



**Private Plan Change to the Selwyn
District Plan
Corner of Creyke Road and Telegraph
Road**

Prepared by Avanzar Consulting Ltd on behalf Judith Pascoe

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Executive Summary

This is a request for a privately initiated plan change to rezone 13.5ha of land at the corner of Creyke and Telegraph Roads, on the southern edge of Darfield to provide for low density residential living consistent with the existing Living 2 zone provisions of the District Plan.

The site is in three landownerships held by Judith Pascoe, Craig Dye and Sandra Lyttle, and Benjamin and Emily Bloomfield. There are three dwellings on the site with the remainder of the site generally used for grazing. There are well established hedges along the road frontages, and a Council owned water race within the site along Telegraph Road. Darfield Gun Club is located diagonally across the intersection from the site.

The site was originally part of Plan Change 24 (PC 24, approved 2013) which sought to rezone the block to Living 2A, Living 1 and Business zones. The subject site was excluded from PC24 due to uncertainties about noise effects generated from the Gun Club. The site now adjoins both Living 1 and Living 2A zoned land.

It is proposed to rezone the site to Living 2 in accordance with an Outline Development Plan (ODP). Larger sections are proposed adjacent to the road intersection, as are limits on where new development can occur, together with particular indoor and outdoor acoustic levels which must be achieved. These measures will ensure on-site amenity is achieved. The retention of landscaping along the Telegraph Road frontage and either the retention or replacement of landscaping along Creyke Road will retain rural character and avoid reverse sensitivity effects with adjoining rural activities.

The plan change seeks to include three new rules to the District Plan, amendments to planning maps, minor amendments to a policy and associated appendix, and a new appendix containing the ODP and associated text. The plan change has been considered in light of the objectives and policies of the Selwyn District Plan, the provisions of the Canterbury Regional Policy Statement, Part 2 of the RMA and the Mahaanui Iwi Management Plan, and is considered to be consistent with the relevant provisions.

Consultation has been undertaken with Selwyn District Council staff, other landowners of the site, surrounding neighbours and the Darfield Gun Club, and no issues have been raised.

A section 32 assessment has been prepared as required under the RMA, and has established that a plan change is the most appropriate way in which to achieve the development of the site, and that the specific plan change proposed is the most efficient and effective method of enabling development to occur.

Overall it is considered that the proposed plan change represents a sustainable use of the land resource and provides for the integrated and appropriate future development of the site.

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1. Introduction

- 1.1. Under Section 73(2) of the Resource Management Act 1991 (RMA), Judith Pascoe (the applicant) requests a change to the Selwyn District Plan (the District Plan). This request seeks to rezone 13.5ha at the corner of Creyke and Telegraph Roads, Darfield, from its current Living 2A Deferred zoning to a Living 2 Zone.
- 1.2. In addition, the First Schedule of the Act makes provision for requests for changes to its District Plan, and Clause 21 provides that ‘any person may request a change to a District Plan.’
- 1.3. Section 74 of the RMA requires that the Council, when amending its plan, has regard to the provisions of Part 2 of the RMA, its functions under section 31 and its duties under section 32. Section 74 also states that regard must be had to management plans and strategies prepared under Acts,
- 1.4. Section 75 of the Act states that a district plan must give effect to a regional policy statement.

Reason for the Request

- 1.5. This is a privately initiated plan change to rezone 13.5ha of land at the corner of Creyke and Telegraph Roads, on the edge of Darfield to provide for low density residential living consistent with the existing Living 2 Zone provisions of the District Plan.
- 1.6. The site has been identified by the Council as part of the preferred growth option for Darfield, assists in providing a compact township form, has appropriate connections to reticulated water supply, and avoids reverse sensitivity effects with adjoining lawfully established activities. The Living 2A deferred zoning currently exists across the subject site.

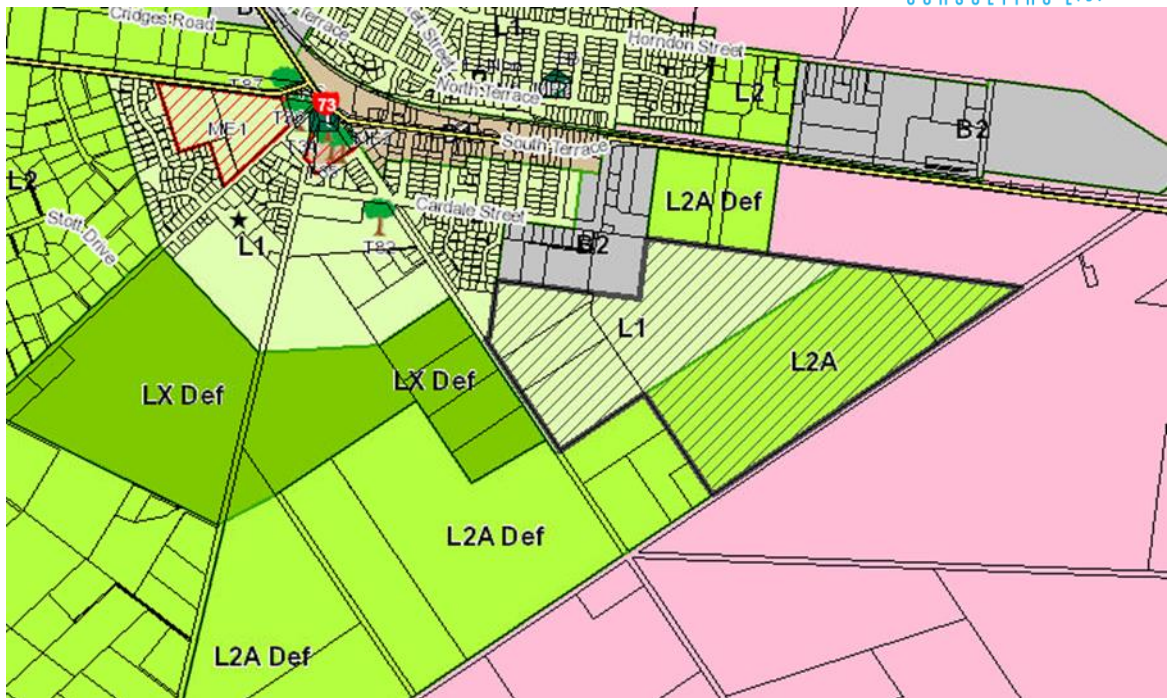


Figure 1.1: Current District Plan Map, South Darfield

1.7. The Selwyn District is recognised as the fastest growing district in New Zealand¹ with people moving to the district for the lifestyle choice and for ease of access to Christchurch City. This trend has been aided by the Canterbury Earthquakes of 2011, as people seek to move away from the city, but remain in close proximity for work or education opportunities. Darfield, being located 45km east of Christchurch (approximately 35 minutes' drive), is ideally located to provide for new residences and has seen an increase in the demand for lifestyle sections.

1.8. Limitations to the deferred zoning of the site identified in the District Plan are: adequate water supply in the reticulated system; the inclusion of an ODP in the District Plan and measures to avoid or mitigate reverse sensitivity effects. Darfield's water supply has recently been upgraded and there is now sufficient capacity to provide for the demand arising from development of the site.

1.1. _____

¹ Selwyn District Council website: <http://www.selwyn.govt.nz/council/living-in-selwyn>

- 1.9. Through Plan Change 24 (adopted June 2013), it was identified that there were potential reverse sensitivity effects arising from the noise generated from the Darfield Gun Club, located diagonally across the intersection of Telegraph and Creyke Roads. These noise effects were identified as potentially affecting 1878 Telegraph Road, 193 Creyke Road and 223 Creyke Road (the area which now makes up the site for this proposed plan change). The rezoning of these properties was declined based on insufficient information relating to reverse sensitivity effects. Measures to ensure on-site amenity in relation to noise generated from the gun club ensure that reverse sensitivity effects do not arise.
- 1.10. This proposal also includes an ODP to be included in the District Plan. This means that there is now no impediment to development of this site.

Summary of Applicant and Proposal Details

Owner/Applicant Judith Pascoe

Site Address 193 Creyke Road, 223 Creyke Road, 1878 Telegraph Road, Darfield.

Legal Description

Title	Lot Numbers	Area	Ownership
370020	Lot 2 DP 56120 and Lot 2 DP 391581	7.9436ha	Mrs Judith Pascoe
CT33A/1134	Lot 1 DP 56120	4.4786ha	Mr Craig Dye, Ms Sandra Lyttle
370019	Lot 1 DP 391581	1.072ha	Mr Benjamin and Mrs Emily Bloomfield

District Plan Zoning Living 2A Deferred

Roading Hierarchy Telegraph Road – Arterial

Creyke Road – Local

Proposal Privately initiated plan change request to rezone 13.5ha from 'Living 2A deferred' to 'Living 2'.

2. Site

The site is located on the southern side of Darfield, on the corner of Creyke and Telegraph Roads (See Figure 2.1 below).



Figure 2.1: Aerial image of Darfield with site highlighted

- 2.1. The site is held by three landowners. The first ownership is a 7.9436ha block owned by Judith Pascoe and located on the corner of Telegraph and Creyke Roads (193 Creyke Road). The second ownership is a 4.4786ha block owned by Craig Dye and Sandra Lyttle and located to the north of the Pascoe block along Telegraph Road (1878 Telegraph Road). The third ownership is a 1.072ha block owned by Benjamin and Emily Bloomfield and adjoins the Pascoe block along Creyke Road (223 Creyke Road). Overall the site is rectangular in shape.
- 2.2. Each of the properties contains a dwelling and associated garden areas. The remainder of the site is made up of grazing paddocks and a hazelnut orchard is located on the Dye/Lyttle Block (refer to Figure 2.2 below).



Figure 2.2: Aerial image of site showing existing dwellings and curtilage

- 2.3. There are tall untrimmed cedar trees along the site's boundary with Telegraph Road, except where there is a single vehicle access serving 1878 Telegraph Road, and also near the corner with Creyke Road where there are a number of tall pine trees. Within the property boundaries but on the western side of the boundary hedging along Telegraph Road runs a Selwyn District Council main water race. A bridge over this provides access to 1878 Telegraph Road.
- 2.4. There is a well-trimmed pine tree hedge which runs along the southern boundary of the site, along Creyke Road. This hedge is only interrupted by vehicle access for the existing dwelling on the Pascoe Block (near the corner with Telegraph Road), access to paddocks close to the boundary with the Bloomfield block, and for the existing access on the Bloomfield block. Figures 2.3 and 2.4 below show the shelter belts located along the road boundaries.



Figure 2.3 Trees on Telegraph Road looking north



Figure 2.4: Trees on Creyke Road looking west

- 2.5. There are a number of hedges within the site, including a row of eucalyptus trees along the boundary between the Pascoe and Dye/Lyttle blocks, and a large maintained pine tree hedge running north to south through the centre of the Pascoe block to provide stock shelter.

- 2.6. 1878 Telegraph Road is identified in Environment Canterbury's Listed Land Use Register as having an unconfirmed horticultural use on the site. This is the hazelnut orchard which was established on the site in 1990's, well after any persistent chemicals had stopped being typically used on orchards in Canterbury. A copy of a Preliminary Site Investigation demonstrating that there is no risk to human health from developing this site for residential purposes is attached in **Appendix 8**.
- 2.7. The site was assessed under Plan Change 24 for suitability for development in terms of geotechnical concerns after the 2010 earthquake in Darfield. A geotechnical report for that Plan Change outlined that the site was appropriate for development. A copy of this report and a letter from its author confirming it is still relevant is attached in **Appendix 9**.

