

BEFORE THE SELWYN DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER Of an application by Z & S Crofts and J K Williams for Plan Change
49 – Living 3 Lincoln- Tai Tapu and Hauschields Road

MEMORANDUM ON BEHALF OF APPLICANTS

03 JULY 2017

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1 AMENDED OUTLINE DEVELOPMENT PLAN

- 1.1 At the end of the hearing into the Plan Change 49 request, counsel advised the Commissioner that potential amendments to the Outline Development Plan (ODP) presented by Ms Lauenstein would be discussed and an updated ODP (if any) provided by today, 04 July 2017.
- 1.2 In line with the above, attached to this Memorandum is a revised ODP which incorporates:
 - (a) Indicative flood offset areas; and
 - (b) A reference to an indicative pathway alignment on the Hauschilds Road between Lincoln – Tai Tapu Road and the southernmost access point identified on the ODP.
- 1.3 With respect to the flood offset areas, the Applicants accept that a degree of certainty is required as to the provision of these areas. While the Applicants' acknowledge Mr. Cleese's opinion that the Living 3 framework and the notified ODP combined would appropriately manage the transition to rural –residential development, it is nevertheless accepted that the flood offset areas are likely to further assist in mitigation of impacts on rural outlook.
- 1.4 With respect to the footpath, the Applicants' position is that greater consideration should be given to this matter at the time of subdivision. This is particularly the case as a more detailed analysis may determine that all or part of the pathway may be accommodated within the existing road reserve, as is commonplace elsewhere in the surrounding road network.
- 1.5 In accordance with the evidence presented by Ms Lauenstein and Mr. Cleese, specific notation has also been provided to provide certainty that any pathway should be a grass berm of no more than 1.5m in width and that the legal mechanism to provide for public use of the pathway should be by means of an easement. As identified by the Commissioner an easement of this nature is not unusual.

2 MATTERS RAISED BY SUBMITTERS

- 2.1 Those submitters who spoke at the hearing dwelled almost exclusively on the technical aspects of the proposed development. In particular, they sought to cast doubt on the ability to service the development from a wastewater and stormwater management perspective, as well as potential flooding on the PC 49 site.

2.2 While their views on these technical matters are no doubt genuinely held, ultimately the expert evidence led by both the Applicants and the Council confirm that any issues regarding both the servicing of the development and management of flood risk can readily be resolved. In such circumstances, it is submitted that the views of the experts must prevail over doubts expressed in lay evidence.



Gerard Cleary

03 July 2017