

**SELWYN DISTRICT COUNCIL**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of Private Plan Change 46

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## **Report on submissions relating to Plan Change 46**

**Gill Logan's request to lift the deferred status from  
Living 2A zoned land at Bangor Road, Darfield**

**To:**

**From:**

**Hearing Date:**

Hearing Commissioner – M Garland

Consultant Planner – N Boyes

21<sup>st</sup> December 2015

This report analyses the submissions received on Plan Change 46 (PC46) to the Selwyn District Plan ('the Plan') and has been prepared under section 42A of the RMA. The purpose of the report is to assist the Hearing Commissioner in evaluating and deciding on submissions made on PC46 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

<b>1</b>	<b>INTRODUCTION .....</b>	<b>3</b>
	<i>Qualifications and experience.....</i>	<i>3</i>
	<i>Report Scope.....</i>	<i>3</i>
<b>2</b>	<b>BACKGROUND .....</b>	<b>4</b>
	<i>Application and site context .....</i>	<i>4</i>
<b>3</b>	<b>STATUTORY PLANNING FRAMEWORK .....</b>	<b>6</b>
	<i>Statutory Principles.....</i>	<i>6</i>
<b>4</b>	<b>STATUTORY ANALYSIS .....</b>	<b>7</b>
	<i>Land Use Recovery Plan/Te Mahere Whakahouman Tāone ('LURP') and the Canterbury Regional Policy Statement ('CRPS').....</i>	<i>7</i>
	<i>Canterbury Natural Resources Regional Plan ('NRRP') and the proposed Land and Water Regional Plan ('LWRP') .....</i>	<i>9</i>
	<i>Mahaanui Iwi Management Plan 2013 .....</i>	<i>10</i>
	<i>Canterbury Regional Land Transport Strategy 2012 .....</i>	<i>10</i>
	<i>National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES).....</i>	<i>10</i>
	<i>Selwyn District Plan .....</i>	<i>11</i>
<b>5</b>	<b>SUBMISSIONS .....</b>	<b>15</b>
	<i>Height of Boundary Planting/Retention of Shelter .....</i>	<i>15</i>
	<i>ODP and Area 5 .....</i>	<i>16</i>
	<i>Connectivity to Adjoining Land .....</i>	<i>17</i>
	<i>Graduation of Density.....</i>	<i>17</i>
	<i>Reverse Sensitivity .....</i>	<i>18</i>
	<i>Location of Higher Density Development .....</i>	<i>19</i>
	<i>Property Access to SH73 and SH77 .....</i>	<i>19</i>
	<i>Cultural values .....</i>	<i>20</i>
	<i>Other Matters.....</i>	<i>20</i>
<b>6</b>	<b>PROPOSED DISTRICT PLAN TEXT AMENDMENTS .....</b>	<b>20</b>
	<i>Subdivision Rules.....</i>	<i>21</i>
	<i>Land Use Rules.....</i>	<i>22</i>
	<i>Planning Maps.....</i>	<i>22</i>
	<i>Appendices.....</i>	<i>22</i>
<b>7</b>	<b>CONCLUSIONS/RECOMMENDATIONS.....</b>	<b>23</b>
	<i>Matters to be considered.....</i>	<i>23</i>
	<i>Functions of territorial authorities and matters to be included in a district plan – section 31 and section 75 assessment .....</i>	<i>23</i>
	<i>Consideration of alternatives, benefits and costs - s32 assessment.....</i>	<i>23</i>

## ATTACHMENTS

- Attachment A:** Changes Requested to the Selwyn District Plan  
**Attachment B:** Submission summary and Officer's recommendations  
**Attachment C:** Relevant Objectives, Policies and Rules  
**Attachment D:** Urban Design Comments – Gabi Wolfer (SDC)  
**Attachment E:** Infrastructure Servicing Comments – Murray England (SDC)  
**Attachment F:** Transportation Comments – Andrew Mazey (SDC)

## 1 INTRODUCTION

### Qualifications and experience

- 1.1 My full name is Nicholas (Nick) Brian Boyes. I am a Consultant Planner at Planz Consultants Ltd; a planning and resource management consulting company with offices in Christchurch and Auckland. I hold a Bachelor of Science (majoring in Plant and Microbial Science and Geography) from the University of Canterbury (1997) and a Master of Science (Resource Management) (Honours) from Lincoln University (1999). I have worked in the field of planning/resource management since 1999, the last 14 years as a planning consultant. I am an accredited Hearings Commissioner.
- 1.2 I previously worked for the Selwyn District Council (SDC) as a Planner from 1999 to 2001; and consequently as a consultant fulfilling the role of Acting Senior Planner. More recently I have processed the various designations and resource consent applications associated with the Central Plains Water Irrigation Project on behalf of the SDC. I am therefore familiar with the district and the planning provisions that apply.
- 1.3 I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note (dated 1 December 2014) 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. I have not omitted to consider material facts known to me that might alter or detract from the opinions I have expressed.

### Report Scope

- 1.4 I have been asked by Selwyn District Council to assess Plan Change 46 (PC46), 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.
- 1.5 In preparing this report I have:
- (a) Reviewed the plan change request as notified;
  - (b) Read and assessed all the submissions received on the plan change request;
  - (c) Visited the site and surrounding neighbourhood;
  - (d) Considered the statutory framework and other relevant planning documents; and
  - (e) Relied where necessary on the peer reviews provided by Council staff in relation to this plan change.
- 1.6 This report effectively acts as an audit of the detailed application and supporting information lodged with the plan change request prepared by Avanzar Consulting Ltd on behalf of the Applicant. A full copy of the plan change request, submission, summary of submissions and

other relevant documentation can be found at <http://www.selwyn.govt.nz/services/planning/district-plan/plan-changes/plan-change-46-living-2a-deferred-darfield>.

- 1.7 On that basis this report and assessment seeks to provide as little repetition as possible, and will adopt those parts of the application where referred to. If a matter is not specifically dealt with in this report, it can be assumed that there is no particular dispute with the position set out in the plan change document.

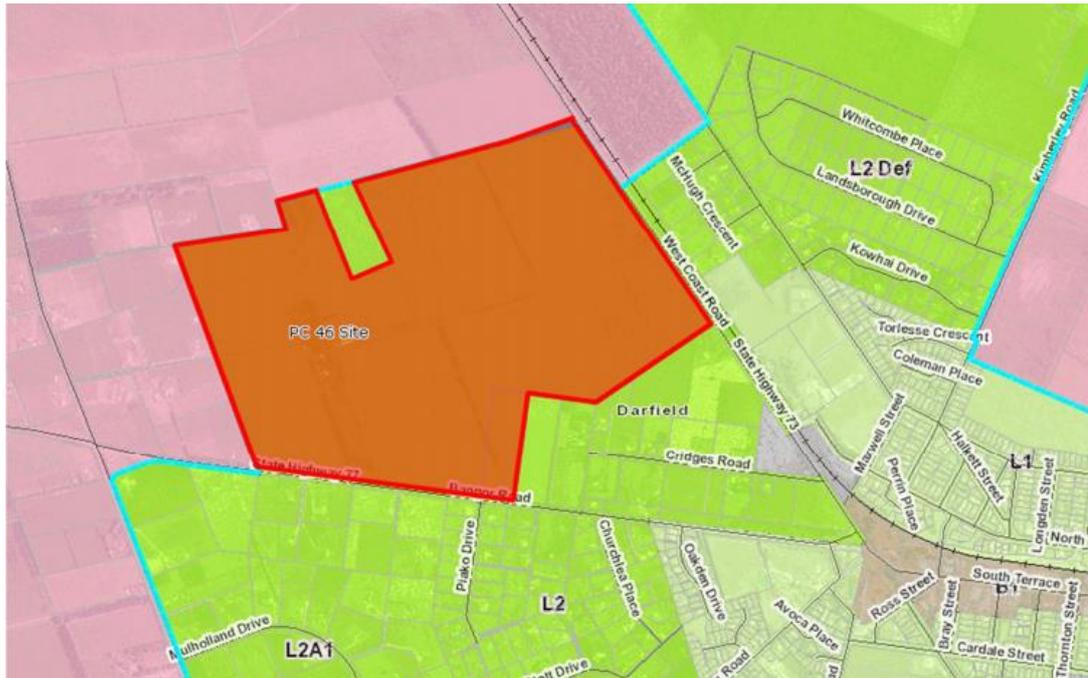
## 2 BACKGROUND

### Application and site context

- 2.1 The application site has a physical address of 160 Bangor Road and is located between Bangor Road (SH77) and West Coast Road (SH73) on the northern outskirts of Darfield. The site currently has a Living 2A (Deferred) zoning, as set out on planning maps 64, 65, 67 and 68 of the District Plan (Townships Volume). Part B4 'Growth of Townships' sets out the preferred growth options for Darfield (page B4-051). This states:

*The development of large areas of land on the periphery of the Township will be deferred pending an upgraded water supply, the incorporation of outline development plans, and measures to address reverse sensitivity effects. The ultimate development of land in the deferred zones may ultimately also be subject to review in respect to effluent treatment required.*

- 2.2 These matters form the basis for the assessment set out in the proceeding sections of this report.
- 2.3 The total land area subject to the plan change request is some 130.39ha contained in two separate certificates of title (attached as Appendix 1 to the Application); being legally described as Section 2 Survey Office Plan 438759 and Lot 2 DP 81020 (refer to Figure 1 below for a site plan). The Titles contain no encumbrances that would otherwise preclude further development in accordance with the plan change request. Notwithstanding, the request notes the bond registered on title CB47A/153 by the SDC relating to the formation of access to Lot 2 DP 81020 on application for any subsequent Building Consent on that title. There are also various easements in favour of both the SDC and Orion NZ Ltd associated with the use of the adjoining land for water supply purposes.
- 2.4 The entire site subject to the plan change request is owned by the Applicant. Most of the site is currently grazed however there are also areas planted in crops, with numerous established shelterbelts as well as two forestry blocks. Large established grounds surround a 1920's villa, attached double garage, store room, swimming pool and tennis courts; while the wider site also contains buildings typical of a farming operation. The dwelling and various associated farm accessory buildings are accessed from Bangor Road. Two water races are located within the property, these are shown on the Outline Development Plan (ODP) attached as Appendix 3 to the Plan Change application.
- 2.5 To the north of the site is farmland which has a Rural Outer Plains zoning. To the south, on the opposite side of Bangor Road, is existing rural residential development with either a Living 2 (Piako Drive) or Living 2A1 (being the land to the west of Piako Drive out to Clintons Road).



**Figure 1: PC46 Site Location**

- 2.6 To the south east the land is used for a mix of either rural residential or industrial land use (Mitchell’s sawmill), in accordance with the Living 2 and Business 2 zoning. This area is accessed from SH73 via Cridges Road. Of note is that four land parcels within this area are similarly zoned Living 2A Def in the District Plan and included within Area 5 of the ODP for Darfield. However, these sites do not form part of the plan change request.
- 2.7 There are two small reserves located within close proximity to the site, one on Bangor Road and one on West Coast Road. Darfield High School is located approximately 1km south of the site and Trinity Church is located at the intersection SH73 and SH77. The Fonterra milk processing factory is located approximately 2 kilometres north of the site along SH73.
- 2.8 PC46 facilitates the uplifting of the deferment on the Living 2A zoning over the application site. This would then accommodate some 125 rural residential sites (of approximately 1ha average). To facilitate this outcome the plan change seeks to insert a new ODP into the District Plan to cover the application site. This ODP will guide the subsequent subdivision of the land (in stages) by way of resource consent. The Plan Change requests states that staging will be determined at the subdivision consent stage.
- 2.9 The Plan Change also includes amendments to planning maps 64, 65, 67 & 68 (both sheets 1 & 2) to reflect a change in zone from Living 2A Def to Living 2A. The proposed Plan Change relies on the existing objectives and policies for the Living 2A zone but proposes a number of new and amended rules which will specifically relate to development within the land subject to the Plan Change (Township Volume, Part C – Living Zone Rules – Subdivision). The proposed changes to the District Plan are included in **Attachment A**.
- 2.10 The Plan Change request was formally received by Council on 10 April 2015. After lodgement the application was reviewed in terms of the adequacy of the information provided, with peer review feedback received on traffic, urban design, infrastructure servicing and planning matters. Several minor amendments were made to the application in response to the above peer reviews. A report to the Meeting of the Selwyn District Council dated 29 July 2015 resolved to accept the request for notification pursuant to Clause 25(2)(b) of the Resource Management Act 1991. The application was then publicly notified for submissions, with the closing date being 23 September 2015. The submissions were then summarised and open to further submissions, closing on 21 October 2015.

- 2.11 A total of four submissions were received, of which one was in part support (but requested changes) from NZTA, two opposed from Hatton Investments and J & K Young, and one neutral submission from Te Taumutu Runanga. One further submission was received by NZTA in support of the primary submission by Hatton Investments Ltd. All submissions and further submissions were received within the prescribed statutory timeframes. A summary of the submissions and my Officer's recommendation is attached as **Attachment B**.
- 2.12 None of the submitters raised concerns about the appropriateness of rezoning the site in principle, with concerns instead focussing on resolving details around the fact that the ODP for the Plan Change site does not cover all of Area 5 as shown on the ODP for Darfield included in Appendix 25 of the District Plan, design aspects of the proposal relating to servicing, roading connections to adjoining landholdings and the State Highway network, and water quality concerns. As such, the higher level assessment of the proposal against the strategic planning framework is undertaken in Section 4 below, with site-specific issues raised by submitters considered in Section 5.

### **3 STATUTORY PLANNING FRAMEWORK**

#### **Statutory Principles**

- 3.1 The general approach for the consideration of changes to District Plans was summarised in the Environment Court's decision in Long Bay<sup>1</sup>, the relevant components of which are set out in the following paragraphs.
- 3.2 The matters that must be considered in preparing a change to the District Plan are set out in section 74 of the RMA. Amongst other things, section 74 requires the local authority to:
- comply with its functions under section 31;
  - consider alternatives, benefits and costs under section 32;
  - ensure the necessary matters are stated in the contents of the district plan under section 75; and
  - have regard to the overall purpose and principles set out in Part 2, including the Matters of National Importance (section 6), the Other Matters (section 7) that require particular regard to be had in achieving the purpose, and the Treaty of Waitangi (section 8)
- 3.3 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. Furthermore, PC46 does not seek to amend these objectives and policies. The fundamental question for consideration is therefore whether the re-zoning of the land subject to the Plan Change request more effectively meets the objectives and policies of the District Plan than retaining the deferred status.
- 3.4 When preparing a plan or considering a plan change the Council:
- must give effect to the operative Canterbury Regional Policy Statement (section 75(3)(c));
  - any management plans and strategies prepared under other Acts (section 74(2)(b)(i));
  - must not take into account trade competition (section 74(3));

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

- must take account of the Mahaanui: Iwi Management Plan 2013 (section 74(2A)); and
  - shall have regard to the extent to which the plan is consistent with the plans of adjacent territorial authorities (section 74(2)(c)).
- 3.5 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').
- 3.6 There are not considered to be any directly relevant provisions in the District Plans of neighbouring territorial authorities that are affected by PC46. 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. These statutory planning documents cover the UDS area, which does not extend to Darfield.
- 3.7 As stated above, PC46 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 pattern better achieve the District Plan's Objectives, and thereby Part 2, than the operative provisions.
- 3.8 The process for making a plan change request and how this is to be processed is set out in the 1<sup>st</sup> Schedule of the RMA. PC46 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).