3. Surrounds

- 3.1. The site is located approximately 1.5 km from the centre of Darfield Township. The immediate surrounding area is made up of Living 1 zoned land (minimum allotment size 650m²) adjoining the northern boundary of the site, Living 2A zoned land (average allotment size of 1ha) adjoining the site to the east, Living 2A deferred land across Telegraph Road, and Outer Plains Rural zoned land (minimum allotment size 20ha) located across Creyke Road from the site.
- 3.2. The Darfield Shot Gun Club (the Gun Club) operates from a property to the south west of the site, diagonally across the intersection of Telegraph and Creyke Roads. The applicant has noted that the Gun Club appears to meet approximately once a month for either a whole day or an afternoon of shooting, usually on a weekend day. The Club has provided a list of the anticipated shoots likely to occur on the site, a copy of which is attached as **Appendix 12**. This sets out that, on average, a shoot is anticipated approximately once a week, however in practice weekday practice and schoolchildren shoots are infrequent and cater for few shooters for between two to three hours. The Gun Club's facilities include indoor and outdoor shooting ranges. Darfield has traditionally been a rural service town providing for the needs of the immediate rural hinterland, including the Fonterra plant located on the outskirts of the town. Given the town is only 35km east of Christchurch City, and connected to it by State Highway 73, Darfield has increasingly provided rural lifestyle properties and residential properties for people who work in Christchurch City.

4. Planning History

- 4.1. The site is contained in an area identified in the District Plan as Area 3². An application was received by SDC in 2010 for all of the land contained within Area 3, which was held under multiple ownership. Silver Stream Estates was the 'then' owner of the largest block of land contained within this area and was the driving entity behind the plan change. The Silver Stream Estates plan change request sought that land along Creyke Road be zoned Living 2A (essentially lifting the deferral status of this area) and that land closer to the Darfield be zoned a mix of Living 1 and Business zones.
- 4.2. Through the submission and hearing process for the Silver Stream Estates plan change request, reverse sensitivity effects associated with the existing Gun Club activities on the south western corner of the Creyke Road/Telegraph Road intersection were identified. At that time the issues around mitigating the effects to enable the rezoning and subsequent development of this site were considered by the commissioner as outside the scope of the plan change and thus his recommendation was to decline the affected portion of the plan change. The result was to amend the Outline Development Plan (ODP) for the site to exclude three properties located in this corner from being rezoned. The final PC24 ODP is now contained in Appendix 41 of the townships volume of the District Plan and shown in Figures 4.1 and 4.2 below.

1.1. _____

² Contained in Appendix 25 of the Townships Volume of the District Plan.

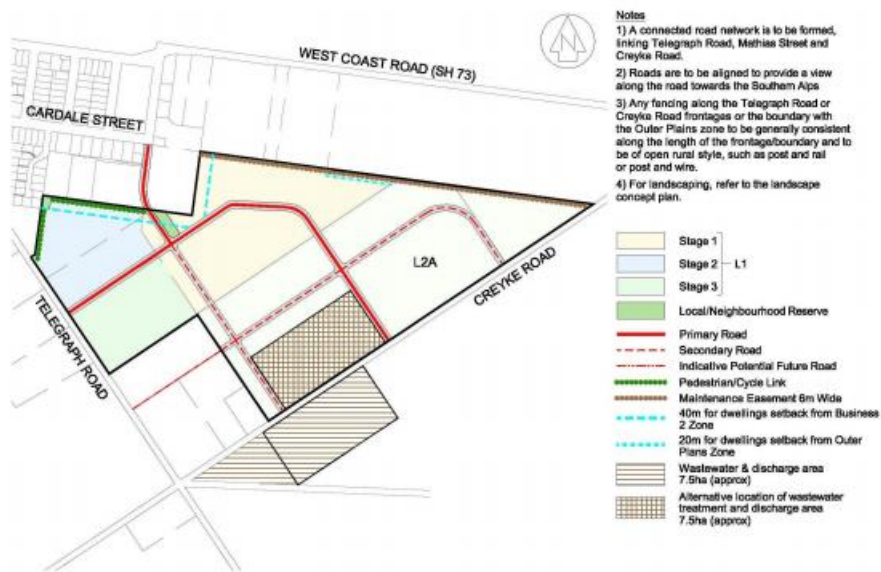


Figure 4.1: Appendix 41 of Townships Volume, District Plan



Figure 4.1: Landscaping provisions for Creyke Road contained in Appendix 41.

- 4.3. Since the decision on PC 24 in 2013, the applicant of the current proposed Plan Change has been working with neighbours, the Gun Club, noise experts and Selwyn District Council staff to provide a solution to the potential noise amenity effects impeding development of the properties excluded from the original PC24 ODP area. This Plan Change is the result of that work.
- 4.4. Through PC24, submissions in opposition did not specifically oppose the redevelopment of the current proposal site, although the Darfield Gun Club sought that development of the site did not impact on their existing activities taking into account the noise generated by the gun club. Some submissions sought that no development of the whole PC24 area should be approved, but did not specifically identify the current proposed site separately from the wider PC24 area. Based on the submissions received to PC 24 and the subsequent decision of the commissioner, it is surmised that the development of the site for low density residential use is considered appropriate. This is conditional on the mitigation of potential reverse sensitivity effects associated with the operation of the Gun Club.

5. Proposal

Density

- 5.1. It is proposed to change the zoning of the site from its current 'Living 2A deferred' status to 'Living 2', in accordance with the Outline Development Plan (ODP) attached in **Appendix 2**. This will provide for an average allotment size of 5000m².
- 5.2. The ODP shows the areas where specific allotments with a minimum area of 2ha and 1ha are to be located. These are generally in the south western corner of the site, closest to the Gun Club and furthest away from the centre of Darfield Township.

Landscaping

- 5.3. Landscaping is to be retained as shown on the ODP and consists of the boundary hedging along Creyke and Telegraph Roads. Landscaping to be retained is discussed in the Urban Design report attached in **Appendix 3**. This report notes that the pine hedge along Creyke Road does not necessarily need to be retained but could be replaced with a 5m wide buffer strip with park like groupings of trees consistent with that sought through PC24 now contained in Appendix 41 of the District Plan. It is proposed to include this requirement within the ODP as attached in **Appendix 2**.

Traffic

- 5.4. The ODP shows a minor local road through the site from Telegraph Road connecting to the roading network shown on the ODP provided under PC24. The alignment of this road straddles the boundary evenly between 1878 Telegraph Road and 193 Creyke Road. The existing eucalypts trees along this boundary will be removed to accommodate this road and incremental removal of these trees for firewood purposes has already been undertaken. A Transportation Assessment is attached in **Appendix 4**, which outlines the effects of the proposal on the traffic network.
- 5.5. It is proposed that access to most of the new allotments within the site will be either to the new road through the site, or to Creyke Road. Access to Telegraph Road may also be needed. Existing access points for existing dwellings are proposed to be retained.

- 5.6. It is proposed to retain the water race along the boundary with Telegraph Road, and to provide bridging or box culverts over this race for any necessary new vehicle access. An existing bridge for the dwelling at 1878 Telegraph Road, will be retained and access to this dwelling will continue to occur from Telegraph Road (it is noted that this will be subject to final subdivision design, with any non-compliances relating to distances between vehicle crossings and intersections considered at that time).

Noise

- 5.7. An assessment of the actual noise generated from the Gun Club and its likely effect on the on-site amenity of future residents within the site has been undertaken and the results are attached in the Acoustic Report contained in **Appendix 5**. One of the outcomes of this report was to identify noise contours across the proposal site, indicating the level of Gun Club noise expected to be heard within the site. A 60 dB $L_{AF \max}$ line and a 55 dB $L_{AF \max}$ line have been included on the ODP. It is proposed to exclude any new dwellings from within the 60 dB $L_{AF \max}$ contour. A 2ha allotment containing the existing dwelling at 193 Creyke Road is proposed to be the only section located wholly within this contour. Other allotments can be orientated such that dwellings can be located outside of this area.
- 5.8. Furthermore it is proposed that new dwellings located elsewhere on the site are designed and sited such that they achieve specific internal and external noise levels in relation to the noise generated from the Gun Club. A covenant will also be placed on the titles of new allotments which limits the ability of these landowners to make complaints relating to the noise generated by the gun club to Council. A copy of this covenant is attached in **Appendix 6**.
- 5.9. Amenity for future owners of the allotments located between the two noise contours will be secured through a new rule in the District Plan which requires that people seeking to construct a new dwelling demonstrate that they can achieve the necessary indoor and outdoor noise limits by providing an acoustic design certificate to illustrate compliance. . The Acoustic Assessment (**Appendix 5**) sets out that these limits can be achieved if dwellings orientate their habitable living spaces and adjoining outdoor living spaces to the north. New residents to the site are more likely to orientate their

dwelling to the north to maximise the access to sunlight, which will ensure that outdoor noise limits are achieved with ease.

Services

5.10. It is proposed that individual allotments will provide for on-site stormwater and wastewater disposal. This is typical of Darfield. A Servicing Report is attached in **Appendix 7** which provides detail as to the feasibility of service provision for the site. This report notes that stormwater can easily be disposed of to ground via road and driveway side swales and to soak holes for roof areas of buildings. Also wastewater can be disposed of to ground, subject to appropriate site specific design and siting, assessed under the Environment Canterbury consenting process. There is capacity in the existing reticulated water supply network located in Telegraph Road to serve the anticipated lots from the site.

Other Matters

5.11. As part of the preparation of this plan change, investigations have been made into the site specific geotechnical conditions and potential contaminated land effects. These investigations confirm that there are no site specific relevant matters which need to be addressed in the development of this site. The Geotechnical Report is attached in **Appendix 9** and the Preliminary Site Investigation Report is attached in **Appendix 8**.

6. Proposed Changes to the District Plan

- 6.1. This plan change introduces the following changes to the District Plan and planning maps to enable the rezoning of the application site to the Living 2 Zone. Any text proposed to be added by the plan change is shown as **bold and underlined** and text to be deleted is shown as ~~bold and strikethrough~~.
- 6.2. The following changes are sought to the District Plan:
- 6.3. Addition of a new Appendix 41A containing the Outline Development Plan and associated text contained in **Appendix 2** of this Plan Change request.
- 6.4. Amend Planning Maps as necessary to reflect the Living 2 Zone status across the site.
- 6.5. Amend Policy B4.3.28 as follows:

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, **in the Living 2 Zone identified on Appendix 41A – Creyke Road Outline Development Plan to a minimum average of 0.5ha,** 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.

- 6.6. Insert new rules as follows:

Township Volume, Part C – Living Zone Rules – Buildings

Insertion of new rules

4.9.43 In the Living 2 zone identified in Appendix 41A at Darfield, no additional dwellings shall be erected within the 60dB noise contour.

