



# Application for Plan Change

Lincoln Tai Tapu and Hauschids Roads, Tai Tapu

September 2016 (Revised November 8 2016)

Selwyn District Council

**REQUEST TO CHANGE THE SELWYN DISTRICT PLAN UNDER CLAUSE 21 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991**

**REQUEST BY:** Sharon & Zane Croft and Jonathon Williams

C/- Aston Consultants Ltd

PO Box 1435

Christchurch 8140, Attn Fiona Aston

**TO:** The Selwyn District Council

**INVOLVING THE:** The Selwyn District Plan

**The location** to which this application relates is:

An 8.1 ha land area (encompassing two parcels) located on the western edge of Tai Tapu township, bordered by Lincoln Tai Tapu Road to the north and Hauschilts Road to the east.

**The names of the owners and occupiers** of the land to which this application relates are as follows:

Lot 1 DP 436571 (CT 537135) JOHNATHAN KEITH WILLIAMS (4.0500 ha)

Lot 2 DP 436571 (CT 537136) ZANE WILLIAM CROFTS  
SHARON MARLENE CROFTS (4.0500 ha)

The title is attached as **Annexure 1** to this Plan Change request.

**The Proposed Plan Change** seeks to rezone the subject land from Rural Inner Plains to Living 3 and includes the following changes to the Selwyn District Plan and associated Planning Maps:

- Amend the District Planning Maps to rezone and identify the subject land Living 3;
- Amend the rules of the District Plan as set out in section 2 of the attached request; and
- Make any consequential changes to text where necessary, including but not limited to, the renumbering of clauses as appropriate.

**Signed:** .....  .....

Fiona Aston, for and on behalf of Jonathan Williams and Sharon Crofts

Dated: Wednesday, November 09, 2016

*Address for Service:*

Aston Consultants

PO Box 1435

Christchurch 8140, Attn Fiona Aston

P 03 3322618/0275 332213 E [info@astonconsultants.co.nz](mailto:info@astonconsultants.co.nz)

*Address for Billing:*

Jonathon Williams (50%)

c/- Gail Hallams

50 Prestons Rd, Redwood

Christchurch 8051

P 03 3522575/0276 595399 (Gail Hallams)

E [jkwilliams@binternet.com](mailto:jkwilliams@binternet.com)

Sharon & Zane Croft (50%)

PO Box 91

Tai Tapu

Christchurch 7645

P 03 3296229/0274 311558

E [s-crofts@xtra.co.nz](mailto:s-crofts@xtra.co.nz)

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## **1. OVERVIEW**

### **Purpose of the Plan Change Request**

- 1.1. The purpose of the proposed Plan Change is to allow for the rezoning of 8.1 ha of land on the western edge of Tai Tapu township from its current Rural Inner Plains zoning to Living 3. This land is identified in the Selwyn District Council's Rural Residential Strategy 2014 ('RRS14') as a suitable location for rural residential development, subject to the site being confirmed through District Plan amendments under the RMA. It can therefore now be considered for rezoning under the provisions of the Land Use Recovery Plan for Greater Christchurch ('the LURP'), Chapter 6 of the Canterbury Regional Policy Statement (RPS) and the Selwyn District Plan ('SDP'). This will provide for the subsequent subdivision and development of the site.
- 1.2. The rezoning of this land represents a sustainable and efficient use of the land resource in that it will not limit future urban growth, or create adverse effects with surrounding rural land. The location is optimal with respect to integrating with a self-sustaining township and promotes efficient and cost-effective connectivity via infrastructure services and transport networks. The proposal also provides opportunities for employment and access to local services within Tai Tapu and the nearby township of Lincoln.
- 1.3. The proposed rezoning is consistent with the objectives and policies of the Selwyn District Plan and gives effect to the Canterbury Regional Policy Statement (particularly Chapter 6). The small size of the proposed node (which would accommodate only 16 lots) is consistent with making 'limited' provision for rural residential development without creating an inefficient use of land or infrastructure.
- 1.4. The Plan Change request provides for the sustainable and integrated provision of rural residential land with use of an Outline Development Plan ('ODP') to ensure coordinated and well-planned outcomes.