#### 4 STATUTORY ANALYSIS

- 4.1 In considering the contents of District Plans, Councils must give effect to any operative Regional Policy Statement (section 75 (3) (c)), and have regard to any management plan or strategy prepared under other Acts, including the Local Government Act (section 74 (2)(b)(i)).

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

- 4.2 The CRPS, became operative on 15 January 2013. The CRPS provides an overview of the main resource management issues facing the region, and lists objectives, policies and methods that seek to achieve the integrated management of natural and physical resources of Canterbury.
- 4.3 The PC46 site is outside the geographic area that is subject to the LURP and any development of land is therefore not subject to the statutory directions contained within it (and also Chapter 6 of the CRPS). This includes the development of the Rural Residential Strategy prepared by the Selwyn District Council and adopted on 25 June 2014 (RRS14). The adopted Rural Residential Strategy sets out the preliminary locations and requirements for managing rural residential activities within the portion of the District that is subject to Chapter 6 of the Canterbury Regional Policy Statement. On that basis it has no application with regards to PC46, it being outside the area subject to LURP provisions.
- 4.4 In terms of the remaining CRPS Chapters, those of most relevant to the assessment of PC46 include:
- Chapter 4 – Provision for Ngai Tahu and their Relationship with Resources; and
  - Chapter 5 – Land Use Infrastructure.
- 4.5 The full text of the Objectives and Policies referred to below is included as **Attachment C**.

#### **Chapter 4 - Provision for Ngai Tahu and their Relationship with Resources**

- 4.6 Chapter 4 does not contain any specific objectives and policies. The matters set out therein are effectively implemented by the Mahaanui Iwi Management Plan 2013, which will be considered later in this section.

#### **Chapter 5 – Land Use Infrastructure; and**

- 4.7 The plan change request states that the proposal has been designed to ensure that appropriate infrastructure can be in place to support the development.
- 4.8 **Policy 5.3.1** relates to ‘regional growth’ and specifically the wider region, being that area outside the LURP boundary. The focus is on ensuring that both urban growth and rural residential growth are attached to existing urban areas and promotes a co-ordinated pattern of development.
- 4.9 The Applicant states that *“The proposed Plan Change area is located on the northern fringes of Darfield township therefore the future rural residential development that the plan change will promote will be in a concentrated manner adjoining an existing urban area and therefore promotes a coordinated pattern of development”* (page 33). I agree with this to a point, but it is considered that the nature of the proposed development may not be the best way to achieve a co-ordinated pattern of development, and *“promote energy efficiency in urban forms, transport patterns, site location and subdivision layout”*. As alluded to in the Urban Design comments included as **Attachment D**, given the location of this proposal in proximity to the Darfield town centre there might be options for further intensification, which if future development proceeded in accordance with the density set out in this plan change, would largely be unrealised. Retro-fitting and intensification of existing larger lots is difficult to implement and often results in unsatisfactory outcomes, including rear sections and areas that are not well connected and lack amenity.
- 4.10 **Policy 5.3.3** relates to substantial developments. Given the size of this site and the number of allotments that could be realised I consider that it falls into the category of substantial. The Policy seeks that the amenity values, the quality of the environment and the character of the area are maintained, or appropriately enhanced. On the basis of the comments made by Ms Wolfer I am of the view that changes to the ODP for PC46 are required in order to ensure this outcome is achieved by subsequent development.
- 4.11 **Policies 5.3.5** and **5.3.6** relate to servicing development for potable water, sewage and stormwater disposal. In the case of Darfield it is well known that there is no reticulated sewerage system. This is further discussed in the report in **Attachment E** from Mr Murray England, SDC Asset Manager. The submission of Te Taumutu Runanga raises concerns regarding the continued development of Darfield without sewerage reticulation being in place (discussed further below).
- 4.12 **Policy 5.3.7** requires that development that would adversely affect the strategic land transport network be avoided. In this regard matters have been raised in the submission of NZTA, the road controlling authority. Traffic related comments have been provided by Mr Andrew Mazey, SDC Asset Manager Transportation (refer **Attachment F**). These endorse the changes requested by NZTA. **Policy 5.3.8** seeks to promote the integration of land use and transport by encouraging the use of transport modes with low adverse effects, and the safe, efficient and effective use of transport infrastructure. It also requires the avoidance or mitigation of conflicts between incompatible activities.
- 4.13 The comments from Ms Wolfer raise issues regarding the accessibility and connectivity of the future development. It is noted that the L2A zoned Piako Drive adjacent to the south has well integrated off-road pedestrian/cycle paths. Ms Wolfer considers that the proposal could contribute to this network by providing multiple pedestrian/cycle opportunities within the site

and 'closing the loop' by connecting them at strategic locations to adjacent community facilities and neighbourhoods. Overall the Applicant needs to confirm how the accessibility will be achieved for all transport modes. On that basis I disagree with the Applicant's assessment that the proposal provides "*a well thought out and coordinated roading and pedestrian network within and through the site*" (page 33).

- 4.14 **Policies 5.3.11 and 5.3.12** relate to protecting both existing rural based infrastructure and natural and physical resources that are valued for primary production. In this regard the retention of the existing Council water race through the property, as already set out in the ODP, is imperative. It is noted that the proximity of this land to the Darfield town centre will mean that it comes under increasing urban pressure and this could make traditional farming of the property more challenging.
- 4.15 It is noted that the application states "*...the proximity of the site to Darfield township and the Living 2A (deferred) zoning indicate that the sites best use is for rural residential development*" (page 33). There is no debate that the land should be further developed, as already indicated by the deferred zoning, the question is the intensity of form that development should take. It might be that more intensive development than that being put forward as part of this plan change is the most appropriate outcome.

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

- 4.16 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.
- 4.17 The proposed Canterbury Land and Water Regional Plan was publicly notified on the 11th August 2012. Decisions on submissions have been made, and it was made partially operative on 15 September 2015. 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.
- 4.18 The ability of the land affected by PC46 to be efficiently serviced in terms of water, waste water, and stormwater has been considered by Avanzar Consulting Ltd as part of the application, and specifically in the Infrastructure Servicing Report attached as Appendix 4 to the plan change documentation. This information has been peer reviewed by Murray England on behalf of the SDC, with his findings attached as **Attachment E**. The PC46 site is able to be provided with a potable water supply via an extension to the existing Darfield township piped network.
- 4.19 The site does not contain any springs or other natural water features, although a water race runs along the south east property boundary. 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.
- 4.20 The township of Darfield has no reticulated wastewater system. Individual properties are served by on-site wastewater treatment and discharge systems. There are no plans to implement a reticulated system in the short to medium term following the findings of a recent working party to determine Darfield's future sewer management strategy. This is a matter raised in the submission of Te Taumutu Runanga. It is considered to some extent the matters raised in that submission are of a general nature applying to development in Darfield generally. In any case the matters raised will be the subject of any subsequent consents required for onsite wastewater treatment and disposal.

- 4.21 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**

- 4.22 Mahaanui Iwi Management Plan 2013 (M.IMP) is an expression of kaitiakitanga and rangatiratanga. It is a manawhenua planning document reflecting the collective efforts of six Papatipu Rūnanga, including Te Taumutu Rūnanga (being a submitter to PC46).
- 4.23 The M.IMP enables external agencies to understand issues of significance to tāngata whenua, and how those issues can be resolved in a manner consistent with cultural values and interests including embracing the practice of ki uta ki tai, which recognises:
- i. the connection between land, groundwater, surface water and coastal waters; and
  - ii. the holistic nature of traditional resource management.
- 4.24 Councils must take into account any relevant planning document recognised by an Iwi authority and lodged with the Council (section 74(2A)(a)). The relevant document for the Selwyn District is the Mahaanui Iwi Management Plan 2013 (M.IMP). 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 species, and the protection of sites with identified waahi tapu or waahi taonga value.
- 4.25 The submission received from 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.

#### **Canterbury Regional Land Transport Strategy 2012**

- 4.26 The Canterbury Regional Land Transport Strategy is a document produced by the Canterbury Regional Transport Committee in 2012. It identifies issues and challenges that are needed to be addressed. Relevant matters include:
- (a) Maintaining and enhancing accessibility
  - (b) Providing transport options
  - (c) Managing the environmental impacts of transport
  - (d) Meeting the transport needs of dispersed communities
  - (e) Managing the transport impacts of anticipated population changes.
- 4.27 The proposed plan change can only assist with achievement of the goals of the Canterbury Regional Land Transport Strategy where it creates a transport environment is accessible, affordable, integrated, safe, resilient and sustainable for the subject site and local community.
- 4.28 Having reviewed the comments of Ms Wolfer, it is considered that some (relatively minor) changes to the proposed ODP for PC46 are required in order to better meet these objectives.

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

- 4.29 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.
- 4.30 The plan change application included a desk top Geo-Environmental study prepared by URS New Zealand Ltd, dated 25 October 2014. The report identifies several matters that will

require further investigation at the subdivision stage. From the information available URS has identified the following actual or potential HAIL activities at the property:

- Category A8 – Livestock dip or spray race operations (potential given extended agricultural history);
- Category A17 – Storage tanks or drums for fuel, chemical or liquid waste; and,
- Category G5 – waste disposal to land (former and current ofal pits).

4.31 URS considers that these activities are quite typical of agricultural properties and therefore does not recommend that any further site investigations are necessary to meet the plan change requirements. Additional investigation of specific HAIL activities as listed above in accordance with Ministry for Environment guidelines will be required for subdivision and development.

4.32 There is currently no evidence that would suggest that in general terms the land is contaminated to such an extent that remediation would not be plausible or that re-zoning and subsequent development would pose a risk to human health. Given the matters raised in the URS report, a Preliminary and/or Detailed Site Investigation is likely to be necessary as part of the subdivision consent process.

#### **Selwyn District Plan**

4.33 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.

4.34 The Council has been proactively seeking to update the District Plan to more fully address rural residential development, first through PC17, which sought to introduce an amended objective, policy and rule framework and rezone specific blocks of land for rural residential development. PC17 was then superceded by PC32, 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. PC32 has 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.

4.35 LURP Action 18 (viii) requires the SDC to update the District Plan to ensure it actively manages rural residential development. However, the resulting Rural Residential Strategy 2014 (RRS14) document only applies within the area affected by the LURP (former UDS area incorporating 'Greater Christchurch'). This does not include the land affected by PC46.

4.36 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 Volume objectives and policies support the environmental outcomes anticipated by retaining the status quo zoning of Rural Outer Plains. Given that PC46 is a plan change, rather than a resource consent, the rural objectives and policies are only of limited assistance in determining whether the Rural Outer Plains or proposed Living 2A zoning better meets the Plan's objectives and policies.

4.37 PC46 promotes a Living Zone, rather than Rural, to facilitate rural residential development. Therefore, the Plan provisions dealing with urban growth are of most relevance. These provisions are contained primarily within the 'Quality of the Environment' and 'Growth of Townships' sections of the Township Volume of the District Plan.

4.38 **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*”. **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*”. 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 zone rule package delivering a rural residential living environment that is spacious and of high amenity, subject to the parameters set out in the applicable ODP. In this regard it is only the site-specific detail matters relating to the proposed ODP for the PC46 site that remain outstanding (discussed further below),

4.39 The provision of new urban growth areas is guided by **Policy B4.1.3**, which aims:

*“...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 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”*

4.40 Similar outcomes are sought through ‘Residential and Business Development’ **Objectives B4.3.2** and **B4.3.4** which require that:

*For townships outside the Greater Christchurch area , 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. (Objective B4.3.2)*

*New areas for residential or business development support the timely, efficient and integrated provision of infrastructure, including appropriate transport and movement networks through a coordinated and phased development approach. (Objective B4.3.4)*

4.41 **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, **Policy B4.1.11** encourages new residential areas to be designed to maintain or enhance the aesthetic values of the township, including:

- Retaining existing trees, bush or other natural features on the site; and
- Landscaping public spaces.

4.42 **Policy B4.1.12** seeks to discourage high fences in Living zones that have frontage but no access to strategic or arterial roads. Ms Wolfer considers that the effect of the proposed hedge row of no more than 3-4m in height remains to be a continuous horizontal line of substantial height creating some of the unwanted effects mentioned in this policy. Her suggestion to avoid these effects would be to break up the hedge by choosing plantings in segments, “*These segments would visually break up the length of this frontage and would increase pedestrian interest and safety via the opportunity for passive surveillance, should a footpath be developed along this boundary in the future*”.

4.43 **Policy B4.3.1** sets out to ensure that new rural residential development such as that proposed takes place in accordance with an Outline Development Plan incorporated into the

District Plan. PC46 includes this outcome, however it is considered that some further amendments are required to the proposed ODP before it is incorporated into the District Plan.

4.44 **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”.