4.9.44 In the Living 2 zone identified in Appendix 41A at Darfield, the following shall apply:

- i. All habitable spaces excluding bedrooms, within new dwellings erected outside the 60dB noise contour will be designed, constructed and maintained to achieve a design noise level of 35 dB LAFmax when noise is generated by outdoor gun shooting at the Darfield Gun Club (located on the site legally described as RES 1511 BLK XI Hawkins SD).
- ii. Primary outdoor living areas associated with any new residential dwelling must be screened from the Darfield Gun Club gun shot noise to achieve a noise level not exceeding 50 dB LAFmax.
- iii. Prior to the construction of any dwelling, certification of compliance with 4.9.44 (i) & (ii) shall be confirmed in writing to the Councils Planning Manager by a suitably qualified and experienced acoustic expert.

This rules shall only apply until such time as the Darfield Gun Club (located on the site legally described as RES 1511 BLK XI Hawkins SD) ceases to operate outdoor gun shooting events at the corner of Creyke and Telegraph Roads.

Restricted Discretionary Activities

4.9.51 Any activity which does not comply with 4.9.44 shall be a restricted discretionary activity.

4.9.52 Under Rule 4.9.51 the Council shall restrict the exercise of its discretion to the following:

- The extent to which the site is predicted to be affected by noise from outdoor gun shooting carried out at the Darfield Gun Club (located on the site legally described as RES 1511 BLK XI Hawkins SD).
- The extent to which any noise effects from outdoor gun shooting carried out at the Darfield Gun Club (located on the site legally described as RES 1511 BLK XI

Hawkins SD), will have an effect on all habitable spaces (excluding bedrooms), and primary outdoor living areas.

- The extent to which residential activities at the site will give rise to reverse sensitivity on the outdoor gun shooting at the Darfield Gun Club (located on the site legally described as RES 1511 BLK XI Hawkins SD).
- The extent of environmental effects from any noise mitigation measures.

Applications under Rule 4.9.51 shall not be publicly notified, but may be limited notified on the Darfield Gun Club (located on the site legally described as RES 1511 BLK XI Hawkins SD).

Discretionary Activities

4.9.52 Any activity which does not comply with rule 4.9.43 shall be a discretionary activity.

6.7. Amend the subdivision rules as follows:

Township Volume, Part C – Living Zone Rules – Subdivision

Insertion of new rule, following the rules for Darfield:

12.1.3.16 Any subdivision of land within the area shown in Appendix 41A – Living 2 Darfield – Creyke Road Outline Development Plan, shall comply with the layout and contents of that Outline Development Plan.

6.8. Consequential amendment to Appendix 25 of the District Plan to amend the notation for Area three to include reference to the outline development plan for Appendix 41A as follows;

Area 3 – Refer to Appendix 41 & 41A for Outline Development Plans

6.9. Any further consequential amendments to the provisions of the Selwyn District Plan as may be required to provide for the rezoning sought in the plan change application.

7. Statutory Considerations

Plan Change Requests

- 7.1. Section 73(1A) of the RMA sets out that a district plan may be changed by a territorial authority and Section 73(2) enables any person to request a change to a district plan. Such changes are required to be undertaken in the manner set out in Schedule 1 of the RMA. This plan change has been prepared in accordance with clause 21 of Schedule 1.
- 7.2. Clause 22 of Schedule 1 sets out that the form of a request shall be in writing and shall explain the purpose of and reasons for the proposed plan change, and contain an evaluation report prepared in accordance with Section 32 RMA. This clause also sets out that where environmental effects are anticipated, the application shall assess those effects in a manner which correspondence with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change.

Matters to be Considered

- 7.3. Section 74 and 75 of the RMA set out the matters which must be considered when undertaking a plan change. Before a change to a plan can be made the following matters need to be considered:
- A territorial authorities functions under Section 31 (RMA),
 - The provisions of Part 2 (RMA),
 - Consistency with other District Plan Provisions,
 - Consideration of if the proposed change will lead to the most appropriate outcome under Section 32 (RMA),
 - Any regional policy statement or regional plan,
 - Management plans or strategies prepared under other acts, and provisions of any Iwi management plans,
 - Consideration of any actual and potential adverse effects arising from the implementation of the proposed change.
- 7.4. Each of these matters has been considered below.

Section 31 RMA Considerations

7.5. Section 31 of the RMA sets out the functions of a territorial authority with respect to giving effect to the provisions of the Act. This includes the following relevant matters:

(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:

(b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—

(i) the avoidance or mitigation of natural hazards; and

(ii) the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances; and

(iia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:

(ii) the maintenance of indigenous biological diversity:

(d) the control of the emission of noise and the mitigation of the effects of noise:”

7.6. The proposed plan change seeks only minor amendments to one policy to include the plan change and continue to seek integrated development across the site and surrounding area. It is considered that the remainder of the objectives and policies of the Selwyn District Plan adequately provide for integrated management of the Living 2 Zone including the subject site. The proposed ODP and proposed noise rules govern the integrated management of the site specific issues associated with the plan change. This includes ensuring appropriate mitigation measures for potential adverse effects associated with noise from the nearby gun club activities and neighbouring farming activities in the rural outer plains zone (across Crekye Road from the site). Additionally

the proposal seeks to provide a consistent roading pattern with anticipated development on adjoining land. Therefore the proposal is consistent with Section 31(a).

7.7. The site is not subject to any adverse effects of natural hazards or areas of significant biodiversity. The proposal does not include the use or storage of hazardous substances. Historical activities on this site do not demonstrate that there are any pre-existing contaminated land issues, nor will the development of the site give rise to contaminated land, given the residential nature of anticipated future development. Given the above facts it is considered that the proposed plan change is consistent with Section 31(b).

7.8. Section 31(d) seeks to control the mitigation of the effects of noise. In this case a new noise rule is proposed which includes measures, as outlined elsewhere in this report, that demonstrates how noise from the Darfield Gun Club will be managed. It is considered this is sufficient to ensure the implementation of the plan change supports Council's function under section 31(d).

Part 2 RMA, Purpose and Principles

7.9. Part 2 of the RMA sets out the purpose and principles of the Act. Regional and territorial planning documents are required to be consistent with the provisions of Part 2 of the RMA which includes Sections 5 – 8. Each of these sections is considered with respect to the proposed plan change as follows:

7.10. Section 5 of the RMA sets out that the purpose of the Act is the sustainable management of natural and physical resources. At section 5(2) sustainable management is further defined as follows:

“sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

- a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;*
- and*

- b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- c) avoiding, remedying, or mitigating any adverse effects of activities on the environment."*

7.11. The proposal site is located within 1.5km of Darfield Township and adjoins existing Living 1 Zoned land. This assists with opportunities for walking and cycling from the site to the township. The proposed road network within the site is able to integrate into the existing roading network and will provide connections to adjoining land. The proposal increases the range of housing choice in close proximity to Darfield's Town centre and will assist in providing for the foreseeable housing needs of future generations.

7.12. The site can be appropriately serviced for wastewater, stormwater, water supply, power and telecommunications and, where necessary, consents from Environment Canterbury for stormwater and wastewater will be able to be obtained to ensure the life-supporting capacity of water soil and ecosystems is safe-guarded.

7.13. The site is currently zoned Living 2A Deferred, and has previously been considered suitable for development subject to water supply and reverse sensitivity matters under PC24. These issues have been explored as part of this proposal and are no longer considered an impediment to development of the site subject to specific mitigation measures relating to noise, as proposed by new rule noise rules.

7.14. Given the above discussion, the proposed plan change is considered to be consistent with the purpose of the Act contained in Section 5.

7.15. Section 6 of the RMA contains matters of national importance which are to be recognised and provided for when carrying out functions under the Act. In this case the proposal does not contain or impact on any of the matters identified in Section 6, and as such no further assessment is considered necessary.

7.16. Section 7 of the RMA sets out other matters for which particular regard shall be had to when exercising functions under the RMA. Not all of the matters listed in Section 7 are relevant to the proposed plan change and its subject site. The following relevant matters have been considered:

(b) the efficient use and development of natural and physical resources:

(c) the maintenance and enhancement of amenity values:

(f) maintenance and enhancement of the quality of the environment:

7.17. The proposed plan change will enable a greater number of sections on this site than anticipated at the time the Living 2A Deferred Zone was imposed on this site. The proposal site adjoins the Living 1 zone and provides a logical extension to Darfield. The more intensive Living 2 zone proposed will enable a more efficient use of the land resource to provide rural residential style living sections adjoining the outskirts of Darfield, and reduce the demand on rural zoned land to provide for rural residential sized sections. This is consistent with Section 7(b).

7.18. The proposal includes retention of boundary shelter belt planting to provide for a sense of rural character to be retained, with limited access points onto Telegraph and Creyke Roads. The proposal includes a road link anticipated by PC24 from Telegraph Road, through the proposal site, to connect into the land subject to PC24. Mitigation measures to reduce the likelihood of adverse effects arising from the noise associated with the Gun Club have been included to ensure the amenity values experienced by future owners of the site are not impacted. Taking into account these features of the proposed plan change, it is considered that the proposed plan change is consistent with sections 7 (c) and (f).

7.19. Section 8 of the RMA sets out requires that all persons exercising functions under the Act, take into account the principles of the Treaty of Waitangi when achieving the purposes of the Act.

7.20. The Resource Management Act does not go so far as to define the principles of the Treaty that should be taken into account, but the Court of Appeal, the Waitangi Tribunal, and statements by Government, define the principles as including:

7.20.1. Early consultation and acting in good faith;

7.20.2. The principle of partnership; and

7.20.3. The need for active protection.

7.21. In this case the applicant has specifically consulted with Te Taumutu Runanga and Te Ngāi Tūāhuriri through Mahaanui Kurataiao Trust Ltd (MKT). Details of consultation are provided in Section 8 and **Appendix 12** of this report.

Consistency with Existing District Plan Provisions

7.22. The proposed plan change seeks to provide for the Living 2 Zone on the site and includes the insertion of an ODP (attached in **Appendix 2**) into the District Plan. This will allow for a minimum average density of 5000m² across the whole site. However the ODP seeks to limit the minimum size of parts of the site in the south western corner to provide for a 1ha and a 2ha allotment to avoid reverse sensitivity effects.

7.23. It is not proposed to include significant amendments to the objectives and policies of the Selwyn District Plan, but rather the future development of the site will be governed by the existing suite of objectives and policies relevant to the Living 2 Zone. A detailed assessment of the proposed changes against these existing provisions of the Selwyn District Plan has been made in **Appendix 11** of this report. From this assessment it can be seen that the proposal is consistent with these existing provisions.

Section 32 RMA Considerations

7.24. Section 32 requires that an evaluation report is prepared which identifies the objective of the proposal, determines if it is the most appropriate method of achieving the purpose of the RMA, and if the proposed amendments are the most efficient and effective method of achieving the objective. A Section 32 report has been prepared and is attached in **Appendix 11**. This report considers alternative methods for achieving the purpose of this plan change, and concludes that a plan change is the most appropriate method.

7.25. Further consideration has been given to whether the proposed plan change is the most efficient and effective method of achieving the outcome sought by this proposal. This

takes into account the alternative option of simply lifting the deferred status of the Living 2A zone. In this case the Section 32 assessment concludes that benefits of the Living 2 zone in terms of ensuring the most efficient use of land is achieved is a better outcome.

