

SELWYN DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Private Plan Change 41

Report on submissions relating to Plan Change 41

**D & S Anderson request to amend the rezoning
Rural (Inner Plains) zone land to Living 3 zone at
311 Trents Road, Prebbleton**

To:

From:

Hearing Date:

Hearing Commissioner – D Mountfort

Consultant Planner – J Cleese

23rd September 2014

This report analyses the submissions received on Plan Change 41 (PC41) to the Selwyn District Plan ('the Plan') and has been prepared under s42A of the RMA. The purpose of the report is to assist the Hearing Commissioner in evaluating and deciding on submissions made on PC41 and to assist submitters in understanding how their submission affects the planning process. The report includes recommendations to accept or reject points made in submissions and to make amendments to the Plan. These recommendations are the opinions of the Reporting Officer(s) only. The Hearing Commissioner will decide on each submission after hearing and considering all relevant submissions, the Officer's Report(s) and the Council's functions and duties under the RMA.

CONTENTS

1.	Introduction	3
	Qualifications and experience	3
	Evidence Scope	4
2.	Background	4
	Application and Site context	4
3.	Submissions	4
4.	Statutory Planning Framework	5
5.	Statutory Analysis	5
	Land Use Recovery Plan & Chapter 6 to the CRPS	6
	Recovery Strategy for Greater Christchurch	9
	Canterbury Natural Resources Regional Plan	10
	Proposed Land and Water Plan	10
	Mahaanui Iwi Management Plan 2013	11
	Selwyn District Plan and response to LURP Action 18 (viii)	11
6.	Assessment	11
	Rural residential density, form, and connection to the north	14
	Future Proofing	15
	Landscape values and visual effects	16
	Potential adverse reverse sensitivity effects	17
	Infrastructure servicing	17
	Transport safety and efficiency	18
	Land stability and geotechnical risk	19
	Soil contamination risk	19
	Cultural values	19
	Proposed Living 3 rule package and District Plan text	21
7.	Conclusions	23

ATTACHMENTS

Attachment A	Submission summary and Officer's recommendations
Attachment B	Summary of the Living 3 rule framework proposed through the Operative Plan, LURP Action 18, PC41 and PC36
Attachment C	Landscape and visual – Andrew Craig, Andrew Craig Landscape Architect Ltd
Attachment D	Infrastructure & stormwater – Liam Foster, Opus International Consultants Ltd
Attachment E	Transport safety & efficiency – Andrew Carr, Carriageway Consulting
Attachment F	LURP Action 18 proposed text and Appendix 43

1. INTRODUCTION

Qualifications and experience

- 1.1 My full name is Jonathan Guy Cleese. I am employed by a planning and resource management consulting firm Planz Consultants Limited as a senior planner and urban designer. I have seventeen years experience working as a planner, with this work including policy development, providing s.42a evidence on plan changes, the development of plan changes and the preparation of s.32 assessments, and the preparation and processing of resource consent applications. I have worked in both the private and public sectors, in both the United Kingdom and New Zealand.
- 1.2 I have a B.Sc. in geography, a Master of Regional and Resource Planning, a Master of Urban Design, and am a full member of the New Zealand Planning Institute.

Evidence Scope

- 1.3 I have been asked by Selwyn District Council to assess Plan Change 41, the relief sought by submitters, and to prepare a report making recommendations to the Hearing Commissioner. In this regard it is important to emphasise that the Commissioner is in no way bound by my recommendations and will be forming their own view on the merit of the plan change and the changes sought by submitters having considered all the evidence before them.
- 1.4 In preparing this report I have:
 - (a) Visited the site and surrounding neighbourhood during August 2014;
 - (b) Reviewed the plan change request as notified;
 - (c) Read and assessed all the submissions received on the plan change request;
 - (d) Considered the statutory framework and other relevant planning documents, including the recently developed Rural Residential Strategy 2014; and
 - (e) Relied where necessary on the evidence and peer reviews provided by other experts on this plan change.

2. BACKGROUND

Application and site context

- 2.1 The application site currently has a Rural (Inner Plains) zoning, which provides for rural activities and requires a minimum site density of one household per 4ha. The site is located on the north western side of Prebbleton's urban area and is bounded by Trents Road to the south, Shands Road to the west, the established large lot Kingcraft Drive Existing Development Area ('EDA') to the east, and a Rural (Inner Plains) zoned farming block to the north. The property has the physical address of 311 Trents Road, is legally described as Lot 2, DP51743, and is 9.2 hectares in area. The entire site is owned by the applicant. There is one existing dwelling and associated accessory buildings on the site, with the balance of the site containing a horse training track and paddocks. The site is bounded on all four sides by established shelterbelt planting and there is an existing water race located within the Trents Road reserve.
- 2.2 Beyond the site, there is rural zoned land to the west (on the far side of Shands Road), and south (far side of Trents Road). The Kingcraft Drive EDA to the east provides for dwellings on 1 hectare lots, with this area displaying a density and character that is similar to that anticipated in rural residential developments, albeit that the lots are at the larger end of the rural residential spectrum. The Kingcraft EDA is included in the Rural Volume of the Selwyn District Plan, and therefore technically EDAs do not have an urban 'Living' Zoning, albeit that the on-the-ground form and appearance is often similar to that displayed in the Living 2 Zones. The Kingcraft Drive EDA is considered to visually and functionally form the outer edge of the Prebbleton Township. The site is located approximately 2km from the centre of Prebbleton, with Trents Road providing a direct linkage to the town centre, albeit that there is currently no formed footpath to the site.

PC 41 facilitates the rezoning of the site to a Living 3 zone to accommodate approximately 16 rural residential households with lot sizes required to average between 0.5-1ha. The application includes an indicative subdivision concept plan as Appendix F which shows 16 lots, each between 0.5-0.6 ha in size. PC 41 relies largely on the existing Living 3 zone rule framework, subject to several minor amendments to make specific reference to the PC 41 site where appropriate. The Plan Change also includes an Outline Development Plan ('ODP') to guide future development, and amendments to planning maps 14, 125 & 127 (sheets 1 & 2) to reflect a change in zone from Rural (Inner Plains) to Living 3. It is important to emphasise that PC 41 does not seek to amend any of the Plan's operative objectives and policies.

The application was lodged with Council on the 4th June, 2013. After lodgement the application was reviewed in terms of the adequacy of the information provided, with peer review feedback received on acoustic buffers, contamination and geotechnical matters. Feedback was also received from Mahaanui Kurataiao Ltd ('MKT') on behalf of Te Taumutu Runanga who represent Tangata Whenua interests. Several minor amendments were made to the application in response to the above peer reviews, with the application then publicly notified for submissions.

SUBMISSIONS

Submissions received

- 3.1 The submission period closed on 18th October 2013, with the further submission period closing on the 29th November 2013. A total of four submissions were received, of which one was in support, one opposed in part, and two opposed. One further submission was received in support of the primary submission by MKT. All submissions and further

submissions were received within the prescribed statutory timeframes. The outcomes sought by submitters are discussed in more detail below.

- 3.2 It is important to note that following the close of the further submission period, the applicant, at Council's request, agreed to place PC 41 on hold pending the outcome of the Land Use Recovery Plan ('LURP') Action 18 (viii) processes and the development of a Rural Residential Strategy ('RRS14'). The need to wait until after the RRS14 had been developed became necessary following the Gazetting of the LURP in December 2013 and the associated Chapter 6 of the Canterbury Regional Policy Statement ('CRPS') being made operative. The strategic planning framework established through the LURP and RRS14 processes is discussed in more detail below.
- 3.3 None of the submitters raised concerns about the appropriateness of rezoning the site in principle, with submitter concerns instead focussing on resolving site-specific details and design aspects of the proposal relating to servicing, connections to the north, and water quality concerns. As such, the higher level assessment of the proposal against the strategic planning framework is undertaken in Section 3 below, with site-specific issues raised by submitters considered in Section 4.

4. STATUTORY FRAMEWORK

Statutory principles

- 4.1 The general approach for the consideration of changes to district plans was summarised in the Environment Court's decision in Long Bay¹, the relevant components of which are set out in the following paragraphs.
- 4.2 The matters that must be considered in preparing a change to the Plan are set out in s74 of the RMA. Amongst other things, s74 requires the local authority to:
- comply with its functions under s31
 - consider alternatives, benefits and costs under s32
 - ensure the necessary matters are stated in the contents of the district plan under s75
 - have regard to the overall purpose and principles set out in Part II, including the Matters of National Importance (s6), the Other Matters (s7) that require particular regard to be had in achieving the purpose, and the Treaty of Waitangi (s8)
- 4.3 It is noted that in a general sense, the purpose of the 'Act' is already reflected in the operative District Plan's objectives and policies as they have already been through the above statutory tests and are now unchallenged. PC 41 does not seek to amend these objectives and policies.
- 4.4 When preparing a plan or considering a plan change the Council:
- must give effect to the operative Canterbury Regional Policy Statement (s75 (3)(c))
 - shall have regard to any proposed changes to the Canterbury Regional Policy Statement (s74 (2)(a)(i)); and
 - any management plans and strategies prepared under other Acts (s74 (2)(b)(i))

¹ Long Bay – Okura Great Park Society Inc v North Shore City Council A 078/08

- must not take into account trade competition (s74(3))
 - must take account of the Mahaanui: Iwi Management Plan 2013 (s74 (2A))
 - shall have regard to the extent to which the plan is consistent with the plans of adjacent territorial authorities (s74 (2)(c))
- 4.5 Consideration of the appropriateness of rezoning the subject land and the associated Plan amendments must therefore give effect to the operative Canterbury Regional Policy Statement ('CRPS') and be consistent with the Land Use Recovery Plan ('LURP') and the Recovery Strategy for Greater Christchurch². Regard must also be had to the adopted Rural Residential Strategy 2014 which was recently prepared under the Local Government Act.
- 4.6 There are not considered to be any directly relevant provisions in the District Plans of neighbouring territorial authorities that are affected by PC 41. Matters of cross-boundary interest are limited to managing the co-ordinated urban growth of Greater Christchurch through the CRPS and the statutory directions contained in the LURP.
- 4.7 PC 41 does not seek to make any changes to the settled objectives and policies of the District Plan. The Council is therefore required to simply consider whether the proposed changes to the Plan's rules and zoning better achieve the District Plan's objectives, and thereby Part II, than the operative provisions.
- 4.8 In undertaking an assessment of PC 41 against the provisions of s32, it is important to note that the further submission period closed on 29th November 2013. The amendments to s32 introduced in the 2013 amendments to the RMA only apply to proposals where the further submission period closed after 4th December 2013. The assessment of PC 36 under s32 is therefore against s32 as it stood prior to the 2013 amendments to the RMA.
- 4.9 The process for making a plan change request and how this is to be processed is set out in the 1st Schedule of the RMA. PC 41 has reached the point where the request has been accepted for notification, and submissions and further submissions have closed. A hearing is now required (Clause 8B) and a decision be made on the plan change and the associated submissions (Clause 10).

STATUTORY ANALYSIS

- 5.1 In considering the contents of District Plans, Councils must have regard to any proposed regional policy statement (s74(2)(a)) and any management plan or strategy prepared under other Acts, including the Local Government Act (s74 (2)(b)(i)), and give effect to any operative regional policy statement (s75 (3) (c)).

Land Use Recovery Plan/Te Mahere Whakahouman Tāone ('LURP') and Chapter 6 to the Canterbury Regional Policy Statement ('CRPS')

- 5.2 The PC 41 site is within the geographic area that is subject to the LURP and any development of land is therefore subject to the statutory directions contained within it.
- 5.3 The LURP was prepared under the Canterbury Earthquake Recovery Act to provide for the recovery process in the Greater Christchurch sub-region. The LURP provides the framework to rebuild existing communities, develop new communities, meet the land use needs for commercial and industrial developments, and to take account of natural hazards and environmental constraints that may affect the rebuild and recovery.

² s15 (2) - Canterbury Earthquake Recovery Act 2011

- 5.4 The LURP identifies 50 critical Actions to be initiated in the short to medium term to coordinate and advance decision making about land use, as well as identifying which agency is responsible for delivering those Actions within specified timeframes.
- 5.5 Guidance on the role of rural residential development in the rebuild is provided within Appendix 2 of the LURP, where the statutory direction to insert Chapter 6 of the CRPS is contained. Chapter 6 is based on the work undertaken pre-earthquake to implement the Greater Christchurch Urban Development Strategy through Change 1 to the CRPS. A key difference between Change 1 and Chapter 6 is that Change 1 sought to place a numeric limit on the number of rural residential dwellings that could be built in the District, with these numbers being allocated on a 'first in-first served' basis. Chapter 6 no longer contains an approach of specifying limits on household numbers.
- 5.6 Chapter 6 sets out the role of rural residential housing in the recovery through Issues, Objectives and Policies that District Plans must implement, or 'give effect' to. Chapter 6 of the CRPS supports the provision of some rural residential development during the recovery period to allow a range of choices of housing types for those needing to relocate. Provision is however limited to avoid the inefficient use of land and infrastructure, to protect future urban expansion options, and to manage potential conflict with rural character, rural activities, and strategic infrastructure. The supply and uptake of rural residential activity must also be monitored.
- 5.7 **Issue 6.1.5** of Chapter 6 to the CRPS references rural residential development in the context of the recovery, establishing that the western rural areas of Greater Christchurch remained undamaged during the earthquakes and are also located out of the area identified as being prone to liquefaction. It confirms that these factors make such areas desirable locations to live. The Issue statement goes on to identify that rural residential development is a typology that, if unconstrained, can change the character of rural areas and create adverse effects, both through adverse reverse sensitivity effects that may undermine legitimate farming activities and strategic infrastructure, and through dispersed settlement patterns that will contribute to inefficient development and uneconomic infrastructure service provision.
- 5.8 **Objective 6.2.2** outlines the urban form and settlement pattern outcomes and their role in restoring and enhancing Greater Christchurch. It specifically identifies the need for territorial authorities to manage rural residential development outside existing urban boundaries and the urban greenfield priority areas identified in the LURP, and to ensure it does not compromise the overall intent of managing growth through the consolidation of existing townships.
- 5.9 **Policy 6.3.3** requires rural residential areas to be developed in accordance with an Outline Development Plan ("ODP") and prescribes what matters should be contained in these ODPs.
- 5.10 The key policy to manage rural residential development in the CRPS is **Policy 6.3.9**. As such it is set out in full below:

Policy 6.3.9 – Rural residential development

In Greater Christchurch, rural residential development further to areas already zoned in district plans as at 1st January 2013 can only be provided for by territorial authorities in accordance with an adopted rural residential development strategy prepared in accordance with the Local Government Act 2002, subject to the following:

- (1) In the case of Christchurch City, no further rural residential development is to be provided for within the Christchurch City Plan area;*
- (2) The location must be outside the greenfield priority areas for development and existing urban areas;*

- (3) *All subdivision and development must be located so that it can be economically provided with a reticulated sewer and water supply integrated with a publicly owned system, and appropriate stormwater treatment and disposal;*
- (4) *Legal and physical access is provided to a sealed road, but not directly to a road defined in the relevant district plan as a Strategic or Arterial Road, or as a State Highway under the Government Roding Powers At 1989;*
- (5) *The location and design of any proposed rural residential development shall:*
 - (a) *Avoid noise sensitive activities occurring within the 50 dBA Ldn air noise contour surrounding Christchurch international Airport so as not to compromise the future efficient operation of Christchurch International Airport or the health, well-being and amenity of people;*
 - (b) *Avoid the groundwater protection zone for Christchurch City's drinking water;*
 - (c) *Avoid land between the primary and secondary stop banks south of the Waimakariri River;*
 - (d) *Avoid land required to protect the landscape character of the Port Hills;*
 - (e) *Not compromise the operational capacity of Burnham Military Camp, West Melton Military Training Area or Rangiora Airfield;*
 - (f) *Support existing or upgraded community infrastructure and provide good access to emergency services;*
 - (g) *Avoid significant reverse sensitivity effects with adjacent rural activities, including quarrying and agricultural research farms, or strategic infrastructure;*
 - (h) *Avoid significant natural hazard areas including steep or unstable land;*
 - (i) *Avoid significant adverse ecological effects, and support the protection and enhancement of ecological values;*
 - (j) *Support the protection and enhancement of ancestral land, water sites, wahi tapu and wahi taonga of Ngai Tahu;*
 - (k) *Where adjacent to or in close proximity to an existing urban or rural residential area, be able to be integrated into or consolidated with the existing settlement; and*
 - (l) *Avoid adverse effects on existing surface water quality.*
- (6) *An outline development plan is prepared which sets out an integrated design for subdivision and landuse, and provides for the long-term maintenance of rural residential character.*
- (7) *A rural residential development area shall not be regarded as in transition to full urban development.*

5.11 This policy requires the Council to develop a Rural Residential Strategy under the Local Government Act 2002 to identify appropriate locations for rural residential development, in accordance with the extensive list of locational criteria set out in Policy 6.3.9. Of particular importance is the policy direction that rural residential development can only occur in areas that have been identified for such in a Rural Residential Strategy. At a strategic level, in order for rural residential proposals to 'give effect to' the CRPS (and specifically Policy 6.3.9), it is therefore necessary for such areas to have first been identified in a Rural Residential Strategy.

5.12 'Rural residential activities' are defined in Chapter 6 of the CRPS, with this definition placing a determinative direction as to the size of individual lots as follows³:

"Means: residential units outside the identified Greenfield Priority Areas at an average density of between 1 and 2 households per hectare"

³ LURP: Appendix 1 – Amendments to the CRPS, Definitions, 6Dec13 [P28]

- 5.13 'Rural Residential Strategies' are defined in Chapter 6 of the CRPS as follows⁴:

"Means: a strategy or plan developed for the purpose of identifying a territorial authority's approach to the management of rural residential development in its district, using the special consultative procedure under the Local Government Act 2002"

- 5.14 Chapter 6 of the CRPS effectively devolves responsibility for establishing the extent and location of rural residential development to territorial authorities, who are then tasked with preparing a Strategy. A strong reliance is therefore placed upon Rural Residential Strategies to ensure that this form of development does not undermine the primary outcomes of the LURP, Chapter 6 of the CRPS or the District Plan.
- 5.15 Following the gazetting of the LURP in December 2013, Selwyn Council prepared and subsequently adopted the Rural Residential Strategy 2014 (RRS14). This strategy was prepared under the Local Government Act and was the subject of a special consultative procedure, given the significance of the strategy. The PC 41 site is identified in the RRS14, having been confirmed by the hearings panel following the consideration of evidence presented through the RRS14 submission process. Inclusion of the PC 41 site in the adopted RRS14 signals that the locational criteria and high level outcomes identified in Policy 6.3.9 have been satisfied in a general sense. In particular, the RRS14 identifies that the PC 41 location is adjacent to the functional urban edge of Prebbleton (albeit that the Kingcraft EDA is not strictly an urban zoning), supports consolidation of growth around existing townships, is not in an identified greenfield priority area for urban development, is not in the sensitive area to the northeast of Prebbleton where it is desirable to maintain a rural separation between Prebbleton and Christchurch, is not in an area subject to any of the constraints identified in Policy 6.3.9, and is a sufficiently small node that a sense of 'ruralness' rather than suburban outcomes will be achieved. Whilst inclusion in the RRS14 satisfies the initial policy test of the CRPS, it does not pre-empt or override consideration of the substantive merits of the proposal, resolution of any site-specific constraints, or matters raised by submitters under the 1st Schedule.
- 5.16 At a strategic level, PC 41 is therefore able to 'give effect' to Chapter 6 of the CRPS and in doing so will be consistent with the LURP. To this end it is noted that none of the LURP partner organisations (the Christchurch and Waimakariri Councils, Canterbury Regional Council, and the New Zealand Transport Agency) have submitted on the application or raised concerns about its consistency with the strategic post-earthquake urban growth framework.