### **Reason for Request**

- 1.5. The reason for this Plan Change request is to provide for rural residential development in one of the preliminary preferred rural residential locations identified in RRS14 following a detailed assessment of against specified pre-requisites and an associated consultation and public submission process.
- 1.6. The proposed rezoning will assist in meeting the demand for rural residential sections in the Selwyn District including at Tai Tapu, through the provision of an additional 16 rural residential sections that can be cost-effectively and efficiently connected to local services. The residential development capacity of Tai Tapu has been reduced substantially through the subdivision and development of the zoned L1 area on the opposite side of Hauschild's Road that provides for a further 56 households for the village. There is little remaining zoned land for residential development at Tai Tapu,

- 1.7. The demand for rural residential sections in the Greater Christchurch area (post the 2010 - 2011 earthquakes) has been accentuated by pressure from earthquake affected people seeking to relocate from urban areas to a more rural setting (see letter from Matson & Allan Real Estate attached as **Annexure 10**).
- 1.8. Rezoning of the site to Living 3 will enable the future subdivision and development of the site for rural residential purposes.

### **Description of Site, Locality and Land Use**

- 1.9. The land to which the Plan Change relates ('the site') is located on the western edge of Tai Tapu township, at the corner of Lincoln Tai Tapu and Hauschids Roads.
- 1.10. The 8.1 ha site encompasses two separately-owned parcels of land that are legally described as Lots 1 and 2 DP 436571. The site is currently zoned Rural Inner Plains and is leased to an adjoining landowner for pastoral farming. It is bordered by land zoned Living 1A to the east (directly across Hauschids Road) and farmland zoned Rural Inner Plains to the south, west and north of Lincoln Tai Tapu Road. The site does not contain any residential dwellings.
- 1.11. The site is relatively flat (with a contour of less than two degrees) and has an elevation of less than 3m above sea level. The geology of the site is described by GNS Science webmap as Holocene River deposits being modern river floodplain/low-level degradation terrace with unweathered, variably sorted gravel/sand/silt/clay. It is described in the Geotechnical Report (Annexure 8) as being underlain by dominantly river deposits comprising grey river alluvium, beneath plains for low terraces of the Springston Formation.
- 1.12. The site is located within the Selywn District Plan Lower Plains Flood Area, but is not in a 'high hazard area' for flooding (as defined in the RPS). It is 'higher and drier' than other parts of Tai Tapu (including the existing undeveloped L2a zone to the north of Tai Tapu and the School Road/Forbes Road area) (see ECAN Flood Report attached as Annexure 12).
- 1.13. The site has historically been used for pastoral grazing purposes and is currently held in grass.
- 1.14. There is a naturally-occurring low point at the southern end of the property.
- 1.15. The surrounding rural land to the west and south has a relatively flat contour and comprises pastoral farmland (used for crop production and grazing). Adjacent to the western site boundary at the northern end is an old farm yard area, including sheds, a stock yard and a former sheep spray. It is understood that there are no existing intensive farming activities, such as poultry or pig farming, adjacent to the site or in the wider locality.

- 1.16. Lincoln Tai Tapu Road (classified as an arterial road in the SDP) adjoins the northern site boundary. In this area, the established trees of the Halswell River corridor, together with mature tree clusters on the opposite side of the road, create a natural gateway into the township.
- 1.17. Hauschilds Road adjoins the eastern site boundary, intersecting with School Road about half-way down. Hauschilds Road is formed to a 5.2-5.3m wide sealed carriageway north of the intersection with School Road. To the south of the intersection it is a paper road with a 3.1m wide sealed access for 62m which then becomes a gravel / farm track. The speed limit on both roads is 50km/h.
- 1.18. Land across Hauschilds Road to the north of School Road comprises a residential subdivision (part of Tai Tapu township) understood to have been developed since 2004. The western edge of the township is ill-defined in this area, with houses in part turning their back onto Hauschilds Road.
- 1.19. Land across Hauschilds Road to the south of school Road (while also zoned Living 1A) is in the process and being subdivided and developed for residential purposes.
- 1.20. The site is within walking distance of Tai Tapu township – with direct road access eastward along School Road. Tai Tapu is a small generally concentric township with a village character and a clear village ‘centre’ and includes several small shops and the local school. Tai Tapu is situated on the main highway linking Christchurch City to Akaroa (State Highway 75), approximately 3.5km east of Lincoln and 7.5km south of Christchurch. High amenity values are attributed to the areas surrounding the Domain, Halswell River and eastern views towards the Port Hills.