4.45 **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 B4.3.6** seeks to “encourage townships to expand in a compact shape where practical”. **Policy B4.3.8** sets out the matters each ODP shall include:

- *Principal through roads, connection and integration with the surrounding road networks, relevant infrastructure services and areas for possible future development;*
- *Any land to be set aside for*
  - *community facilities or schools;*
  - *parks and land required for recreation or reserves;*
  - *any land to be set aside for business activities;*
  - *the distribution of different residential densities;*
  - *land required for the integrated management of water systems, including stormwater treatment, secondary flow paths, retention and drainage paths;*
  - *land reserved or otherwise set aside from development for environmental or landscape protection or enhancement; and*
  - *land reserved or otherwise set aside from development for any other reason, and the reasons for its protection.*
- *Demonstrate how each ODP area will achieve a minimum net density of at least 10 lots or household units per hectare;*
- *Identify any cultural (including Te Taumutu Runanga values), natural, and historic or heritage features and values and show how they are to be enhanced or maintained;*
- *Indicate how required infrastructure will be provided and how it will be funded;*
- *Set out the phasing and co-ordination of subdivision and development in line with the phasing shown on the Planning Maps and Appendices;*
- *Demonstrate how effective provision is made for a range of transport options, including public transport systems, pedestrian walkways and cycleways, both within and adjoining the ODP area;*
- *Show how other potential adverse effects on and/or from nearby existing or designated strategic infrastructure (including requirements for designations, or planned infrastructure) will be avoided, remedied or appropriately mitigated;*
- *Show how other potential adverse effects on the environment, the protection and enhancement of surface and groundwater quality, are to be avoided, remedied or mitigated;*
- *Include any other information which is relevant to an understanding of the development and its proposed zoning; and*
- *Demonstrate that the design will minimise any reverse sensitivity effects.*

4.46 Not all these matters are relevant to PC46, for example the reference to 10 allotments or households per hectare relates to a higher [residential] density of development. Notwithstanding, the list above illustrates that an ODP should be used to inform future development, and should be more than simply lines on a map. It is considered that the ODP for PC46 requires further work in this regard.

4.47 The Townships Volume of the District Plan also sets out specific policies for individual townships. **Policy B4.3.25** is to “Discourage individual property access from new Living or Business zones to State Highway 73 or State Highway 77 (Bangor Road) and manage the

*number and location of any new subdivisional roads on to these routes*". This policy will be implemented by the changes sought to the ODP by NZTA (discussed further below).

- 4.48 **Policy B4.3.27** is to "ensure any land rezoned for residential or business development does not create or exacerbate 'reverse sensitivity' issues in respect of activities in the existing Business 2 Zones or the Midland Railway". The Midland Railway is located along the western boundary of the site on the opposite side of SH73. This is considered sufficient separation to avoid any adverse reverse sensitivity effects, particularly given the 2ha average density along this part of the PC46 site. NZTA has also sought changes to the provisions to avoid any effects on SH73 and SH77.
- 4.49 The only other activity in the area that potentially leads to reverse sensitivity is the Mitchells sawmill located within the Business 2 Zone at the corner of SH73 and Cridges Road. However, this is sufficiently distant from the PC46 site that potential reverse sensitivity effects should not arise.
- 4.50 **Policy B4.3.28** is to provide for rural residential development around the Darfield township in the Living 2A (Deferred ) Zone to a minimum average area of 1ha, subject to the following:
- That all new allotments are able to serviced with a reticulated potable water supply;
  - That outline development plans have been incorporated into the Plan for the coordinated development of four identified areas of land in the Living 2A Zone...addressing roading, reserve and pedestrian/cycle linkages;
  - Where applicable, provision has been made to address reverse sensitivity issues.
- 4.51 The ODP includes three areas of proposed density, ranging from 3,700m<sup>2</sup> along the southern boundary to 2ha along the SH73 frontage and adjoining the Rural Outer Plains zone to the north and west. As set out in the Urban Design comments, there is potential for this density to be further intensified moving forward given the proximity to the Darfield town centre.
- 4.52 The servicing requirements are covered in the assessment undertaken by Mr Murray England attached to this report. In summary, he confirms that the ODP area can be adequately serviced with potable water. However, the Applicant's suggested method of providing a common 45m<sup>3</sup> storage tank for firefighting purposes is not considered an acceptable solution and does not accord with The Council's 'Engineering Code of Practice' or Council Policy W211 relating to 'Fire Fighting Standard Community Waterworks'. In order to meet Council standards future firefighting capacity will be required within the reticulated network, with fire hydrants provided at the spacing set out in the standards. Mr England sets out this will require the development to be 'ring mained' with connections to the existing network. These details will ultimately be required at the subdivision consent stage.
- 4.53 An issue with PC46 is that it does not provide a complete ODP for all of Area 5 in which it is located (see Appendix 25 of the District Plan). The submission by Hatton Investments Ltd questions whether PC46 meets the requirement set out in **Policy 4.3.28** on that basis. Concern at this aspect of the proposal has also been raised by Ms Wolfer in her Urban Design assessment. It is considered that the proposal is not consistent with, nor does it give effect to **Policy 4.3.28** in its present form. This matter is discussed further in relation to the matters raised in submissions in the next section.
- 4.54 It is noted that the Applicant's Plan Change request assesses various other objectives and policies found in the District Plan. It is considered that these are either not particularly relevant or there is general agreement with the views expressed therein.
- 4.55 In summary, as set out in the discussion above, it is considered that PC46 achieves a compact township shape. It is due to the proximity of the plan change area to the centre of

Darfield that there is a question over whether the density proposed is the most effective way of achieving the objectives and policies of the Township Volume related to Growth of Townships and Residential Development. Furthermore, minor changes to the ODP and proposed rules are required to better achieve the policy framework outlined above. Provided that these site-specific detail matters can be resolved (further discussed below), it is considered that the rezoning request represents an efficient and effective method for achieving the Plan's operative objective and policy framework.

## **5 SUBMISSIONS**

5.1 **Attachment B** provides a summary of submissions and includes the recommendations to the Commissioner on each submission.

5.2 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 comments from Council staff to inform this Officer's Report.

5.3 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:

- Height of Boundary Planting along SH73;
- ODP and Area 5 of the Darfield ODP in Appendix 25 of the District Plan;
- Connectivity to Adjoining Land;
- Graduation of Density;
- Reverse Sensitivity;
- Location of Higher Density Development;
- Property Access to SH73 and SH77; and
- Cultural values (Water Quality and Quantity).

5.4 This assessment incorporates the conclusions of the assessments made by Council Officers to inform the overall recommendations of this report and to make a determination on the relief sought by the submitters.

### **Height of Boundary Planting/Retention of Shelter**

5.5 The ODP shows a hedgerow along SH73 of between 3-4m in height. The submission of J&K Young requests that the height of any such planting or other treatment along this boundary be limited to, and maintained to a maximum height of 2.8m. It is noted in the submission that this is the same height used in the covenant for the properties within McHugh Crescent, where the submitters reside.

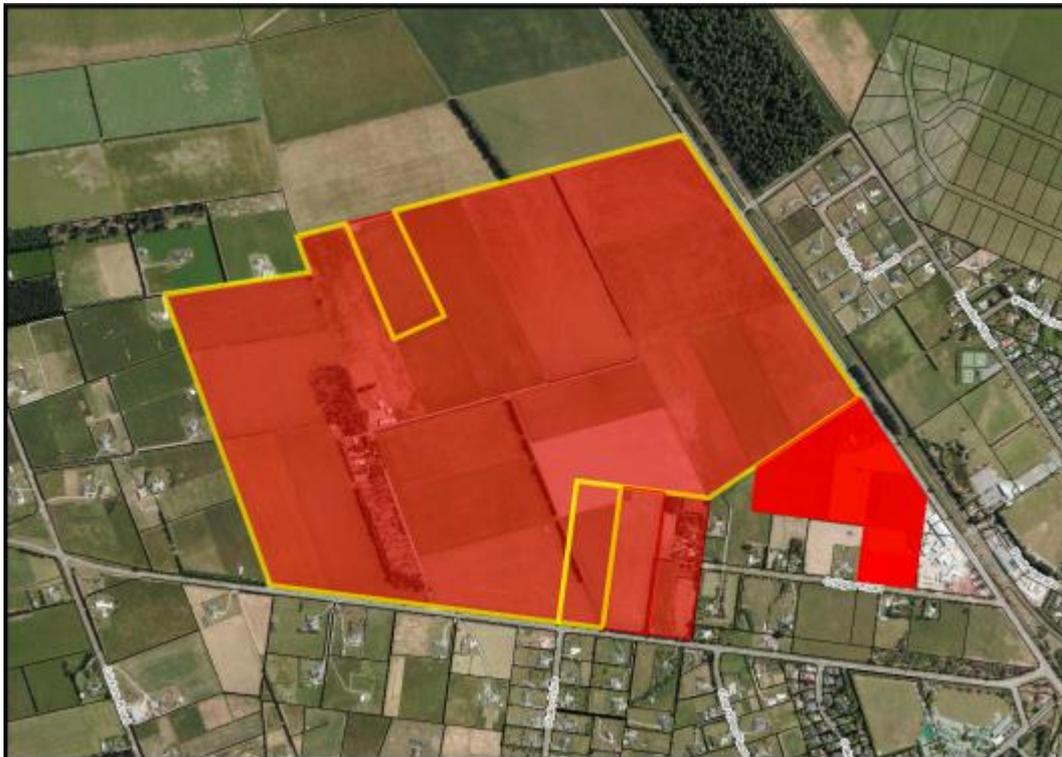
5.6 Ms Wolfer notes that planting to the height proposed in PC46 could cause shading issues for the proposed adjacent smaller rural-residential properties and whilst acknowledging that this matter can be addressed at subdivision stage, she considers it might be worthwhile considering long-term effects in terms of upkeep and maintenance of the shelter at this point.

5.7 It is noted that the submission from NZTA does not specifically refer to any potential shading concerns relating to SH73 from the proposed 4m high shelter being proposed along the eastern boundary.

- 5.8 In summary, the difference between a 2.8m high shelterbelt and 4m high (maximum) shelter is not considered significant in the overall context of the assessment and consideration of PC46. Nonetheless, in the circumstances a 3m high shelter along this boundary is considered sufficient to fulfil the aims of the Applicant and meet the submitters concerns.
- 5.9 It is noted that the ODP shows the retention of boundary shelter along the south east boundary and also a portion of the western boundary. 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 or ODP requirement requiring the retention of shelterbelts is not considered to be necessary.

### ODP and Area 5

- 5.10 The submission of Ivan Hatton, on behalf of Hatton Investments Ltd, raises the concern that PC46 does not address the entire Area 5 set out in the ODP in Appendix 25 of the District Plan (Township Volume). Also within Area 5 and subject to the Living 2A (Deferred) Zone are Section 1 SO 438579 (which is owned by Selwyn District Council), Lot 1 DP 81020 (which is owned by the submitter), Lot 1 DP 55963, Part Lot 2 DP 18559 and Section 3 Darfield Village Settlement (also known as Lot 3 DP 16539). These are shown in Figure 2, below (taken from the Hatton Investments Ltd submission).



**Figure 2: Properties within Area 5 compared to PC46 (yellow border).**

- 5.11 The submission considers that by not including all of Area 5, the ability to provide coordinated development of the entire Area, as set out in **Policy B4.3.28**, is restricted. On this basis the submitter requests that PC46 be declined in its current form. The submitter goes onto suggest that the Plan Change should extend to include all land within Area 5, but notes the possible scope issues with that particular relief sought.

5.12 In this regard it is considered that the extension of PC46 to include all of Area 5 is beyond the scope of the present process, most notably the notification/submission process. It is unfortunate that this opportunity was not explored further at the time of lodgement, as any argument now is somewhat after the fact.

5.13 This matter is addressed in the Urban Design comments of Ms Wolfer, where she states:

*A common best practise approach is to show one plan covering the entire ODP area. In doing so, the site can be developed in an integrated manner that addresses (border crossing) issues and options, such as the integration of new housing, with adjacent development. It is also vital to establish a legible transport & movement strategy that connects with existing transport systems in the vicinity and links to public community facilities, such as schools and reserves. This approach has been Council's practise in the past. Cross-border thinking and developing becomes crucial, especially when having a site of this size and impact.*

5.14 It is considered that the approach taken by the Applicant to pursue a plan change over only their land, at the exclusion of the balance land within Area 5 does not accord with **Policy B4.3.28**. In this regard PC46 clearly does not provide for the coordinated development of the land within Area 5. Matters of integration and coordination have been raised in other submissions that can be traced back to the fact that not all the land within Area 5 is included within the Plan Change. Most notably connectivity to adjoining land, graduation of density, the location of any future connection to SH73 (including any resultant change in town boundary speed limits) and to a lesser extent reverse sensitivity. These matters are addressed further below.

#### **Connectivity to Adjoining Land**

5.15 The submission of Hatton Investments Ltd raises the concern that the ODP uses uncertain wording in relation to the provision of access to adjoining land, most notably those areas of land discussed above within Area 5 that are not part of PC46. The ODP refers to these two linkages as "Potential future roading connection". I agree with the concern, and consider that the word potential be removed, as it must be a requirement of any subsequent subdivision to provide such connection rather than as simply an option.

5.16 This also goes to the staging of any development of PC46 land. There is uncertainty as to when these connections will be provided, particularly given that the adjoining land does not form part of PC46. It is considered that greater certainty around staging should be provided so that adjoining land owners have some indication as to when such connections would be available to facilitate the development of their own land.

#### **Graduation of Density**

5.17 The submitter notes that three densities are provided across the PC46 site, ranging from 3,700m<sup>2</sup> to 2ha average allotment size. The purpose of such graduation is "*to support the traditional pattern of rural settlements, such as Darfield, decreasing in density towards their outskirts*" (Context Urban Design Report prepared on behalf of the Applicant, section 4.8).

5.18 The submitter correctly notes that this graduation will not be achieved, given that the balance Living 2A Def zoned land not included within PC46 will be subsequently be developed to a 1ha average. This again illustrates why the District Plan put in place a framework whereby development areas were identified in Appendix 25 to be developed in accord with a process set out in **Policy B4.3.28**.

5.19 The comments made in the application also appear to overlook the existing Living 2 zoned land (5,000m<sup>2</sup> minimum average) that lies between the PC46 site and the existing Darfield residential zone.

- 5.20 In terms of the submitter, this matter is perhaps best addressed through either the Malvern Area Plan or District Plan review process. As noted in the Urban Design comments of Ms Wolfer:

*Given the location of this proposal in proximity to the Darfield town centre there might be options for further intensification, which, given the plan change goes ahead, the chance to do so might be missed. Retro-fitting and intensification of existing larger lots is hard to be implemented and results often in unsatisfactory outcomes, including rear sections and areas that aren't well connected.*

- 5.21 It appears from the comments of Ms Wolfer that there is scope for a more intensive outcome than that provided by way of the Living 2A zoning as requested by PC46. However, any such outcome can only be pursued outside of the present plan change framework. Notwithstanding, it is noted that there are processes in the not too distant future that will be better suited to addressing these wider planning issues.
- 5.22 This does raise the issue of "future proofing" any development undertaken in accordance with PC46. 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 was introduced through RRS14.
- 5.23 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.
- 5.24 At present it is considered that the ODP put forward does not give adequate consideration to future proofing this land for more intensive development into the future, particularly given the large size and relatively large allotment size proposed. The most pertinent consideration being roading pattern. The Applicant's Urban Design assessment (Appendix 6 to the Plan Change Request Documentation) refers to the intention to have an informal feel and distinguished between a 'spine road' and other roads that lead off it and their alignment. Ms Wolfer notes that the ODP presented does not show any such distinction. Ms Wolfer goes on to suggest that showing a roading hierarchy would help to achieve a legible transport network. This could be achieved by establishing primary and secondary roading connections shown on the ODP. *"Given the size of the proposal, it might also be practical to consider showing tertiary connections to discourage multiple access ways and foster loop roads. This level of detail would be beneficial, as it gives certainty to Council that the site can be developed in a sustainable way at subdivision level"*. It is considered that this greater level of detail should be provided. Given the proximity to the Darfield Town Centre and major community services such as Darfield High School, it is likely that further intensification of this land into the future will occur. On that basis greater provision for future proofing as part of PC46 will allow such development to occur in a coherent manner.

