

RESOURCE MANAGEMENT ACT 1991
Submission on Plan Change 39 to the Selwyn District Plan under the Resource Management Act 1991

To: Selwyn District Council
PO Box 90
Rolleston 7643

Submitter: NZ Transport Agency
PO Box 1479
CHRISTCHURCH 8140

Pursuant to Clause 6 of the Resource Management Act 1991 (RMA), the NZ Transport Agency hereby makes this submission in respect of Plan Change 39.

NZ Transport Agency opposes in part Plan Change 39

NZ Transport Agency's submission is:

The NZ Transport Agency opposes the proposed changes to remove the tree shading rules from Part C Rural Rules in the Selwyn District Plan for the following reasons:

- While Council and the Agency have powers to control tree shading under the Government Rooding Powers Act 1989 (GRPA), the existing District Plan provisions have the benefit of providing a clear indication to the public of what is acceptable shading making it efficient to enforce.
- The Council has a responsibility under the RMA to control the use of land to avoid or mitigate natural hazards.
- The Council will still need to manage the shading issue regardless of whether it does so under the RMA or GRPA so the cost savings are likely to be negligible.
- Removal of the rules relating to tree shading means that there is no longer a method to achieve the objectives and policies that are being retained.

The NZ Transport Agency is in support of retaining the relevant overarching objectives and policies in Part B2 Physical Resources and Part B3 Peoples Health, Safety and Values in the Selwyn District Plan.

Relief sought

The NZTA seeks that the existing tree shading rules in Part C- Rural Rules in the Selwyn District Plan be retained.

The NZ Transport Agency does wish to be heard in respect of this submission.

Dated at Christchurch on the 22th day of July 2014.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'Colin Knaggs', written over the 'Yours sincerely,' text.

Colin Knaggs

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CHRISTCHURCH 8140

Attention: Steve Higgs
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