Recovery Strategy for Greater Christchurch/Mahere Haumanutanga o Waitaha

- 5.17 The Canterbury Earthquake Recovery Authority has also prepared a Recovery Strategy for Greater Christchurch ('Recovery Strategy'), that sets out the overarching long-term vision and objectives for recovery, including the identification of the priorities and responses. The Recovery Strategy was approved on the 31st May 2012 and is a high level plan containing the strategic responses that CERA, assisted by a number of agencies and organisations, will undertake to guide the recovery efforts
- 5.18 The following five areas have been identified to assist in developing the Recovery Strategy:
- community wellbeing
 - culture and heritage

⁴ LURP: Appendix 1 – Amendments to the CRPS, Definitions, 6Dec13 [P28]

- built environment
- economy
- natural environment

5.19 Importantly, the Recovery Strategy sets out the minimum requirements for establishing the stability of land and identifying the risk of liquefaction and lateral displacement to assist in the consideration of the appropriateness of rezoning land⁵. The geotechnical assessment and associated peer review undertaken as part of the PC 41 application has confirmed that the site is not subject to an unacceptable risk of liquefaction and is not at risk of lateral displacement or flooding. Given the high level strategic nature of the Recovery Strategy, there are no matters arising from the proposed rezoning and the associated amendments to the District Plan that would be inconsistent with the Recovery Strategy. Conversely, the provision of a small number of additional dwellings in an appropriate location as proposed through PC 36 is considered to be consistent with the outcomes sought in the Recovery Strategy.

Canterbury Natural Resources Regional Plan ('NRRP') and the proposed Land and Water Regional Plan ('LWRP')

- 5.20 The NRRP was made operative on the 11th June 2011 and establishes a framework to assist in ensuring the integrated management of the Region's natural and physical resources, and to control the use of land, with a particular focus on the implications of land use on water quality and quantity. The proposed Canterbury Land and Water Regional Plan was publicly notified on the 11th August 2012. Decisions on submissions have been made, with the LWRP not yet operative due to a number of outstanding High Court appeals on points of law. The purpose of the LWRP is to identify the resource management outcomes for managing land and water in the Canterbury region, with the LWRP largely superceding the NRRP's role in managing water quantity and quality.
- 5.21 The ability of PC 41 to be efficiently serviced in terms of water, waste water, and stormwater has been considered by Davie Lovell-Smith Consultants Ltd as part of the application and peer reviewed by Liam Foster of Opus International Consultants Ltd, with his findings attached as Attachment D. The PC 41 site is able to be provided with a reticulated sewer system and will not have to rely on septic tanks. Water supply is likewise able to be provided via an extension to the existing Prebbleton township piped network, pending planned upgrades to the wider Prebbleton supply infrastructure. The site does not contain any springs or other natural water features, although a water race runs along the Trents Road frontage of the site within the road reserve. Stormwater is able to be disposed of to ground, given the low site coverage and discharge rates of rural residential properties. The detailed design of the stormwater system will form part of the subsequent subdivision process and will be assessed via any associated resource consents from the Canterbury Regional Council. Overall it is considered that the proposal can be efficiently and effectively serviced in a manner that maintains water quality and quantity and is consistent with the outcomes sought by the NRRP and LWRP.

Mahaanui Iwi Management Plan 2013

- 5.22 Councils must take into account any relevant planning document recognised by an Iwi authority and lodged with the Council (s74 (2A) (a)). The relevant document for the Selwyn District is the Mahaanui Iwi Management Plan 2013. This document sets out the aspirations of local Iwi and in particular seeks the maintenance and enhancement of water quantity and quality, the promotion of indigenous biodiversity and mahinga kai

⁵ RSGC: Section 05 Priorities; Resource consent applications and plan change proposals must demonstrate that the minimum geotechnical investigations prescribed by the Department of Building and Housing have been undertaken, P12, May 2012

species, and the protection of sites with identified waahi tapu or waahi taonga value. The District Plan amendments sought through LURP Action 18 were developed with reference to this management plan and in response to comments received on the draft text from MKT. The submission received from MKT on behalf of Te Taumutu Runanga also draws on the key matters set out in the Iwi Management Plan. The consistency of the plan change in relation to these key matters of concern is discussed in more detail below.

Selwyn District Plan

- 5.23 The District Plan is divided into two volumes – Rural and Townships. Rural residential typologies have always fallen into something of a gap between the two volumes in that they are neither wholly rural nor wholly urban.
- 5.24 The Council has been proactively seeking to update the Plan to more fully address rural residential development, first through PC 17 which sought to introduce an amended objective, policy and rule framework and rezone specific blocks of land for rural residential development. PC 17 was then superseded by PC 32 which also sought to introduce an amended objective, policy and rule framework, however it left rezoning of specific blocks to later private plan change applications. PC 32 has recently lapsed due to two years having passed since the submission period closed without a hearing being held. The reason for the delay in progressing to a hearing was the fluid nature of the higher level policy framework contained in the CRPS, with this framework having only recently been settled through the Gazetting of the LURP, confirmation of Chapter 6 to the CRPS, and the subsequent development of the RRS14.
- 5.25 The LURP requires the Council, through Action 18 (viii), to update the Plan to ensure that the Plan actively manages rural residential development. The policy framework originally proposed in PC 32 has therefore been further updated to reflect the operative CRPS Chapter 6 provisions and the findings that resulted from hearing submissions on the RRS14. This revised policy and rule framework was released to all submitters on the RRS14 for comment, including the applicant for PC 41. Feedback was primarily focussed on seeking the rezoning of specific blocks of land (including the PC 41 site) through the LURP/ Action 18 process. No substantive amendments were sought by any respondents to the proposed objective, policy and rule framework. The Action 18 (viii) response was confirmed by Council, and was lodged with the Minister for Canterbury Earthquake Recovery on the 27th June 2014. The changes sought through LURP Action 18 are appended as Attachment F. At the time of writing the Minister had yet to make a decision on whether or not to accept the proposed amendments. As PC 32 has been withdrawn, and the policy framework currently proposed has been progressed via the LURP rather than the first schedule RMA process, it is questionable how much weight can be placed on the proposed policy framework.
- 5.26 The PC 41 application contains an assessment of the proposal against the objectives and policies that were proposed through PC 32 to the District Plan⁶ and concludes that the proposed plan change is consistent with the proposed Plan framework. The only material change in the provisions between PC 32 and LURP Action 18 is that the provisions now reflect the operative CRPS with its locational criteria, requirement for rural residential development to be in accordance with a Rural Residential Strategy, and the removal of a cap on household numbers.

⁶ PC 41 request – Davie Lovell-Smith Planning s.32 report, pages 20-25, June 2013

- 5.27 Overall, I agree with the assessment included in the application and consider that PC 41 is consistent with the relevant objectives and policies sought to be included in the Plan through LURP Action 18.
- 5.28 In terms of timing, the LURP Action 18 provisions have yet to be made operative, and therefore the proposal also needs to be considered against the operative Plan provisions, albeit that the existing policy framework is focussed on providing guidance for urban growth proposals generally rather than having a specific focus on the special nature of rural residential typologies.
- 5.29 The objectives and policies of the Rural Volume of the Plan aim to maintain a very low density of dwellings, set amongst a productive rural landscape (**Objective B4.1.1-B4.1.3**). In essence the rural objectives and policies support the outcomes anticipated in the status quo zoning of Rural Inner Plains. Given that the PC 41 application is for a plan change, rather than a resource consent, the rural objectives and policies are only of limited assistance in determining whether the Rural Inner Plains or proposed Living 3 zoning better meets the Plan's objectives and policies. PC 41 (and indeed the LURP Action 18 amendments) promote a Living, rather than Rural, zone to facilitate rural residential development. Given that this typology is at its heart an urban growth issue, I consider that the Plan provisions dealing with urban growth are of most relevance. These provisions are contained primarily within the 'growth of townships' section of the Township Volume of the District Plan.
- 5.30 **Objective B4.1.1** seeks that "*a range of living environments is provided for in townships, while maintaining the overall 'spacious' character of Living zones*". **Objective B3.4.1** seeks that "*the District's townships are pleasant places to live and work in*", and **Objective B3.4.2** seeks that "*a variety of activities are provided for in townships, while maintaining the character and amenity values of each zone*". These objectives are all rather high level, and are supported by similar high level **Policies B3.4.1-B3.4.3**. The proposed Plan Change sits reasonably comfortably against these provisions in that it will assist in providing a diversity and choice of living environments, with the Living 3 rule package delivering a Living environment that is spacious and of high amenity.
- 5.31 The provision of new urban growth areas is guided by **Policy B4.1.3** which aims:
"To allow, where appropriate, the development of low density living environments in locations in and around the edge of townships where they will achieve the following:
- *A compact township shape;*
 - *Consistent with preferred growth options for townships;*
 - *Maintains the distinction between rural areas and townships;*
 - *Maintains a separation between townships and Christchurch City boundary;*
 - *Avoid the coalescence of townships with each other;*
 - *Reduce the exposure to reverse sensitivity effects;*
 - *Maintain the sustainability of the land, soil and water resource;*
 - *Efficient and cost-effective operation and provision of infrastructure"*
- 5.32 Similar outcomes are sought through **Objective B4.3.2** which requires that:
"new residential or business development adjoins existing townships at compatible urban densities or at a low density around townships to achieve a compact township shape which is consistent with the preferred growth direction for townships and other provisions in the Plan".

Policy B4.3.2 “requires any land rezoned for new residential or business development to adjoin, along at least one boundary, an existing Living or business zone in a township, except that low density living environments need not adjoin a boundary provided they are located in a manner that achieves a compact township shape”.

Policy B4.3.3 seeks to “avoid zoning patterns that leave land zoned Rural surrounded on three or more boundaries with land zoned Living or Business”.

Policy B4.3.5 seeks to “encourage townships to expand in a compact shape where practical”.

- 5.33 As set out in the discussion above, I consider that PC 41 achieves a compact township shape through the strong ‘edges’ available to this Plan Change and its location adjacent to the existing Kingcraft EDA immediately to the east. The inclusion of the site in the RRS14 also confirms that at a strategic level the site is an appropriate location for rural residential development. Servicing of PC 41 is technically feasible, and connection to reticulated water and wastewater networks is possible.
- 5.34 **Policy B4.1.10** seeks to ensure that an appropriate balance between buildings and open space is achieved to maintain the spacious character of the District, and **Policy B4.1.12** seeks to discourage high fences in Living zones that have frontage but no access to strategic or arterial roads. The proposed rule package, subject to recommended amendments, will achieve both these policies, with the acoustic fence along the Shands Road frontage necessary for mitigating noise effects and the ODP and rule package effective in retaining the existing shelterbelt to provide a high level of screening.
- 5.35 Provided that site-specific detail matters can be resolved (discussed below), it is considered that the zoning request represents an efficient and effective method for achieving the Plan’s operative objective and policy framework and is also consistent with the outcomes sought through the Plan amendments proposed via the LURP.

6. SUBMISSIONS

Submissions received

- 6.1 As set out above, submissions closed on 18th October 2013, with further submissions closing on the 29th November 2013. A total of 4 submissions were received, of which one was in support (from the applicant), one opposed in part (from Mr Stratford, the neighbouring landowners to the north), and two opposed (from Mr Tod and MKT). One further submission was also received from Mr Tod in support of the relief sought by MKT, especially as regards the issues raised around water management. All submissions and further submissions were received within the prescribed statutory timeframes.

Submission summary

- 6.2 Attachment A provides a summary of submissions and includes the recommendations to the Commissioner on each submission.
- 6.3 The submissions in opposition request that the plan change be declined, but only if certain points of relief are not granted or additional assessments are not carried out to address a range of potentially adverse effects referred to within the submissions. This section provides an assessment of the submission points received and a summary of the expert evidence commissioned to inform this Report.

- 6.4 The key matters either raised by submitters, or necessary to be considered in ensuring that the Council's statutory functions and responsibilities are fulfilled are:
- Rural residential layout, density, and connectivity to the north;
 - Future proofing;
 - Potential adverse reverse sensitivity effects;
 - Landscape values and visual effects;
 - Infrastructure servicing and stormwater management;
 - Transport safety and efficiency;
 - Land stability and geotechnical risk;
 - Soil contamination risk;
 - Cultural values.
- 6.5 This assessment incorporates the conclusions of the expert assessments commissioned to inform the overall recommendations of this report and to make a determination on the relief sought by submitters.

Rural residential layout, lot sizes, and connectivity to the north

- 6.6 The submission from Mr Tod raises concerns regarding the number of lots that can be potentially created, their size, and their potential impacts on rural character and amenity. The plan change application does not specify a maximum number of lots, but does include an indicative subdivision concept plan⁷ that has 16 lots. The Plan Change contains a rule requiring that the average density of lots across the development is between 0.5 – 1 hectare, which is consistent with the CRPS definition of rural residential development and the outcomes, character, and density anticipated in the RRS14. The landscape report prepared by Mr Craig and appended as Attachment C identifies that the plan change is consistent with the character and amenity anticipated in rural residential areas and that this character is necessarily different from what might be expected in a purely rural environment.
- 6.7 The number of lots delivered by any plan change application is ultimately dependant on the final subdivision design and layout, in the absence of any specific rules that limit development to a specified number of lots. The definition of 'rural residential activity' set out in the CRPS and the RRS14 mean that as the site is 9.2 ha in size, the minimum number of lots that can be provided is 9 (based on the maximum average of 1 ha/ lot). Conversely the maximum number of lots that can be created is 18 (at the minimum average of 0.5ha/ lot). Given that land will need to be provided for internal roading and access, the concept design yield of 16 lots, based on the Outline Development Plan road layout, is considered to be reasonable. The option is available to the applicant at the time of subdivision to lower the yield by enlarging the size of individual lots. Whether the final number of lots is a little under or over 16 is not considered to be material in terms of potential effects on servicing, transport, or the character and amenity of the site, provided the final average size falls within the range required by the CRPS.
- 6.8 Mr Stratford is the owner of the adjoining 7.99 hectare block of rural land immediately to the north. Mr Stratford, via the submission prepared on his behalf by Mr Graham Fowler of Spiire NZ Ltd, is seeking that the plan change be deferred until his land is also incorporated into the application, or alternatively that the plan change be granted, including rezoning his block. The Stratford block is effectively land locked in terms of its potential development for rural residential activities given that its only road access is on

⁷ Appendix F to the application

to the arterial Shands Road where additional vehicle movements and access points are not desirable. Alternative access for rural residential scale development therefore has to be gained through either the PC 41 site to Trents Road, or through the property further to the north and then out to Blakes Road. If all three blocks were to be developed it is ultimately possible (and in Mr Stratford's view desirable) to form a local link road running parallel to Shands Road and connecting between Blakes and Trents Roads, thereby providing the PC 41 site with an alternative route into the town centre and school.

- 6.9 The Stratford block is identified in the RRS14 as being potentially suitable for rural residential development, so the site's appropriateness at a strategic level is not disputed. As set out above, inclusion in the RRS14 does not however in itself guarantee rezoning, rather the individual merits of a site need to be more fully examined through the standard plan change process set out in the RMA. No detailed assessment has been undertaken as to the suitability of the Stratford block in terms of contamination, geotechnical matters, servicing, Outline Plans, or boundary treatment. As such it is not considered that there is an appropriate level of certainty regarding the Stratford block to rezone it through PC 41. Of equal importance is the question of scope and whether the inclusion of additional land via a submission that nearly doubles the size of a private plan change can be said to fall within the general ambit of the plan change application. In my view the inclusion of a large neighbouring block via a submission goes beyond the scope of the primary plan change application.
- 6.10 I do however agree with the submitter that it is important to provide certainty that a publicly vested road connection will be provided through the PC 41 site to the Stratford block to enable this block to gain access to Trents Road and to ensure that development across these blocks is able to proceed in an integrated manner. In this regard I note again that the Stratford block is identified in the RRS14 and therefore it is reasonable to assume that it is likely to develop for rural residential activity at some point in the future, pending resolution of any site-specific matters. Provision should therefore be made through the PC 41 ODP to ensure that development of the PC 41 and Stratford blocks is able to occur in an integrated manner for the mutual benefit of the future residents of both blocks.
- 6.11 It is therefore recommended that the ODP be amended to show the 'possible future road' as a solid black line i.e. the same as the 'road', with the key amended to clarify that the 'road' is 'to be vested in Council as road reserve to enable a future connection to the north'. The funding and formation of the road link is a matter that is appropriately resolved through the subdivision consent process.

Future Proofing

- 6.12 The RRS14 introduced the concept of 'future-proofing' rural residential development such that it can be easily intensified to more traditional suburban densities at some point in the future. This concept was of particular relevance to some of the Rolleston rural residential blocks as these blocks are located within Greenfield Priority Areas and related 'projected infrastructure boundaries' identified in the CRPS where future suburban development is anticipated. The PC 41 (and the Stratford block to the north) is not located within a CRPS Greenfield Priority Area and therefore provision for future suburbanisation is not required in the RRS14. The RRS14 did identify that future proofing could be considered for these blocks, although the strategy also recognised that rural residential development could alternatively play a role in establishing a long-term edge to the urban area of Prebbleton out to Shands Road.