#### **Reverse Sensitivity**

- 5.25 The primary matter relating to reverse sensitivity relates to the boundary with both SH73 and SH77. To address this the Plan Change includes a separation distance from the SH boundary, as well as the requirement for acoustic insulation. It is noted that the Plan Change as notified referred to acoustic insulation for noise sensitive activity within 40m of the road edge of the SH, the submission of NZTA requests this be increased to 80m. This would appear to be an appropriate response to the matter of potential reverse sensitivity.
- 5.26 The submission of Hatton Investments also refers to the reverse sensitivity that might arise from development of the PC46 land to 3,700m<sup>2</sup> adjoining land that would retain the Living

2A Deferred status. This land is used primarily for grazing purposes, and is otherwise located opposite Living 2 zoned land of a relatively small allotment size (approximately 5,000m<sup>2</sup>). In that context it is considered that the potential for reverse sensitivity effects to arise in relation to the use of the submitters land is very low.

- 5.27 The provision of 2ha sites around the majority of the perimeter of the site adjoining Rural Outer Plains zoned land is considered sufficient to avoid reverse sensitivity effects. Similarly, the relatively small length of western boundary (close to SH77/Bangor Road) that is shown as 1ha allotments is also sufficient to address reverse sensitivity (it is noted that part of the ODP showing 3,700m<sup>2</sup> allotments along this boundary is subject to a submission point made by NZTA addressed further below).
- 5.28 In summary, subject to the minor changes sought by NZTA in regard to acoustic insulation requirements, PC46 includes adequate provision to address potential reverse sensitivity effects. The particular rules proposed are discussed in further detail below.

#### **Location of Higher Density Development**

- 5.29 The submission of NZTA notes that the density of development to some extent defines the urban boundary and is a factor in determining speed limit decisions. The submission seeks changes to the density to better define the urban boundary and balance development on either side of SH77. On that basis NZTA seeks that the higher density 3,700m<sup>2</sup> allotments west of the proposed Bangor Road/SH77 access point be replaced with 2ha allotments. It is noted that the Living 2A1 zone located opposite similarly provides for a 2ha minimum average allotment size.
- 5.30 Given the pattern of development set out on the ODP, it is considered that a 1ha average minimum allotment size west of the proposed access to SH77 would be sufficient to meet NZTA's concerns and also provide better integration with the balance of the PC46 area.

#### **Property Access to SH73 and SH77**

- 5.31 A Transportation Assessment Report, prepared by Avanzar Consulting Ltd, was provided as Appendix 5 to the Plan Change documentation. It sets out that there will be three access points to the area from the existing State Highway network. One access will be from SH73 for cyclists and pedestrians only and two from SH77 for cyclists, pedestrians and all other traffic. Primary traffic access to the development will be from SH77, being a "Tee" intersection and the eastern SH77 access will form a cross roads with Piako Drive. The pedestrian and cyclist access to SH73 has been proposed to provide an alternative access from the development to give more direct access to the walking and cycling tracks west of Darfield.
- 5.32 The resultant properties fronting SH77 are proposed to have direct access to SH77. The Plan Change states that this increase in density of accesses will enable NZTA to reduce the speed limit to 70 km/hr if they so desire. It is clear from the submission of NZTA that they do not seek such an outcome and the relief sought in the NZTA submission is no direct property access be provided for all allotments west of the western most access road shown on the ODP. The ODP should be updated to reflect the change sought by NZTA in this regard. NZTA also seek that the ODP be updated to make it clear that no direct property access is provided to SH73 as set out in the Plan Change documentation.
- 5.33 A related matter is any future access location onto SH73 to provide for the integrated development of the north west of Darfield in accord with good urban design practice. NZTA considers that any such access should be closer to the urban core of Darfield than that land included in PC46. This would suggest that it be to the north of the existing Business 2 zone, being land within Area 5 but not included in PC46 (Pt Lot 2 DP 18559). This matter further

illustrates the pitfalls of not undertaking a comprehensive ODP for all the land included in Area 5 as already discussed above.

- 5.34 The provision of access to SH73 to the south east of PC46 places greater importance on the road connection from the Plan Change area into Pt Lot 2 DP 18559 and the removal of the word “potential” from the ODP.

#### **Cultural values**

- 5.35 The submission from Te Taumutu Rununga, whilst supporting community growth, is concerned that development is undertaken in a sustainable way considering the effects of the propose change as a whole. The concerns are directed towards water quality and quantity.
- 5.36 Matters relating to water supply and wastewater have been discussed above and in the associated servicing report prepared by Mr England. The design and consenting of these systems will necessarily take into account effects on water quality and quantity and ensure that the specific design delivers an acceptable outcome in this regard. Water supply is available through recent upgrades to the wider Darfield Township network, however this supply is likely to be restricted to ensure efficient water use (2000L/day). A restricted supply 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.
- 5.37 Water Quality is an important issue for Rūnanga and the community. This is reflected in the M.I.M.P, particularly policies WM6.1-WM6.18. The submission states that the Rūnanga would prefer to see the effects of an activity managed on site (and not beyond the property boundary as per the M.I.M.P), however, given the size of the township it is considered that the effects of wastewater would be better managed as a community system than as individual wastewater systems (as proposed).
- 5.38 Mr England has addressed wastewater in his report and considers there is a viable means to dispose of wastewater for this plan change area. He recommends that a wastewater consent is obtained from Environment Canterbury prior to resource consent being applied for from the Selwyn District Council.
- 5.39 In summary, the matters raised in the submission are considered to apply at a higher (i.e., Townships) level than the development sought through this plan change per se. On the basis that the Council’s Asset Manager – Water Services is satisfied with the proposal, and that the necessary consents from Environment Canterbury will be required at the appropriate time in the development process, then it is considered that the servicing of PC46 can proceed as put forward.

#### **Other Matters**

- 5.40 It is recognised that the submission of Hatton Investments Ltd also raised matters regarding the adequacy of the section 32 assessment and consultation. These concerns were contributing factors to the various issues raised and considered above. Therefore, the section 32 and consultation these have not been addressed separately and specifically for the purpose of this report.

## **6 PROPOSED DISTRICT PLAN TEXT AMENDMENTS**

- 6.1 As outlined above, the requested changes to the District Plan are included in **Attachment A**.

## Subdivision Rules

- 6.2 The first of those relates to **Rule 12.1.3.9**. The Plan Change request that Area 5 be deleted from this rule. In my view this is not required to facilitate subsequent subdivision of the land subject to the request and is also inappropriate in the context of the balance land within Area 5 not part of the PC46 request.
- 6.3 In terms of **Rule 12.1.3.9(b)**, the request substitutes reference to Policy B4.3.22 with B4.3.28. This renumbering is effectively a consequential amendment in relation to previous changes to the plan that have not updated this cross-reference (Policy B4.3.22 currently relates to residential and business development in Coalgate).
- 6.4 PC46 also requests three new rules be inserted at the end of the subdivision rules applying to Darfield. **Proposed Rule 12.1.3.16** merely states that any subdivision of land within the Area shown in Appendix 45<sup>2</sup> shall comply with the layout and contents of that ODP and any standards referred to therein. In my view this proposed rule merely repeats requirements already set out in Rule 12.1.3.10:
- Where a potable water supply is available which is capable of serving the lots within the subdivision, and there is an Outline Development Plan which has been incorporated into the District Plan for the area identified in Appendix 25 within which the subdivision is proposed, the subdivision complies with the layout and contents of the Outline Development Plan for that area.*
- 6.5 On that basis it is considered that proposed Rule 12.1.3.16 put forward as part of PC46 is unnecessary and superfluous.
- 6.6 **Proposed Rule 12.1.3.17** effectively repeats the requirements set out in **Rule 12.1.3.13** relating to the development of Area 3 within Darfield (as approved by Plan Change 24). The ODP for this area is already included as Appendix 41 to the Townships Volume of the District Plan.
- 6.7 It is considered that Rule 12.1.3.13 should either simply be updated to include the reference to the ODP (and content) in new Appendix [46], or once again simply have this information included as part of the ODP and simply rely on the existing Rule 12.1.3.10, which requires that any development of the land within which the subdivision is proposed “*complies with the layout and contents of the Outline Development Plan for that area*”. In either case, I do not see the need to endlessly keep expanding the length of the District Plan by repeating the same provision to simply refer to a different ODP Appendix reference number.
- 6.8 **Proposed Rule 12.1.3.18** relates to fencing, and more particularly whether “*any fencing achieves a high level of transparency, with a preference for designs that express a rural vernacular and accord with the typologies in Appendix 44*”.
- 6.9 My first impression of this provision is that it does not sit well within a subdivision context, being effectively to control a land use matter. Fencing is not typically considered or indeed shown on any subdivision plan, and this is why it is included as part of the proposed changes to the land use rules [Rule 4.2.3] discussed further below. From discussions with Council Officers, I understand that the issue relates to land owners being unaware of the land use rules in relation to fencing and constructing more ‘urban’ fences within rural residential development (at some considerably cost). There is then great pressure on Council to simply allow the retention of such fencing. The Council’s solution to this matter has been to include consent notices on the relevant certificates of title, which requires consideration at the subdivision stage.

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<sup>2</sup> Please note that this would now be Appendix 46 following the approval of a plan change at Southbridge, which has an ODP attached as Appendix 45

- 6.10 Having this understanding I still question whether a separate rule is the best and most effective way to achieve the objectives. It is considered that the ODP should be more than simply a plan, and this is supported by the reference to “layout and contents” of the ODP within **Rule 12.1.3.10**. In my view a reference to Appendix 44 within the ODP for PC46 would be sufficient to alert the Officer processing the subdivision consent to require a consent notice relating to fencing if that is considered appropriate.

#### **Land Use Rules**

- 6.11 PC46 seeks to include reference to the land affected by the plan change within existing **Rule 4.2.3** under the heading ‘Buildings and Landscaping’.
- 6.12 This rule requires that any fencing be limited “*to a maximum height of 1.2m, be at least 50% open, and be post and rail, traditional sheep, or deer fencing, or solid post and rail or post and wire only*” (*ibid.*).
- 6.13 In the context of the discussion above I have no issues with inclusion of the reference to the PC46 land in this rule. This would effectively re-inforce the matters that I consider should also be included as part of an updated ODP.
- 6.14 The last set of Rule changes relate to ‘Setbacks from State Highways and internal noise levels’. The District Plan currently includes two rules in relation to this matter, being **Rule 4.9.3 and 4.9.4**. These provisions were introduced as part of Plan Change 12 (Integrated Transport Management). Rather than simply adopt these provisions, PC46 includes an exception to these provisions, and instead adds two new rules (to be included as Rules 4.9.5 and 4.9.6).
- 6.15 The two new rules are very similar to the provisions that apply to the Living 3 zone at Rolleston introduced through PC8, except that PC46 includes a proposed reduction to a 20m setback from the 40m that applies to both sets of existing rules (both **Rule 4.9.3 and 4.9.33**). Also, rather than meeting a defined (and therefore certain) internal noise levels as set out in **Rule 4.9.4**, PC46 includes compliance with internal noise guidelines outlined in AS/NZS 2107:2000 for certain sensitive buildings within 40m from the edge of the sealed SH carriageway. This is subject of the NZTA submission to increase the setback to 80m. This is very similar to that applying in the Living 3 zone at Rolleston (Rule 4.9.34)
- 6.16 The reason for the two sets of similar rules is due to the fact that at the time of considering PC8, PC12 was not yet finalised. Therefore, site specific wording was introduced as part of PC8 in anticipation of what the final provisions included within PC12 might look like.
- 6.17 In this context, I see no reason why PC46 should not simply adopt the district wide **Rules 4.9.3 and 4.9.4** introduced by PC12 (NZTA were a submitter on PC12). There is little, if any, discussion included within the plan change documentation to justify why PC46 demonstrates site specific characteristics that require a departure from the standard district wide rules. The reasoning for the different set of provisions adopted for the Living 3 zone at Rolleston certainly do not apply in this case and cannot be used to justify introducing a third set of provisions dealing with the same matter. In my view this is unnecessary and does not reflect best planning practice.

#### **Planning Maps**

- 6.18 The adoption of PC46 would require amendments to planning maps 64, 65, 67 and 68 (sheets 1 and 2) to remove reference to the deferred status across the site.

#### **Appendices**

- 6.19 A new ODP would be included in the appendices to the Township Volume of the District Plan. At the present time this would be Appendix 46.

## 7 CONCLUSIONS/RECOMMENDATIONS

### Matters to be considered

- 7.1 Section 74 of the RMA sets out the matters that must be considered in preparing a change to the Plan. Amongst other things, section 74 requires the local authority to:
- comply with its functions under section 31
  - consider alternatives, benefits and costs under section 32
  - ensure the necessary matters are stated in the contents of the district plan under section 75
  - have regard to the overall purpose and principles set out in Part II, including the Matters of National Importance (section 6), the Other Matters (section 7) that require particular regard to be had in achieving the purpose, and the Treaty of Waitangi (section 8)
- 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.

### Functions of territorial authorities and matters to be included in a district plan – section 31 and section 75 assessment

- 7.3 Council's functions under section 31 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 PC46 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 PC46 are all matters that fall within the ambit of the content of a district plan under section 75.

