

David Hattam

From: Peter Glasson <peter.glasson@glassonrm.co.nz>
Sent: Thursday, 28 April 2011 11:23 p.m.
To: Submissions
Subject: Submission of RD & JR Butt to Plan Change 29
Attachments: SUB PC29 280411.doc

Peter Glasson

Director



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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
(c/- David Hattam, Strategic Policy Planner)
2 Norman Kirk Drive
PO Box 70
ROLLESTON 7643
FX: 03-347-2799
E: submissions@selwyn.govt.nz

1. Full name of submitter: Robin David Butt & Jacqueline Ruth Butt ("the Submitter")

The submitter is the Owner of that 0.8330 hectare parcel of land located at Weedons Ross Road, West Melton, and lying approximately in the centre of the West Melton township, and legally described as Lot 1 DP 398852 and contained in Certificate of Title Reference 394311.

This is a submission on Proposed Plan Change 29 to the Selwyn District Plan.

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

SEE ATTACHED TABLE – COLUMN 1

3. Our submission in SUPPORT / OPPOSITION is:

SEE ATTACHED TABLE – COLUMN 2

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

SEE ATTACHED TABLE – COLUMN 3

5. We DO wish to be heard in support of our submission

6. If others make a similar submission, we will not consider presenting a joint case with them at a hearing

7.

Peter L Glasson

Signed for and on behalf of
Robin David Butt & Jacqueline Ruth Butt

Date: 28 April 2011

8. Address for service of submitter:

Robin David Butt & Jacqueline Ruth Butt
c/- Peter Glasson
Director
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Page	(1) The specific provisions of the Proposed Plan Change that the submission of R D Butt & J R Butt relates to is as follows:	(2) R D Butt & J R Butt submission is that:	(3) R D Butt & J R Butt seeks the following decision from the Selwyn District Council (or relief to like effect satisfactory to R D Butt & J R Butt):
Policy B3.4.23a	Those proposed changes in Policy B3.4.23a that relate to the requirement for the positioning of Business 1 activities directly on the street frontage with carparking behind the building.	R D Butt & J R Butt OPPOSE the Policy in its entirety. The proposed changes are mandatory and do not take account of situations where it is more suitable to have carparking in front of the buildings undertaking business activities. The proposed changes are contrary to sound resource management planning policy and practice.	DELETE the proposed changes as set out in Plan Change Policy B3.4.23a of Plan Change 29, in their entirety, and any accompanying Explanations and Reasons.
Policy B4.3.6	Those proposed changes in Policy B4.3.6 that relate to the requirement for the positioning of Business 1 activities directly on the street frontage with carparking behind the building; and oppose development of shops: • which sit behind large areas of car parking • which turn their backs on the road or other public areas • on one side of a road only in town centres	R D Butt & J R Butt OPPOSE the Policy in its entirety. The proposed changes are mandatory and do not take account of situations where it is more suitable to have carparking in front of the buildings undertaking business activities. The proposed changes are contrary to sound resource management planning policy and practice.	DELETE the proposed changes as set out in Plan Change Policy B4.3.6 of Plan Change 29, in their entirety, and any accompanying Explanations and Reasons.

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Rules 16.9 - 16.12	Rules 16.9 -16.12 in their entirety	R D Butt & J R Butt OPPOSE the proposed rules in their entirety. The proposed changes are unnecessary and do not take account of situations where it is more suitable to have carparking in front of the buildings undertaking business activities. The proposed changes are contrary to sound resource management planning policy and practice.	DELETE the proposed Rules 16.9 -16.12 of Plan Change 29, in their entirety, and any accompanying Explanations and Reasons.
Rule 16.13.1	Rule 16.13.1: Dwellings in Business Zones	R D Butt & J R Butt OPPOSE the proposed rule in its entirety. The Business 1 zone is supposed to encourage medium density residential development. However, the proposed rule is micromanagement of design and stifles design differences. It results in Council interference in private development. It is an over reaction on Council's part to the Warehouse development in Rolleston. The proposed changes are contrary to sound resource management planning policy and practice.	DELETE Rule 16.13.1.1 in its entirety.

Page	(1) The specific provisions of the Proposed Plan Change that the submission of R D Butt & J R Butt relates to is as follows:	(2) R D Butt & J R Butt submission is that:	(3) R D Butt & J R Butt seeks the following decision from the Selwyn District Council (or relief to like effect satisfactory to R D Butt & J R Butt):
Rule 16.13.1 Rule 16.13.1.1	Rule 16.13.1.1: They have the exclusive use of an allotment with a minimum area of 500m ² .	R D Butt & J R Butt OPPOSE the proposed rule in its entirety. The Business 1 zone is supposed to encourage medium density residential development. However, the proposed rule preventing residential development in allotments under 500m² will not allow such development. The proposed changes are contrary to sound resource management planning policy and practice.	DELETE Rule 16.13.1.1 in its entirety AND DELETE Proposed Rule 16.13.1 in its entirety.
Rule 16.13.1 Rule 16.13.1.2	Rule 16.13.1.2: The allotment contains a minimum 10m x 15m building area.	R D Butt & J R Butt OPPOSE the proposed rule in its entirety. The Business 1 zone is supposed to encourage medium density residential development. However, the proposed rule requiring residential development in a minimum sized lot of 10m x 15m will not allow such development. The proposed changes are contrary to sound resource management planning policy and practice.	DELETE Rule 16.13.1.2 in its entirety AND DELETE Proposed Rule 16.13.1 in its entirety.