- 6.13 The future proofing concept necessitates careful consideration of infrastructure sizing and funding, along with the identification of the local parks, stormwater basins, and the road connections that would be necessary under suburban densities and lot configurations. Such public areas will either need to be vested in Council well in advance of when they are needed, or appropriate legal mechanisms will need to be developed to ensure that such areas are able to be made available at some point in the future. Given the relatively small size of the PC 41 block, combined with its peripheral location beyond an established low density EDA (that does not contain future proofing) and outside of an identified greenfield priority area, I am comfortable that the plan change does not need to include the comprehensive suite of provisions necessary for future proofing. The proposed road link to the Stratford block discussed above is considered to be necessary to ensure that road connections and connectivity is provided should this northern block develop in the future and therefore to a limited extent future proofs the ability for the western edge of Prebbleton to develop in a coherent manner.

Landscape values and visual effects

- 6.14 The Plan Change's potential effects on visual and landscape values have been assessed in the application, with the applicant's landscape assessment peer reviewed by Mr Craig, an experienced landscape architect (Attachment C). Mr Craig agrees with the applicant's assessment that there are no outstanding or notable landscape features on the site that warrant protection or that would preclude rezoning to rural residential densities.
- 6.15 Mr Craig notes that the proposed ODP shows the retention of the existing shelter belts around all four boundaries of the site. The maintenance or retention of shelterbelts is generally addressed as a civil law matter between neighbours. Maintenance of shelterbelts can be problematic once large rural landholdings are subdivided into smaller sections, as it can become difficult to provide access to hedge-trimming machinery, and different owners will have differing expectations as to an acceptable height at which shelterbelts are to be maintained. Given the large lot sizes inherent with rural residential developments, and the separation that this provides between neighbouring dwellings, it is common for such developments to not have substantial boundary planting but rather to have a more open, pastoral outlook. As such, a specific rule requiring the retention of shelterbelts is not considered to be necessary from a landscape perspective. The retention of the existing shelterbelts along Shands Road is however considered to be beneficial, given that an acoustic fence, combined with a sizeable building setback, is proposed along this boundary.
- 6.16 Mr Craig also notes that the application proposes to add the PC 41 site to the existing operative landscaping rule (Part C – 4.2.2) that was incorporated into the District Plan through Plan Changes 8 & 9 on the edge of Rolleston. The operative landscape rule includes a detailed list of tree species that may not be appropriate to the PC 41 context and that does not include a preference for native plantings as sought by MKT in their submission. Mr Craig is of the view that the species list is in the Plan to address the specific context of the PC 8 & 9 proposals, and that the application of this species list to the PC 41 site is not necessary.
- 6.17 Further to Mr Craig's findings, it is noted that the Living 3 rule package proposed via the LURP action does not include a road frontage landscaping requirement for the Living 3 Zone generally, as such a rule was considered to be unnecessary given the combination of building setback and open fencing requirements and the proven 'on the ground' pattern of rural residential development that invariably contains amenity plantings along road boundaries that are established by individual site owners.

- 6.18 Mr Craig considers that the relief sought by MKT in their submission regarding increased use of native species is best achieved in the public realm areas of the plan change. In the case of PC 41, these areas are somewhat limited given that no local parks are necessary and that stormwater management does not require the construction of large publicly vested ponding basins. The implementation of the proposed rural residential road reserve cross-section shows the use of planting both adjacent to drainage swales and as street trees, with the selection of appropriate native species being a matter that is most appropriately addressed as part of the detailed subdivision consent process.

Potential reverse sensitivity effects and amenity conflicts

- 6.19 The viability of legitimately established rural activities can be reduced where they adjoin rural residential nodes through amenity conflicts, where new land owners moving into an established environment have differing expectations of what land use activities are appropriate. The site does not directly adjoin any rural zones to the west or south, being bounded by roads, and to the east where it adjoins the Kingcraft EDA. The only directly adjoining rural land is to the north that as discussed above is identified in the RRS14 as being potentially suitable for rural residential development and where the owner has expressed a clear desire to develop. There are no established sensitive strategic infrastructure, military, or educational facilities located near the site and likewise there are no intensive farming operations within 300m of the site, such that odour from established businesses could cause a problem for the proposed residential activity. The site's location on the edge of Prebbleton Township also assists in managing reverse sensitivity issues as new intensive farming activities that are likely to create nuisance effects to urban residents are unlikely to establish on the edge of one of the District's larger townships.

Infrastructure servicing & stormwater management

- 6.20 The application includes an assessment of infrastructure and servicing prepared by consulting firm Davie Lovell-Smith Ltd. This assessment has been peer reviewed by Mr Liam Foster from Opus International Consultants Ltd in discussion with Selwyn Council's infrastructure asset engineers, with his report appended as Attachment D. Mr Foster has concluded that stormwater can be disposed of to ground, without the need for a publicly vested retention basin. The detailed design of the stormwater system will be assessed through the subdivision consent process and any necessary resource consents from the Canterbury Regional Council. The design of such systems and their associated consenting is well established, and is the appropriate process to fully examine whether the detailed design will be effective in managing water quality. To this end it is noted that Mr Tod raises concerns in both his submission and further submission regarding water quality and potential effects on the quality of the water obtained from his private bore down gradient from the application site. The necessary Canterbury Regional Council consent processes look specifically at such matters and place considerable scrutiny on ensuring that stormwater treatment systems do not result in the contamination of drinking water supplies.
- 6.21 The site is able to connect to a reticulated water and wastewater network via additional piping along Trents Road. There is adequate capacity in the water and wastewater conveyance and community treatment infrastructure, although the timing of the proposed connections and planned upgrades to the wider Prebbleton network should be discussed with Council's asset team as part of the subdivision consent process. The detailed design of the on-site water and wastewater system and its connection to the reticulated network can likewise be resolved through the subdivision consent process. Mr Foster notes that as part of securing access to a reticulated water supply, it is possible that such access

will not afford an unlimited water supply to households as the Council has found that rural residential lots elsewhere in the District generate much higher than normal water demand due to the use of reticulated supplies for the extensive irrigation of amenity plantings and lawn areas relative to suburban households. Whilst connection to a reticulated supply to meet the reasonable needs of households is possible, such supply may need to be restricted through the subdivision consent process in order to maintain capacity in the wider network.

Transport safety and efficiency

- 6.22 The application did not include a transport assessment, based on the relatively low number of vehicle movements generated by the proposal and the uncomplicated nature of the proposed access onto Trents Road which is a local road with clear sight lines in both directions. The proposal has been assessed by Mr Carr, an experienced transport engineer, with Mr Carr's assessment appended as Attachment E.
- 6.23 All lots will gain access either directly onto Trents Road, or onto Trents Road via the proposed internal road. Mr Carr has identified that the proposed new road access point location onto Trents Road does not comply with the intersection separation distance required by rule E13.3.2 and associated Table E13.10 (800m from intersections with 100km speed limits). There is therefore a degree of tension between the proposed Outline Development Plan and the need for any future subdivision application to be in general accordance with the ODP, and the need for the access as shown to obtain a resource consent. Mr Carr has noted that there is no compliant location for an access, given that the entire site frontage is within 800m of the Shands Rd intersection. Mr Carr has also concluded that given the low traffic generation from the proposal and the clear and unobstructed sight lines from the access, that a safe and functional access design should be able to be satisfactorily delivered through the subdivision and resource consent processes. The access point location does not therefore present a barrier to approving the plan change.
- 6.24 Mr Carr agrees with both the application and the matters raised in the Stratford submission that it is important that the ability to provide a future road connection to the block to the north is secured as part of this Plan Change process. Mr Carr recommends that the ODP be amended by deleting the word 'possible' from the future road link, with provision for this link shown as a requirement rather than as simply an option.

Land stability and geotechnical risk

- 6.25 The application includes the findings of geotechnical investigations undertaken by Riley Consultants Ltd, dated 28th February 2013. This geotechnical report has been peer reviewed by Mr Ian McCahon of Geotech Consulting Ltd, dated 17th June 2013 (and made available as part of the plan change notification process). It is noted for completeness that the peer review was undertaken to ensure compliance with CERA guidelines for the geotechnical assessment of new subdivisions.
- 6.26 Mr. McCahon makes the following conclusions:
- “...We agree that there is minimal to no liquefaction potential at the site and an equivalent TC1 category is appropriate. The extent of work reported complies with the intent of the CERA requirements at plan change stage, with a suitable number of tests and relevant deep bores to determine the ground profile as required.*
- 6.27 On this basis, it is considered that the risk of liquefaction and lateral displacement associated with future earthquake events is low and that there are no geotechnical

reasons that prevent the Plan Change from being granted. For completeness it is noted that the site is not located in a flood ponding area.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES)

- 6.28 As this is an application for a zone change and not the actual use of the site, the NES does not strictly apply. The land owner will be required to address the NES requirements either as a result of subsequent subdivision or building consent stage, which depending upon the nature of any future proposed activity, may either satisfy the permitted activity requirements or require resource consent under the NES.
- 6.29 The application included a Preliminary Site Investigation ('PSI'), prepared by Davie Lovell Smith Ltd, dated June 2013. This PSI report was then peer reviewed by Tonkin & Taylor in June 2013 and made available as part of the plan change notification process. The PSI and peer review did not identify any known areas of confirmed contamination. The peer review identifies several matters that will require further investigation, including confirmation that the PSI has been undertaken by a 'suitably qualified and experienced practitioner', as required by the NES. The presence of farm utility buildings is also identified as a potential location where agrichemicals may have been stored, along with the potential need for more detailed investigations in the area immediately surrounding an identified above ground fuel storage tank.
- 6.30 There is currently therefore no evidence that would suggest that the land is contaminated to such an extent that remediation would not be plausible or that would pose a risk to human health. The PSI and peer review do not identify any specific matters of concern or known contamination. Given the matters raised in the peer review, an updated PSI, and potentially a consequential Detailed Site Investigation, is however likely to be necessary as part of the subdivision consent process.

Cultural values

- 6.31 The submission from MKT on behalf of Te Taumutu Rununga identifies that the plan change area does not contain any wahi tapu or wahi taonga sites. The submission also identifies concerns regarding stormwater quality, water supply and overabstraction, riparian planting of waterways, and the effects of earthworks on waterways. Te Taumutu Rununga also seek increased use of native plant species in landscaped areas.
- 6.32 Concerns relating to water supply and stormwater have been discussed above and in the associated servicing report prepared by Mr Foster. The design and consenting of these systems will necessarily need to take into account effects on water quality and quantity and ensure that the specific design delivers an acceptable outcome in this regard. Mr Foster has identified that in terms of stormwater there is no need for a community-owned ponding basin to be provided given the low site coverage of rural residential properties and the relatively free draining nature and low water table of the site. Water supply will likewise be available through planned upgrades to the wider Prebbleton Township network, however this supply is likely to be restricted to ensure efficient water use. If a restricted supply system is needed, then this may encourage the use of roofwater storage tanks for garden irrigation and water-efficient appliances. Such matters cannot however be mandated through the plan change process but rather are matters that can only be resolved through the subdivision process once specific infrastructure solutions have been designed.

- 6.33 The water race adjacent to the site is located within the Trents Road reserve, and therefore is beyond the application site. Informal public access alongside the water race is already available within the road reserve corridor. The proposed rule package requires buildings to be set back a minimum of 15m from the road boundary, so structures will be some distance from the water race. Significant earthworks are not required to facilitate rural residential development given the site's flat contour and the large size of the lots proposed. The management of construction phase stormwater and erosion and sediment control is a routine part of the Canterbury Regional Council resource consents necessary as part of subdivision development, with a well-established suite of management and mitigation techniques available to control sediment runoff into waterways.
- 6.34 The LURP Action 18 text proposes to add the following assessment matters to the subdivision section of the Plan, where all Living 3 subdivision is a restricted discretionary activity and where, amongst other matters, the Council is to assess:

The extent to which site analysis using a comprehensive design process and rationale has been undertaken to recognise, and where appropriate, protect, maintain or enhance the following elements:

- *Existing water courses, water bodies, wetlands, groundwater, and springs;*
- *Existing vegetation, such as shelter belts, hedgerows and habitats for indigenous fauna and flora;*
- *Heritage values and any sites of archaeological significance;*
- *Ancestral land, rivers, wetlands, groundwater, springs, Te Waihora/ Lake Ellesmere and mahinga kai sites and the Wāhi Tapu and Wāhi Taonga of Te Rūnunga o Ngāi Tahu and Te Taumutu Rūnunga;*
- *View shafts to the Port Hills;*
- *Provision of green linkages, ecological corridors and interface treatments on boundaries with rural or urban forms of development where appropriate;*
- *Indicate how the form and layout of the subdivision fits into the wider setting and is able to be integrated into these surrounds, including in particular the provision of measures to retain rural landscape elements, including views to rural and landscape reference points.*
- *Avoids urban elements, such as street lights (except at intersections), formed kerb and channel, sealed footpaths, or prominent entrance features;*
- *Maintains rural residential character through the retention of a low ratio of built form to open space;*
- *Reduces any potentially adverse reverse sensitivity effects with adjoining land use activities, in particular strategic infrastructure and education and research facilities.*

- 6.35 PC 41 also proposes the inclusion of additional subdivision assessment matters as follows:

- *The extent to which features that contribute to rural character, including open space and plantings, have been retained or enhanced.*
- *Whether fencing, roading (including cross sections and typologies) and utilities reflect the semi-rural nature and level of service appropriate for rural-residential areas.*
- *The extent to which any identified natural hazards and/or constraints, including flood and liquefaction hazard areas have been addressed.*

- *Whether overall densities based on the level of development and open space anticipated for rural residential living environments have been achieved*
 - *Whether provision is made for safe connections and linkages between the subdivision and adjoining Townships to enable access to public transport and community and commercial facilities.*
 - *Ensure connections to reticulated water and wastewater services are available at all property boundaries and appropriate measures are available to effectively treat and dispose of stormwater.*
- 6.36 The proposed LURP Action 18 assessment matters are considered to more fully address the matters raised by MKT in their submission that the matters proposed by PC 41. Given that the LURP Action 18 amendments are not certain, it is important that the assessment matters proposed in PC 41 adequately address the concerns raised by the submitter. It is therefore recommended that an additional assessment matter be added as follows:
- 6.37 **The extent to which native species are used as street tree plantings and within vegetated stormwater swales.**

Proposed Living 3 rule package and District Plan text

- 6.38 The rule package for the Living 3 Zone in the operative District Plan was the result of private Plan Changes 8 & 9 for two blocks of land on the western outskirts of Rolleston. The rule package introduced into the Plan by these earlier plan changes includes rules that are specific to Rolleston, and also rules that more generically apply to the Living 3 zone in general.
- 6.39 The Council has been seeking to develop a single coherent Living 3 zone rule package that can apply to all new Living 3 areas, avoiding the need for a series of site-specific provisions in the Plan. This overarching rule package builds on that developed through PC 8 & 9 and was to be introduced into the Plan through first PC 17 and then PC 32, both of which have since been withdrawn or have lapsed. The rule package is now proposed to be introduced into the Plan through LURP Action 18 which is currently with the Minister of Earthquake Recovery. As the Minister has yet to confirm the overarching rule package for the Living 3 zones, it means that PC 41 is being heard in an inconvenient hiatus between the operative (but Rolleston-specific) rules and the more comprehensive Living 3 zone package proposed under the LURP.
- 6.40 Plan Change 41 has been drafted to largely rely on and be consistent with the operative rule package, with the amendments generally seeking to add reference to Prebbleton in the rules so that their coverage is wider than just Rolleston. PC 41 has also been drafted in the knowledge of the wider framework that was at the time proposed via PC 32.
- 6.41 Concurrent with the development of PC41, a separate private Plan Change 36 has also been developed for a block of land at the southern edge of Prebbleton adjacent to Hamptons and Birches Roads. PC 36 is also to be heard in Mid-September. This separate plan change application is mentioned here as it also seeks to make amendments to the same operative Living 3 zone rule package. The same Commissioner is to hear and make decisions on both plan changes so as to better facilitate the development of a coherent rule framework.
- 6.42 The coverage of the operative Living 3 zone rule package and the proposed amendments to it through LURP Action 18, PC 41 and PC 36 are summarised in Attachment B.

- 6.43 In endeavouring to chart a route through the multiple changes that are being concurrently sought to the same provisions, and being mindful of the issues raised by both submitters and technical experts, the following approach is recommended:
- 6.44 **Building Height (C-4.8.1):** Rely on the Operative Plan rule which applies to all Living 3 Zones – no amendments sought or needed.
- 6.45 **Building size and site coverage (C-4.7.1 & Table C4.1):** Rely on the Operative Plan rule which applies to all Living 3 Zones – no amendments sought or needed.
- 6.46 **Fencing (C-4.2.3 and Appendix 43):** Accept the wording proposed in PC 41 and accept the fencing typologies set out in (what is now) Appendix 43 (refer Attachment F). The wording proposed in PC 41 will replace the operative wording of this rule that is complex and ambiguous. The wording proposed in PC 41 will apply to all Living 3 zones, however the proposed rule is considered to be easier to understand and administer and more effective in delivering the open, visually permeable fencing outcomes sought in the RRS14 across the Living 3 zones than the operative provision.
- 6.47 **Road and internal boundary setbacks (C-4.9):** Accept the wording proposed in PC 41. This will result in the setbacks being somewhat smaller than the L3 outcomes proposed through the LURP Action, however it is noted that a large setback will be required along Shands Road due to the proposed acoustic mitigation package. Should the LURP generic rule be confirmed by the Minister then a minor amendment under clause 16 will be needed to the LURP rule to state ‘unless otherwise specified in the Plan...’ to clarify that the site-specific setbacks introduced through PC 8 & 9 and 41 continue to apply.
- 6.48 **Acoustic barrier and setbacks:** Accept the wording proposed in PC 41. There is considerable variety in the content of acoustic mitigation rules in the District Plan reflecting the site-specific context of individual blocks and the varying level of mitigation necessary.
- 6.49 **Landscaping (C-4.2.2):** This rule was developed as a specific response to a Rolleston-specific proposal and context. As noted by Mr Craig the list of proposed species is unnecessarily prescriptive and includes species that may not be appropriate to either the Living 3 context or the local Canterbury climate. It is therefore recommended that an additional point be added to C-4.2.2 (vi) as follows:
- **Part vi does not apply to the Living 3 Zone at Trents road in Prebbleton**
- 6.50 **Outline Development Plan (C-12.1.3):**
- Amend the ODP to show the road connecting to the northern Stratford block in the same solid black line as the main internal road;
 - Delete the dashed ‘possible future road’ from the key;
 - Amend the key annotation by adding ‘road **to be vested in Council as road reserve to provide a road connection to the north should the adjoining land be rezoned to a Living Zone;**’
 - The shelterbelts shown as to be retained along the two internal boundaries and the Trents Road boundary are not considered to be necessary for achieving the rural residential outcomes sought in the RRS14 and are not supported by Mr Craig’s landscape assessment. No submissions have raised issues with the shelterbelts (either for or against) and therefore there may not be sufficient scope to amend the ODP to show their removal.
 - Accept the wording proposed in PC 41 to add ‘and L3’ to rule C-12.1.3.28 requiring subdivision to be in general accordance with the ODP.