### Consideration of alternatives, benefits and costs - s32 assessment

- 7.6 The Council has a duty under section 32 of the RMA to consider alternatives, benefits and costs of the proposed change. The section 32 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 The proposal does not seek to amend any of the operative objectives or policies of the Plan. The section 32 consideration therefore turns on the Council being satisfied that PC46 is a more efficient and effective method of achieving the Plan's objectives, and thereby Part 2 of the RMA, than the existing Living 2A Deferred Zone and associated rule package as it relates to the specific site in question.
- 7.8 On the information presented as part of the plan change application and from the findings of the various Council Officers who have reviewed the application and the matters raised by submitters, I am satisfied that proposed Plan Change 46 can better achieve the Plans' objectives than the existing provisions, and does give effect to the CRPS, subject to addressing the matters raised in this report, namely:

- An amended ODP addressing matters of connectivity, future intensification (future proofing) roading pattern and hierarchy, indicative staging, fencing typology (with reference to Appendix 44), property access to SH73 and SH77, greater walking/cycling connection between Bangor Road and SH73, upgrade of the water race along eastern boundary and incorporating it into walking/cycling network, removing shelterbelts where shading occurs and to allow view shafts, and an alternative planting scheme along SH73 that provides for attractive frontage and landscaping and reserve requirements.
- Consideration of whether, given the changes recommended to the ODP as set out above, changes are required to Rule 12.1.3.9, Rule 4.9.3 and 4.9.4 (setbacks from State Highways and internal noise levels); and
- Consideration of whether, given the changes recommended to the ODP as set out above, whether additional proposed Rules 12.1.3.16, 12.1.3.17 and Rule 12.1.3.18 (Subdivision); and Rules 4.9.5 and 4.9.6 (setbacks from State Highways and internal noise levels) are required.

7.9 It is therefore recommended that the Plan Change be accepted, subject to the relatively minor amendments recommended above. It is recommended that all the submissions be rejected or accepted in part, as set out in **Attachment B**.

**Attachment A:**  
Changes Requested to the Selwyn District Plan

## Geotechnical

- 3.36 A geo-environmental desk study and site inspection was undertaken by URS in October 2014 to support the plan change. A copy of the report is attached as **Appendix 7**. The report was prepared to assist in understanding from a geo-environmental perspective the potential implications of lifting the deferred status over the subject site. The conclusions in the report considered that the property had undergone only minor anthropogenic surface modification, most related to agricultural activity and that based on the observations of the ground conditions and proposed development, no more site investigations were required to support the plan change.
- 3.37 With regard to environmental considerations, URS identified three actual or potential HAIL activities at the property.
- Category A8 – Livestock dip or spray race operations (potential given extended agricultural history);
  - Category A17 – Storage tanks or drums for fuel, chemical or liquid waste; and,
  - Category G5 – Waste disposal to land (former and current pits)
- 3.38 URS considered that these activities are quite typical of agricultural properties and did not recommend any further site investigations were necessary to meet the plan change requirements. Additional investigation of specific HAIL activities will be required for subdivision and development.

## 4. PROPOSED CHANGES TO SELWYN DISTRICT PLAN

- 4.1. This plan change introduces the following changes to the District Plan and planning maps to enable the lifting of the deferred status of the zone from Living 2A (deferred) to Living 2A over the application site.
- 4.2. Any text proposed to be added by the plan change is shown as **bold and underlined** and text to be deleted as ~~**bold and strikethrough**~~.

### Objectives and Policies

- 4.3. The plan change proposes the application site have the deferred status of the zone lifted and the site be zoned Living 2A. The existing objectives and policies are appropriate in their current form to enable the plan change.
- 4.4. The following amendments and additions are proposed:

Township Volume, Part C – Living Zone Rules – Subdivision

Amendment to Rule 12.1.3.9

**Darfield**

12.1.3.9 No subdivision of land in any of the areas labelled “Areas 1, 2, 4 and ~~5~~: as shown in Appendix 25, shall take place until:

- (a) A potable water supply is available which is capable of serving the lots within the subdivision; and
- (b) An Outline Development Plan addressing those matters identified in the explanation and reasons to Policy ~~B4.3.22~~, **B4.3.28** Darfield Specific Policies has been incorporated into the District Plan for the area as identified in Appendix 25 within which the subdivision is proposed.

Township Volume, Part C – Living Zone Rules – Subdivision

Insertion of new rules, following the rules for Darfield

Insertion of a new rule, Rule 12.1.3.16,

**Darfield**

**12.1.3.16 Any subdivision of land within the area shown in Appendix 45 – Living 2A Darfield – Bangor Road Outline Development Plan, shall comply with the layout and contents of that Outline Development Plan and shall comply with any standards referred to in the Outline Development Plan.**

Insertion of a new rule, Rule 12.1.3.17

**12.1.3.17 For the subdivision of Living 2A zoned land shown in Appendix 45, - Living 2A Darfield –Bangor Road Outline Development Plan, any subdivision plans submitted to the Council shall be accompanied by a landscape plan and planting plan detailing plantings to be undertaken and reserve areas to be established. Any landscaping and planting of reserve areas shall be established generally in accordance with the Outline Development Plan.**

Insertion of a new rule, Rule 12.1.3.18

**12.1.3.18 For the subdivision of Living 2A zoned land shown in Appendix 45 – Living 2A Darfield- Bangor Road Outline Development Plan, whether any fencing achieves a high level of transparency, with a preference for designs that express a rural vernacular and accord with the typologies in Appendix 44.**

Township Volume, Part C - Living Zone Rule – Building - 4.2 Buildings and Landscaping

Amend existing Rule 4.2.3 as follows:

Amendment to Rule 4.2.3

4.2.3 Any fencing in the Living 3 Zone, **and the Living 2A Zone in Darfield, as identified in Appendix 45**, shall be limited to a maximum height of 1.2m, be at least 50% open, and be post and rail, traditional sheep, or deer fencing, or solid post and rail or post and wire only;

Except that nothing in the above controls shall preclude:

- (i) The use of other fencing types when located within 10m of the side or rear of the principle building. Such fence types shall not project forward of the line of the front of the building.
- (ii) Fencing required by an Outline Development Plan and/or rule in this Plan as a noise barrier.

Township Volume, Part C - Living Zone Rule – Building - 4.9 Buildings and Building Position

Amend existing Rules 4.9.3 and 4.9.4

Amendment to Rules 4.9.3 and 4.9.4

#### **Setbacks from State Highways and internal noise levels**

4.9.3 Except for the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 39 and 40, and ODP Area 3 and ODP Area 8 in Rolleston, **and the Living 2A Zone in Darfield, as identified in the Outline Development Plan in Appendix 45**, any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes shall be located no closer than 40m from the edge of the sealed carriageway of State Highways with a posted speed limit of 70km/hr. or greater.

4.9.4 Except for the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 39 and 40, and ODP Area 3 and ODP area 8 in Rolleston, **and the Living 2A Zone in Darfield, as identified in the Outline Development Plan in Appendix 45,** any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes within 100m from the edge of the sealed driveway of State Highways with posted speed limit of 70km/h or greater shall have internal noise levels from road traffic that do not exceed limits set out below with all windows and doors closed.

	<b>24 hours</b>
<b>Within Bedrooms</b>	35 dBA (Leq 24 hour)
<b>Within Living Area Rooms</b>	40 dBA (Leq 24 hour)

Insertion of new rules

Insertion of new rules, Rule 4.9.5 and Rule 4.9.6

**4.9.5 In the Living 2A Zone at Darfield, as identified in Appendix 45, any dwelling, family flat and any rooms within accessory buildings used for sleeping or living purpose shall be located no closer than 20m from the edge of the sealed carriageway of State Highways.**

**4.9.6 In the Living 2A Zone at Darfield, as identified in Appendix 45, any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes within 40m from the edge of the sealed carriageway of State Highways shall be required to comply with the internal noise guidelines outlined in AS/NZS2107:2000.**

**Consequential amendment to Rules 4.9.42 and 4.9.46 to the extent necessary to give effect to the amendments noted above (i.e. new Rules 4.9.5 and 4.9.6).**

### Reasons for rules

4.5. The reasons for rules are considered appropriate in their current form as they provide an appropriate explanation of the reasons for the outline development plan.

### Planning Maps

4.6. Amend Rural Township Planning Maps for Darfield, Planning Maps, 64,65, 67 and 68, (sheets 1 and 2) to reflect the Living 2A zone status across the site.

**Attachment B:**  
Submission Summary and Officer's Recommendations

**Private Plan Change 46:** Gillian Logan – 160 Bangor Road, Darfield (Amend Living 2A (Deferred) Zone to Living 2A Zone and Insert an Outline Development Plan and Associated Rules

**Recommendations on Submissions**

Submitter Number	Submitter	Submission	Oppose/Support	Relief Sought	Officer Recommendation
1	J & K Young	The proposed hedgerow along State Highway 73 shown on the Outline Development Plan (ODP) will adversely affect the views currently enjoyed by the submitters' property.	Oppose	That the hedgerow along State Highway 73 be maintained at a maximum height of 2.8m (not requiring regular trimming).	Accept in Part
2	Ivan Hatton (on behalf of Hatton Investments Ltd)	<p><b>Scope of Plan Change</b></p> <p>The submitter owns land zoned Living 2A (Deferred) within Area 5 (as shown in Appendix 25 to the Townships Volume of the District Plan).</p> <p>The submitter's land is one of a few parcels of land within Area 5 that is not part of the area affected by Proposed Plan Change 46.</p> <p>The submitter considers that inclusion of all land within Area 5 as part of the plan change would result in a more co-ordinated planning outcome.</p> <p><b>Roading</b></p> <p>The proposed ODP shows "potential links" through to land outside the plan</p>	Oppose	<p>Plan Change be declined , or otherwise be amended to:</p> <ul style="list-style-type: none"> <li>i. Include all land within Area 5 similarly zoned Living 2A (Deferred).</li> <li>ii. The proposed ODP be amended to require the potential future roading connections through Lot 1 DP 81020 and Part Lot 2 DP 18559 to be provided.</li> <li>iii. That the densities shown on the proposed ODP be amended to ensure that the decrease in density as the distance from Darfield Town Centre increases is retained when other sites zoned Living 2A (Deferred) are</li> </ul>	<p>Reject</p> <p>Reject</p> <p>Accept</p> <p>Accept in Part</p>

		<p>change but within Area 5. Without the certainty of these connections, this is effectively the same as not showing them at all.</p> <p><b>Density</b></p> <p>The graduated pattern of decreasing density towards the outskirts does not account for the adjoining Living 2A (Deferred) zoned land, which if separate ODP were created would only allow for a minimum average allotment size of 1ha. Therefore the gradual decrease in density sought by the Plan Change would be disrupted by the potential density of these other Living 2A (Deferred) zoned sites.</p> <p><b>Reverse Sensitivity</b></p> <p>The proposed Plan Change has recognised reverse sensitivity by including larger allotment sizes along the State Highway corridor and neighbouring rural allotments. However, this has not been provided adjacent to the submitter’s property and others within the balance of Area 5, which are effectively still within a rural zone. Some consideration of reverse sensitivity effects to the current (and permitted) uses of this land should be made in order for the Proposed Plan Change to be consistent with Policy B4.3.28.</p>		<p>considered, whilst ensuring a minimum 1ha average allotment size is retained.</p> <p>(as shown on amended ODP attached to the submission).</p>	
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		<p><b>Section 32</b></p> <p>The Plan Change application has considered lifting the deferred status of the Living 2A zone over the entire Area 5 as Option 5 in the accompanying Section 32 analysis.</p> <p>The potential difficulties relating to dealing with multiple stakeholders are highlighted as costs in relation to lifting the deferred status of all sites in Area 5. However, there is potential for a plan change to consider a larger area of land without the direct involvement of these landowners.</p> <p>The costs of Option 5 are considered to be inflated, whilst the stated benefits are unnecessarily (and potentially intentionally) limited.</p> <p>It is considered that Option 5 is the most effective and efficient way of achieving the objectives of the Selwyn District Plan and the Resource Management Act.</p> <p><b>Consultation</b></p> <p>At the informal drop in meeting owners of land within Area 5 did express their wish to discuss the inclusion of their sites as part of the plan change; however, the applicants proceeded to focus solely on their own sites.</p>			
3	NZ Transport Agency	i. The Agency is concerned at potential reverse sensitivity effects	Supports in Part	i. Reword proposed Rule 4.9.6 to provide for 80m of acoustic internal	Accept in Part

		<p>related to their operation and management of the State Highway network. To manage such effects, the Agency requires separation and setback distances between habitable buildings and the road edge; and requiring design and construction of sensitive activities to meet “maximum” internal sounds levels set out in AS/NZ2107:2000. Proposed Rule 4.9.6 included in the Plan Change will not meet Agency guidelines for mitigating the effects of a noise sensitive activity, as only buildings within 40m are required to be acoustically insulated.</p>		<p>noise insulation from the road edge of the State Highway (<i>sic.</i>).</p> <ul style="list-style-type: none"> <li>ii. Remove higher density 3700m<sup>2</sup> lots west of the western most road access onto SH77 road and replace with a minimum 2ha lot density.</li> <li>iii. That there be no direct property vehicle access to the zone from SH77 from the western side of the proposed second SH77 access to the western boundary of the proposed zone. No direct property access onto SH73. That these requirements be embedded in the rules and the ODP.</li> <li>iv. The ODP, associated policy and rules are strengthened to ensure that there is an explicit requirement for a road connection to the east to secure connections back into the urban area and ultimately onto SH73 closer to Darfield Township.</li> </ul>	<p>Accept in Part</p> <p>Accept</p> <p>Accept</p>
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		iv. The Agency seeks to ensure that access to support the growth of northwest Darfield is located closer to the urban core. On that basis the road connection to the adjoining land to the south east is considered very important from a connectivity perspective.			
4	Te Taumutu Runanga	<p>While it is noted that parts of the Mahaanui Iwi Management Plan 2013 (M.IMP) have been considered as part of the Plan Change, water supply, stormwater and wastewater etc. are also relevant. The Plan Change must consider the entire M.IMP.</p> <p><b>Water Supply</b></p> <p>The water supplied from the community wells is from within the Selwyn-Waimakariri Allocation Zone which is considered to be over allocated.</p> <p>The effects of allowing further subdivision will result in an increase in community takes from the area adding additional pressure on an over-allocated groundwater resource.</p> <p>The Selwyn District has advised the Applicant they could service water to the properties at 2000L/day, but the Applicant seeks more.</p>	Neutral	<p>While Te Taumutu Runanga is generally supportive of community growth, they are unable to support the application in its current form.</p> <p>If the decision makers are of a mind to grant the Proposed Plan Change, Te Taumutu Runanga considers that it should be consistent with the Iwi Management Plan and take into the accounts the matters raised in their submission.</p>	Accept in Part

		<p><b>Wastewater</b></p> <p>By allowing this Plan Change with the use of individual systems there is the potential that effects will be greater than anticipated on water quality as a result of the increase in wastewater systems in the area.</p> <p><b>Stormwater</b></p> <p>As with the wastewater system, Te Taumutu Runanga considers that given the size of the township stormwater should be treated at a community level rather than to ground at individual sites.</p>			
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**Attachment C:**  
Relevant Objectives, Policies and Rules

## Canterbury Regional Policy Statement (CRPS)

### 5.3 POLICIES

#### **Policy 5.3.1 – Regional growth (Wider Region)**

To provide, as the primary focus for meeting the wider region's growth needs, sustainable development patterns that:

- (1) ensure that any
  - (a) urban growth; and
  - (b) limited rural residential development occur in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development;
- (2) encourage within urban areas, housing choice recreation and community facilities, and business opportunities of a character and form that supports urban consolidation;
- (3) promote energy efficiency in urban forms, transport patterns, site location and subdivision layout;
- (4) maintain and enhance the sense of identity and character of the region's urban areas; and
- (5) encourage high quality urban design, including the maintenance and enhancement of amenity values.