Consideration of Existing Regional Planning Documents

Canterbury Regional Policy Statement

7.26. The Canterbury Regional Policy Statement (CRPS) provides an overview of the significant resource management issues in the Canterbury Region. The CRPS provides a framework for managing and resolving these resource management issues and achieving the integrated management of natural and physical resources. Territorial authorities must give effect to the CRPS through District Plans. The proposal has been assessed against the relevant provisions of the CRPS in **Appendix 10** to this report. Overall it is considered that the proposal gives effect to the provisions of the CRPS.

Land and Water Regional Plan and Natural Resources Regional Plan

7.27. The Canterbury Regional Council has recently prepared a new regional plan to manage the land and water resources of the region. The Land and Water Regional Plan was made operative on the 13th August 2015 and the 15th October 2015, with the exception of rules relating to take and use of surface water and dams and damming. This effectively replaces the provisions of the Natural Resources Regional Plan (NRRP) unless activities relate to take and use of surface water or dams.

7.28. The proposed plan change does not include any of the matters still governed by the NRRP and therefore only consideration of the new Land and Water Regional Plan (LWRP) is considered necessary.

7.29. Pursuant to Section 75(4) of the RMA, the District Plan must not be inconsistent with any relevant regional plan. The proposed plan change does not seek to significantly change any of the existing objectives and policies of the Selwyn District Plan and is considered to be consistent with these existing provisions (see **Appendix 10** for a full

assessment). Currently it is generally accepted that the operative provisions of the Selwyn District Plan are not inconsistent with the LWRP, and therefore this will also be true for the proposed plan change.

7.30. Development of the site at the time of subdivision will still need to comply with the provisions of the LWRP, or resource consents obtained for any non-compliances. The servicing strategy attached in **Appendix 7** sets out that servicing future sites for stormwater and wastewater is feasible. Disposal of stormwater to ground can be achieved and meet the permitted standards of the LWRP. Disposal of wastewater to ground for individual allotments will require a consent under the LWRP as the allotments will be less than 4ha in area each.

Other Planning Documents

Iwi Management Plan

7.31. Ngai Tahu has prepared the Mahaanui Iwi Management Plan to identify and manage maori interests relevant to the Canterbury Region. Councils are required to consider this plan when undertaking plan or policy changes. The relevant provisions of this Iwi Management Plan relate to groundwater, discharges to land, controls on land use activities, urban and township planning, subdivision and development stormwater, and waste management.

7.32. Where possible, the development of the ODP has been influenced by the policies of the Iwi Management Plan, and overall it is considered that the proposal is consistent with the plan. A full assessment of the relevant policies of the Iwi Management Plan is included in **Appendix 10**.

Selwyn 2031

7.33. Selwyn 2031 is a strategic document developed by Selwyn District Council to provide guidance on the preferred growth of the district until 2031. This is a publically consulted document which underpins the specific area plans and District Plan reviews.

7.34. Key relevant concepts from Selwyn 2031 include the following matters:

- Providing sufficient residential and business zoned land to cater for projected household and industrial growth and to assist earthquake recovery;
- Ensuring that appropriate infrastructure is available to support projected urban growth;
- Promote infrastructure efficiencies, improved accessibility, community wellbeing and a clear urban/rural contrast through the consolidation and intensification of existing townships.
- Urban growth in Darfield, Kirwee and Dunsandel is likely to be constrained by an absence of a reticulated wastewater network.
- There is a need to provide choice in living environments and housing type to support and cater for different lifestyles, age groups and cultures.

7.35. Consideration of the provision of services has been made as part of the preparation of this plan change request, and in the absence of a reticulated wastewater system in Darfield, on-site systems are anticipated. The proposals will provide for housing choice by providing smaller lifestyle sized sections than originally considered under PC24. Given this it is considered that the proposed Plan Change will not be inconsistent with the strategic directions set out in Selwyn 2031.

Malvern Area Management Plan

Selwyn District Council is currently working on area plans for Ellesmere and Malvern ward areas. Darfield is contained in the Malvern ward, and a draft plan was released for consultation on Monday 9th May 2016. The aim of the area plans is described on Selwyn District Council's website as:

"The area plans are a 15-year growth strategy for townships in the Ellesmere and Malvern areas.

Selwyn is growing rapidly. In 2014 the Council adopted Selwyn 2031, a district-wide strategy to help manage this growth, which also identified the need for area plans to be developed for Ellesmere and Malvern.

The plan will provide a framework for the sustainable growth and development of local townships and settlements. It will be created by working with local communities, businesses and other key stakeholders to identify how they would like Ellesmere and Malvern to be in the future.”³

7.36. For Darfield, the key factors identified in the draft Malvern Area Plan, that relate to the subject site, was the desire for development to be concentrated around the town centre with larger sections extending towards Creyke Road. Creyke Road is identified as a containment line for urban growth. A number of issues relating to the development low density land were identified, including dispersed development meaning concentric development is not achieved, reverse sensitivity effects with surrounding rural land, loss of rural land and strategic infrastructure inefficiencies.

7.37. The proposal is located on the corner of Creyke and Telegraph Roads, and generally seeks to provide a graduation of sections from smaller closer to the town centre and larger sections further away from the town centre, in so far as this is possible on the relatively small 13.5ha proposal site. The proposal site adjoins a large area of Living 1 zoned land, ensuring that dispersed development is unlikely. Reverse sensitive effects and potential loss of rural land as a result from the Plan Change have been discussed elsewhere in this report and are considered to have been adequately managed. Consideration of key road networks and water supply networks have been made as part of the proposed plan change with these key infrastructures able to accommodate the scale of future development likely to occur on the site.

Canterbury Regional Land Management Strategy 2012

7.38. The Canterbury Regional Land Transport Strategy was prepared by the Canterbury Regional Transport Committee in 2012. It sets the strategic direction for land transport within the Canterbury region over a 30 year period. Issues and challenges are identified in the Strategy and have been considered as follows:

1.1. _____

³ <http://www.selwyn.govt.nz/services/planning/policy-strategy/malvern-and-ellesmere-area-plans>

- 7.39. *Maintaining and enhancing accessibility*
- 7.40. *Providing transport options*
- 7.41. *Managing the environmental impacts of transport*
- 7.42. *Meeting the transport needs of dispersed communities*
- 7.43. *Managing the transport impacts of anticipated population changes.*
- 7.44. The Strategy sets out that good compact integration and urban design in land use management will provide improved access and mobility for people and will reduce energy consumption. The proposed plan change seeks to enable new allotments located within 1.5km of Darfield's town centre. The existing wide relatively flat berms on Telegraph Road will enable opportunities for walking and cycling to and from the site thereby providing for alternative modes of transport and a reduced reliance of private motor cars.
- 7.45. The proposed plan change ODP also includes anticipated links to the Living 2A land to the east of the site via the connections anticipated under the PC24 ODP. PC 24 also makes additional linkages to Telegraph and Creyke Roads and to Cardale Street, providing additional future connections to the town centre from the site.

Actual and Potential Effects

- 7.46. Consideration of the actual and potential effects arising from the implementation of this proposed plan change are set out in Section 9 of this report below. This assessment relies on expert opinions relating to noise, traffic, contaminated land, urban design, service provision, and geotechnical matters. Copies of reports from these experts have been attached as appendices to this report and are referred to where relevant.

8. Consultation

Selwyn District Council

8.1. A meeting with Cameron Wood, Michael Rachlin, and Murray England (Selwyn District Council staff) was held to consider the proposal. The following features were raised for the applicant to consider in detail through the application process:

- Consistency with an existing living zone was preferred, rather than creating a site specific living zone. Council is looking to reduce the number of living zones in the District Plan as part of its upcoming review and from an administrative perspective, consistency with an existing zone is preferred.
- Existing water mains in Telegraph Road could serve the site for water supply, however confirmation of capacity from Opus would be required to support the application. It is expected that stormwater and wastewater will be appropriately disposed of to ground.
- Any new noise assessment would need to be peer reviewed as part of the plan change process, and any no-compliance covenants would need a mechanism to require them to be included on the titles of future allotments.
- Consultation with Iwi prior to lodging the plan change would be beneficial for processing the plan change.

8.2. As a result of this consultation the Living 2 zone has been sought, with specific ODP requirements relating to avoiding reverse sensitivity and retaining rural character. Additionally consultation with Iwi has been undertaken as discussed below.

Neighbours

8.3. Consultation with neighbours was undertaken by the applicant in February and March 2016 as the proposed plan change application was prepared.

8.4. The applicant is not the owner of all three blocks of land subject to this proposed plan change. On-going conversations with the Mr Craig Dye and Ms Sandra Lyttle, and Mr

Ben and Mrs Emily Bloomfield have been held with respect to the proposal to rezone their properties, and the implications for their land. While these neighbours elected to not be joint applicants, they have not expressed any concerns with the proposal.

- 8.5. The applicant has discussed the proposal with the adjoining neighbour to the east and north of the site, Lynn and Christine Crozier. The Croziers own all of the land adjoining the site to the east and north, which was subject to rezoning under Plan Change 24 and now forms all of the Outline Development Plan in Appendix 41 of the Selwyn District Plan. Mr and Mrs Crozier have indicated that they have no issue with the rezoning of the proposal site.
- 8.6. The applicant has consulted with Don Gillanders, one of the principals of a farming partnership that owns the land opposite the site on Telegraph Road. This land is also zoned Living 2A deferred and is subject to the same reverse sensitivity issues as the proposal site. Mr Gillanders and the farming partnership have indicated that they are not opposed to the proposed plan change.
- 8.7. The land owned across Creyke Road is owned by Selwyn District Council and is leased by Nigel and Claire Clatworthy, who also lease and graze the bulk of 193 Creyke Road. Mr and Mrs Clatworthy have noted that they no issues with the Plan Change proceeding.

Darfield Gun Club

- 8.8. The applicant has consulted extensively with the Gun Club (Marcel van Leeuwen, Gun Club Treasurer/ Secretary) since the site was excluded from PC24 in 2013 due to potential reverse sensitivity effects arising from noise generated by the Gun Club activities. The Gun Club has confirmed that they are not opposed to the development of the site, but rather would like to ensure that reverse sensitivity effects do not arise. The Gun Club is satisfied that the proposed new noise rules will provide sufficient mitigation to avoid the potential to give rise to reverse sensitivity effects. The proposed covenant also provides the Gun Club with confidence that activities on their site will not be impeded by development of the subject site.

Iwi

8.9. Mahaanui Kurataiao Ltd (MKT) provide consulting services for a number of Canterbury based Iwi including Te Taumutu Runanga and Te Ngāi Tūāhuriri, who have an interest in development in this area. MKT were engaged by the applicant in late March 2016 to consult with these two iwi and provide any comments and recommendations. A response was received from MKT on 21st April and is attached in **Appendix 12**. Their comments included a number of recommendations which have been summarised as follows:

- Have a record of this consultation as part of the plan change application,
- Include accidental discovery protocols as part of future subdivision,
- That further consideration of options to reduce water demand be made, and methods for making efficient use of water,
- That further consideration of vegetative swales to treat stormwater is made,
- That on-site wastewater systems are sited and designed to enable efficient connection to future reticulated networks ,
- That subdivision guides include low impact urban design features and encourages indigenous planting,
- That a landscape plan for the road network includes species that encourage valued food gathering species or those that support habitat for mahinga kai species.