- Reject the wording proposed to add a new rule C-12.1.3.42 as this simply duplicates the outcome achieved through the above amendment to 12.1.3.28. Unlike other site-specific rules in this section of the Plan, the proposed wording does not expand on any site-specific matters needing special consideration. It is noted that LURP Action 18 proposes a generic rule applying across all townships requiring all Living 3 subdivisions to be in general accordance with their respective ODPs, and therefore the proposed wording will become somewhat redundant and in time could be removed via clause 16 once the LURP Action 18 wording has been confirmed.
- 6.51 **Road cross-section (C-5.1.1.7 and Appendix 43):** Accept the inclusion of the proposed road cross-section as shown in (what is now) Appendix 43. The inclusion of the wording proposed by PC 41 will apply across all Living 3 Zones (apart from the PC 8 & 9 blocks in Rolleston). In effect this wording will pre-empt the equivalent rule proposed through LURP Action 18.
- 6.52 **Effluent disposal (C-12.1.3.4):** Accept the wording proposed in PC 41 that will require all L3 zones to connect to a reticulated network. This wording is consistent with LURP Action 18 which seeks identical wording and is consistent with the direction in the CRPS and RRS14 that rural residential development needs to be reticulated.
- 6.53 **Average Lot sizes (Table C-12.1):** Accept the wording proposed in PC 41. This is consistent with the direction in the CRPS and RRS14.
- 6.54 **Subdivision assessment matters:** Accept the wording proposed in PC 41 and add the following assessment matters:
 - **The extent to which native species are used as street tree plantings and within vegetated stormwater swales;**
 - **Whether street trees are proposed with regard to the cross-section shown in Appendix 43.**
- 6.55 As discussed above, the LURP Action 18 amendments include a comprehensive set of assessment matters that are to be considered as part of the subdivision consent process. These matters were amended following feedback from MKT on the LURP process to better reflect MKT concerns. There is currently no certainty that the LURP Action 18 provisions will be confirmed, and therefore it is important that PC 41 stands alone. Should the LURP text be confirmed, then the PC 41 assessment matters will be effectively superseded and could be deleted from the Plan as a minor amendment under Clause 16.

7. CONCLUSION

Matters to be considered

- 7.1 S74 of the RMA sets out the matters that must be considered in preparing a change to the Plan. Amongst other things, s74 requires the local authority to:
 - comply with its functions under s31
 - consider alternatives, benefits and costs under s32
 - ensure the necessary matters are stated in the contents of the district plan under s75

- have regard to the overall purpose and principles set out in Part II, including the Matters of National Importance (s6), the Other Matters (s7) that require particular regard to be had in achieving the purpose, and the Treaty of Waitangi (s8)
- 7.2 It is noted that in a general sense, the purpose of the 'Act' is reflected in the current District Plan objectives and policies as they have already been through the statutory tests and are now unchallenged. The operative provisions can likewise be deemed to be 'giving effect to' the higher order objectives and policies sought in the CRPS, albeit that the rural residential provisions are proposed to be amended through LURP Action 18 to ensure that the Plan continues to give effect to the CRPS following the recent amendments to the CRPS.

Functions of territorial authorities and matters to be included in a district plan - s31 and s75 assessment

- 7.3 Council's functions under s31 include the following:
- “(a) the establishment, implementation and review of objectives, policies and methods to achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources of the district...”*
- 7.4 The assessment and conclusions of this report establish that the PC 41 framework incorporates appropriate methods to ensure any future land uses are appropriate and will result in a number of positive social, economic and environmental outcomes.
- 7.5 The matters proposed in PC 41 are all matters that fall within the ambit of the content of a district plan under s75.

Consideration of alternatives, benefits and costs - s32 assessment

- 7.6 The Council has a duty under s32 of the RMA to consider alternatives, benefits and costs of the proposed change. The s32 analysis is a process whereby initial investigations, followed by the consideration of submissions at a hearing, all contribute to Council's analysis of the costs and benefits of the amended provisions in its final decision making.
- 7.7 In assessing the proposed plan change under s32 it is noted that this evaluation is against s32 as it existed prior to the recent amendments as these amendments only apply to applications where further submissions have closed after the 4th December 2013.
- 7.8 The proposal does not seek to amend any of the operative objectives or policies of the Plan. The s32 consideration therefore turns on the Council being satisfied that PC 41 is a more efficient and effective method of achieving the Plan's objectives, and thereby Part 2 of the RMA, than the existing Rural (Inner Plains) Zone and associated rule package as it relates to the specific site in question. On the evidence presented as part of the plan change application and from the findings of the various experts who have reviewed the application and the matters raised by submitters, I am satisfied that proposed Plan Change 41 does better achieve the Plans' objectives than the existing provisions, it does give effect to the CRPS, and it is in accordance with the adopted Rural Residential Strategy 2014.
- 7.9 It is therefore recommended that the Plan Change be accepted, subject to the minor amendments recommended above. It is recommended that all the submissions be rejected or accepted in part, as set out in Attachment A.

ATTACHMENT A – RECOMMENDATIONS ON SUBMISSIONS

D & S Anderson	Accept in Part	Submission is accepted insofar as PC 41 is recommended to be approved subject to minor amendments to the ODP, landscaping rule, and subdivision assessment matters.
G Tod	Reject	It is recommended that PC 41 be accepted. The proposed density is consistent with the CRPS and RRS14. Concerns regarding water quality and quantity have either been addressed through the engineering reports accompanying the plan change and associated peer review, or are matters that are more appropriately considered through later subdivision and resource consent processes once the detailed design of infrastructure has been developed.
M Stratford	Accept in Part	This parts of this submission that sought either the plan change be deferred, or alternatively the submitter's land be included in the plan change are rejected. The amendment of the ODP to confirm the provision of a vested road to provide a link to the submitter's block and to facilitate integrated development between the two blocks in the future is accepted.
Te Taumutu Rununga	Accept in Part	<p>The majority of the matters raised by the submitter are more appropriately considered through later subdivision and resource consent processes once the detailed design of infrastructure has been developed.</p> <p>It is recommended that the subdivision assessment matters be amended to include the ability of Council to consider the extent to which native species are proposed to be used in the road reserve and vegetated swales.</p>
G Tod (further submission)	Accept in Part	<p>The majority of the matters raised by the submitter are more appropriately considered through later subdivision and resource consent processes once the detailed design of infrastructure has been developed.</p> <p>It is recommended that the subdivision assessment matters be amended to include the ability of Council to consider the extent to which native species are proposed to be used in the road reserve and vegetated swales.</p>

ATTACHMENT B – LIVING 3 SUMMARY OF RULES

Township Volume - Part C	
Landscaping - Rule 4.2.2	<ul style="list-style-type: none"> Operative Plan – Rolleston specific LURP does not amend or extend this rule so will <u>not</u> apply to other L3 areas i.e. proposed to remain Rolleston-specific PC 41 proposed to be included in this rule by adding ‘and Prebbleton’ PC36 (Conifer Grove) does not seek to be included in this rule <p>Landscaping controls will therefore be in place for the PC 8 & 9 blocks in Rolleston and the PC 41 site, but not the PC36 site and not in L3 generally</p>
Fencing – Rule 4.2.3	<ul style="list-style-type: none"> Operative Plan – rule applies to all L3 Zones LURP – relies on operative rule. LURP does add ‘Appendix 43’ which illustrates fencing typologies PC 41 seeks to amend the operative rule, with the proposed amendments having universal effect i.e. they will change the rules as it applies to all L3 zones, not just the PC 41 block PC 36 does not amend this rule, but will be subject to it as it applies to all L3 Zoned areas
Building setbacks – 4.9.31	<ul style="list-style-type: none"> Operative Plan – Rolleston Specific. Requires buildings to be set back 15m from roads and 10m from internal boundaries LURP – Proposes new rule for all L3 requiring 20m road setbacks and 15m internal boundary setbacks PC 41 Proposes new rule in the Prebbleton section of 4.9, consistent with the Operative Plan/ Rolleston provision ie. 15m road setback and 10m internal boundary setback PC 36 does not amend this rule and therefore will not be subject to any building setback controls until the LURP is made operative
Building setbacks (acoustic treatment) -4.9	<ul style="list-style-type: none"> Operative Plan - Rolleston Specific (rule 4.9.29-30) LURP – does not propose any L3 rules for acoustic treatment, so the need for such controls will need to be introduced on a site-specific basis PC 41 – adds new rule requiring 25m building setback from Shands Road and the provision of an acoustic bund and fence PC 36 – does not propose an acoustic rule but is not adjacent to a high speed arterial road and therefore such control is not necessary for the PC 36 area
Site Coverage & Building size – 4.7.1 & Table C4.1	<ul style="list-style-type: none"> Operative Plan- rule covers all L3 Zones (lesser of 10% or 500m²) LURP – relies on operative rule PC 41 - relies on operative rule PC 36 - relies on operative rule
Building height – 4.8.1	<ul style="list-style-type: none"> Operative Plan- rule covers all Living zones, (including 3 Zones) – 8m LURP – relies on operative rule PC 41 - relies on operative rule PC 36 - relies on operative rule
Road cross-section 5.1.1.7	<ul style="list-style-type: none"> Operative Plan – Rolleston Specific (rule 5.1.1.6) LURP adds new rule 5.1.1.7 requiring consistency with cross-sections shown in proposed ‘Appendix 43’ PC 41 does not propose a new rule but does seek that the Appendix

	<p>proposed in the LURP (previously Appendix 41 in PC 32) be included in the Plan</p> <ul style="list-style-type: none"> PC 36 proposes a new rule and cross-section specific to PC 36, albeit that the cross section diagram is the same as that proposed in LURP Appendix 43 <p>Acceptance of PC 41 will therefore have the effect of including Appendix 43 in the District Plan in advance of the LURP, and negating the need for a PC 36-specific diagram.</p>
Sewage connection – 12.1.3.4	<ul style="list-style-type: none"> Operative Plan is silent on the need for reticulated sewage connection for L3 in the subdivision section. In the Land Use section operative rule 4.5.1 requires all dwellings in the Living Zones (which will include L3) in a range of townships (including Prebbleton, Rolleston, and Lincoln) to connect to a reticulated sewage system LURP seeks to amend rule 12.1.3.4 in the subdivision section to include reference to Living 3 so it is explicit that reticulated connection is necessary PC 41 seeks the same amendment to the subdivision rule as proposed in the LURP PC 36 does not amend the rule (but the servicing report confirms that sewage connection is readily available and would be required through the subdivision consent process) <p>Acceptance of PC 41 will therefore have the effect of including the 12.1.3.4 amendment in the District Plan in advance of the LURP. Acceptance of the PC 41 wording will therefore also apply to PC 36</p>
ODP – 12.1.3	<ul style="list-style-type: none"> Operative Plan – Rolleston specific – requires subdivision to be in general accordance with the ODP (12.1.3.39-41) LURP – adds a new rule 12.1.3.47 that requires all L3 subdivision to be in general accordance with their respective ODPs PC 41 – Adds an equivalent rule PC 36 – Adds an equivalent rule, with specific reference to subdivision layout and access matters
Allotment sizes – Table C12.1	<ul style="list-style-type: none"> Operative Plan - Rolleston specific LURP – does not amend the table, but does include a definition of ‘rural residential’ that specifies an average density of between one and two households/ ha PC 41 – adds a new reference to average allotment size between 5,000m² – 1 ha PC 36 adds a new reference to minimum lot size of 5,000m² and a new rule specifying the maximum number of lots per sub-block

S42A Landscape Report

Private Plan Change 41 Shands / Trents Roads

Applicant: DJ & SJ Anderson

Prepared for

Selwyn District Council

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Introduction

1. In this report I review the plan change request with particular regard to landscape and visual amenity matters arising from it. In particular I focus on the ODP and the District Plan provisions that the applicant proposes to amend. I then consider what these will deliver and whether this will achieve the outcomes anticipated in the District Plan, Canterbury Regional Policy Statement and LURP for L3 zones. I also have regard to the outcomes anticipated in the Council's Rural Residential Strategy 2014 that was recently prepared under the Local Government Act and in fulfilment of the Canterbury Regional Policy Statement requirement to prepare such a strategy.
2. In combination these statutory documents provide, among other matters, detailed guidance on the kind of landscape character and amenity expected of L3 or rural residential zones. Essentially, the general direction of these documents aims to create high amenity rural residential environments. When compared to suburban living environments these are characterised by relatively large amounts of open space dominated by the presence of vegetation. Further, they are devoid of the usual paraphernalia of urban settings such as kerb and channel, street furniture, street lighting, fancy gateways and such like. Essentially L3 zones will have what I call a 'rural flavour', even though they are entirely devoted to residential activity. Some very small scale rural activity may occur, but is not expected to be prevalent.
3. To achieve these outcomes the various documents referred to above collectively set out the following parameters. These mostly focus on managing the proportion of open space to built form. In so doing they aim to maximise apparent open space by various means. Other provisions seek to avoid an overly urban appearance. It is against these outcomes that I assess this and other L3 plan change requests. It should be noted that not all of the following landscape matters are 'rules' contributing to the permitted baseline – some are assessment matters to be exercised at the time of subdivision.

a. L3 Zone location	Sufficiently close to existing townships so as to enable integration ¹ with them; and to maintain a contrast between urban and rural areas
b. Site density	1-2 dwellings per hectare
c. Site coverage	The lesser of 10% or 500m ²
d. Setbacks	15m ² from road boundaries
e. Fencing	Transparent farm style – post and wire or rail, deer
f. Street design	Kerb & channel, street lights & formed sealed footpaths and prominent entry features are avoided

¹ Integration being via reticulated services and connectivity via pedestrian, cycle, blue and green networks.

² 20m in the LURP Action 18 (viii) – increased so as to compensate for the lack of landscaping controls

- | | | |
|----|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| g | Natural features | Those of significance – water courses, notable trees, indigenous vegetation, geological features are protected, maintained or enhanced |
| h. | Heritage features | Those of significance are protected, maintained or enhanced |
| I | Integration | With the surrounding environment |
| j | Adverse visual effects ³ | Avoiding areas alongside strategic infrastructure, education and research facilities (for reverse sensitivity reasons) |
| k | Tangata Whenua | Ngai Tahu / Te Taumutu Rununga values existing in the landscape are protected, maintained or enhanced |
| I | Views | Significant ones to the Port Hills are provided for |
4. While the above factors will contribute significantly to achieving desired L3 Zone outcomes, there are others that also potentially affect delivery of rural residential character. These include;
 - a. The overall number of lots where the more there are the less likely rural outlook can be achieved.
 - b. The overall size and shape of the zone.
 - c. The layout of lots where subdivision layouts that result in the highest exposure to rural outlook are preferred.
 - d. Allied to the above – cumulative effects.
 5. Also considered in this report are whether there are any landscape impediments to re-zoning. Regarding this and other matters I refer to and review the landscape assessment⁴ that accompanies the application.
 6. Regarding the District Plan amendments promoted by the applicant I comment on these where they affect landscape outcomes. In so doing I recommend further amendments and discuss the reasons for them.
 7. I also address any landscape and visual amenity concerns raised by submitters.
 8. I have visited the plan change site and am familiar with its landscape character and that of its wider setting.

³ From LA18 viii Amendment 17 L3 subdivision assessment matter which states: *Reduces any potentially adverse visual effects with adjoining land use activities, in particular strategic infrastructure and education and research facilities*

⁴ Prepared by Mr Graham Densem 2nd May 2013

The Plan Change 41 application

9. The application is assessed as follows in accordance with the factors listed and described above.

L3 Zone location

10. This plan change proposal is some 800 metres⁵ from the urban fringe of Prebbleton, although it does however adjoin existing rural residential activity (Existing Development Area – EDA) centred on Kingcraft Drive. This distance is reaching the outer most limits in terms of maintaining urban / rural contrast and effecting good integration with Prebbleton township. In its favour, the plan change site is strongly contained by adjoining roads which form reasonably strong physical barriers to further outward growth.

Site Density

11. The overall density across the site will be no more than 5000m² and so the proposed site density will achieve the 1 to 2 dwellings per hectare expected of L3 zones.

Site coverage

12. Selwyn District Plan Township Rule 4.7.1 Table C4.1 concerning site coverage states for L3 that site coverage shall be the '*lesser of 10% or 500m²*'. I understand this rule will apply as any variation or amendment to it is not sought by the applicant.

Setbacks

13. 15m⁶ from road boundaries is sought (notwithstanding the 20m sought by LA18). There does not appear to be any amendment proposed by the applicant seeking to avoid structures (other than buildings) within the road setback. Amendment is sought to include a rule requiring the setback to be landscaped. It goes into considerable detail on how this might be achieved, which I will discuss more fully later.

Fencing

14. Required are fences to be essentially transparent subject to the typologies set out in the LA18 (Appendix 43) and Council's Rural Residential Strategy 2014. The applicant intends achieving this for boundary fences, but does introduce a variation allowing fencing within 10m of the side or rear of the principal building, but not within the road setback. I will discuss this in more detail when addressing the proposed amendments to the rules by the applicant.

⁵ 650 metres to the urban limits as shown in proposed Change 1 to the RPS

⁶ 20m in the LURP Action 18 (viii) – increased so as to compensate for the lack of landscaping controls

Street design

15. The applicant has requested that the '*Appendix 43⁷ Indicative Road Cross Section and Living 3 zone and Fencing Typologies*' be included as part of the rule package. If adopted this will deliver the desired outcomes, namely the avoidance of kerb & channel, street lights & formed sealed footpaths and prominent entry features. Consequently this will contribute significantly to the rural character of the plan change site.

Natural features

16. No natural features of any importance exist on site.

Heritage features

17. I understand from the application that there are no significant heritage features within the plan change site.

Integration

18. Integration via pedestrian and cycle linkages do not appear to be readily achievable, as it would be dependent on access via private land adjoining the ODP site. A future road link is shown on the ODP indicating that this may be possible in the future, thereby providing a potential connection to Prebbleton. Other than that there appears to be no real opportunity to provide integration, including that which might otherwise be achieved by blue / green networks. The only viable link to Prebbleton is via Trents Road where it may be possible to provide a pedestrian / cycleway pathway within the legal road.