#### **Policy 5.3.3 – Management of development (Wider Region)**

To ensure that substantial developments are designed and built to be of a high-quality, and are robust and resilient:

- (1) through promoting, where appropriate, a diversity of residential, employment and recreational choices, for individuals and communities associated with the substantial development; and
- (2) where amenity values, the quality of the environment, and the character of an area are maintained, or appropriately enhanced.

### **Policy 5.3.5 – Servicing development for potable water, and sewage and stormwater disposal (Wider Region)**

Within the wider region, ensure development is appropriately and efficiently served for the collection, treatment, disposal or re-use of sewage and stormwater, and the provision of potable water, by:

- (1) avoiding development which will not be served in a timely manner to avoid or mitigate adverse effects on the environment and human health; and
- (2) requiring these services to be designed, built, managed or upgraded to maximise their ongoing effectiveness.

### **Policy 5.3.6 – Sewerage, stormwater and potable water infrastructure (Wider Region)**

Within the wider region:

- (1) Avoid development which constrains the ongoing ability of the existing sewerage, stormwater and potable water supply infrastructure to be developed and used.
- (2) Enable sewerage, stormwater and potable water infrastructure to be developed and used, provided that, as a result of its location and design:
  - (a) the adverse effects on significant natural and physical resources are avoided, or where this is not practicable, mitigated; and
  - (b) other adverse effects on the environment are appropriately controlled.
- (3) Discourage sewerage, stormwater and potable water supply infrastructure which will promote development in locations which do not meet Policy 5.3.1.

### **Policy 5.3.7 – Strategic land transport network and arterial roads (Entire Region)**

In relation to strategic land transport network and arterial roads, the avoidance of development which:

- (1) adversely affects the safe efficient and effective functioning of this network and these roads, including the ability of this infrastructure to support freight and passenger transport services; and
- (2) in relation to the strategic land transport network and arterial roads, to avoid development which forecloses the opportunity for the development of this network and these roads to meet future strategic transport requirements.

### **Policy 5.3.8 – Land use and transport integration (Wider Region)**

Integrate land use and transport planning in a way:

- (1) that promotes:
  - (a) the use of transport modes which have low adverse effects;
  - (b) the safe, efficient and effective use of transport infrastructure, and reduces where appropriate the demand for transport;
- (2) that avoids or mitigates conflicts with incompatible activities; and
- (3) where the adverse effects from the development, operation and expansion of the transport system:
  - (a) on significant natural and physical resources and cultural values are avoided, or where this is not practicable, remedied or mitigated; and
  - (b) are otherwise appropriately controlled.

### **Policy 5.3.11 – Community-scale irrigation, stockwater and rural drainage infrastructure (Wider Region)**

In relation to established and consented community-scale irrigation, stockwater and rural drainage infrastructure:

- (1) Avoid development which constrains the ability of this infrastructure in Canterbury to be operated, maintained and upgraded;
- (2) Enable this infrastructure to be operated, maintained and upgraded in Canterbury to more effectively and efficiently transport consented water provided that, as a result of its location and design:
  - (a) the adverse effects on significant natural and physical resources and cultural values are avoided, or where this is not practicable, mitigated; and
  - (b) other adverse effects on the environment are appropriately managed.

### **Policy 5.3.12 – Rural production (Wider Region)**

**Maintain and enhance natural and physical resources contributing to Canterbury’s overall rural productive economy in areas which are valued for existing or foreseeable future primary production, by:**

- (1) avoiding development, and / or fragmentation which;
  - (a) forecloses the ability to make appropriate use of that land for primary production; and / or**
  - (b) results in reverse sensitivity effects that limit or precludes primary production.****
- (2) enabling tourism, employment and recreational development in rural areas, provided that it:
  - (a) is consistent and compatible with rural character, activities, and an open rural environment;**
  - (b) has a direct relationship with or is dependent upon rural activities, rural resources or raw material inputs sourced from within the rural area;**
  - (c) is not likely to result in proliferation of employment (including that associated with industrial activities) that is not linked to activities or raw material inputs sourced from within the rural area; and**
  - (d) is of a scale that would not compromise the primary focus for accommodating growth in consolidated, well designed and more sustainable development patterns.**

**and;****
- (3) ensuring that rural land use intensification does not contribute to significant cumulative adverse effects on water quality and quantity.**

## **RESIDENTIAL DENSITY AND SUBDIVISION IN THE RURAL AREA – OBJECTIVES**

### **Objective B4.1.1**

The provision of a variety of residential section sizes in the rural area, while maintaining a low overall residential density.

### **Objective B4.1.2**

Residential density is low enough to maintain the character of the rural area and to avoid adverse effects on natural and physical resources or reverse sensitivity effects.

### **Objective B4.1.3**

Allotments are created which are of the appropriate size and shape and have the required utility services, for their intended use.

## **QUALITY OF THE ENVIRONMENT – OBJECTIVES**

### **Objective B3.4.1**

The District's townships are pleasant places to live and work in.

### **Objective B3.4.2**

A variety of activities are provided for in townships, while maintaining the character and amenity values of each zone.

### **Objective B3.4.3**

“Reverse sensitivity” effects between activities are avoided.

### **Objective B3.4.4**

Growth of existing townships has a compact urban form and provides a variety of living environments and housing choices for residents, including medium density housing typologies located within areas identified in an Outline Development Plan.

# **QUALITY OF THE ENVIRONMENT – POLICIES AND METHODS**

## **ZONES**

### **Policy B3.4.1**

To provide zones in townships based on the existing quality of the environment, character and amenity values, except within Outline Development Plan areas in the Greater Christchurch area where provision is made for high quality medium density housing.

### **Policy B3.4.2**

To provide for any activity to locate in a zone provided it has effects which are compatible with the character, quality of the environment and amenity values of that zone.

### **Policy B3.4.3**

To provide Living zones which:

- are pleasant places to live in and provide for the health and safety of people and their communities;
- are less busy and more spacious than residential areas in metropolitan centres;
- have safe and easy access for residents to associated services and facilities;
- provide for a variety of living environments and housing choices for residents, including medium density areas identified in Outline Development Plans;
- ensure medium density residential areas identified in Outline Development Plans are located within close proximity to open spaces and/or community facilities and
- ensure that new medium density residential developments identified in Outline Development Plans are designed in accordance with the following design principles:
  - access and connections to surrounding residential areas and community facilities and neighbourhood centres are provided for through a range of transport modes;
  - block proportions are small, easily navigable and convenient to encourage cycle and pedestrian movement;
  - streets are aligned to take advantage of views and landscape elements;
  - section proportions are designed to allow for private open space and sunlight admission;
  - a subdivision layout that minimises the number of rear lots;
  - layout and design of dwellings encourage high levels of interface with roads, reserves and other dwellings;
  - a diversity of living environments and housing types are provided to reflect different lifestyle choices and needs of the community;
  - a balance between built form and open spaces complements the existing character and amenity of the surrounding environment and;
  - any existing natural, cultural, historical and other unique features of the area are incorporated where possible to provide a sense of place, identity and community.

# **RESIDENTIAL DENSITY – POLICIES AND METHODS**

## **Policy B4.1.2**

Maintain Living 2 and 3 Zones as areas with residential density which is considerably lower than that in Living 1 Zones.

## **Policy B4.1.3**

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:

- 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.

## **Policy B4.1.10**

Ensure there is adequate open space in townships to mitigate adverse effects of buildings on the aesthetic and amenity values and “spacious” character.

## **Policy B4.1.11**

Encourage new residential areas to be designed to maintain or enhance the aesthetic values of the township, including (but not limited to):

- Retaining existing trees, bush, or other natural features on sites; and
- Landscaping public places.

## **Policy B4.1.12**

Discourage high and continuous fences or screening of sites in Living zones that have frontage but no access on to Strategic Roads or Arterial Roads.

## **B4.3 RESIDENTIAL AND BUSINESS DEVELOPMENT**

### **RESIDENTIAL AND BUSINESS DEVELOPMENT – OBJECTIVES**

#### **Objective B4.3.1**

The expansion of townships does not adversely affect:

- Natural or physical resources;
- Other activities;
- Amenity values of the township or the rural area; or
- Sites with special ecological, cultural, heritage or landscape values.

#### **Objective B4.3.2**

For townships outside the Greater Christchurch area, 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.

#### **Objective B4.3.4**

New areas for residential or business development support the timely, efficient and integrated provision of infrastructure, including appropriate transport and movement networks through a coordinated and phased development approach.

## **RESIDENTIAL AND BUSINESS DEVELOPMENT – TOWN FORM POLICIES**

Policies B4.3.1 to B4.3.10 of this section apply to rezoning of land for residential or business development in addition to the general policies in Part B, Sections 1.1 to 4.2 and 4.4. Any variation or plan change request should be consistent with each and every relevant policy in these two parts of the Plan or seek to change those policies with which it is not consistent.

#### **Policy B4.3.1**

Ensure new residential, rural residential or business development either:

- Complies with the Plan policies for the Rural Zone; or
- The land is rezoned to an appropriate Living Zone that provides for rural-residential activities (as defined within the Regional Policy Statement) in accordance with an Outline Development Plan incorporated into the District Plan; or
- The land is rezoned to an appropriate Living or Business zone and, where within the Greater Christchurch area, is contained within existing zoned land and greenfield priority areas identified in the Regional Policy Statement and developed in accordance with an Outline Development Plan incorporated into the District Plan.

### **Policy B4.3.2**

In areas outside the Greater Christchurch area, require 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**

Avoid zoning patterns that leave land zoned Rural surrounded on three or more boundaries with land zoned Living or Business.

### **Policy B4.3.6**

Encourage townships to expand in a compact shape where practical.

### **Policy B4.3.8**

Each Outline Development Plan shall include:

- **Principal through roads, connection and integration with the surrounding road networks, relevant infrastructure services and areas for possible future development;**
- **Any land to be set aside for**
  - **community facilities or schools;**
  - **parks and land required for recreation or reserves;**
  - **any land to be set aside for business activities;**
  - **the distribution of different residential densities;**
  - **land required for the integrated management of water systems, including stormwater treatment, secondary flow paths, retention and drainage paths;**
  - **land reserved or otherwise set aside from development for environmental or landscape protection or enhancement; and**
  - **land reserved or otherwise set aside from development for any other reason, and the reasons for its protection.**

- Demonstrate how each ODP area will achieve a minimum net density of at least 10 lots or household units per hectare ;
- Identify any cultural (including Te Taumutu Runanga values), natural, and historic or heritage features and values and show how they are to be enhanced or maintained;
- Indicate how required infrastructure will be provided and how it will be funded;
- Set out the phasing and co-ordination of subdivision and development in line with the phasing shown on the Planning Maps and Appendices;
- Demonstrate how effective provision is made for a range of transport options, including public transport systems, pedestrian walkways and cycleways, both within and adjoining the ODP area;
- Show how other potential adverse effects on and/or from nearby existing or designated strategic infrastructure (including requirements for designations, or planned infrastructure) will be avoided, remedied or appropriately mitigated;
- Show how other potential adverse effects on the environment, the protection and enhancement of surface and groundwater quality, are to be avoided, remedied or mitigated;
- Include any other information which is relevant to an understanding of the development and its proposed zoning; and
- Demonstrate that the design will minimise any reverse sensitivity effects.

## **DARFIELD**

### **Policy B4.3.23**

Encourage new residential and business development on sites in existing Living and Business zones if such sites are available and appropriate for the proposed activity.

### **Policy B4.3.24**

To encourage the provision of large residential allotments within the Living 2 Zones.

### **Policy B4.3.25**

Discourage individual property access from new Living or Business zones to State Highway 73 or State Highway 77 (Bangor Road) and manage the number and location of any new subdivisional roads on to these routes.

### **Policy B4.3.27**

Ensure any land rezoned for new residential or business development does not create or exacerbate 'reverse sensitivity' issues in respect of activities in the existing Business 2 Zones or the Midland Railway.

## **Policy B4.3.28**

To provide for mixed densities in the Living X Zone, and rural residential development around the township in the Living 2A (Deferred) Zone to a minimum average area of 1ha, and in the Living 2A1 Zone to a minimum average area of 2ha, subject to the following:

- That all new allotments are able to be serviced with a reticulated potable water supply;
- That outline development plans have been incorporated into the Plan for the coordinated development of four identified areas of land in the Living 2A Zone, the Living X Zone and part of the Living 2 Zone to address roading, reserve, and pedestrian/cycle linkages;
- Where applicable, provision has been made to address any reverse sensitivity issues.

PART C

# 12 LIVING ZONE RULES – SUBDIVISION

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## **Darfield**

- 12.1.3.9 No subdivision of land in any of the areas labelled “Areas 1, 2, 4 and 5” as shown in Appendix 25, shall take place until:
- (a) A potable water supply is available which is capable of serving the lots within the subdivision; and
  - (b) An Outline Development Plan addressing those matters identified in the explanation and reasons to Policy B4.3.22, Darfield Specific Policies has been incorporated into the District Plan for the area as identified in Appendix 25 within which the subdivision is proposed.
- 12.1.3.10 Where a potable water supply is available which is capable of serving the lots within the subdivision, and there is an Outline Development Plan which has been incorporated into the District Plan for the area identified in Appendix 25 within which the subdivision is proposed, the subdivision complies with the layout and contents of the Outline Development Plan for that area.
- 12.1.3.13 For the subdivision of Living 1 and Living 2A zoned land shown in Appendix 41 Darfield Outline Development Plan, any subdivision plans submitted to the Council shall be accompanied by a landscape plan and planting plan detailing plantings to be undertaken and reserve areas to be established. Landscaping and planting of reserve areas shall be established generally in accordance with the Landscape Concept Plans in Appendix 41.