8.10. This section provides the necessary summary of consultation with Iwi. It is now standard practice for accidental discovery protocols to be encompassed as part of subdivision consent decisions issued by District Councils, and it is anticipated that future development on this site will also be subject to this requirement.

- 8.11. The decision as to whether a household should include methods to reduce their water consumption (i.e. rainwater storage and reusing greywater) is not a matter which can be mandated through the plan change process, but rather will be a matter considered at the time of subdivision. Selwyn District Councils 2009 Guide for Residential Subdivision⁴ encourages resource efficiencies including the use of rainwater storage and viewing stormwater as a resource.
- 8.12. Given Darfield's high ground water soakage, vegetative swales to manage and treat stormwater from the road network is anticipated as set out in the servicing report attached in Appendix 7.
- 8.13. Consideration of the final location of wastewater systems will be undertaken as part of future subdivision of the site, when there is more certainty around section and building location. Consents will be required from Environment Canterbury and consideration of the final location of wastewater systems will need to include appropriate separation distances. Additionally given there is uncertainty about the extent, location or timing of any future reticulated network, it may be inefficient to try to pre-empt the location of services.
- 8.14. Given the proposal includes a very small addition to the road network which will be connected to other roads on adjoining sites, a landscape plan for the road network at this stage could lead to inconsistent treatment of the space. Landscaping of the road network is an assessment matter considered by Selwyn District Council at the time of subdivision⁵ and is likely to be considered in conjunction with any development in the wider area at that time.
- 8.15 Overall it is considered that the proposed plan change has taken into consideration the matters raised by the report contained in Appendix 12, to the extent which is practical within the plan change process. It is noted that some matters raised are more

1.1. _____

⁴http://www.selwyn.govt.nz/_data/assets/pdf_file/0016/15163/ADOPTED-SDC-Subdivision-Design-Guide.pdf

⁵ assessment matter 12.1.4.23, Chapter 12 Subdivisions, Townships Volume, Selwyn District Plan

appropriately managed at the subdivision level, and existing subdivision guides and assessment criteria will provide for the outcome sought by Iwi.

9. Assessment of Environmental Effects

9.1. Clause 22(2) of the First Schedule to the Act requires that where environmental effects are anticipated from the implementation of a plan change, an assessment of effects shall be provided.

9.2. An assessment of the relevant actual and potential environmental effects of the development associated with the proposed plan change and incorporation of the proposed ODP into the District Plan can be divided into the following key matters:

- Rural character
- Reverse sensitivity
- Noise
- Increased living 2 zoned land
- Services
- Traffic
- Visual amenity
- Discharge of contaminants
- Use of hazardous substances
- Community facilities and services
- Positive effects

9.3. Each of these matters has been considered in the following sections.

Rural Character

9.4. The District Plan seeks that in rural zones, rural character is maintained and sets out a preferred growth option for Darfield which generally provides a concentric pattern of development with lower rural-residential development on the periphery and graduated higher densities towards the centre of the township.

9.5. The site is currently zoned 'Living 2A deferred', in anticipation of future development of the site for low density residential use to provide a buffer between more intensive

residential development in the centre of the town, and rural activities beyond the urban boundaries of the town. Given this deferred zoning, a reduction in rural character is anticipated by the District Plan for this site. Any increase in density across the site will, to a degree, give the site a more enclosed feeling and reduce the open space character experienced in traditional rural farmland. Nevertheless a sense of rural character can be maintained across the site, and when viewed from public roads and adjoining land.

- 9.6. The proposal seeks to rezone to 'Living 2' across the site which will allow for an average allotment size of 5000m². Larger lots are identified on the ODP in the south west corner of the site, adjacent to rural activities occurring across Telegraph and Creyke Roads. As described in the Urban Design Report (see **Appendix 3**) these larger lots will provide for a continued sense of open space at the entrance to Darfield along Telegraph Road.
- 9.7. The ODP seeks the retention of the shelter belt along Telegraph Road to essentially screen the site from this road frontage. Additionally the ODP seeks to provide for either the retention of the existing pine trees along Creyke Road, or the replacement of these with park like tree planting consistent with that anticipated for development of adjoining land along this road frontage as set out in Appendix 41 of the District Plan. This planting will provide for the continued rural character of the area, and will ensure that the more intensive Living 2 zoned land is largely indistinguishable from surrounding Living 2A zoned developments.
- 9.8. The site is anticipated to be zoned for low density residential living, thus will have a reduced rural character. However, the ODP provides for larger sections at the intersection of the two roads, and for the retention of existing mature trees along the road frontages. Given these mitigating factors it is considered that an overall slight change in character is anticipated for this site and will have a minor effect.

Reverse Sensitivity

- 9.9. Reverse sensitivity effects occur where a new residential activity establishes and new residents have an issue with noise, odour, dust or other effects from existing lawfully established activities on adjoining sites, creating conflict.

9.10. In this case it is noted that the Darfield Gun Club operates on land located diagonally across the intersection of Creyke and Telegraph Roads and has the potential to create noise which may affect the amenity experienced on the subject site and give rise to reverse sensitivity effects. Noise effects are discussed in the following section.

9.11. Reverse sensitivity effects may also arise with the operation of existing rural farming activities opposite the site on Creyke and Telegraph Roads. These may include noise from machinery or stock, dust generated from harvesting crops or odour from stock.

9.12. Distance between potential new dwellings and the sources of the offending activities provides an appropriate mitigating buffer to any potential adverse effect. In this case the ODP limits where new dwellings can be located to ensure adverse effects with the noise generated by the Gun Club are mitigated and largely results in many dwellings being setback from the road frontages. Additionally the ODP requires a large 2ha lot containing the existing dwelling at 193 Creyke Road be provided for, and a further 1ha allotment fronting Telegraph Road. This further limits the number of new dwellings locating in close proximity to these road frontages.

9.13. Telegraph and Creyke Roads have 20m wide road reserves which provides additional setback distances between rural farming activities and potential new dwellings.

9.14. Additionally the ODP seeks to provide the retention of shelter belt plantings along the road frontages to screen the site from activities occurring across the roads. The large setback distances and the retention of shelterbelt plantings mean that the actual reverse sensitivity effects experienced by occupants of new dwellings will be insignificant.

Noise

9.15. The Acoustic Assessment attached in **Appendix 5** to this report, describes a more detailed assessment of the noise effects generated from the Gun Club shooting events, and provides contours shown across the site to demonstrate the level of noise likely to be heard. This Assessment then goes on to describe mitigation measures to ensure

adverse noise effects are mitigated. These include that no additional dwellings are constructed within the 60 dB $L_{A_{Fmax}}$ contour, and that for other dwellings on the site internal and external acoustic noise limits be met.

9.16. With respect to external noise between these two contours the Acoustic Assessment notes that new dwellings located with their indoor living spaces facing northwards (as would be reasonably expected to maximise the sunshine) could achieve an outdoor acoustic level within the outdoor space immediately adjoining the buildings. A building could easily shield an area of approximately 100m² from the nuisance noise generated by the Gun Club.

9.17. The noise generated by the Gun Club occurs on an infrequent basis, with gun shoots occurring (at most) on average once a week, with competition shoots usually occurring once a month on a weekend day and intermittent practice and schoolchildren shoots for a few hours on a weekday. This significantly reduces the length of time the operations of the Gun Club could impact on the amenity of future owners of the site.

9.18. It is considered that the proposed noise rules will sufficiently mitigate actual noise effects generated from the Gun Club activities. However as an additional precaution it is proposed that covenants will be placed on the titles of new allotments seeking to limit the ability for new landowners to complain with respect to the noise generated by the Gun Club.

9.19. New rules relating to constructing new dwellings on the site is proposed, which seeks that new dwellings achieve indoor and outdoor noise levels through the design and siting of the buildings. To meet the permitted standard written confirmation from a suitably qualified acoustic expert is required to be provided to council which demonstrates that the necessary levels are achieved, or a resource consent for a restricted discretionary activity is required. This will reduce people's exposure to the noise effects and ensure that amenity is not adversely affected from noise generated by the Gun Club activities. Given these mitigating factors and the relatively infrequent times the Gun Club operates means that the overall actual noise effects experienced by future owners of the site will be acceptable.

Increased Living 2 Zoned Land

- 9.20. The proposal seeks to allow for an additional 13.5ha of Living 2 zoned land on the periphery of Darfield. This has the potential to increase amount of subdividable land available in Darfield. Land is usually only developed in response to market demand for sections.
- 9.21. The fact that there is existing undeveloped land zoned for development does not preclude the rezoning of additional land. The key matter for concern is that the proposed rezoning fits well with the preferred options for growth for the township.
- 9.22. The subject site is located on land zoned Living 2A deferred, which indicates Council's long-held intention for the subject site to form part of the low density residential environment on the periphery of Darfield. The site is located adjoining Living 1 zoned land and so will assist in forming a compact township form. The site can be serviced with reticulated water supply which has the capacity to provide for the anticipated future allotments on the site.
- 9.23. The proposal seeks to provide for 'Living 2' zoned land instead of the 'deferred Living 2A' zoned land, which increases the amount of development from that currently intended for the site. The Urban Design Report attached in **Appendix 3** sets out that the effects resulting from a 5000m² average density (Living 2 zone density) are largely the same as a 1ha average density (Living 2A zone density). Both options enable low density residential development that provides a sense of open space, opportunity for ample tree and garden planting, and provides sufficient space to ensure reverse sensitivity effects with adjoining farmland is achieved.
- 9.24. Overall it is considered that the rezoning of this site will have a minor effect on the overall provision of land available, and that the conversion to 'Living 2' across the site will provide a greater number of allotments available to the market without further encroaching into valuable rural land. The effect of this increased density will be hardly greater than if the Living 2A zoning was applied, and will be minor.

Services

- 9.25. Servicing has the potential to create adverse effects on the environment through its design, location and installation, particularly with respect to discharges relating to disposal of stormwater and wastewater. **Appendix 7** includes Engineering Reports which outline the key methods for servicing the site.
- 9.26. In Darfield there is no reticulated stormwater system, rather reliance is made on the well-draining soils for on-site solutions. While specific methods and devices for stormwater disposal can be the subject of a subdivision consent, generally it is noted that stormwater will be discharged to ground in swales along the new road and driveway areas and to soak pits within allotments from roof areas. This is the typical and widely accepted method of stormwater disposal in Darfield, and it is anticipated that effects will be minor.
- 9.27. Darfield does not currently have a reticulated wastewater disposal system. While it is understood that Council has formed a working party to consider the best options for wastewater reticulation in the township, any changes to the current situation are unlikely in the near future. Therefore a continued reliance of on-site wastewater systems has been considered as necessary for this plan change. The report attached in **Appendix 7** confirms that subject to specific design consents from Environment Canterbury will be required due to the potential future allotments being less than 4ha in area. Given the need to obtain consent from Environment Canterbury, any environmental effects of providing individual on-site wastewater systems will be considered at the time of subdivision, with appropriately designed systems ensuring adverse effects can be appropriately managed.
- 9.28. Darfield's reticulated water supply is located within Telegraph Road, and confirmation has been obtained that there is sufficient capacity in this current system to provide for the needs of future allotments of this site.