Adverse visual effects

Regarding these, the statutory documents flag the potential for rural residential activity to adversely affect the character and amenity of those residing in rural areas by diminishing the contrast between rural and urban environments. LA18 also wants to avoid visual effects where rural residential activity adjoins strategic infrastructure, education and research facilities, but it is unclear if this is for the benefit of rural residents or users of the above facilities.

19. For rural residents their outlook will be changed should rural residential development take place on neighbouring land. The intervening roads and retained shelter belts should counter any such effects for those residing in the neighbouring rural zone. I accept however that further growth may occur at Prebbleton resulting in lost or diminished rural outlook for those currently living on the township's perimeter.
20. Concerning potential dilution of urban / rural contrast and diminished distinctiveness, there appears to be an element of this with this plan change proposal. This is because it is some 800 metres⁸ from the urban fringe of Prebbleton, although countering this effect is the presence of existing rural

⁷ Identified as Appendix 41 in the application and Appendix 43 in LA18 Assessment Matter Rules 12.1.4.88 and 12.1.1.89

⁸ 650 metres to the urban limits as shown in proposed Change 1 to the RPS

residential activity at Kingcraft Place. Because the plan site is well contained by adjoining roads and is in the company of like for like activity, the reduced contrast will not be particularly adverse.

Tangata Whenua

21. There is a requirement for Ngai Tahu / Te Taumutu Rununga values existing in the landscape of plan change sites to be protected, maintained or enhanced. As mentioned in the application no such values appear to currently exist within the site. Nonetheless, the Te Taumutu Rununga does express concerns that landscaping within the site does not appear to recognise these values. I discuss this in more detail when I address the submission.

Views

22. There is a requirement for significant views to the Port Hills to be recognised and provided for. A central cul de sac aligned east / west will provide clear views to the Port Hills subject to the presence or otherwise of street trees.

Other matters

23. As mentioned, site size, the number of lots and their layout can all affect the delivery of rural residential character and amenity. At 9.2 hectares the plan change site is relatively small. 16 lots which is sufficient to achieve an overall site density of no more than 2 dwellings per hectare. . Consequently the proposal is very modest in scale. In combination with all of the other factors listed and discussed above, the proposal will definitely achieve the character and amenity outcomes expected of a L3 zone.
24. Overall, the proposed plan change appears able to achieve virtually all of the statutory provisions (in their general intent and as they collectively appear in the various documents) where they concern landscape and visual amenity outcomes. The weakest aspect of the proposal is its generally poor integration with the surrounding environment. As discussed, it is acknowledged that this is difficult to achieve. Nonetheless, I am satisfied that the proposal will result in a high amenity low density rural residential environment that exhibits ample open space and vegetation in proportion to built form.

The applicant's landscape assessment

25. I generally concur with all aspects of the landscape assessment that accompanies the application. Included in the assessment is a detailed description of the site and its wider setting. From this it is concluded that while landscape character and the amenity derived from it is moderate there are no significant landscape, heritage, or cultural features that would impede rezoning. This accords with RPS policy 6.3.3(5) which requires in the preparation of ODPs identification of any significant cultural, natural or historic features.
26. Usefully the landscape assessment includes an analysis of most, but not quite all of the relevant statutory provisions including those proposed within former PC32. The latter describes desired outcomes for the L3 zones which are now outlined in

LA18 as identified above. It appears that the provisions of PC32 are the same as those adopted in LA18 and so the applicant's landscape assessment against the provisions of PC32 remains valid.

27. In the applicant's landscape assessment the landscape character and anticipated amenity arising from the proposed plan change is described. In summary, with accompanying commentary, it will comprise:

a. *A lot size average of no less than 0.5ha*

This will achieve the 1 to 2 household per hectare density required by the RPS⁹

b. *Maximum 10% site coverage*

Selwyn District Plan Township Rule 4.7.1 Table C4.1 concerning site coverage states for L3 that site coverage shall be the '*lesser of 10% or 500m²*'. I understand this rule will apply as any variation or amendment to it is not sought by the applicant.

c. *15m road setback to be kept clear of structures, included fences, screen planting or hedges.*

There does not appear to be any amendment proposed by the applicant seeking to avoid structures (other than buildings) within the road setback. Amendment is sought to include a rule requiring the setback to be landscaped. It goes into considerable detail on how this might be achieved, which I will discuss more fully later.

It should be noted that LA18 seeks a 20m setback which I understand counters the absence of any landscaping required by a rule. My observation of rural residential setbacks is that they are generally extensively landscaped without the need for any mandatory requirement to do so. Of equal importance, is the need to provide a sense of 'street scene' open space and in my opinion 15m is sufficient to achieve this.

d. *Fences to be of a rural type – that is, post and wire or rail or deer fence.*

A rule (4.2.3) is proposed requiring fences to be of the type recommended above. I agree that this rule is necessary.

e. *Street design to be open at ground level – that is; grass with trees.*

See commentary under item (f).

f. *No kerb and channel – swales instead.*

The applicant has requested that the '*Appendix 43¹⁰ Indicative Road Cross Section and Living 3 zone and Fencing Typologies*' be included. If adopted this will deliver the outcomes described above.

⁹ RPS Chapter 6 glossary & definitions

¹⁰ Identified as Appendix 41 in the application and Appendix 43 in LA18 Assessment Matter Rules 12.1.4.88 and 12.1.1.89

g. Rural style signage

No rules concerning signage are proposed by the applicant. LA18 does however contain under its subdivision assessment matters a rule¹¹ requiring consideration is given to the avoidance of '*...urban elements, such as street lights (except at intersections), formed kerb and channel, sealed footpaths, or prominent entrance features*'. I am assuming signage would form part of an entrance feature and would therefore be subject to the Council's discretion with a view to avoiding anything urban in character.

h. Abundant street trees

Apart from the retained perimeter trees shown on the ODP, no street trees are shown. This I would not expect on an ODP but would on a subdivision scheme plan. No rule is proposed providing for street tree planting, but a proposed assessment matter does allude to it which states: *The extent to which features that contribute to rural character, including open space and plantings, have been retained or enhanced.* This more or less reflects the aforementioned LA18 assessment matters, and in particular the street design cross section shown in Appendix 43. In my opinion it is certainly desirable to have street trees and other plantings, particularly with Te Taumutu Rununga submission in mind (to be discussed in more detail shortly). I also recommend that a further assessment matter is added that specifically seeks to ensure street trees and / or other appropriate plantings are provided.

i. Certain areas within lots subject to tree covenants requiring the retention and protection of trees while enabling the planting of others

No provision is made on the ODP or proposed rules enabling the above outcome. It is possible that it could make an appearance at the subdivision stage subject to the relevant assessment matters and in particular those within LA18 rule 12.1.4.90. Here the protection, maintenance and enhancement of (among other things) '*existing vegetation, such as shelter belts, hedgerows and habitats for indigenous fauna and flora*' is required to be considered in the design of L3 subdivisions.

j. An expectation that lots will be landscaped

This is a requirement of a proposed rule requiring the road frontage setback to be landscaped. The rule is quite prescriptive, particularly with regard to the recommended tree species it requires. In my opinion these are not absolutely necessary, and recommend later that this list be deleted. Nonetheless, it is desirable that trees are planted within the road setback, and if a rule requires it then that is not something I would discourage.

The ODP for this plan change shows that shelter belt trees will be retained. For the above reasons this may cause problems for future residents. Further, maintenance of the retained shelterbelts may prove erratic and inconsistent due to different land ownership. A shelterbelt by its very nature is a vegetative

¹¹ LA18 Rule 12.1.4.90

feature that exhibits a consistent appearance throughout its full extent. This is unlikely to occur where its extent involves multiple land ownership.

Panoramic views and possibly rural outlook may also be compromised by the presence of large scale vegetation, including shelterbelts. While statutorily these are considered desirable, they harbour the potential to cancel out other desired outcomes. Similarly shelterbelts may unacceptably diminish enjoyment for residents due to excessive shading and possibly safety issues – for example, wind throw risk.

k. The water race is to be naturalised as much as possible

I am not entirely sure if the water race lies within the plan site or the legal road reserve. While it is preferable to naturalise a water way such as a race, it may not be practical to do so in this case. This is because the water race may still perform an irrigation or stock water supply function, in addition to the question of ownership. Further, the race is an artificial feature rather than a natural one, and so there is no great imperative to enhance its natural character, especially if it only involves that section where it runs alongside the plan change site.

l. Trees are to be planted alongside the Shands Road noise attenuation mound

The ODP shows existing trees to be retained where they occur along the Shands Road frontage. There does not appear to be any additional provisions requiring trees along the frontage. In my opinion, retention of the existing trees will be sufficient to provide road side amenity without the need to provide additional planting.

m. Possible cycle / pedestrian link to Prebbleton along Trents Road

As discussed this would be desirable. Apart from its function it appears to be the only means of integrating the plan change site with Prebbleton. In so doing it will fulfil the aforementioned statutory requirements to provide integration. Whilst desirable, it is understood that the applicant is not proposing to provide this linkage, rather it is simply an opportunity that exists for Council to develop at some point in the future.

n. Other linkages to adjoining property

While desirable, at this stage there seems to be little opportunity or means enabling linkages to adjoining property, notwithstanding possible rezoning of land north of the plan change site. In anticipation of this the ODP indicates what is labelled a “Possible Future Road” linking the site to neighbouring property to the north. If this property is rezoned then an opportunity exists to link it, and by default, the PC 41 site with Prebbleton.

28. No other matters arise in the applicant’s landscape assessment that merit further comment. As referred to in the foregoing discussion, the applicant has proposed amendments to the District Plan provisions that are for the most part specific to the plan change site. Some of these amendments involve landscape matters, which I

address in the following discussion with direct reference to the proposed amendments.

The applicant's proposed District Plan amendments

29. I understand that the only amendment proposed by the applicant is to add 'Prebbleton' to an existing operative rule 4.2.2 requiring landscaping that was introduced via PC 8 & 9 at Rolleston. I also understand that the universal rule package proposed in the LURP does not seek to amend this rule, such that the rule will remain specific to just the PC 8 & 9 blocks at Rolleston rather than apply to the Living 3 zone generally.
30. Even though these rules are adopted by the applicant, some I think are unnecessary. In particular those parts of Rule 4.2.2 specifying certain tree species within the road setback¹² are too prescriptive and limiting. Many of the trees are inappropriate because the tree list includes species that are unsuitable for residential environments due to nuisance factors (eg; poplars sucker and have invasive roots; macrocarpa - Monterey cypress - are too big and dense; birch generate allergens; American sweet gum - Liquidambar sp - have a tendency to lose branches; pohutakawa – a coastal tree – are frost tender and are unlikely to survive). Further, such a rule will be difficult for the Council to administer, especially over long time periods. In my opinion, it is better for residents to select the trees they prefer so long as it fulfils the intent of rule 4.2.2(i) and (ii).¹³
31. The plant species rule also impedes recognition and inclusion of species that Te Taumutu Rununga promotes, namely locally sourced indigenous varieties. This I will discuss in more detail shortly.
32. Apart from this, and as addressed earlier, it is apparent that the proposed plan change will achieve the outcomes prescribed by the landscape relevant District Plan matters in addition to those in other statutory documents regarding the location, character and amenity of L3 zones.

¹² 4.2.2 (vi). *The list of suitable specimen trees for the purpose of this rule is:*

Maple, Silk Tree, Alder, Birch, River She Oak, Leyland Cypress, Monterey Cypress, Lacebark, American sweet gum, Magnolia, Pohutukawa, weeping Kowhai, Common Olive, Pine, Lemonwood, Kohuhu, Ribbonwood, Plane, Totara, Poplar, Oak, Elm, Michelia

¹³ 4.2.2 Any principal building shall be a permitted activity if:

- i. *That apart from one vehicle crossing and access not exceeding 100m² in area all land within the setback areas from roads as specified in Rule 4.9.31(i) and 4.9.34, excepting State Highway 1, will be devoted to landscaping; including the provision of at least one specimen tree capable of growing to at least 8m high being planted for every 10 metres of frontage and to be spaced at no less than 5 metres and no greater than 15 metres. The area between all road boundaries (other than with State Highway 1) and a line parallel to and 15m back from the road boundary is landscaped with shrubs and specimen trees covering as a minimum the lesser of 30% of the area or 250m²; and*

Submissions

33. One submitter - S4 -Te Taumutu Rununga - raises landscape and visual amenity concerns which are addressed by topic as follows.

Inappropriate landscaping

34. The Rununga seeks to replace the exotic plants listed in proposed rules 4.2.2 and 4.2.3 with indigenous species [D4.5]. Their reason given is to provide for biodiversity and mahinga kai.
35. Given that the statutory provisions discussed earlier seek recognition of Te Taumutu Rununga values then it would seem desirable to encourage the provision of indigenous plant species. The applicant has adopted as part of rule 4.2.2 (vi) what is considered suitable tree species to be planted in fulfilment of other parts of the rule. The list contains some indigenous species (Lacebark, Pohutakawa, weeping Kowhai, Lemonwood, Kohuhu, Ribbonwood and Totara). Not all are appropriate such as Pohutakawa which is not frost hardy enough to survive site conditions. Exotic tree species are also listed.
36. Despite the desirability of encouraging the establishment of indigenous species I do have reservations about entertaining such plant lists as part of a rule package. They are difficult to administer and enforce, particularly over long time spans and where land is in private ownership as opposed to trees in publicly vested parks or road reserves. My observation of rural residential environments is that people will generally landscape their properties extensively given the amount of land that is available. As a matter of faith we can be reasonably confident that this will happen, and so there really is no need for such a rule in my opinion. Future residents will be made aware of the need to have prepared a landscape plan in order to fulfil proposed Rule 4.2.2 (vii), and in so doing may be encouraged by the vendor to use appropriate indigenous tree species.
37. Apart from this the best opportunity for providing indigenous vegetation is in the public open space and / common areas – namely the streets and site perimeter – particularly within the sound attenuation setback alongside Shands Road. If blue networks existed then these too would be appropriate locations. So it is my recommendation that indigenous vegetation be planted in these areas, and that no restriction is placed on future residents other than to encourage or promote the planting of site appropriate indigenous vegetation, but not exclusively so. This matter is discussed further regarding the following concern outlined in the submission.

Landscape design

38. The Rununga also ask that consideration be given to landscape design that reflects *Ngai Tahu Subdivision and Development Guidelines* in the *Mahaanui Iwi Management Plan* [D4.9]. Regarding landscaping, these guidelines strongly promote the use of locally sourced indigenous vegetation. In particular it states under the “Landscaping and open space” heading, clause 73, that;

Indigenous biodiversity objectives to include provisions to use indigenous species for:

- (i) *Street trees*
- (ii) *Open space and reserves*
- (iii) *Native ground cover species for swales*
- (iv) *Stormwater management network, and*
- (v) *Home gardens*

39. As described in the Design Guidelines, restoration and enhancement of indigenous biodiversity is promoted as a principal reason for using native vegetation. This would not rule out the use of exotic plant species, suffice to say that a balance can be struck between these and the inclusion of indigenous plants. I have illustrated an example of this in the **Figure 1 photograph**.



Figure 1 *A mix of exotic and indigenous vegetation at Lincoln. Kowhai, harakeke (flax) and native rushes occupy the median swale with exotic trees located on the berms and roundabout.*

Recommended amendments

40. Arising from the rule package adopted in the plan change request is a number of landscape matters that prompt amendment, or more precisely; additions. These I list as follows:
- a) Added to Living 3 Zone Assessment Matters the following:

Whether street trees are provided with regard to the typology set out in Appendix 43¹⁴

- b) That the trees listed in Rule 4.2.2 (vi) listing desired tree species be deleted.
- c) That the trees required in fulfilment of Rule 4.2.2 (i) be no less than 1.8 metres high at the time of planting

Conclusion

- 41. Generally the proposed plan change and indicative subdivision layout fits well with what the relevant statutory documents expect of rural residential type activity. In particular the site sizes, at no less than 0.5ha average are entirely appropriate. The relatively small number of lots – approximately 16 in all – will be a factor that contributes significantly to the desired outcomes anticipated for a L3 environment. The rules managing building bulk and location along with those concerning fencing and landscaping will clearly be met also, thereby delivering the kind of openness expected of the zone.
- 42. The weakest aspect of the proposal is its general lack of integration with the surrounding environment. As mentioned, for the most part this appears difficult to achieve, currently at least, due to private ownership of neighbouring land. Otherwise an opportunity exists to provide a footpath / cycleway connecting the site with Prebbleton. In so doing, the statutory requirement to provide integration will be achieved, at least in part.
- 43. Regarding landscaping and the Rununga's concerns; it would seem that the appropriate time to address these are at the subdivision consent stage when more detailed design is developed – particularly in accordance with the relevant subdivision assessment matters.
- 44. Overall, when implemented the proposal will undoubtedly achieve the kind of character and amenity expected of the L3 zone. The site will exhibit suitable levels of transparency and openness dominated by vegetation. Further, the low number of lots in combination with their size will ensure residents will have a rural outlook or at least understand and appreciate that they live in a predominantly rural setting.

Andrew Craig *Landscape Architect*

September 2014

¹⁴ *LURP Action Point 18 (viii)*

Resource Management Act 1991

Proposed Plan Change 41 to the Selwyn District Plan

Technical Report on Utilities Matters

To: Hearings Panel

From: Liam Foster
Opus International Consultants

Date: 01 September 2014

This report has been prepared under Section 42A of the Resource Management Act 1991. The purpose of the report is to assist Selwyn District Council's Hearing Commissioners to evaluate and decide on submissions on provisions in Proposed Plan Change 41 to the partially operative Selwyn District Plan by providing expert advice on technical matters. This report should be read in conjunction with the planning officer's report and any other relevant reports identified.

1. Introduction

- 1.1. My name is Liam Alexander Foster. I am a Principal Environmental Consultant for Opus International Consultants Ltd (Opus). I have held this position for six months. I have been asked to prepare a report commenting on water, wastewater and stormwater servicing-related matters and associated submissions on Proposed Plan Change 41 (PC41) to the partially operative District Plan.
- 1.2. I am a Chartered Water and Environmental Manager and have been since 2007. I have a Masters of Science Degree.
- 1.3. Opus has been engaged by Selwyn District Council (SDC) to deliver a wide range of professional services pertaining to the management of the five Waters utilities assets since 2008. These have included preparation of the five Waters Asset Management Plan 2009, water supply masterplanning, and asset data collection and analysis. I have liaised with the relevant contacts internally who have taken significant roles in these and other projects, as well as consulted with the Utilities Asset Manager and Service Delivery team.

