be applied: Potentially Contaminated Sites <i>The applicant undertake preliminary site investigation (PSI) to determine whether there is contamination present within their site and mediate as appropriate to standards outlined in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.</i>
				D7.3	Should PC 28 be approved, then the following condition should be applied: Feasibility of Water Supply and Wastewater <i>That the consent authority decline the application if the Selwyn District Council is unable to provide water and wastewater reticulation.</i>