9.29. Overall it is considered that the effect of providing services to future allotments on the site will be minor.

Traffic

9.30. The transport network is an important physical asset. A Transportation Assessment is attached in **Appendix 5**, which concludes that the existing road network has sufficient capacity to safely and efficiently accommodate the expected volumes of traffic generated by the development.

9.31. The Transportation Assessment considers the effect of vehicles using the new road within the site to access Darfield to the north and Christchurch City to the east. Consideration has been made of the fact that the proposal seeks a Living 2 zoning rather than the Living 2A zoning (the existing deferred zoning).

9.32. Analysis of the traffic effects arising from the proposal indicate that the proposed Living 2 zone would increase peak traffic beyond that which was anticipated by the Living 2A deferred zoning (as discussed in the traffic assessment for PC 24) by one additional vehicle. This is considered to have a negligible effect on the road network.

9.33. Additionally the layout and design of the ODP has been considered in the context of the existing permitted transport standards of the District Plan and complies. This assumes that traffic speeds along Telegraph Road will reduce as development along this road frontage increases.

9.34. Based on the Transportation Assessment concluding that the proposed development will not have an impact on the safety and functioning of the surrounding road network, it is considered that potential traffic effects will be no greater than effects considered under PC24.

Visual Amenity

- 9.35. The Urban Design Report (attached in **Appendix 3**) notes that visually the site will appear largely unchanged along Telegraph Road due to the retention of the shelter belt planting along this road frontage. This planting will only be interrupted by the location of the new road and any other individual vehicle access points along this road frontage. Along Creyke Road the potential to view new development is greater, given that the existing pine tree shelter belt could be removed and replaced with groups of park like trees, interrupted by access points.
- 9.36. The site currently has a deferred zoning which provides for low density residential activity, and therefore a degree of visual change has already been anticipated across the site. As set out in the Urban Design Report, the intensity of development across the site under the proposed plan change have the same visual effect as development which might occur under the Living 2A zone (i.e. if the deferral were simply lifted).
- 9.37. The proposal includes a larger 2ha section on the corner of Creyke and Telegraph Roads and a 1ha section along which will make the site appear less built up when approaching Darfield from the south. This will give the anticipated graduation of density sought by the District Plan.
- 9.38. Overall it is considered that visual amenity will be largely mitigated by the retention of boundary planting along the road frontages, however some visual change is anticipated in this area. Overall the effect on visual amenity is considered to be minor.

Discharge of Contaminants

- 9.39. Any future use of the site will be required to comply with the Environment Canterbury and Selwyn District Council requirements and bylaws relating to the discharge of contaminants. It is noted that on-site waste water consents will be required from Environment Canterbury at which time any effects of this discharge will be considered.

Use of Hazardous Substances

9.40. The use of the subject site for residential purposes is unlikely to result in the need for the use or storage of hazardous substances. In any case, any activity of this nature will be required to comply with the relevant District and Regional Plan rules as well as other statutes relating to the storage and use of hazardous substances.

Community Services and Facilities

9.41. Plan changes involving the rezoning of land to a higher density have the potential to have an effect on the anticipated level of service provided community services and facilities for a township (i.e schools, recreational facilities and reserves).

9.42. In this case the site could accommodate approximately 12 sections using the current Living 2A zoned densities, and could support 20-26 sections based on the proposed ODP. This results in an increase of 8 - 14 households beyond that which was anticipated for the site when the deferred status was applied to the site. This is a small number of sections (i.e families) using the existing community services and facilities beyond that anticipated from the site. Existing community services and facilities are likely to be able to accommodate an additional 8 - 14 families in the area without any adverse effects arising. Overall the effects on community facilities and services will be negligible.

Positive Effects

9.43. The proposal will add to the housing choice provided in Darfield, by enabling low density residential sections to be created. The ODP provides for some larger sections appropriately located along Telegraph Road to avoid reverse sensitivity effects and to provide a buffer between rural and higher density residential activities.

9.44. The ODP enables the coordinated development of land by providing critical links through to existing Living 2A Zoned land to the east, and by the continuation of a landscaping strip along Creyke Road. This coordinated development assists with ensuring development can be established in an efficient manner.

9.45. The proposal seeks to allow for the 'Living 2' zoning across the site. This will provide for 20-26 allotments, whereas under the existing deferred zoning only 12 could be accommodated on the site. The additional provision of sections will not increase the potential adverse effects arising from the site, and as such, is a more efficient use of the land resource. This will reduce the potential pressure on other large existing landholdings, and represents a sustainable use of the land resource.

9.46. An additional 20 - 26 households in Darfield will generate more people using the local business, café's and retail outlets. This will have a positive effect on the local economy. Also additional households will mean greater use of the local schools and community groups such as scouts, providing a social benefit to Darfield.

9.47. The development of the site to Living 2 zone densities provides an economic benefit to the applicant and to the other landowners of the subject site as they can realise the potential of their landholdings. The applicant lives elsewhere in Darfield and so the economic benefit to her will flow through to the Darfield economy, adding to the overall economy of the township.

Effects Conclusion

9.48. The proposed plan change has a range of actual and potential effects on the environment. The key environmental effects relate to reverse, character and amenity and the implications of rezoning the site to the Living 2 zone densities.

9.49. The ODP proposed by this plan change represents the required framework for the sustainable development of the subject site as low density residential land.

9.50. The ODP includes mitigation measures to avoid potential reverse sensitivity effects relating to adjoining rural land and noise generated from the Darfield Gun Club. Measures include retention of landscaping, new rules which identify areas for no new dwellings and requirements that future buildings achieve enable acoustic amenity within sections. Water supply to the site has been confirmed as available within the current reticulated network. These measures ensure that the rezoning of the site can

achieve the necessary requirements of Policy B4.3.28 and that the deferral of the site can be lifted.

9.51. The size and scale of the proposed rezoning means that, taking into account the proposed mitigation measures and the objectives and policies of the District Plan for the Living 2 zone, any actual adverse effects arising can be appropriately managed.

10. Conclusion

- 10.1. This plan change request seeks to rezone 13.5ha of Living 2A deferred land to Living 2, on the southern edge of Darfield and adjoining the Living 1 Zone.
- 10.2. This request has been prepared in the form prescribed by the RMA and includes appropriate changes to the Selwyn District Plan to implement the plan change request.
- 10.3. The plan change is consistent with the matters set out in Part 2 of the RMA, the existing objectives and policies of the Selwyn District Plan, the Canterbury Regional Policy Statement, and other relevant plans and strategies that contribute to the planning framework for the Selwyn District.
- 10.4. The plan change is considered the most efficient and effective method of achieving the purpose of the plan change, and a section 32 evaluation report has been prepared.
- 10.5. Immediate neighbours, the Gun Club and relevant iwi groups have been consulted and are generally satisfied with the proposed plan change.
- 10.6. Adverse effects arising as a result of implementing the proposed change have been considered. Taking into account the proposed mitigation to avoid reverse sensitivity effects, it is considered that adverse effects will be minor.
- 10.7. Therefore it is considered that the proposed plan change represents the sustainable management of natural and physical resources and can be approved.

Appendix 1: Certificates of Title

Appendix 2: Outline Development Plan

The following Outline Development Plan (ODP) has been designed for approximately 13.5ha on the south eastern of Darfield Township adjoining the southwestern corner of the area identified in Appendix 41 of the Selwyn District Plan. The ODP seeks to enable the development of the site to Living 2 densities and to provide for a low density residential style of development.

The following matters form part of this ODP, and are required to be addressed at the time of subdivision.

Connectivity

At the time of subdividing that part of the ODP area adjacent to the proposed new road identified, provision shall be made for land to be set aside for future roading connections to the adjoining site east of the site in a coordinated manner. This shall ensure the roading network identified in Appendix 41 of the Selwyn District Plan and the roading network identified for the ODP area are consistently aligned.

Landscaping

The existing pine tree hedging along the boundary with Crekye Road is to be largely retained. Where it is removed (excluding for access reasons) it shall be replaced with a 5m wide landscape buffer containing grouped trees consistent with the adjoining Living 2A zone and in accordance with the provisions of the ODP.

The existing hedging along Telegraph Road is to be largely retained, except for where any new access onto Telegraph Road is necessary.

Water Race

At the time of subdivision, provision for the retention of the water race adjacent to Telegraph Road will be required. Any new access onto Telegraph Road will be required to provide a bridge across the water race.

Appendix 3: Urban Design Report

Appendix 4: Transportation Assessment

Appendix 5: Acoustic Assessment

Appendix 6: Legal Covenant

Appendix 7: Servicing Report

Appendix 8: Preliminary Site Investigation Report

Appendix 9: Geotechnical Report

Appendix 10: Assessment of Statutory Framework

Selwyn District Plan

The following relevant objectives and policies of the Townships Volume of the Selwyn District Plan have been considered in the context of the proposed plan change:

B1 – Natural Resources

Objective B1.1.1: Adverse effects on people, and their activities, ecosystems and land and soil resources from contaminated soil or unstable land, are minimised.

Policy B1.1.1: Ensure activities do not contaminate soil.

Policy B1.1.3: Avoid adverse effects on people's health or wellbeing from exposure to contaminated soil.

The proposed plan change will enable residential sections to establish on the site. It is unlikely that this will result in activities which are likely to contaminate land. A preliminary site investigation has been prepared for the site which demonstrates that there is unlikely to be a risk to human health from any activities undertaken on the site. Therefore it is considered that the proposed is consistent with objective B1.1.1, and policies B1.1.1 and B1.1.3.

Objective B1.1.2: New residential or business activities do not create shortages of land or soil resources for other activities in the future.

Policy B1.1.8: Avoid rezoning land which contains versatile soils for new residential or business development if:

- the land is appropriate for other activities; and*
- there are other areas adjoining the township which are appropriate for new residential or business development which do not contain versatile soils.*

The area immediately surrounding the current built form of Darfield is made up of Lismore shallow silty loam, a well-drained soil. The area is considered as versatile and supports a wide range of agricultural activities including cropping and dairy farming (with irrigation). However

the site is small with 13.5ha divided between 3 landowners currently. The site adjoins an existing Living 1 zone to the north and a Living 2A zone to the east. The site is not of a sufficient size to support extensive agricultural activities when compared to other more suitable areas in the Selwyn District. Additionally the site has already been identified as suitable for development subject to specific conditions being met, and was zoned with a deferred status. Given these factors, it is considered that the loss of the versatile soils in this instance is acceptable and will not be inconsistent with objective B1.1.2 and policy B1.1.8.

Objective B1.2.1 Expansion of townships in Selwyn District maintains or enhances the quality of ground or surface water resources.

Policy B1.2.2 Ensure land rezoned to a Living or Business zone can be serviced with a water supply and effluent and stormwater disposal without adversely affecting groundwater or surface waterbodies.

Policy B1.2.3 Require the water supply to any allotment or building in any township, and the Living 3 Zone, to comply with the current New Zealand Drinking Water Standards and to be reticulated in all townships, except for sites in the existing Living 1 Zone at Doyleston.

The proposal includes the disposal of stormwater and wastewater to ground in a manner consistent with the provisions of Environment Canterbury's Land and Water Regional Plan. This will ensure there any adverse effects on groundwater are appropriately managed. Water supply to the site will be made from the existing reticulated town supply for Darfield in which there is currently capacity to accommodate the anticipated maximum number of allotments. This supply currently meets New Zealand Drinking Water Standards. It is considered that the proposal is consistent with objective B1.2.1 and policies B1.2.2 and B1.2.3.