2. Background Information

- 2.1. The evidence provided is principally based on:
 - (i) PC41 Application taken from SDC website - http://www.selwyn.govt.nz/_data/assets/pdf_file/0004/114655/PC41-Full.pdf - 12th August 2014
 - (ii) Infrastructure Report (showing the three waters servicing reports). Taken from SDC website - http://www.selwyn.govt.nz/_data/assets/pdf_file/0006/114657/Appendix-A-Infrastructure.pdf - 12th August 2014
 - (iii) Water Supply Masterplan – Proposed Developments and Infrastructure Upgrade requirements for Prebbleton (September 2014)
 - (iv) Knowledge and experience within the Opus Christchurch team of SDC network and assets
 - (v) 5 Waters Activity Plan Part 2 – Management and Part 3 – Eastern Selwyn – January 2012

- (vi) Examination of plan records, and
 - (vii) Discussions with the SDC Utilities Team Leader and staff.
- 2.2. PC41 seeks to rezone 9.2 ha from Rural (Inner) Plains to Living 3 Zone in order to provide sixteen (16) rural residential lifestyle property subdivisions to meet with existing and expected demand for future accommodation needs from the surrounding area. The site is located to the northwest of the township to the northeast of the junction between Trents and Shands Roads, adjacent to existing Kingcraft Drive Existing Development Area zone.

3. Proposal

- 3.1. The development adjoins an Existing Development Area (EDA) 2a Zoning of the Prebbleton township and the proposal includes for re-zoning of approximately 9.2ha of Rural (Inner Plains) to Living 3 Zone, allowing for existing and future accommodation needs of residents of Greater Christchurch to be serviced.
- 3.2. As these requests seek rural residential zoning, they will be required to connect to existing three waters infrastructure and align with the sequencing of residential growth within the metropolitan urban limit.
- 3.3. The proposal for the DJ and SJ Anderson property will necessitate 'orphan' infrastructure that is an incremental increased burden on the existing community. The proposal will require water and wastewater connections. The proposal will also require the discharge of stormwater either on site or to a communal stormwater collection and disposal system.
- 3.4. The site is located outside of an existing serviced area.

4. Water Supply Servicing

Background to Prebbleton Water Supply

- 4.1. Prebbleton is serviced by a community drinking water supply. Groundwater is abstracted from three deep bores constructed between 1965 and 2003. The water does not require treatment.
- 4.2. New reticulation networks have been constructed to serve the new residential properties across recently subdivided areas. These networks have been amalgamated with the older Prebbleton network with amendments added to 'ring main' the township in 2003.
- 4.3. The 5Water Plan Part 3 report identifies that Prebbleton water supply has a very high

average yearly usage per property (200m³) and there have been historic issues identified with turbidity and a perception of low pressure among the community.

- 4.4. The water supply is currently constrained, predominately due to the high peak and average water demand per property and requires new supplies to facilitate foreseeable growth of Prebbleton within the current Prebbleton Structure Plan and additional requirements to service the Canterbury 'Land Use Recovery Plan' (LURP) areas.

Water Servicing

- 4.5. The take and use of groundwater water for community drinking water supply purposes is not considered a significant issue for the PC41 area. While there are constraints (eg demand management requirements including conservation water, effects on neighbouring wells etc), this type of water demand has been recognised as having high priority within the Canterbury Water Management Strategy.
- 4.6. The Land Use Recovery Programme (LURP) following the Canterbury earthquakes have placed increased pressure on providing land for development. This acceleration in land committal and development coming through the consenting process to market is rapidly eroding the water supply demand balance headroom within the reticulation network.
- 4.7. The rapid increase in development in recent years (and associated water supply demand) is reducing the security of supply for the current population towards unacceptable levels. As such, future growth aspirations for the township will require several phases of infrastructure upgrades to support the committed/potential growth and their associated fire flow requirements.
- 4.8. The proposal seek rural residential densities, requiring connection to the community network within the metropolitan urban limits of Prebbleton.
- 4.9. Water can be accessed from extending the current 150 mm diameter water main close to the south-eastern corner of the PC41 area on Trents Road.
- 4.10. SDC have currently identified a phased implementation for infrastructure provision to support this current and predicted growth across Prebbleton, through the supporting evidence (Water Supply Masterplan) for the draft Asset Management Plan for the period 2015 onwards.
- 4.11. A review of the Water Supply Masterplan shows that SDC's initial focus is on providing capital upgrades in the Blakes Road Corridor before 2016. Water servicing for development to the west and north west of Prebbleton (including this Plan Change) is currently identified to take place between 2016 and 2021.

- 4.12. In line with experience on recent rural residential subdivisions where it has shown that, water usage can be more significant on equivalent larger 'lifestyle' blocks (West Melton), SDC would seek that the PC41 development incorporate a 'restricted' water supply approach, thereby limiting the impact of the development on the wider community supply.
- 4.13. Water provision and water networks for the proposed Plan Change development present challenges, however the future service provision to support this development has been identified by SDC and included within future infrastructure plans. As such, water servicing does not therefore present a constraint on this Plan Change.

5. Wastewater Supply Servicing

Background to Prebbleton Wastewater

- 5.1. A community wastewater collection and disposal system was constructed in the 1960s. In response to the planned growth of the area, the Eastern Selwyn Sewerage Scheme (ESSS) was prepared and constructed in recent years. Additional Wastewater treatment capacity was developed at the Pines Wastewater Treatment Works (WwTW) near Rolleston to account for the current and future population growth. The sewerage infrastructure was also amended to reroute the network to discharge to the Pines WwTW. This replaced the previous arrangement of pumping Prebbleton wastewater into the Christchurch City Council network from the Springs Road PS.
- 5.2. The township reticulation currently is gravity mains to a Terminal pump station on Springs Road. Several smaller pump stations serve the township network and take wastewater from within different catchments to the Springs Road Terminal PS.
- 5.3. The Prebbleton Terminal PS will require upgrading to accommodate wastewater from the wider Prebbleton development area as part of the East Selwyn Sewerage Scheme, including those included in the Prebbleton Structure Plan and Plan Change 7. The ESSS proposes the construction of a new terminal Pump Station in Prebbleton sized appropriately to take the flow as the area grows.
- 5.4. The Prebbleton Terminal PS (existing or proposed) then pumps the wastewater across to Lincoln to connect with the Lincoln Terminal PS, south of Lincoln to the site of the previous Lincoln Oxidation Pond site. This pumping station (Allandale Lane PS) conveys the wastewater to Rolleston for treatment and disposal.
- 5.5. The Lincoln Terminal PS has been designed to accommodate wastewater from the wider Lincoln development area as part of the East Selwyn Sewerage Scheme, and that of the Prebbleton proposed growth.

Wastewater Servicing

- 5.6. Provision for wastewater disposal is proposed by way of connecting a public/private low-pressure system. Individual lot pump stations and infrastructure on private property would remain the responsibility of the property owner(s). These would then connect to a small diameter, shallow pressure pipe network within the road reserve (owned and maintained by SDC) which would lift flow to connect with the Trents Road PS to the north of the junction of Trices and Birches Road. This would then flow through the Prebbleton township network.
- 5.7. Design wastewater flows have been calculated using the SDC Engineering Code of Practice, predicting Average Sewerage Flows of $9.5 \text{ m}^3/\text{day}$ with a Maximum Sewage Flow of 0.55 l/s . This increase in wastewater load should be small relative to the design load for the downstream receiving collection network and pump station.
- 5.8. The East Selwyn Wastewater Master Planning (ESWMP) documents identify the likely future infrastructural requirements to service the growth in Prebbleton. The documents identify that it is likely that this development would connect into a new pump Station (West PS) proposed in the area of the junction of Springs and Trices Roads. From here, the wastewater would be pumped to Prebbleton's Terminal PS and then in turn lifted to Lincoln for transfer across the Pines WwTW near Rolleston for treatment.
- 5.9. The ESWMP identifies that there are several areas of concern within the current wastewater network downstream; however no wastewater network model exists. The impacts of this level of wastewater load are likely to be insignificant from this individual development alone. SDC are currently investigating the cumulative impact of ongoing and consented developments, which could require a need for network wide capacity improvements through to the Terminal PS. It is advised that the developer liaise with SDC to understand the impacts and specific requirements during the future subdivision consenting process.
- 5.10. Any increase in wastewater load will be insignificant relative to the design load for the Pines WwTW and can be accommodated without adverse effect.
- 5.11. Wastewater networks and disposal for the proposed Plan Change development does not therefore present a constraint on this Plan Change.

6. Stormwater Supply Servicing

Background to Prebbleton Stormwater

- 6.1. Stormwater runoff in the Prebbleton area is served by a combination of reticulated network, natural systems and discharge to ground largely dictated by ground conditions. The Prebbleton township is bisected by Dawsons/Knights Creek. The older parts of the network are predominantly piped with surface and ground discharges with little to no pre-treatment. Newer developments within Prebbleton typically include stormwater basins for treatment before disposal to ground.
- 6.2. An Integrated Surface Water Management Plan has not yet been prepared for the township and it is likely that a series of consents held by developers are currently yet to be transferred to Council.

Stormwater Servicing

- 6.3. Council's current position regarding stormwater management is that the applicant will, as appropriate, obtain consent from the Canterbury Regional Council for construction phase discharge and the operational phase discharge that involve the ongoing control of treatment and disposal of stormwater.
- 6.4. Council will on provision of appropriate evidence consider transfer of any consents to it for management.
- 6.5. Treatment via vegetated swales and first flush dry basins and ground infiltration systems are utilised in Prebbleton. This recognises the expected free draining characteristics of the PC41 area. Given the porous ground conditions and relatively large lots proposed in the Plan Change, I would anticipate that stormwater from individual sites will be disposed of to ground on-site, without the need for a community retention basin and drainage network. Road runoff would likewise be disposed of to ground via properly engineered, vegetated swales immediately adjacent to the formed carriageway.
- 6.6. Stormwater management and disposal does not therefore present a constraint on this Plan Change.

7. Conclusions

7.1. In conclusion, it is my opinion that:

- (a) PC41 necessitates 'orphan' water and wastewater services infrastructure, which would result in increased costs of operation, maintenance and renewal over the asset life compared with accommodating the same number of households within the metropolitan urban limits. Large rural residential developments do not therefore generally result in an efficient servicing network when compared to the consolidated and coordinated management of residential growth.
- (b) Council accepts low pressure sewerage systems and would have no concerns in owning and maintaining the pressure pipe within the public road reserve. The council would expect that pump station and any infrastructure on private property would remain the responsibility of the property owner(s).
- (c) The metropolitan water supply currently does not have sufficient capacity or pressure to meet the demand of predicted growth across Prebbleton and will require improvements led by the council. Options are available for delivering the water supply requirements to support PC41, which necessitate further refinement during the Subdivision Consenting Process, as well as discussion and agreement with SDC as to the approach and phasing to support the timescale aspirations.
- (d) SDC would seek for the provision of a restricted water supply approach to help mitigate the potential impacts of unrestricted large residential development lot size on water demand.
- (e) The wastewater reticulation and pumping station network within Prebbleton is likely to have the sufficient capacity to meet the demand of predicted growth in the PC41 area, following proposed improvements led by the council for the ESSS. The timing and infrastructural requirements for growth of Prebbleton are currently being assessed.
- (f) There is expected to be sufficient capacity within the consented and proposed community wastewater treatment plants to accommodate the growth anticipated. Design and construction work for the expanded treatment and disposal at the "Pines II" WwTW is largely complete.
- (g) Stormwater treatment and disposal is readily available to ground, providing Canterbury Regional Council consent conditions are met.
- (h) Resource consent conditions and Regional Council controls on the discharge of stormwater to ground are in place to protect the quality of groundwater.
- (i) The matters raised by submitters pertaining to the provision of utilities infrastructure

have been adequately addressed.

- (j) Provision of 16 lots of rural residential development, as would be permitted by proposed Plan Change 41, to the existing water and waste water infrastructure would be appropriate and subject to agreement with SDC over ongoing 'headworks' to help fund the community infrastructure required to help service the proposals
- (k) Following agreement with SDC over subdivision servicing, it is envisaged that there would be no adverse effects on the efficient and cost effective provision of such infrastructure and utility services.

Liam Foster

Principal Environmental Consultant

Opus International Consultants Ltd

IN THE MATTER of the Resource Management
Act 1991

AND

IN THE MATTER of Private Plan Change 41
(Shands and Trents Roads) to
the Selwyn District Plan

STATEMENT OF EVIDENCE OF ANDREW DAVID CARR

1. INTRODUCTION

Qualifications and Experience

- 1.1 My full name is Andrew (Andy) David Carr.
- 1.2 I am a Chartered Professional Engineer, an International Professional Engineer (New Zealand section of the register) and an Associate Member of the New Zealand Planning Institute. I hold a Masters degree in Transport Engineering and Operations and also a Masters degree in Business Administration.
- 1.3 I have 25 years' experience in traffic engineering, over which time I have been responsible for investigating and evaluating the traffic and transportation impacts of a wide range of land use developments, both in New Zealand and the United Kingdom. I am currently a member of the national committee of the Resource Management Law Association and the immediate past Chair of the Canterbury branch of the organisation.
- 1.4 I am presently a director of Carriageway Consulting Ltd, a specialist traffic engineering and transport planning consultancy which I founded in early 2014. My role primarily involves undertaking and reviewing traffic analyses for both resource consent applications and proposed plan changes for a variety of different development types, for both local authorities and private organisations. I have also acted as a hearings commissioner for Greater Wellington Regional Council, Ashburton District Council, Waimakariri District Council and Christchurch City Council.
- 1.5 Prior to forming Carriageway Consulting Ltd I was employed by Abley Transportation Consultants Ltd as an Associate Principal, and before this, I was a Senior Associate with the firm of Traffic Design Group Ltd where I was the Branch Manager of the Christchurch office.
- 1.6 I have extensive experience in assessing the traffic and transportation effects of proposed plan changes to facilitate new development. Within Christchurch, this includes providing advice for plan changes 22 (Styx Centre) and 30 (Prestons Road Limited), and within the

Waimakariri District, plan changes 11 and 12 (Ruby Views), 14 and 15 (Silverstream Estates Ltd) and 17 (Ohoka), as well as proposed plan change 23 (Swannanoa Road, Fernside). Within Selwyn District my experience includes assessing the effects of plan changes 24 (Silverstream Estates, Darfield) and 25 (Porters Ski Area). I also have expertise in carrying out independent peer reviews of plan changes, including assessing plan changes 18 (Oxford Road, Rangiora), 20 (Smith Street, Kaiapoi) and 22 (McHughs Road, Mandeville) for Waimakariri District Council.

- 1.7 Although this is a Council hearing, I have read the Environment Court's Code of Conduct for expert witnesses (November 2011) and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this statement of evidence are within my area of expertise except where I state I am relying on what I have been told by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Scope of Evidence

- 1.8 In this matter, I have been asked by Selwyn District Council to assess the transportation-related effects of Private Plan Change 41 (Shands and Trents Roads) to the Selwyn District Plan. For clarity, I was not involved in the plan change or in any discussions between the plan change proponents and the Council, prior to being asked to prepare this Statement of Evidence.
- 1.9 I have reviewed and evaluated the documentation accompanying the plan change request which includes a description of the traffic environment prepared by consultants Davie Lovell-Smith Limited, and the first part of my evidence sets out my assessment of their analyses and conclusions. Unusually, the plan change request does not include a detailed Transportation Assessment Report and so my assessment is based on the relevant information included in the main plan change request documentation.

1.10 I have also read and considered each of the submissions received on the plan change request, and evaluated whether I am able to support the matters raised, and this is set out in the second part of my evidence. Finally, I conclude my evidence with a brief summary of my recommendations.

1.11 In preparing my evidence I have:

- (a) Visited the site and surrounding road network during August 2014;
- (b) Reviewed the plan change request as lodged, particularly the traffic-related matters included on pages 14 to 17 of the application;
- (c) Read all submissions received on the plan change request; and
- (d) Where relevant, referred to other information that I have sourced which is pertinent to consideration of the transport-related aspects of the plan change request.

2. REVIEW OF TRAFFIC MATTERS SET OUT IN PLAN CHANGE REQUEST

Prevailing Road Environment

2.1 The traffic-related information that is set out within the plan change request is somewhat limited in scope, with little description of the physical characteristics of the prevailing roading environment. It is therefore difficult to have certainty in respect of the (roading-related) receiving environment for the plan change request. That said, the report sets out that traffic flows on the adjacent roading network are comparatively light (in the order of 6,200 vehicles per day on Shands Road, and up to 800 vehicles per day on Trents Road). In my experience, these traffic volumes can be accommodated within a typical rural road cross-section such as I observed when visiting the site.

- 2.2 The plan change request also discusses changes to the area that are expected to occur as a result of the Christchurch Southern Motorway Stage 2 (CSM2). The report notes that Shands Road north of Prebbleton will experience an increase in traffic flow of 1,250 vehicles per day and that Trents Road to the east of Main South Road will experience a reduction of 1,000 vehicles per day, although it is not clear which year these flows relate to nor of what reduction in traffic flow can be expected on Trents Road adjacent to the site. However this lack of clarity is not material in my view to consideration of the traffic effects of the plan change request, as I discuss further below.

Traffic Generation of the Proposal

- 2.3 The plan change request sets out that if approved, up to 17 allotments could be created. An assessment is included of the likely traffic generation associated with this, adopting a rate of 8 vehicle movements per day per dwelling which is noted to be a “*high end estimate*”. I agree with this view and in my experience for rural residential dwellings such as proposed, a lower traffic generation rate of 6 vehicle movements per day per dwelling could be anticipated.
- 2.4 However it is not the daily traffic flows that are the primary determinant of the levels of service provided by the transportation networks, but the flows that arise during the peak hours. There is no mention of hourly flows within the documentation, and therefore no information is provided regarding the effects of development of the plan change area at the times when the road network is under the most pressure. In my experience however, a traffic generation rate of 1 vehicle movement per dwelling in the peak hours can be expected, meaning that the 17 allotments which could be created would generate 17 vehicle movements at those times (equivalent to one movement every 3.5 minutes).

Effects on Road Network

- 2.5 Despite having identified that changes to traffic flows are likely as a result of CSM2, the plan change request does not explicitly include those changes within any analysis but rather, relies upon the

modelling that has been carried out for CSM2. The argument advanced is that with CSM2 in place, the modelling shows Level of Service E is provided at the Trents Road / Shands Road intersection and that this is unlikely to be affected by traffic associated with the site.