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Rule 16.13.1 Rule 16.13.1.4	Rule 16.13.1.4: Site coverage does not exceed 40%	R D Butt & J R Butt OPPOSE the proposed rule in its entirety. The Business 1 zone is supposed to encourage medium density residential development. However, the proposed rule preventing residential development over 40% site coverage will not allow such development. The proposed changes are contrary to sound resource management planning policy and practice.	EITHER DELETE Rule 16.13.1.4 in its entirety AND DELETE Proposed Rule 16.13.1 in its entirety OR REPLACE with: 16.13.1.4 The maximum residential floor area ratio per site shall be 1.2 AND INSERT Definition of Residential Floor area ratio into Definitions section of the Plan.
Rule 16.14	Rule 16.14: Comprehensive Residential Development	R D Butt & J R Butt OPPOSE the proposed rule in its entirety. The Business 1 zone is supposed to encourage medium density residential development. However, the proposed rule is micromanagement of design and stifles design differences. It results in Council interference in private development. The proposed changes are contrary to sound resource management planning policy and practice.	DELETE Rule 16.14 in its entirety.

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Rule 16.15.1(a)	Rule 16.15.1(a): Dwellings in the Business 1 zone shall be provided with a private outdoor living space with a minimum area of 50m ² and a minimum dimension of 4m.	R D Butt & J R Butt OPPOSE the proposed rule in its entirety. The Business 1 zone is supposed to encourage medium density residential development. However, the proposed rule requires too larger outdoor living space within a Business 1 zone. The proposed changes are contrary to sound resource management planning policy and practice.	DELETE Rule 16.15.1(a) in its entirety OR reduce the area required for outdoor living space to 30m ² with a minimum dimension of 3m.
Rule 16.15.1(d) (or should that be (c)?)	Rule 16.15.1(d): The outdoor living space (excluding balconies) is not to be located between the front building façade and the road boundary or a right of way over which the dwelling has legal access.	R D Butt & J R Butt OPPOSE the proposed rule in its entirety. The Business 1 zone is supposed to encourage medium density residential development. However, the proposed rule is micromanagement of design and stifles design differences. It results in Council interference in private development. The rule does not allow for good design nor particular site characteristics. The proposed changes are contrary to sound resource management planning policy and practice.	DELETE Rule 16.15.1(d) in its entirety.

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Rule 16.15.2	Rule 16.15.2: Restricted Discretionary Activities – Dwellings and Private Outdoor Living Space	R D Butt & J R Butt OPPOSE the proposed rule in its entirety. The Business 1 zone is supposed to encourage medium density residential development. However, the proposed rule is micromanagement of design and stifles design differences. It results in Council interference in private development. The rule does not allow for good design nor particular site characteristics. The proposed changes are contrary to sound resource management planning policy and practice.	DELETE Rule 16.15.2 in its entirety.

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Rule 17.6.1	Rule 17.6.1: Controlled Activities – Parking Areas and Site Layout	R D Butt & J R Butt OPPOSE the proposed rule in its entirety. The Business 1 zone provisions need to retain as much flexibility as possible. However, the proposed rule is micromanagement of design and stifles design differences. It results in Council interference in private development by Council Planners who have little or no experience in actually managing or developing a Business site. The rule does not allow for good design nor particular site characteristics. The proposed changes are contrary to sound resource management planning policy and practice.	DELETE Rule 17.6.1 in its entirety.

Page	(1) The specific provisions of the Proposed Plan Change that the submission of R D Butt & J R Butt relates to is as follows:	(2) R D Butt & J R Butt submission is that:	(3) R D Butt & J R Butt seeks the following decision from the Selwyn District Council (or relief to like effect satisfactory to R D Butt & J R Butt):
Rule 17.7	Rule 17.7 Parking Areas and Landscaping	R D Butt & J R Butt OPPOSE the proposed rule in its entirety. The Business 1 zone provisions need to retain as much flexibility as possible. However, the proposed rule is micromanagement of design and stifles design differences. It results in Council interference in private development by Council Planners who have little or no experience in actually managing or developing a Business site. The rule does not allow for good design nor particular site characteristics. The rule implies that cars are somehow are an adverse visual effect that need to be hidden. Yet cars (both stationary and moving) are seen on roads everyday by everyone, including planners. The rule will prevent the visual exposure of commercial business activities to the street and passing motorists. The proposed changes are contrary to sound resource management planning policy and practice.	DELETE Rule 17.7 in its entirety.

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Part 8 and Part 9	Part 8 Reasons for Rules and Part 9 Definitions	R D Butt & J R Butt OPPOSE the proposed changes in their entirety for the reasons as set out above. The proposed changes are contrary to sound resource management planning policy and practice.	MAKE any consequential changes to Part 8 and Part 9 in accordance with the relief set out above.