B2 – Physical Resources

Transport

Objective B2.1.1 An integrated approach to land use and transport planning to ensure the safe and efficient operation of the District's roads, pathways, railway lines and airfields is not compromised by adverse effects from activities on surrounding land or by residential growth.

Objective B2.1.2 An integrated approach to land use and transport planning to manage and minimise adverse effects of transport networks on adjoining land uses, and to avoid "reverse sensitivity" effects on the operation of transport networks.

Policy B2.1.2 Manage effects of activities on the safe and efficient operation of the District's existing and planned road network, considering the classification and function of each road in the hierarchy.

Policy B2.1.3 Recognise and protect the primary function of roads classified as State Highways and Arterial Roads in Part E, Appendix 7, to ensure the safe and efficient flow of 'through' traffic en-route to its destination.

The Transport Assessment for the proposed plan change has identified that the effects on the surrounding road network will be insignificant, and that there is ample capacity in the network to accommodate the anticipated additional traffic generated from the site in conjunction with traffic anticipated from land rezoned under PC24.

The proposal will not compromise the efficient functioning of Telegraph Road, an arterial road, in providing a connection between Darfield and Rolleston. Overall it is considered that the proposal is consistent with the above transport related objectives and policies.

Policy B2.1.4(a) Ensure all sites, allotments or properties have legal access to a legal road which is formed to the standard necessary to meet the needs of the activity considering:

- the number and type of vehicle movements generated by the activity;*
- the road classification and function; and*

– any pedestrian, cycle, public transport or other access required by the activity.

Policy B2.1.4(b) Avoid adverse effects on the safe flow of traffic along State Highways and Arterial Roads from new property access, where the speed limit is more than 70 km/hr.

The proposal will enable all future allotments to have access to a legal road. The proposed new road through the site will provide access for most of the internal allotments to a local road. A number of other sections will use Creyke Road with only a few sections required to use Telegraph Road, including existing access to the existing dwelling on Telegraph Road. The proposal is therefore consistent with policies B2.1.4(a) and (b).

Policy B2.1.5 Ensure the development of new roads is:

- *integrated with existing and future transport networks and landuses; and*
- *is designed and located to maximise permeability and accessibility;*

through achieving a high level of connectivity within and through new developments to encourage use of public and active transport; whilst having regard to the road hierarchy.

One new road is proposed to link the existing Telegraph Road through to anticipated future roads to the east of the site associated with the ODP for Plan Change 24. This provides for a co-ordinated and integrated roading network which provides for the site, and the surrounding existing and anticipated road network, flowing back into Darfield's town centre. The proposal is therefore consistent with policy B2.1.5.

Policy B2.1.12 Address the impact of new residential or business activities on both the local roads around the site and the District's road network, particularly Arterial Road links with Christchurch City.

The proposal will result in a slight increase in the number of vehicles likely to use Telegraph Road from the site. There will be a very small number of additional vehicles at peak time beyond that which was considered for PC24 under the Living 2A zoning. Given the small size of the site, the likely effects will be conversely small, and will not have a negative impact on the road network. The proposal is therefore consistent with policy B2.1.12.

Utilities

Objective B2.2.1 Access to utilities to enable people and communities to carry out their activities.

Policy B2.2.1 Require that the need to supply utilities and the feasibility of undertaking, is identified at the time a plan change request is made to rezone land for residential or business development.

A servicing report has been prepared which demonstrates that the proposal site can feasibly be serviced for water supply, wastewater and stormwater disposal, and with power and telecommunications services. Given this, the proposal is consistent with objective B2.2.1 and policy B2.2.1.

Community facilities

Objective B2.3.1 Residents have access to adequate community facilities.

Policy B2.3.1 Encourage co-ordination between the provision of community facilities, and new residential and business development.

The site will provide for a relatively small number of dwellings across the site in addition to the existing three dwellings on the site. Development of this size on the outer edge of the urban area does not warrant providing additional community facilities. The existing facilities of Darfield are considered adequate to cater for the additional needs potentially generated from the site, which includes the recently upgraded community service centre and Library. The plan change is consistent with objective B2.3.1 and policy B2.3.1.

B3 – Peoples Health Safety and Values

Natural hazards

Objective B3.1.1 Ensure activities do not lead to or intensify the effects of natural hazards.

Policy B3.1.2 Avoid allowing new residential or business development in areas known to be vulnerable to a natural hazard, unless any potential risk of loss of life or damage to property is adequately mitigated.

Policy B3.1.7 Ensure any new residential or business development does not adversely affect the efficiency of the District's land drainage system or the risk of flooding from waterbodies.

The site is not known to be subject to flood risk, and has been identified as having a stable ground condition. It is therefore considered that the proposal is consistent with objective B3.1.1 and policies B3.1.2 and B3.1.7.

Quality of the environment

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.

Objective B3.4.5 Urban growth within and adjoining townships will provide a high level of connectivity both within the development and with adjoining land areas (where these have been or are likely to be developed for urban activities or public reserves) and will provide suitable access to a variety of forms of transport.

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*⁶

The development of the site is somewhat limited in the range of housing choice it can provide because of its location on the edge of Darfield's urban form. However the proposal includes slightly larger sections furthest from the town centre, and relatively smaller sections closer to the town centre. This slight graduation in density is consistent with the aim of the above objectives and policies. Larger sections form a buffer between the Living 1 zone to the north of the site and the Outer Plains rural areas to the south of the site. This will positively contribute to ensuring that Darfield is a pleasant place to live and work, and contribute to spacious residential areas.

The proposal includes the anticipated through road from the Living 2A land to the east connecting back to Telegraph Road which will ensure appropriate access connections for residents both within the site and within adjoining land to the east of the site.

Reverse sensitivity matters have been considered in the overall design of the plan change. New rules are proposed to ensure new dwellings do not experience adverse effects arising from noise generated by the Gun Club. Also the retention boundary hedging and location of larger sections will mitigate potential reverse sensitivity effects with rural farm land across Crekye and Telegraph Roads.

Noise

Policy B3.4.10 Ensure noise in all zones does not adversely affect the health or well-being of people.

1.1. _____

⁶ This policy has been not been provided in full, with the latter part relating to medium density areas on ODP which is not relevant in this case

Policy B3.4.39 Avoid rezoning land for new residential development adjoining or near to existing activities which are likely to be incompatible with residential activities, unless any potential 'reverse sensitivity' effects will be avoided, remedied or mitigated.

The proposal site is located across the intersection of Telegraph and Creyke Roads from the Darfield Shot Gun Club. This club meets on an infrequent basis. Mitigation measures to ensure any new residential development on the site is not adversely affected by the existing noise environment in the area include rules which seek acoustic insulation of dwellings and orientation of outdoor living spaces on northern sides of dwellings (away from the Gun Club to ensure the dwelling shields noise effects). Appropriate mitigation measures will ensure that the infrequent Gun Club noise is not incompatible with future residential activities.

B4 – Growth of Townships

Residential Density

Objective B4.1.1 A range of living environments is provided for in townships, while maintaining the overall 'spacious' character of Living zones, except within Medium Density areas identified in an Outline Development Plan where a high quality, medium density of development is anticipated.

Objective B4.1.2 New residential areas are pleasant places to live and add to the character and amenity values of townships.

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 B4.1.7 Maintain the area of sites covered with buildings in Living 2 Zones, at the lesser of 20% or 500m² and in the Living 3 Zone at the lesser of 10% or 500m², unless any adverse effects on the spacious character of the area will be minor.

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.*

The proposal seeks to include the Living 2 zone which has a minimum density of 5000m². The ODP allows a 1ha section and a 2ha block in the south east corner of the site. This will contribute to the spacious character anticipated for this part of Darfield, and will ensure there is sufficient space to achieve the anticipated site coverage for the Living 2 zone.

The proposal also includes the retention of much of the existing boundary planting which will ensure the rural character of the immediate area is appropriately maintained. Given this it is considered that the proposal is consistent with the above objectives and policies relating to residential density.

Residential Development

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.

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.

The proposal site is located outside the greater Christchurch area, and adjoins the Living 1 Zone along the northern boundary of the site. The proposal site is the last area contained within the block of land formed by Darfield township, Telegraph Road and Creyke Road to be rezoned. The proposal provides a logical compact township shape. Additionally an ODP is proposed. Given this the proposal is consistent with objectives B4.3.1, B4.3.2 and B4.3.4, and policies B4.3.1 and B4.3.2.

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.

The proposal will not result in rural land being surrounded by living or business zoned land, and assists with consolidation of the compact shape of Darfield. Therefore the proposal is considered to be consistent with policies B4.3.3 and B4.3.6.

Darfield Specific Growth Policies

Policy B4.3.24 To encourage the provision of large residential allotments within the Living 2 Zones.

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.*

This policy has two clear parts to it. The first part seeks to enable development to specific densities, while the second part seeks to ensure that development occurs in a manner which achieves particular outcomes.

As part of the proposed Plan Change, a minor amendment to Policy B4.3.28 is sought to be amended to enable development across the site to the living 2 zone densities, rather than the prescribed 1ha average density for the Living 2A (deferred) zone. This Darfield specific policy implements objectives a number of objectives including B4.3.1, B4.3.2 and B4.3.4 which generally seek to ensure development occurs adjoining existing townships in a compact form and provides for the integrated development of infrastructure including roading. The proposed amendments will continue to ensure that Policy B4.3.28 efficiently implements the relevant objectives of the District Plan.

The provision of water supply to the site can now be achieved and confirmation of availability of the infrastructure to provide this to the site has been provided.

The proposal includes and Outline Development Plan which is sought to be included into the District Plan. This ODP includes roading connections with on-road cycle opportunities as anticipated under PC24, and which provide a logical connection from Telegraph Road to the Living 2A land to the east of the site.

As discussed elsewhere, provisions to avoid the opportunity for reverse sensitivity effects relating to rural activities and the Gun Club activities to arise, are included within the proposed plan change.

Given the above provisions, the proposal can provide for the specific matters outlined in the second part of Policy B4.3.28. Therefore the proposed plan change is consistent with the provisions of policy B4.3.28 as sought to be amended by this Plan Change, and is more appropriate than the retention of the existing Living 2A deferred zoning.

Canterbury Regional Policy Statement 2013

The following objectives and policies of the Canterbury Regional Policy Statement have been considered in the context of the proposed plan change:

Chapter 5 Land use and infrastructure

Objective 5.2.1 – Location, design and function of development (Entire Region) Development is located and designed so that it functions in a way that:

- (1) achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region's growth; and*
- (2) enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which:*
 - (a) maintains, and where appropriate, enhances the overall quality of the natural environment of the Canterbury region, including its coastal environment, outstanding natural features and landscapes, and natural values;*
 - (b) provides sufficient housing choice to meet the region's housing needs;*
 - (c) encourages sustainable economic development by enabling business activities in appropriate locations;*
 - (d) minimises energy use and/or improves energy efficiency;*
 - (e) enables rural activities that support the rural environment including primary production;*
 - (f) is compatible with, and will result in the continued safe, efficient and effective use of regionally significant infrastructure;*
 - (g) avoids adverse effects on significant natural and physical resources including regionally significant infrastructure, and where avoidance is impracticable, remedies or mitigates those effects on those resources and infrastructure;*

- (h) facilitates the establishment of papakāinga and marae; and*
- (i) avoids conflicts between incompatible activities.*

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.*

The proposal contributes to housing choice by providing larger section sizes on the urban edge of Darfield consistent with the anticipated growth of the township. The location of the site adjoining existing Living 1 and Living 2A zoned land and the fact that it is essentially the last piece of the block contained by Telegraph and Creyke Roads to develop, ensures it contributes to the overall and anticipated consolidated township form.