- 2.6 No analysis has been presented to justify this conclusion, since the level of service relates to peak period performance and the plan change request does not refer to peak periods. That said, based on my consideration of the peak hour traffic generation, the addition of one vehicle movement every 3.5 minutes means that changes in queues and delays will be negligible and in my view, are unlikely to be noticeable to passing drivers in practice. I therefore agree with the statement made concerning the (lack of) change in the level of service, even if all traffic associated with the plan change are was to pass through the Trents Road / Shands Road intersection.
- 2.7 One advantage of using the modelling carried out for CSM2 is that it not only takes into account the proposed road scheme but also the changes in land use that are anticipated to take place in future. There is therefore an element of 'future-proofing' in the analysis through adopting this approach. It also means that although the changes on the roading network arising from CSM2 are not specifically described in the plan change request, the resultant traffic volumes will have been used in the analysis.

Road Safety Effects

- 2.8 No description is provided within the report of any road safety matters, such as the recent history of reported crashes or any common contributing factors. This information would have been helpful in order to assess whether the traffic associated with the proposed plan change will give rise to or exacerbate any road safety issues. Again though, I consider that the low traffic volumes that are likely to be generated following full development of the plan change area mean that adverse safety effects are unlikely to arise. Given that Trents Road is flat and straight, I also expect that relevant sight distance requirements will be met at the new access intersection.

Proposed Outline Development Plan (ODP)

- 2.9 The plan change request includes an Outline Development Plan (ODP) which shows an access to serve the site being located on Trents Road approximately 300m from the Trents Road / Shands Road intersection and 125m from a private property access towards the northwest. This then leads to an internal road network with a road entering the site for about 150m running perpendicular to Trents Road, then turning towards the northwest to run parallel with Trents Road for a further 215m. A continuation of the perpendicular road is shown as far as the northern site boundary. The plan change request notes that “*most*” of the new allotments will be accessed from the internal road.
- 2.10 The plan change request stresses the importance of the future link towards the north as a means of providing for future roading and pedestrian/cycle links and facilitating any future development towards the north, and potentially providing a link through to Blakes Road towards the north in due course. It is noted that such an outcome would mean that residents of the area would not need to use Shands Road to access the various community facilities on Blakes Road, but could use the new link instead. I agree that this link is important, and that it should therefore be included on the ODP. I note though that it is described on the ODP as being a “*possible future road*” which I do not consider gives sufficient certainty to the outcomes sought. In my view the word “*possible*” should be deleted to make it clear that the provision of the road link is not optional (this matter is also addressed by a submitter).
- 2.11 The plan change request notes that the internal roads are likely to function as Local Roads within the roading hierarchy, and I agree with this assertion. I understand that the proposed road reserve width of 19m has been proposed following discussions with Selwyn District Council, and reflects a roading cross-section for rural residential development that is proposed to be included by the Council in the District Plan via Land Use Recovery Plan Action 18.

- 2.12 If for any reason this insertion was not successful, the proposed road reserve width may exceed the District Plan requirements depending on the classification of the road as Local-Major, Local-Intermediate or Local-Minor (District Plan Rule E.13.3.1). However I anticipate that if the roads are not constructed to the Council's requirements for carriageway width, footpaths and the like, any deviations from the District Plan rules will be considered when any land-use or subdivision application is made.
- 2.13 As it is expected to be vested in Council, the internal network cannot be considered as an 'access' but is instead a 'road' and is therefore subject to the requirements for intersection spacing set out in the District Plan (Rule E13.3.2). As the speed limit of Trents Road is 100km/h, an 800m separation is required between the site access intersection and the Trents Road / Shands Road intersection but this is not achieved. Further, the plan change provisions do not seek an exemption from this rule.
- 2.14 The rule permits the intersection spacing to take account of any "*proposed (future) speed limit*" but in this case, I am not aware of any such proposal and while it may be signalled as being possible, the setting of speed limits lies outside the scope of the Resource Management Act. It therefore cannot be relied upon as a mitigation measure.
- 2.15 Consequently I consider that there is therefore a tension between the ODP provisions showing the location of the site access intersection and the intersection separation requirements of the District Plan.
- 2.16 I note that the separation provided is sufficient for a posted speed limit of 90km/h under this rule. Although I have not carried out any speed surveys, having driven along the road several times I consider that the prevailing vehicle speed is likely to be lower than the permitted 100km/h due to the presence of the Trents Road / Shands Road intersection which requires traffic to slow to negotiate the geometry. Further, most users of Trents Road are likely to be highly familiar with the layout, sight distances will be excellent due to the alignment of the road, and traffic flows on the road are comparatively

low. I therefore consider that there would be little risk to road safety by having a reduced separation distance in this case.

- 2.17 The access formation and detailed design is a matter that will need to be dealt with when a land use or subdivision application is made. For the purposes of this plan change however, I am confident that there are design solutions which mean that the access intersection will operate safely and effectively, at the location proposed in the ODP.
- 2.18 I also note that if the roads within the site are subject to a speed limit greater than 60km/h then the separation between the internal intersection (where the future roading link meets the proposed road) and the access intersection will also not meet the District Plan requirements, and will require further consideration in the land use or subdivision application.
- 2.19 No further transportation linkages are shown on the ODP and having considered the layout, I agree with this approach. There is little benefit, in my view, of creating any linkage towards the driveway to the east of the plan change area because the pattern of development to the immediate east precludes any further extension of this.
- 2.20 Although it would be possible to extend the internal layout to form a new access (or accesses) towards the west onto Shands Road, I do not consider that in practice this would have any significant benefit in terms of travel times or convenience, but it would introduce turning movements onto a high speed road and thus slightly elevate the road safety risk. It would also form a break in the acoustic barrier and I understand that this could increase noise levels within the site. I note that the ODP includes a specific notation that no direct accesses are to have direct access onto Shands Road, and I agree with this approach.
- 2.21 Although the plan change request envisages that “*most*” allotments would have access onto the internal road network, it is also stated that the development of the site could create the potential for reducing the current speed limit on Trents Road. In my experience, one important facet of being able to reduce the speed limit is the

number of private driveways and thus having access mainly via the internal road network would be counter-productive. That said, I note that the ODP and plan change provisions do not preclude direct accesses onto Trents Road, and so this is a matter that could be considered further when a land use or subdivision application is made.

Other Matters

- 2.22 The plan change request does not set out any detailed design for the proposed access intersection on Trents Road. In my experience this approach is not uncommon for a plan change request, and intersection designs are generally produced at the time that the land use and/or subdivision applications are made. Rather, for the purposes of a plan change, in my view it is sufficient to demonstrate that there are no impediments to providing suitable forms of intersection.
- 2.23 Table 6.1 of the Austroads Guide to Traffic Management, Part 3 (Traffic Studies and Analysis) provides guidelines regarding the need for detailed traffic analyses at priority intersections. The following table summarises traffic volumes below which detailed analyses of such an intersection are not necessary, according to the Guide.

Table 1: Extract from Austroads Guide to Traffic Management Part 3

Major Road Type	Major Road Traffic Volume (veh per hour)	Minor Road Traffic Volume (veh per hour)
Two lane road	400	250
	500	200
	600	100

- 2.24 On the basis of the expected traffic flows associated with development of the site and the flows on Trents Road, the thresholds above would not be exceeded and so in my view a priority intersection will provide a high level of service. Given that Trents Road is flat and straight, and that the road reserve is 20m wide, I do not envisage that there will be any difficulties in achieving an access

intersection design that meets current geometric standards and sight distance requirements.

Walking and Cycling

- 2.25 The plan change request notes that Trents Road has a verge on both sides which enables walking through to Springs Road, and highlights that there would be benefits for all residents of the area if a footpath could be created within the northern verge (of Trents Road). I note though that the plan change area is some 2km from Prebbleton town centre, whereas surveys of walking show that the typical distance travelled by a pedestrian is rarely more than 1km. This highlights a particular characteristic of rural residential development, namely that by definition it almost invariably occurs on the fringes of townships and thus the distances involved are often not conducive for walking as a viable mode of transport to reach key destinations. I consider that a footpath may benefit local recreational journeys but there is likely to be only a very small number of trips made on foot to the town centre. Further, the limited number of allotments that could be created by the proposed rezoning would not in my view give rise to the need to provide such a footpath.
- 2.26 Cycling trips are generally longer than walking trips, at 3km and thus the town centre is within a viable travel distance. Again though, the number of trips is likely to be low due to the limited number of allotments that could be created and insufficient in my view to justify any particular provision of infrastructure.
- 2.27 From a practical viewpoint, the connectivity of a site is important for non-motorised road users because they dislike increased journey distances that are associated with 'doubling back' on themselves. Thus I consider that the potential link towards the northern boundary of the plan change area provides an important alternative access route for these road users.

Amendments to the District Plan

- 2.28 No amendments are proposed to the transportation-related rules of the District Plan within the plan change provisions. As noted above

however, there will be at least one non-compliance with the required intersection spacing which will require addressing through the land use or subdivision application in due course.

Reference to Statutory Documents

- 2.29 The plan change request sets out an assessment of the site against the Regional Policy Statement (RPS) but does not specifically refer to the transportation-related matters set out in that document. However I understand that the plan change area has been identified in the Rural Residential Strategy 2014 developed under the Local Government Act and in response to the requirements set out in Policy 6.3.9 to the RPS introduced via the Land Use Recovery Plan as being appropriate for the type of development proposed. I consider that as part of that process, the degree to which the site achieves the outcomes sought by the RPS, including the transportation-related outcomes, will have been taken into account. Accordingly, in this particular instance, I do not consider that the omission of the transportation-related parts of the RPS from the plan change request is material.

Summary / Conclusions

- 2.30 Based on my review of the information provided, I consider that the plan change request will have only negligible effects on the efficiency and safety of the adjacent roading networks. Although there is a tension between the ODP access location and the District Plan rules for intersection spacing, I consider that there are no reasons why the access location shown in the ODP could not operate safely and efficiently, although this will need to be considered in detail in the land use or subdivision application.

3. SUBMISSIONS

- 3.1 I have read all four of the submissions received on the plan change and two refer to transportation matters. I address each of these below.
- 3.2 One submission (DJ and SJ Anderson, the plan change proponents) supports the plan change, highlighting the connectivity towards the

north that can be created. While I agree with this, I note that in my view the proposed ODP does not presently provide sufficiently certainty that this link will be formed and so I have suggested an amendment to the wording to address this.

- 3.3 Another submission (M Stratford) is generally supportive of the plan change request and again highlights the importance of the road link to the north of the site. However the situation is described as having some “*uncertainties*” over the status of the road link. This is because, according to the submitter, while the link between the main internal road and the boundary towards the northeast is to be vested as road reserve, there would be no provision of legal access unless the road was constructed.
- 3.4 While the legal mechanisms associated with this section of road are not within my expertise, from a transportation viewpoint I reiterate that the provision of such a link would in my view be beneficial, and the positive outcomes have also been described by the plan change proponents. Accordingly, I remain of the view that the ability to form a roading link in the position shown should be secured through the plan change provisions and that the wording of the ODP should be amended to reflect this.

4. **CONCLUSION**

- 4.1 Based on my review of the information provided, I consider that the plan change request will have only negligible effects on the efficiency and safety of the adjacent roading networks.
- 4.2 I have highlighted a tension between the access location shown in the ODP and the requirements of the District Plan for intersection spacing. This will require resolution when the land use or subdivision application is made, but in my view, there are design solutions available which will result in a safe and efficient site access, at the location shown in the ODP.
- 4.3 I recommend that the wording of the ODP is amended to give greater certainty to the linkage between the internal road network and sites

towards the north. The plan change proponents highlight the benefits of such a link, as does one submitter (Mr Stratford) and from a transportation perspective I agree that the provision of this link will be beneficial. In my view, the ability for it to be provided should therefore be secured through the plan change provisions.

- 4.4 Overall, and subject to the matters above, I do not consider that there are any traffic and transportation issues which would preclude Private Plan Change 41 (Shands and Trents Roads) from being recommended for approval.

Andy Carr

September 2014

Proposed Amendments to the Selwyn District Plan

Township Volume

Land Use Recovery Plan

Action 18 (viii)

Make any changes or variations to objectives, policies and methods to the District Plan that are appropriate to enable and support recovery and rebuilding in accordance with the Land Use Recovery Plan.

AMENDMENT 1 Delete the 2nd issue on A1.5 Cross-boundary issues in the Selwyn District listed in Part A Table A1.1 and add new text for the 2nd issue to read as follows:

Issues Effects on “rural character” of small allotments on the boundary with Christchurch and the management of rural residential growth

Local Authorities CCC, WDC, NZTA and EC

Methods Consistent provisions in plans for residential density in the District and rural residential densities in the Greater Christchurch area subject to Chapter 6 of the Canterbury Regional Policy Statement.

AMENDMENT 2 Delete the Living 3 zone Description in Table A4.4 - Description of Township Zones in Part A and add new text to read as follows:

Living 3 As for Living 2 zone, but with specific controls and design elements incorporated to ensure development of the land is reflective of and retains elements of rural character expected of the Living 3 zone, which in essence is a rural residential zone, so as to visually set the development apart from the neighbouring urban area. Similar to the Living 2 zone, larger sections (with a lower building density than Living 2), more space between dwellings, panoramic views and rural outlook and/or rural shelterbelts are characteristic of the Living 3 Zone. To achieve this anticipated character and amenity, the Living 3 Zone forms part of existing townships in the form of a peri-urban edge. This proximity promotes the integrated and cost effective provision of infrastructure and reduces adverse effects associated with energy consumption and transportation, while enabling residents to take advantage of nearby community facilities, employment opportunities, social interaction and public services. Strongly developed linkages are encouraged to facilitate connectivity and interaction between the Living 3 Zone and the adjoining urban area. The retention of typically rural features and views to adjoining rural areas are required in subdivision design, along with avoiding visually impermeable fencing. Where appropriate, the provision of kerb and channel, sealed footpaths, and street lighting does not have to be provided, in keeping with a rural-residential character. Subdivision plans should also include the protection, maintenance and enhancement of natural and historic features and Te Taumutu Rununga and Ngai Tahu values that achieve amenity benefits to residents, while securing ecological, cultural and conservation benefits. The land uses anticipated for the Living 3 Zone remain predominantly residential in nature and are integrated into Townships, with there being sufficient open space and land available to support large gardens, wood lots, orchards, small scale cropping and/or horticulture, the keeping of animals as pets and other semi-rural activities. The location of Living 3 Zone rural residential activities is restricted to the Greater Christchurch area of the District that is subject to Chapter 6 of the Canterbury Regional Policy Statement. Locations are limited to those that are identified in the adopted Rural Residential Strategy 2014, which facilitates some rural residential development where it does not undermine the consolidated growth of Townships or the sustainable management of the rural environment.

AMENDMENT 3 Delete the 8th paragraph of the Use of Zones section of the Description of Township Zones in Part A and add new text to read as follows:

As with higher density residential areas, rural residential development is provided for through the Rural Residential Strategy, the Living 3 Zone and Chapter 6 of the Canterbury Regional Policy Statement. Accordingly, the District Plan specifically provides for rural residential opportunities as has long been the case in Selwyn District. Rural residential activities are anticipated in locations identified in the adopted Rural Residential Strategy 2014 that adjoin established townships to encourage energy conservation, cost effective provision of infrastructure and convenient access to the amenity, services, employment and social opportunities provided in townships. The intensification of rural land to Living 3 Zone densities is expected to be through a comprehensive plan change process that includes the adopted Selwyn District Council Rural Residential Strategy’s consultation process to manage rural residential development in a way that prevents inefficiencies in the provision of infrastructure and services, loss of rural character and adverse reverse sensitivity effects, ensures effective linkages to the adjoining township and protection of Te Taumutu Rununga and Ngai Tahu values, and ensures that any site specific constraints can be overcome.

AMENDMENT 4 Add a 2nd and 3rd bullet points to the Quality of the Environment and Amenity Values section of the Strategy in Part B to read as follows:

- The Living 3 Zone is distinctly different to the Living Z. 1 and 2 Zones as it must be located within the Greater Christchurch area of the District covered by Chapter 6 of the Canterbury Regional Policy Statement and in locations identified in the adopted Rural Residential Strategy 2014. Development within the Living 3 Zone must integrate with adjoining Townships and display a distinctly rural residential character, form and function and protect and enhance the quality of the environment including the 'Critical Outcomes' Location Criteria in the adopted Selwyn District Council Rural Residential Strategy 2014.
- The Objectives, Policies and Rules manage the establishment of rural residential activities in terms of their proximity to land used for primary production and other strategic and nationally important facilities operating within the eastern area of the District, such as agricultural research farms and tertiary education facilities associated with Crown Research Institutes and Lincoln University.

AMENDMENT 5 Add a new Objective B3.4.6 in the Quality of Environment section in Part B The District Plan to read as follows:

Objective B3.4.6

Within the Greater Christchurch area covered by Chapter 6 to the Canterbury Regional Policy Statement, to provide for rural residential development only in the locations identified in the adopted Selwyn District Council Rural Residential Strategy 2014.

AMENDMENT 6 Add a new Policy B3.4.4 and consequential renumbering in the Quality of Environment section in Part B The District Plan to read as follows:

Policy B3.4.4 (a)

To provide for rural residential living environments through the Living 3 Zone. Where new Living 3 Zone areas are proposed, these are to be in locations identified in the adopted Selwyn District Council Rural Residential Strategy 2014 and developed in a manner that:

- Is in accordance with an Outline Development Plan contained within the District Plan that sets out the key features, household density, infrastructure servicing and methods to integrate the rural residential area with the adjoining Township;
- Facilitates the provision of housing choice and diverse living environments outside of the greenfield residential priority areas shown in the Canterbury Regional Policy Statement;
- Ensures that rural residential development only occurs where it is located adjacent to a township in order to achieve a consolidated pattern of urban growth;
- Ensure that rural residential development is able to effectively connect to reticulated wastewater and water services (including the provision of a fire fighting water supply to the standards set out in SNZ PAS 4509:2008; either as provided within the reticulated system, or as supplementary on-site storage);
- Integrates with existing townships through the provision of efficient linkages and provides for a choice of travel modes;
- Avoids significant adverse landscape and visual effects on rural character and amenity and retains the distinctiveness between rural and urban environments;
- Avoids development in areas where natural hazard risk or ground contamination cannot be adequately managed;
- Avoids adverse effects on sites of significance and values to Te Taumutu Rununga and Ngai Tahu;
- Avoids adverse effects on the safe and efficient functioning of the arterial road network;
- Avoid significant reverse sensitivity effects with strategic infrastructure, including State Highways, quarrying activities, Christchurch International Airport, Transpower high voltage transmission lines and associated infrastructure, Burnham Military Camp and the operational capacity of the West Melton Military Training Area.