## 4 LIVING ZONE RULES – BUILDINGS

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### 4.2 BUILDINGS AND LANDSCAPING

4.2.3 Any Fencing in the Living 3 Zone shall be limited to a maximum height of 1.2m, be at least 50% open, and be post and rail, traditional sheep, deer fencing, solid post and rail or post and wire only;

Except that nothing in the above controls shall preclude:

- (i) the use of other fencing types when located within 10m of the side or rear of the principal building. Such fence types shall not project forward of the line of the front of the building.
- (ii) fencing required by an Outline Development Plan and/or rule in this Plan as a noise barrier.

### 4.9 BUILDINGS AND BUILDING POSITION

#### Setbacks from State Highways and internal noise levels

4.9.3 Except for the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 39 and 40, and ODP Area 3 and ODP Area 8 in Rolleston, any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes shall be located no closer than 40m from the edge of the sealed carriageway of State Highways with a posted speed limit of 70 Km/hr or greater.

4.9.4 Except for the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 39 and 40, and ODP Area 3 and ODP area 8 in Rolleston, any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes within 100m from the edge of the sealed carriageway of State Highways with a posted speed limit of 70 Km/hr or greater shall have internal noise levels from road traffic that do not exceed the limits set out below with all windows and doors closed.

#### Rolleston

4.9.33 In ODP Area 3 and ODP Area 8 in Rolleston, no dwellings shall be located closer than 40m (measured from the nearest painted edge of the carriageway) from State Highway 1.

4.9.34 In ODP Area 3 and ODP Area 8 in Rolleston, for any dwelling constructed between 40m and 100m (measured from the nearest painted edge of the carriageway) from State Highway 1:

- Appropriate noise control must be designed, constructed and maintained to ensure noise levels within the dwelling meet the internal design levels in AS/NZS2107:2000 (or its successor) – 'Recommended design and sound levels and reverberation times for building interiors';
- Prior to the construction of any dwelling an acoustic design certificate from a suitable qualified and experienced consultant is to be provided to Council to ensure that the above internal sound levels can be achieved.

**Attachment D:**  
Urban Design Comments – Gabi Wolfer (SDC)

## PRIVATE PLAN CHANGE REQUEST PC 46 –MEMO

<b>Title and Number of the Plan Change:</b>	<i>PC 150046</i>
<b>Name of the Requestor:</b>	<i>Gillian Logan</i>

<b>MEMO TO:</b>	<i>Nick Boyes- Senior Planner PLANZ</i>
<b>FROM:</b>	<i>Gabi Wolfer – Urban Designer</i>
<b>DATE:</b>	<i>18/11/2015</i>

### **Assessment – Urban Design assessment of potential issues including scope, reverse sensitivity and connectivity**

#### ***Character***

Being located in relative proximity to the Darfield Township, the proposal is challenged by achieving a good integration with the rest of the (urban) township, while keeping the outlook and views to the Southern Alps to the North and West of the site and the overall rural character of the adjacent Canterbury plains.

The site itself has strong physical boundaries and is braced to the north-east and south by two State Highways. The size and geography of the site justifies having its own identity within the parameters of the current local character of Darfield. Placed in the arable and farming area of the Malvern ward, Darfield is nowadays considered by many as the gateway to the Waimakariri and Rakaia Rivers, the Southern Alps and the many tourist attractions on offer. The Midland railway line runs through the township with the Tranz Alpine passenger train stopping and providing a public transport connection to Christchurch. And while the area is historically known for farming, Darfield is within commuting distance to Christchurch and has therefore become home to many new residents. Darfield's unique character as a rural service town with shops and community services includes a defined town centre.

In order to be in keeping with this rural-residential character, the proposal needs to provide an adequate framework and needs to set a baseline for further subdivisions that will follow. Sites need to be large enough to enable low density residential development that is well connected to make use of the proximity to the services and facilities of the town centre. A rural-residential feel could be enhanced by fencing of an open style nature, with the ability to establish attractive front yards with appropriate plantings and landscaping. Roads should be built in accordance with expected low traffic volumes, providing access to allotments, but also taking into consideration to be legible and foster connectivity to adjacent neighbourhoods.

Houses and accessory buildings should be set back, integrated with the existing (natural) features on site and of a stand-alone typology. The clustering of buildings and dwelling in groups contributes to a positive outlook and has servicing benefits.

### ***Scope of ODP***

To remove the deferred status, and in order to achieve an integrated development for Area 5, as identified in Appendix 25 of the District Plan, the development of one ODP is required.

A common best practise approach is to show one plan covering the entire ODP area. In doing so, the site can be developed in an integrated manner that addresses (border crossing) issues and options, such as the integration of new housing, with adjacent development. It is also vital to establish a legible transport & movement strategy that connects with existing transport systems in the vicinity and links to public community facilities, such as schools and reserves. This approach has been Council's practise in the past. Cross-border thinking and developing becomes crucial, especially when having a site of this size and impact.

The proposed ODP does not include all of the L2A Def areas, which as outlined above has effects on the future development of the sites not included as part of the proposal. The wording on the ODP for a potential roading connection is not considered sufficient to safeguard an important link to Cridges Road.

### ***Staging of development***

The size of the site would suggest some form of staging. Staging would allow new development to be established close to the existing town centre first thus contributing to a concentric urban form.

### ***Reverse sensitivity/frontage***

The reverse sensitivity along SH73 has been addressed within both the Urban Design and the landscape and visual assessment. However, to reiterate policy B4.1.12, council discourages high continuous fencing or screening of sites along state highways in favour of low fencing and landscaping. While the proposal suggests a hedge row of no more than 3-4m in height along this boundary, the effect of it remains to be a continuous horizontal line of substantial height creating some of the unwanted effects mentioned in the policy. A suggestion to avoid these effects would be to break up the hedge by choosing plantings in segments. These segments would visually break up the length of this frontage and would increase pedestrian interest and safety via the opportunity for passive surveillance, should a footpath be developed along this boundary in the future.

### ***Roading and connectivity***

The proposed ODP shows an indicative primary roading layout. The UD assessment talks about the intention to have an informal feel and distinguished between a 'spine road' and other roads that lead off it and their alignment. The ODP doesn't show any distinction.

Showing a roading hierarchy would help to achieve a legible transport network. This could be achieved by establishing primary and secondary roading connections shown on the ODP. Given the size of the proposal, it might also be practical to consider showing tertiary connections to discourage multiple access ways and foster loop roads. This level of detail would be beneficial, as it gives certainty to Council that the site can be developed in a sustainable way at subdivision level.

Provisions for the ability of (future) public transport need also to be incorporated into the design, either in the ODP itself or via text that needs to be read in conjunction with the ODP.

The provided roading pattern with the two loop roads requires back tracking and thus increases travel time. An exit/entrance provision along SH73 would contribute to a well-connected neighbourhood linking the proposed site to existing and future subdivisions north-east.

The ODP shows a shared pedestrian cycle path that links from the site to the SH and opposite Horndon Street. The location of this link will provide good connection to the Hugh's plantation/now public reserve. From the ODP it is unclear how pedestrians/cyclist will get to this point and if foot paths will

be on-road or off road; the UD assessment under 4.6 states that there will be an off-road pedestrian/cycle path, but this isn't shown on the provided ODP.

The proposal is within cycle distance from the town centre. L2A zoned Piako Drive adjacent to the south has well integrated off-road pedestrian/cycle paths. The proposal could contribute to this network by providing multiple pedestrian/cycle opportunities within the site and 'closing the loop' by connecting them at strategic locations to adjacent community facilities and neighbourhoods. Given that the public domain is opposite this 0.8km stretch of frontage accessibility to and from the site becomes crucial.

To further enhance the local character of the site, the water race running along the boundary could be enhanced and a walk/cycleway along it developed. This provision would continue the established cycling and walking network further south and would provide an important link between Bangor Road and SH73.

*The applicant needs to confirm how accessibility will be achieved for all transport modes.*

### **Shelterbelts**

The ODP shows an existing shelterbelts along the eastern proposed boundary of the site could cause shading issues for the proposed adjacent smaller rural-residential properties. While this matter can be addressed at subdivision stage it might be worthwhile considering long-term effects in terms of upkeep and maintenance at this point.

### **Strategic planning**

Council is in the process of developing Area plans for each township within the Selwyn District, including Darfield. The area plans follow on from the strategic framework of Selwyn 2030. One objective will be to determine where residential growth should occur. Given the location of this proposal in proximity to the Darfield town centre there might be options for further intensification, which, given the plan change goes ahead, the chance to do so might be missed. Retro-fitting and intensification of existing larger lots is hard to be implemented and results often in unsatisfactory outcomes, including rear sections and areas that aren't well connected.

*The possible conflict of future intensification in this area in sight of the area plans need to be considered.*

### **Suggested modifications to the ODP for Plan Change 46**

#### **Land Use**

- *Include staging*

#### **Transport**

- *Include roading hierarchy*
- *Include access/egress off SH73 within proposal*
- *Provide walk/cycling connection between Bangor Road and SH73*

#### **Green and Blue Space**

- *Retain/upgrade water race along eastern boundary and incorporate into walking/cycling network*
- *Remove shelterbelts where shading occurs and to allow view shafts*
- *Propose alternative planting scheme along SH 73, which provides for attractive frontage*

**Attachment E:**  
Infrastructure Servicing Comments – Murray England (SDC)

In The Matter of the Resource Management Act 1991 ("the Act")

And

In The Matter Plan Change 46 - Bangor Road

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## OFFICER COMMENTS OF MURRAY ENGLAND

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### Introduction

1. My name is **MURRAY RUSSELL ENGLAND**. My qualifications are BE (Environmental) and NZCE (Civil).
2. I am the Asset Manager – Water Services for the Selwyn District Council ("the Council") and I am authorised to present this statement on its behalf. I have been employed by the Council since March 2009 initially holding the position of Stormwater Engineer and since May 2012 the position of Asset Manager Water Services.
3. I have the responsibility of managing Councils 5 waters which include Potable Water, Wastewater, Stormwater, Land Drainage and Water Races.
4. The Council operates the water, wastewater, stormwater and water race network which will be impacted by this plan change.

### Water Supply

5. The Darfield Water Supply provides untreated groundwater to the Darfield community from two well sources (Environment Canterbury reference BX22/0006 and L35/0980) which discharge to the network via a reservoir and booster pump station (Refer Appendix 1 and 2).
6. The Darfield water supply holds two resource consents:

**Table 1 Resource Consents**

Consent	Description	Location	Date Issued	Expiry Date	Consented Max Instantaneous Flow (L/s)	Consented Max Daily Volume (m <sup>3</sup> /day)
CRC143985	To take and use groundwater for the purpose of community supply	Bangor Road, DARFIELD	28/03/2014	16/11/2045	83	6000
CRC991423 (not in use)	To take and use water for public supply – Waimakariri river	Waimakariri River Bed, Bleak House Road	9/09/2004	8/09/2039	85	5460

***Fire Fighting Capacity***

7. The Darfield scheme was designed as a domestic supply which has been extended into the surrounding rural areas and therefore will not comply with the NZ Fire Fighting Code of Practice in all areas due to reticulation sizing.

8. The Infrastructure Report accompanying the plan change 'Infrastructure Report 160 Bangor Rad, Darfield Private Plan Change for Mrs GM Logan, 9 February 2015' states that "A common 45m<sup>3</sup> storage tank will be required to meet the New Zealand Fire Services Firefighting Water Supplies Cod of Practice... A restricted water supply could be achieved with pipe sizes of less than PN80 in diameter."

9. All new subdivisions are required to be designed and constructed in accordance with Selwyn District Councils 'Engineering Code of Practice'. Section 7.5.4 – Fire service requirements, provides the following requirement:

*'The water supply reticulation should comply with the Fire Services Code of Practice. In particular, the reticulation must meet the requirements for fire fighting flows, residual fire pressure and the spacing of hydrants.'*

10. This is further covered under Council policy W211. The Fire Fighting Standard Community Waterworks W211 states:

1. "Community waterworks shall be designed and installed to comply with SNZ PAS 4509 and subsequent amendments. This shall apply to:

- a) new subdivisions where they shall be connected to community waterworks;
- b) communities with standalone household supplies that are considering developing community waterworks and in accordance with Policy W210;

c) *renewals and capital works to existing community waterworks, where:*

- i) *"renewals" is defined as works that upgrade, refurbish or replace existing facilities with facilities of equivalent capacity or performance capability; and*
- ii) *"Capital works" is defined as works that create new assets or increase the capacity of existing assets beyond their original design capacity or service potential.*

2. *The requirement for compliance of any community waterworks with SNZ PAS 4509 shall be at the discretion of the Asset Delivery Manager."*

11. In summary, the reticulation shall be designed to meet full fire fighting flows, a common 45m<sup>3</sup> storage tank is not acceptable.

### ***Future Growth Demand***

12. In response to the accelerated growth within the Selwyn District, hydraulic models have been used to plan future water infrastructure for a number of water supplies including Darfield.

13. The master planning provides an assessment of the sizing and timing of new infrastructure for new water sources (wells) and pipelines to service growth. Part of the master planning requires a water balance to be developed to forecast growth, using historical peak demand per household. The water balance forecasts the peak instantaneous flow per year versus the water resources available to determine the staging of new wells.

14. Population projections are based on SDC 'Household Projections 2013 to 2041' and have been applied to the latest connection figures for each township.

15. Darfield is expected to see significant growth over the next 30-years. A new well for Darfield has been planned for 2022 (60 l/s) to increase supply capacity.

### ***Servicing Requirements***

16. The existing water supply infrastructure has sufficient capacity to meet the likely demand generated from the plan change area provided each individual lot is provided with a restricted connection to the water supply.

17. Restrictor sizing can be confirmed at engineering approval stage but will be no less than 2m<sup>3</sup> per day.

18. Firefighting capacity shall be provided within the reticulated network with fire hydrants provided at spacing's set out in the standards.

19. The development shall be 'ring mained' with connections to the existing network.

***Conclusion***

20. The ODP area can be adequately serviced with potable water.

**Wastewater**

21. There is no reticulated sewage network within Darfield

22. The applicant considers a number of wastewater servicing options. The preferred wastewater system is identified as consisting of "Individual On-site Treatment and Discharge Systems on Each Lot."

23. Resource consent from Environment Canterbury will be required before any subdivision consent can be approved.

***Conclusion***

24. There is a viable means to dispose of wastewater for this plan change area. I would recommend that a wastewater consent is obtained from Environment Canterbury prior to resource consent been applied for from Selwyn District Council.