Consideration of the effects likely to arise from implementing this plan change have been explored in section 9 of the application. This assessment concludes that the proposal will

maintain the quality of the natural environment and will avoid adverse effects on significant natural and physical resources.

Overall the proposal is considered to be consistent with Objective 5.2.1 and Policy 5.3.1.

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.*

While not considered to be a substantial development for the purposes of Policy 5.3.3, the proposal nevertheless maintains amenity values, the quality of the environment and the character of the area by providing for a density of development and associated landscaping provisions that are consistent with development of the surrounding environment. Therefore the proposal is consistent with policy 5.3.3.

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.*

The site can be fully serviced for wastewater, stormwater and water supply. The proposed servicing methods are generally accepted practice in Darfield. Therefore the proposal is consistent with policy 5.3.5

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.*

The Traffic Assessment prepared to assess the likely effects of the proposal has identified that the development is unlikely to have any noticeable effect on the traffic volumes experienced on Telegraph Road (an arterial road) and that the design and layout of the proposed road network will not impeded the safe and efficient functioning of the network. Therefore it is considered that the proposal is consistent with policies 5.3.7 and 5.3.8.

Chapter 11 Natural Hazards

Objective 11.2.1 – Avoid new subdivision, use and development of land that increases risks associated with natural hazards. New subdivision, use and development of land which increases the risk of natural hazards to people, property and infrastructure is avoided or, where avoidance is not possible, mitigation measures minimise such risks.

Policy 11.3.1 – Avoidance of inappropriate development in high hazard areas. To avoid new subdivision, use and development (except as provided for in Policy 11.3.4) of land in high hazard areas, unless the subdivision, use or development:

- (1) is not likely to result in loss of life or serious injuries in the event of a natural hazard occurrence; and*
- (2) is not likely to suffer significant damage or loss in the event of a natural hazard occurrence; and*
- (3) is not likely to require new or upgraded hazard mitigation works to mitigate or avoid the natural hazard; and*
- (4) is not likely to exacerbate the effects of the natural hazard; or*
- (5) is proposed to be located in an area zoned or identified in a district plan or Chapter 6 of the CRPS for urban residential, industrial or commercial use, at the date of notification of the CRPS, in which case the effects of the natural hazard must be mitigated.*

The proposal site is not located in an area of known high flood hazard risk. Future sections on this site are extremely unlikely to be subject to any flooding events. The Darfield area has excellent soakage and on-site stormwater systems will ensure that future development of the

site does not exacerbate flood effects on any other sites during high rainfall events. Therefore the proposal is consistent with objective 11.2.1 and policy 11.3.1.

Any future dwellings will be required to comply with current building codes relating to earthquake strength. The existing ground conditions do not preclude this from occurring. Therefore the proposal is considered to be consistent with policy 11.3.3.

Mahaanui Iwi Management Plan

The relevant policies of the Iwi Management Plan are considered as follows:

Aquifers

WM8.6 To require that aquifers are recognised and protected as wāhi taonga. This means:

- (a) The protection of groundwater quality and quantity, including shallow aquifers;*
- (b) The protection of aquifer recharge;*
- (c) ensuring a higher rate of recharge than abstraction, over the long term;*
- (d) Continuing to improve our understandings of the groundwater resource, and the relationship between groundwater and surface water.*

Discharges

WM6.11 Consented discharge to land activities must be subject to appropriate consent conditions to protect ground and surface water, including but not limited to:

- (a) Application rates that avoid over saturation and nutrient loading;*
- (b) Set backs or buffers from waterways, wetlands and springs;*
- (c) Use of native plant species to absorb and filter contaminants; including riparian and wetland establishment and the use of planted swales; and*
- (d) Monitoring requirements to enable assessment of the effects of the activity.*

Water supply is to be taken from the existing Council consented volume, meaning that consideration of the level of abstraction from ground water has been made under the existing consented take and deemed to be of a sustainable level by the Regional Council.

Groundwater quality is protected through the provisions of the Land and Water Regional Plan, the development of which has taken into account the Iwi Management Plan. Future development of the land will be required to be in accordance with this Regional Plan.

Darfield is in the unique position of not having a reticulated wastewater system, requiring all new dwellings to provide on-site wastewater solutions. Consents from Environment Canterbury are required to be sought, and these take into consideration the location of discharges in relation to water, appropriate treatment systems, maintenance schedules, appropriate application rates, and ongoing monitoring requirements. It is considered that with appropriate consents from Environment Canterbury, the wastewater discharges to land can achieve the outcomes sought by Policies WM8.6 and WM6.11.

Controls on land use activities to protect water quality

WM6.16 To require, in the first instance, that all potential contaminants that may enter water (e.g. nutrients, sediments and chemicals) are managed on site and at source rather than discharged off site. This applies to both rural and urban activities.

Stormwater and wastewater are proposed to be managed within each allotment, and therefore are consistent with WM6.16.

Urban and Township Planning

P3.1 To require that local government recognise and provide for the particular interest of Ngāi Tahu Papatipu Rūnanga in urban and township planning.

P3.2 To ensure early, appropriate and effective involvement of Papatipu Rūnanga in the development and implementation of urban and township development plans and strategies, including but not limited to:

- (a) Urban development strategies;*

- (b) Plan changes and Outline Development Plans;*
- (c) Area plans;*
- (d) Urban planning guides, including landscape plans, design guides and sustainable building guides;*
- (e) Integrated catchment management plans (ICMP) for stormwater management;*
- (f) Infrastructure and community facilities plans, including cemetery reserves; and*
- (g) Open space and reserves planning.*

P3.3 To require that the urban development plans and strategies as per Policy P3.2 give effect to the Mahaanui IMP and recognise and provide for the relationship of Ngāi Tahu and their culture and traditions with ancestral land, water and sites by:

- (a) Recognising Te Tiriti o Waitangi as the basis for the relationship between Ngāi Tahu and local government;*
- (b) Recognising and providing for sites and places of importance to tāngata whenua;*
- (c) Recognising and providing for specific values associated with places, and threats to those values;*
- (d) ensuring outcomes reflect Ngāi Tahu values and desired outcomes; and*
- (e) Supporting and providing for traditional marae based communities to maintain their relationship with ancestral land.*

Although there are no specific features of the site which suggest Maori would have a particular interest in the proposal site (ie no natural waterways or identified historical sites of significance), the applicant has engaged Mahaanui Kurataiao Ltd (MKT) to engage with appropriate Papatipu Rūnanga with respect to the proposed Plan Change. This has been undertaken prior to finalising any design or layout of the ODP to ensure appropriate input can be made. The plan change is therefore consistent with policies P3.1, P3.2 and P3.3.

Subdivision and Development

P4.1 To work with local authorities to ensure a consistent approach to the identification and consideration of Ngāi Tahu interests in subdivision and development activities, including:

- (a) encouraging developers to engage with Papatipu Rūnanga in the early stages of development planning to identify potential cultural issues; including the preparation of Cultural Impact Assessment reports;*
- (b) ensuring engagement with Papatipu Rūnanga at the Plan Change stage, where plan changes are required to enable subdivision;*
- (c) Requiring that resource consent applications assess actual and potential effects on tāngata whenua values and associations;*
- (d) ensuring that effects on tāngata whenua values are avoided, remedied or mitigated using culturally appropriate methods;*
- (e) ensuring that subdivision consents are applied for and evaluated alongside associated land use and discharge consents; and*
- (f) Requiring that 'additions' to existing subdivisions are assessed against the policies in this section.*

As set out above, engagement with MKT has been undertaken in the manner consistent with P4.1.

Stormwater

P6.1 To require on-site solutions to stormwater management in all new urban, commercial, industrial and rural developments (zero stormwater discharge off site) based on a multi-tiered approach to stormwater management:

- (a) Education - engaging greater general public awareness of stormwater and its interaction with the natural environment, encouraging them to take steps to protect their local environment and perhaps re-use stormwater where appropriate;*

(b) Reducing volume entering system - implementing measures that reduce the volume of stormwater requiring treatment (e.g. rainwater collection tanks);

(c) Reduce contaminants and sediments entering system - maximising opportunities to reduce contaminants entering stormwater e.g. oil collection pits in carparks, education of residents, treat the water, methods to improve quality; and

(d) Discharge to land based methods, including swales, stormwater basins, retention basins, and constructed wetponds and wetlands (environmental infrastructure), using appropriate native plant species, recognising the ability of particular species to absorb water and filter waste.

P6.2 To oppose the use of existing natural waterways and wetlands, and drains, for the treatment and discharge of stormwater in both urban and rural environments.

P6.3 Stormwater should not enter the wastewater reticulation system in existing urban environments.

P6.4 To require that the incremental and cumulative effects of stormwater discharge are recognised and provided for in local authority planning and assessments.

While a specific stormwater design has not yet been finalised, discharge of stormwater from house roof areas and hardstanding areas is likely to be made to ground, as is typical for Darfield. This is consistent with P6.1 and P6.2. No natural waterways will be immediate receiving environments for stormwater.

There is no reticulated wastewater in Darfield and therefore P6.3 is not relevant in this case.

The site has been identified as suitable for development under previous Council plan preparation processes, and consideration of the cumulative effects of stormwater discharge is likely to have been taken into consideration at that time. The development of the site can achieve the permitted standards of the Land and Water Regional Plan relating to discharges of stormwater, thus ensuring cumulative effects are avoided. Therefore it is considered that the proposal is consistent with P6.4.

Discharge to Land

P8.1 To require that discharge to land activities in the takiwā:

- (a) Are appropriate to the soil type and slope, and the assimilative capacity of the land on which the discharge activity occurs;*
- (b) Avoid over-saturation and therefore the contamination of soil, and/or run off and leaching; and*
- (c) Are accompanied by regular testing and monitoring of one or all of the following: soil, foliage, groundwater and surface water in the area.*

P8.2 In the event that that accumulation of contaminants in the soil is such that the mauri of the soil resource is compromised, then the discharge activity must change or cease as a matter of priority.

Darfield does not have a reticulated wastewater disposal system and so individual allotments are required to obtain on-site wastewater discharge consents for specific systems. This enables the Regional Council to maintain control over the type of system which is installed, its location and the likely adverse effects resulting from the discharge. These consents typically include maintenance requirements to ensure ongoing efficient operation of the system occurs, monitoring schedules to ensure maintenance and efficient operation occurs, and expiry dates so that consideration of the use of these systems can keep up with infrastructure provisions. Given these consenting requirements it is considered that the proposed plan change is not inconsistent with policies P8.1 and P8.2.

Appendix 11: Section 32 Assessment

Appendix 12: Response form MKT