Council's Rolleston Resource Recovery Park and wastewater treatments plants in Rolleston and Lincoln, education facilities, and tertiary education facilities and agricultural research farms associated with Crown Research Institutes and Lincoln University.

Policy B3.4.4 (b)

Rural residential living environments are to deliver the following amenity outcomes and levels of service:

- Appropriate subdivision layouts and household numbers that allow easy and safe movement through and between neighbourhoods, and which in terms of their scale, density and built form achieves a degree of openness and rural character;
- Avoids the provision of public reserves, parks and peripheral walkways unless required to secure access to significant open space opportunities that benefit the wider community, assist in integrating the development area with adjoining urban development, or where located in an urban growth path where future intensification is likely;
- Avoids suburban forms of services such as kerb and channel road treatments, paved footpaths, large entrance features, ornate street furniture and street lighting (unless at intersections);
- Provides fencing that is reflective of a rural vernacular, in particular fencing that is transparent in construction or comprised of shelter belts and hedging (see Appendix 43 for examples of such fencing).

Policy B3.4.4 (c)

Rural residential areas in the adopted Selwyn District Council Rural Residential Strategy 2014 that are located within a township urban growth path identified in an adopted structure plan shall only be rezoned and developed for rural residential activities where robust methods are established to ensure that future comprehensive intensification of these areas to urban densities can be achieved. This includes methods to deliver functional and efficient infrastructure services for both the initial rural residential development and future urban intensification. Consideration shall be given to the methods referenced in Section 7 of the adopted Selwyn District Council Rural Residential Strategy 2014, including appropriate design techniques, servicing requirements and legal mechanisms developed in consultation with the Council.

AMENDMENT 7 Add a new 6th sentence to the Residential Density – Issues Statement in Part B 4 Growth of Townships to read as follows:

There is an identified demand for rural residential sections, particularly within the commuter belt of the District with Christchurch City. There has also been an increase in the use of 4ha rural allotments provided for under the Rural (Inner Plains) Zone for rural residential lifestyle living rather than rural purposes. It is recognised that a managed amount of rural land should be rezoned to rural residential densities to provide diverse living environments and promote housing choice, but that this should only be provided through a comprehensive plan change process where all potential adverse effects can be assessed, along with the location's consistency with Chapter 6 of the Canterbury Regional Policy Statement and the adopted Selwyn District Council Rural Residential Strategy 2014.

AMENDMENT 8 Delete the introductory statement to Policy B4.1.3 in the Residential Density policy in Part B 4 Growth of Townships and add new text to read as follows:

Within the Greater Christchurch area of the District covered by Chapter 6 to the Canterbury Regional Policy Statement, to provide for rural residential development through the Living 3 zone and only where located in accordance with the areas shown in the adopted Selwyn District Council Rural Residential Strategy 2014. Elsewhere in the District to allow, where appropriate, the development of low density living environments in locations in and around the edge of townships where they achieve the following: ...

AMENDMENT 9 Delete Objective B4.3.7 in the Residential and Business Development section of Part B 4 Growth of Townships and add new text to read as follows:

Objective B4.3.7

Ensure that any rural residential development occurs in general accordance with an operative Outline Development Plan, supports the timely, efficient and integrated provision of infrastructure, provides for the long-term maintenance of rural residential character, and where located in the Greater Christchurch area covered by Chapter 6 to the Canterbury Regional Policy Statement occurs only in the Living 3 Zone and in locations shown in the adopted Selwyn District Council Rural Residential Strategy 2014.

AMENDMENT 10 Add a new Policy B4.2.13 in the Subdivision section of Part B 4 Growth of Townships to read as follows:

Policy B4.2.13

To manage rural residential development in the Greater Christchurch area covered by Chapter 6 to the Canterbury Regional Policy Statement through the Living 3 Zone and the adopted Selwyn District Council Rural Residential Strategy, whilst ensuring:

- Development is in accordance with an Outline Development Plan included in the District Plan;
- Areas can be efficiently serviced with network infrastructure;
- Efficient and effective linkages are provided to the adjoining township;
- Where areas are sufficiently large such that lots do not directly adjoin a rural area, the subdivision plan is to have an appropriate mix of section sizes, orientation, and internal road layout to maintain a sense of openness and visual connection to rural areas;
- The lot layout is consistent with the residential density required by Chapter 6 to the Canterbury Regional Policy Statement;
- Any risks of natural hazards or soil contamination are effectively managed;
- That there will be no adverse effects on ancestral land, water and the wahi tapu and wahi taonga of Te Taumutu Rununga. This includes the need to protect and enhance rivers, streams, groundwater, wetlands and springs within the catchment of Te Waihora/Lake Ellesmere and any associated mahinga kai sites;
- That there will no significant adverse effects on the quality of ecosystems and indigenous biodiversity;
- That where located in an urban growth path identified in an adopted township structure plan, the lot and road layout and infrastructure servicing is to be designed to readily facilitate intensification of the area to urban densities.

AMENDMENT 11 Add a new 6th bullet point to the Subdivision of Land – Anticipated Environmental Results section in Part B 4 Growth of Townships to read as follows:

- Living 3 Zone facilitates rural residential living opportunities and housing choice in the Greater Christchurch Urban Development Strategy area of the District covered by Chapter 6 to the Canterbury Regional Policy Statement. The location, density and development of rural residential activities are managed through the adopted Selwyn District Council Rural Residential Strategy 2014 to achieve the following subdivision outcomes:
 - Avoid areas where constraints cannot be adequately managed, including areas prone to natural hazards, ground contamination, in close proximity to strategic infrastructure and established education and research facilities, or areas of high natural, historic or cultural value or Te Taumutu Rununga and Ngai Tahu values;
 - Support the consolidated management of Township growth;
 - Provide ready access to public transport, health care and emergency services, schools, community facilities, employment and services through linkages and integration with adjoining townships;

- Provide efficient connection to reticulated infrastructure;
- Manage potential reverse sensitivity effects with established rural based activities;
- Achieve the anticipated rural residential amenity and character and maintain this on an ongoing basis through Outline Development Plan and subdivision consent process.

AMENDMENT 12 Add new Rule 4.9.36 and consequential renumbering in the Buildings and Building Position – Permitted Activity Rules in Part C Living Zone Rules to read as follows:

Living 3 Rural Residential densities located within an operative Outline Development Plan

4.9.36 Any building in the Living 3 Zone shall have:

- A setback from any road boundary of not less than 20m, except that for areas located within an urban growth path identified in an adopted Township Structure Plan and where the subdivision layout and associated methods have been established to facilitate future intensification to urban densities, a minimum setback from any road boundary of not less than 7m shall apply.
- A setback from any other boundary of not less than 15m.

AMENDMENT 13 Delete Rule 4.9.42 Building and Building Position – Permitted Activity Rules in Part C Living Zone Rules and add new text to read as follows:

Rule 4.9.42

Any activity which does not comply with Rule 4.9.3 and Rule 4.9.30 to 4.9.32 and Rule 4.9.36 shall be a discretionary activity.

AMENDMENT 14 Add new Rule 5.1.1.7 in Road and Engineering Standards – Permitted Activity in Part C Living Zone Rules and add new text to read as follows:

Rule 5.1.1.7 All other Living 3 Zone locations shall incorporate the treatments identified in the cross sections shown in Appendix 43.

AMENDMENT 15 Delete Rule 12.1.3.3 Subdivision – General Restricted Discretionary Rules in Part C Living Zone Rules – Subdivision and add new text to read as follows:

Effluent Disposal

Rule 12.1.3.3 Any allotment created in: Castle Hill, Doyleston, Lake Coleridge Village, Leeston, Lincoln, Prebbleton, Rolleston, Southbridge, Springston, Tai Tapu, West Melton or is within a Living 3 Zone is supplied with reticulated effluent treatment and disposal facilities;...

AMENDMENT 16 Delete Rule 12.1.3.47 Subdivision – General Restricted Discretionary Rules in Part C Living Zone Rules – Subdivision and add new text to read as follows:

Outline Development Plan

12.1.3.47 Any subdivision within a Living Z or 3 Zone that is subject to an Operative Outline Development Plan within the District Plan shall be in general compliance with that Outline Development Plan and shall comply with any standards referred to in that Outline Development Plan.

AMENDMENT 17 Add new subdivision assessment matters Rule 12.1.4.85 to 12.1.4.91 in Subdivision – General Restricted Discretionary Rules – Assessment Matters in Part C Living Zone Rules – Subdivision to read as follows:

Rural Residential Areas (Living 3 Zoning)

- Rule 12.1.4.85 Whether an appropriate net density of households has been achieved that is consistent with the densities specified in Chapter 6 to the Canterbury Regional Policy Statement and delivers the anticipated rural residential character, form and function. In particular, whether the subdivision plan covers the entire Outline Development Plan area so that new densities across the entire area encompassed within the Outline Development Plan can be calculated.
- Rule 12.1.4.86 The extent to which any identified ground contamination and natural hazards, including flood and liquefaction areas have been addressed.
- Rule 12.1.4.87 Ensure that connections to reticulated water and wastewater services are available at all property boundaries and appropriate measures are available to effectively treat and dispose of stormwater. Where a reticulated water supply cannot provide adequate quantities and pressure for firefighting as set out in SNZ PAS 4509:2008, an on-site firefighting water supply shall be provided in accordance with SNZ PAS 4509:2008.
- Rule 12.1.4.88 Principal through roads, connections and integration with the surrounding road network and adjoining Townships are provided, including the extent to which the proposal accords with the cross sections and typologies provided within Appendix 43 and reflect the semi-rural nature and level of service appropriate for rural residential areas.
- Rule 12.1.4.89 Whether fencing achieves a high level of transparency, with a preference for designs that express rural vernacular, accord with the typologies outlined in Appendix 43, and formulating mechanisms to ensure fencing remains on an ongoing basis (such as consent notices).
- Rule 12.1.4.90 The extent to which site analysis using a comprehensive design process and rationale has been undertaken to recognise, and where appropriate, protect, maintain or enhance the following elements:
- Existing water courses, water bodies, wetlands, groundwater and springs;
 - Existing vegetation, such as shelter belts, hedgerows and habitats for indigenous fauna and flora;
 - Heritage values and any sites of archaeological significance;
 - Ancestral land, rivers, wetlands, groundwater, springs, Te Waihora/Lake Ellesmere and mahinga kai sites and the Wāhi Tapu and Wāhi Taonga of Te Rūnunga o Ngāi Tahu and Te Taumutu Rūnunga;
 - View shafts to the Port Hills;
 - Provision of green linkages, ecological corridors and interface treatments on boundaries with rural or urban forms of development where appropriate;
 - Indicate how the form and layout of the subdivision fits into the wider setting and is able to be integrated into these surrounds, including in particular the provision of measures to retain rural landscape elements, including views to rural and landscape reference points;
 - Avoids urban elements, such as street lights (except at intersections), formed kerb and channel, sealed footpaths, or prominent entrance features;
 - Maintains rural residential character through the retention of a low ratio of built form to open space;
 - Reduces any potentially adverse visual effects with adjoining land use activities, in particular strategic infrastructure and education and research facilities.
- Rule 12.1.4.91 For areas located within an urban growth path identified in an adopted Township Structure Plan, whether the lot and road layout, and functional and efficient infrastructure servicing is designed to readily enable intensification of the area to urban densities to occur in the future.

Note: The consent authority shall consider any relevant provisions in the District Plan and Engineering Code of Practice appropriate, in using its discretion under Rule 12.1.4

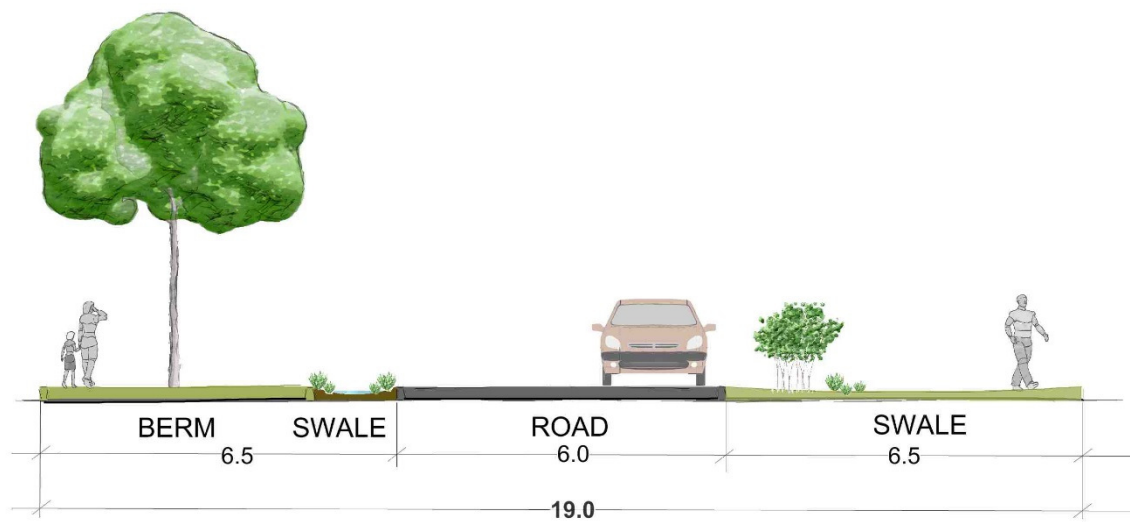
AMENDMENT 18 Add the following definition of “Rural Residential Activity” in Part D Definitions to read as follows:

Rural Residential Activity: means residential units within the Living 3 Zone at an average density of between one and two households per hectare

AMENDMENT 19 Add a new Appendix 43 – Living 3 zone Indicate Cross Section and fencing typologies to read as follows:

[Refer to the schedule provided on the following page]

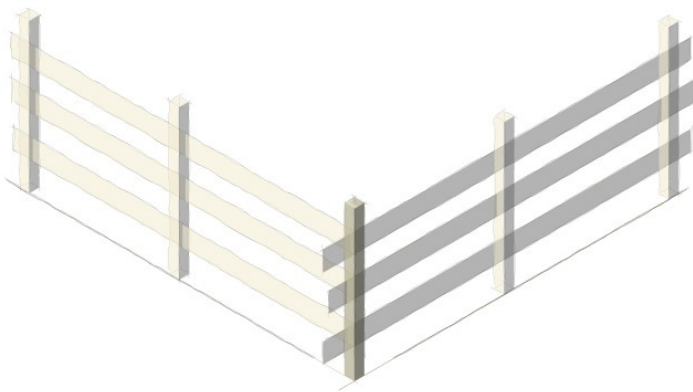
INDICATIVE ROAD CROSS SECTION – LIVING 3 ZONE



* Lights at intersection only

FENCING TYPOLOGIES – LIVING 3 ZONE

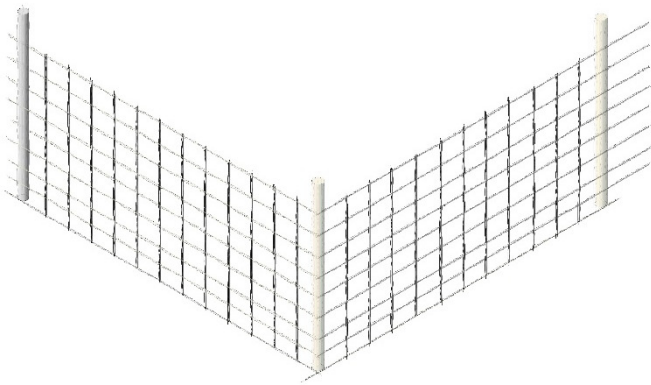
Post and rail



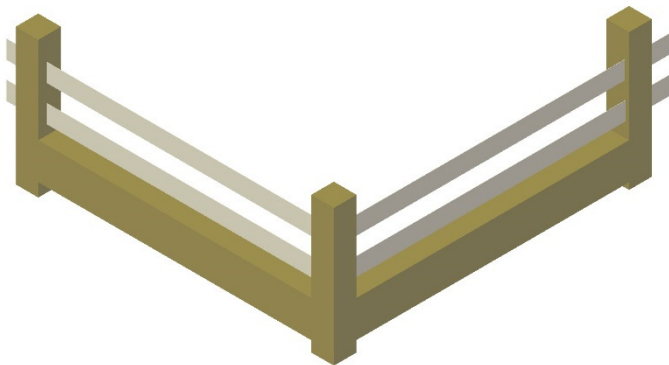
Post and wire



Traditional deer/sheep



Solid post and rail



Proposed Amendments to the Selwyn District Plan

Rural Volume

Land Use Recovery Plan

Action 18 (viii)

Make any changes or variations to objectives, policies and methods to the District Plan that are appropriate to enable and support recovery and rebuilding in accordance with the Land Use Recovery Plan.

AMENDMENT 20 Delete the 2nd issue on A1.5 Cross-boundary issues in the Selwyn District listed in Table A1.1 and add new text for the 2nd issue to read as follows:

Issues Effects on “rural character” of small allotments on the boundary with Christchurch and the management of rural residential growth

Local Authorities CCC, WDC, NZTA and EC

Methods Consistent provisions in plans for residential density in the District and rural residential densities in the Greater Christchurch area subject to Chapter 6 of the Canterbury Regional Policy Statement.

AMENDMENT 21 Add a new Policy B3.4.21 in Quality of Environment – Reverse Sensitivity Effects in Part B 3 People’s Health, Safety and Values Section to read as follows:

Policy B3.4.21

Provide for the establishment of rural residential activities within the Greater Christchurch area covered by Chapter 6 of the Canterbury Regional Policy Statement only in locations identified in the adopted Selwyn District Council Rural Residential Strategy 2014 to reduce the risk of potentially adverse reverse sensitivity effects on the productive function of rural zoned land, strategic infrastructure and on established education and research facilities.

AMENDMENT 22 Delete Policy B4.1.4 Growth of Rural Areas – Residential Density and Subdivision in the Rural Area in Part B Growth of Rural Area and add new text to read as follows:

Policy B4.1.4 (a)

Recognise Existing Development Areas, Ski and Recreation Areas and Tourist Resort Areas within the Rural Zone, but ensure new residential development at densities higher than those provided for in Policy B4.1.1, to occur within townships that are located outside the Greater Christchurch area covered by Chapter 6 to the Canterbury Regional Policy Statement.

Policy B4.1.4 (b)

Within the Greater Christchurch area covered by Chapter 6 to the Canterbury Regional Policy Statement, any new residential development at densities higher than those provided for in Policy B4.1.1 shall only be provided for in the Living 3 Zone in locations identified in the adopted Selwyn District Council Rural Residential Strategy 2014.