**Stormwater**

25. It is anticipated that stormwater will discharge to ground via swale treatment. This is consistent with other developments in Darfield and is appropriate.

26. Resource consent from Environment Canterbury will be required before any subdivision consent can be approved.

***Conclusion***

27. There is a viable means to dispose of stormwater for this plan change area. I would recommend that a stormwater consent is obtained from Environment Canterbury prior to resource consent been applied for from Selwyn District Council.

**Water Races**

28. There is a water race shown to flow through the proposed plan change area.

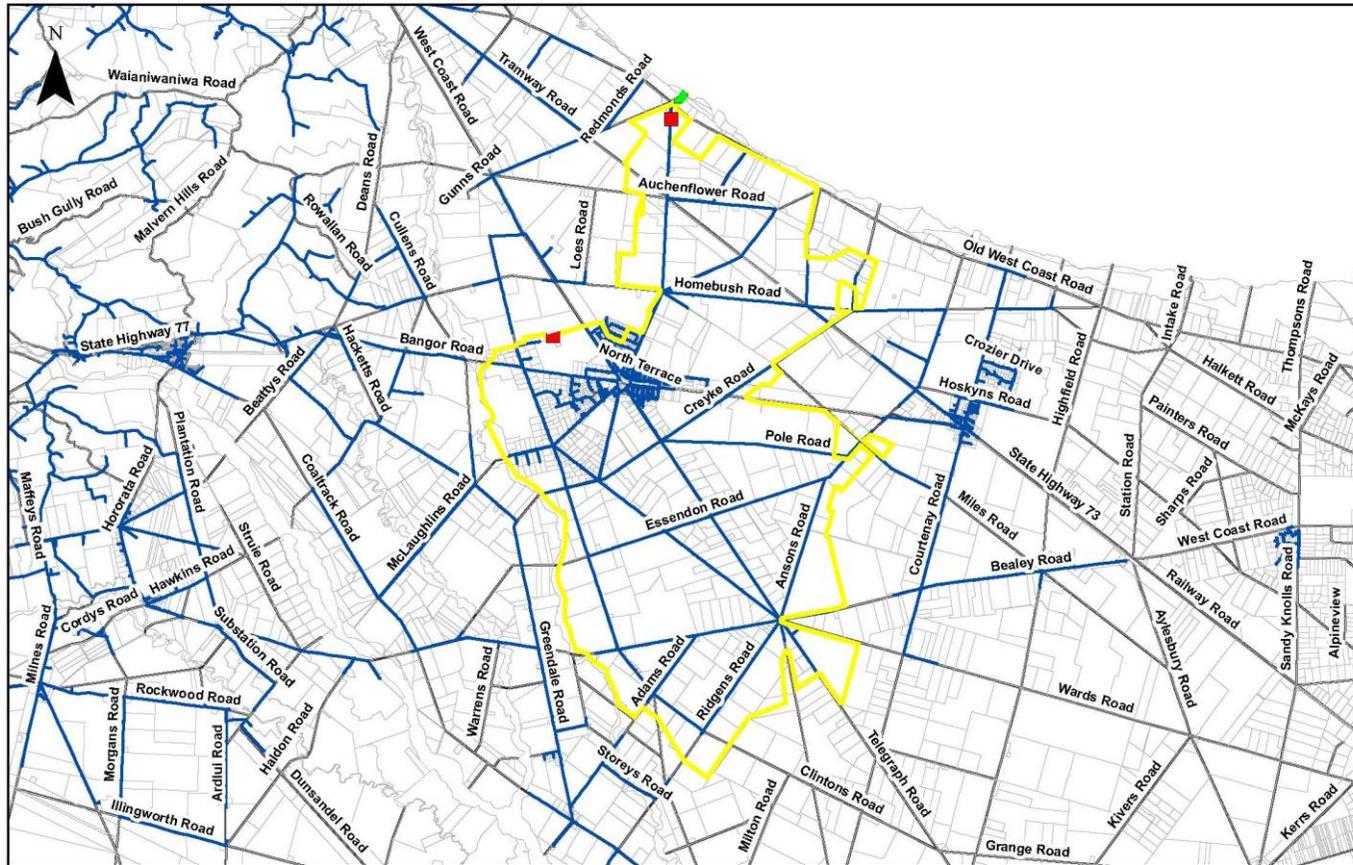
29. The applicant is required to submit an application for race closure (or diversion).

**Murray England**

**27 November 2015**

# Appendix 1

## Scheme Map - Water



**DARFIELD  
Water Supply**

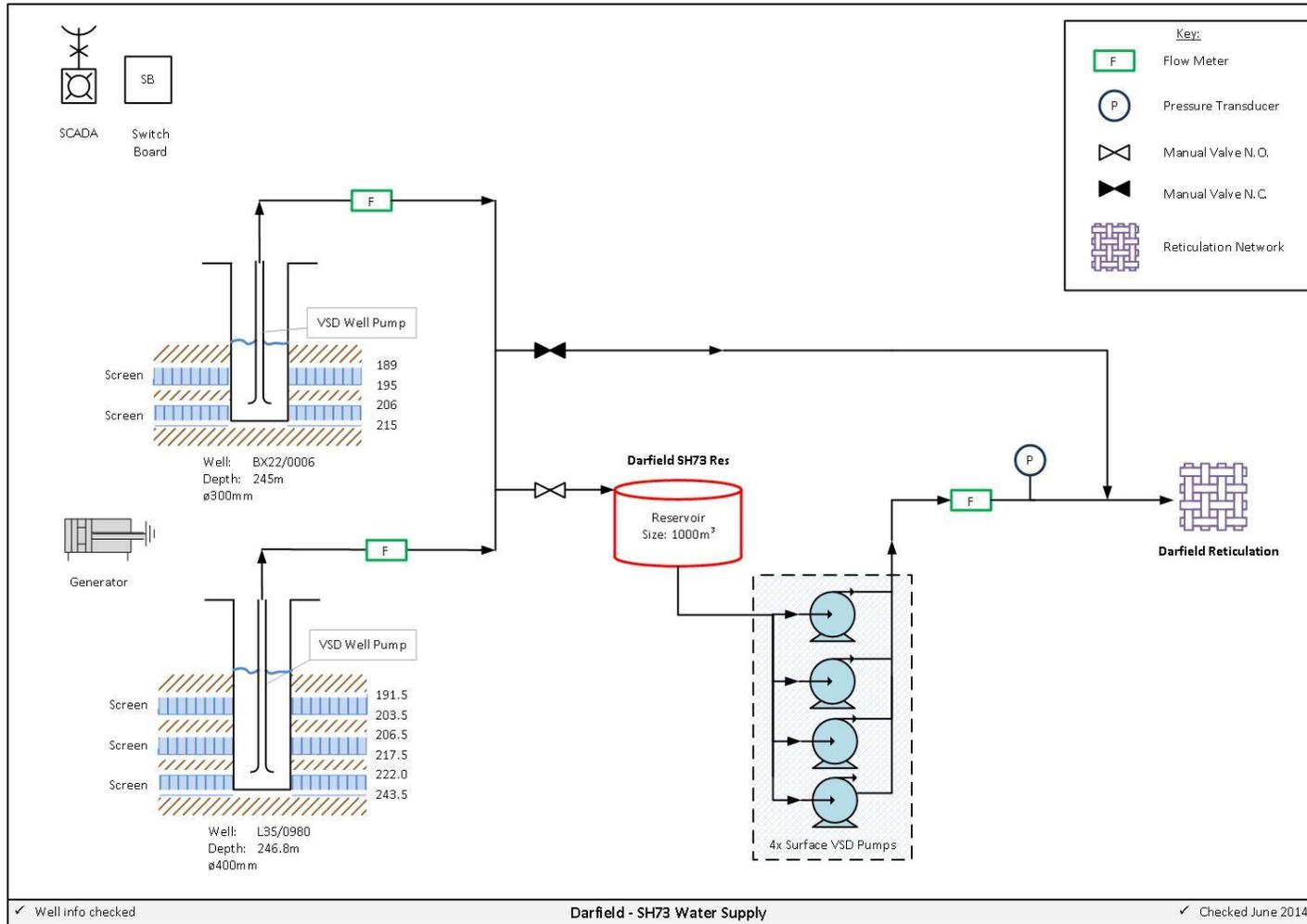
 Water Intake-Gravity	 Water Reservoir	 Reticulation
 Water Pump Station	 Water Treatment Plant	 Water Scheme Boundary

Date: 4/02/2015



## Appendix 2

### Scheme Schematic - Water



**Attachment F:**  
Transportation Servicing Comments – Andrew Mazey (SDC)



Ext:

## **M E M O R A N D U M**

**To: Nick Boyes, Processing Planner PC46**

**From: Andrew Mazey, Asset Manager Transportation**

**Date: 20 November 2015**

**Subject: Transport Comments on Plan Change 46, 160 Bangor Road Darfield**

### **Introduction**

1. Because of the relatively simple and non-contentious nature of this Plan Change (PC) application, my comments are provided in memo form. Previously I have been involved in pre-application meetings with the Applicant together with NZ Transport Agency (NZTA).
2. The June 2015 Transport Assessment Report produced by Avanzar Consulting Ltd supporting the Application has been reviewed previously and reflects my general understanding on transport matters relating to the PC.
3. On that basis any following comments are on an “exception” basis to discuss any specific aspects of interest or note, and any relevant roading and transport submission points. I note that the proposed PC area fronts and gains access from state highways that are managed by the NZTA, not the Selwyn District Council

### **PC46 Outline Development Plan (ODP)**

4. I am in general agreement with the roading proposals shown on the ODP. As is the nature of these only the main or primary roads are shown with any certainty of outcome. The PC area is quite expansive so it is expected that a secondary roading network will be developed as necessary to limit a multitude of long private right of ways being utilised that can be undesirable.
5. The PC area has no direct roading or property access to the West Coast Road (SH73). I believe this reflects NZTA wish to avoid this as it falls outside the 50km/hr speed limit area zone that starts just south of Cridges Road on SH73. The local community for some time has been asking the NZTA to reduce the speed limit on this northern approach to Darfield. The ability to do this is controlled by the criteria in the Speed Limit Rules that all road controlling authorities are required to work to.

6. The amount of road side development strongly influences how lower speed limits can be justified. By precluding any access on the west side of SH73 this will not assist in such justifications, however to be fair no direct access or development adjoins the east side so this perhaps makes the opportunity to lower speed limits a moot point.
7. There could perhaps be the opportunity to create direct road access into the area from SH73 if a road intersection was positioned closer to the Cridges Rd which may then generate sufficient justification to enable the existing 50km/hr speed limit to be extended to encompass both intersections. This then reflects the importance of the “*potential future roading connection*” adjoining the Pearson L2A Deferred property. In time this area can be developed to incorporate an internal road through that block south to Cridges Road and/or east that connects to the West Coast Rd.
8. While there is no roading access to SH73 from the PC area a “*shared pedestrian/cycle linkage*” has been provided opposite Horndon St. This is seen as important and beneficial as it enables more direct access to the northern eastern areas of Darfield and local amenities such as the McHugh’s Plantation. Footpaths along Horndon St provide a further connection to the recreational reserve and township centre further south as there are none on SH73 in this area.
9. The ODP refers to a future footpath connection along the north side of Bangor Rd (SH 77) west from Oakden Drive to the western extent of the PC area. It is noted in Section 5.4 of the Transport Assessment that “*the current level of pedestrian provision [along SH77] is inadequate and more footpaths should be provided*” so this intention aligns. In the interim Council has extended the footpath on the south side of Bangor Rd to Piako Drive in response to recent community safety concerns and long term plan submissions.
10. It is perhaps reasonable then to only require the footpath to be extended on the north side by the PC area between where the southern footpath ends (where pedestrians can cross the road) to where one needs to start on the northern side extending west along Bangor Rd across the PC frontage. At the time of resource consent Council would assess requirements further and apply a condition of consent on the Applicant to provide the footpath at its cost. This would include any other frontage upgrade works along Bangor Rd that would be required.

## **Submissions**

My comments are provided on the following submissions that are have been determined to having a roading and transportation context.

Hatton:

11. The ODP shows a “*potential future roading connection*” extending east from the eastern access road to the submitter’s boundary. The submitter contends as his and other land is not included in the PC then this is superfluous. I disagree as it is very important to signal for all such connections so these can

be incorporated into land development schemes and progressively provided by developers in a coordinated manner to build up a wider areas transport network. This approach has proven its worth over other ODPs in recent times in the high growth areas of the District. This roading connection has the intention to join up with Cridges Rd to the east, and is aligned to so, which will provide a connection to SH73. When the submitter plans the development of his own site then the continuation of this connection will required to be included in any subsequent ODP for that area.

NZ Transport Agency:

12. The NZTA sees that a more distinct urban boundary on the western approach to Darfield along Bangor SH77 needs to be created. I agree by removing direct property access to Bangor Rd (along with other measures as agreed appropriate) west of the western most access road would assist in this as this creates a logical transition point at the proposed road intersection. It will also assist in enabling this transition to be more evident for establishing speed limit change points on this western approach to Darfield along Bangor Rd by the NZTA.
13. The NZTA has highlighted that the proposed southeast roading connection is important as shown on the ODP. I agree for the reasons stated by the NZTA in its submission and from another perspective expressed in Section 7 above. I also acknowledge the NZTA further submission relating to the Hatton submission which also highlights the important of providing certainty on future roading connections which again aligns to my views expressed in Section 11 above.

## **Other**

Internal Roding Network:

14. Section 8 of the Transport Assessment discusses how internal speed limits will be established or considered. The basis of the discussion is sound however what will finally eventuate will be subject to the more detailed design process for the roading network as a number of influencing factors go hand in hand. This occurs at the time of Engineering Approval relating to how detailed infrastructure will be provided and outcomes relating to speed limits will be coordinated.
15. Section 10.3 refers to that street lighting will be "*kept to a minimum*". Council has run into problems before on what is defined as a minimum, with some developers believing this means no street lighting at all. Council has published standards on what levels of street lighting is required in each of its townships. For Darfield a P4 lighting standard in accordance with AS/NZS 1158 is stipulated for "rural residential" type areas. Further confirmation and assessment particular to each development is undertaken as part of Engineering Approval.

Staging:

16. For a development of this size/expanse it is likely it will take some time for it to be completed. Having an accompanying staging plan would be beneficial to provide some confidence how on how connections, infrastructure and servicing is seen to be coordinated as the development progresses.

A handwritten signature in black ink, appearing to read "Andrew Mazey". The signature is fluid and cursive, with a large initial "A" and "M".

Andrew Mazey  
**Asset Manager Transportation**