## **Background and Strategic Considerations**

### ***Canterbury Regional Policy Statement (RPS) [Incorporating relevant provisions of the Land Use Recovery Plan (LURP)]***

- 1.21. The Canterbury Regional Policy Statement 2013 (‘the RPS’) provides an overview of the resource management issues in the Canterbury region, and objectives, policies and methods to achieve integrated the management of natural and physical resources. The methods include directions for provisions within district and regional plans.
- 1.22. Chapter 6 of the RPS ‘Recovery and Rebuilding of Greater Christchurch’ provides a resource management framework for the recovery of Greater Christchurch, to enable and support earthquake recovery and rebuilding, including restoration and enhancement, for the area through to 2028. This chapter was added to the RPS following approval of the LURP in December 2013 and at the instruction of the Minister for Earthquake Recovery. It is consistent with the LURP and the Christchurch Central Recovery Plan, and supports their implementation.



- 1.23. **Annexure 3** contains an assessment of the proposed Plan Change against relevant provisions of the RPS.

***Land Use Recovery Plan for Greater Christchurch (LURP) and LURP Action 18 (viii)***

- 1.24. The LURP is a strategic framework for rebuilding and future development and identifying land use areas and priorities for Greater Christchurch. It contains a range of land use policies and rules to assist the rebuilding and recovery of communities (including housing and businesses) disrupted by the 2010 – 2011 earthquakes, helping to achieve the vision of the Recovery Strategy for Greater Christchurch.
- 1.25. Relevant provisions of the LURP (as also reflected in Chapter 6 of the RPS) are considered within the assessment of the proposed Plan Change against relevant objectives and policies of the RPS (see **Annexure 3**).
- 1.26. All planning processes initiated or administered by the Selwyn District Council under the Resource Management Act 1991 ('the Act') must not be inconsistent with the LURP. It therefore has significant statutory weight. As directed by the LURP (Action 18 (viii)) all rural residential development within Selwyn District is to be in accord with an adopted rural residential strategy. This is further discussed in sections 3.7 to 3.9 below.

***Selwyn District Rural Residential Strategy 2014 (RRS14)***

- 1.27. The primary purpose of the RRS14 is to provide guidance and policy direction on how best to manage rural residential development within the eastern portion of Selwyn District that is generally recognized as the commuter belt with Christchurch City. This includes establishing the optimal form, function and character of rural residential development and where it is best located.
- 1.28. Rural residential development in the context of the RRS14 is defined as including land holdings integrated into existing townships that range between 0.3ha and 2ha in size, at an average density of one to two households per hectare. This form of development is managed through the Living 3 zone of the SDP.
- 1.29. The RRS14 outlines specific criteria for consideration when identifying potentially suitable sites for rural residential development, including landscape values, cultural values, infrastructure limits and market demands. Section 6 identifies 14 locations as 'suitable' for rural residential development, subject to confirmation through an RMA rezoning process. These rural residential areas adjoin existing township boundaries and collectively support approximately 655 rural residential sections pending rezoning (via initiation of a private plan change), subdivision approval and construction works.
- 1.30. As directed by Action 18 (viii) of the LURP, the RRS14 has been implemented in accordance with Chapter 6 of the RPS. This included associated amendments to the Selwyn District Plan to provide for an objective and policy framework for rural residential development.

1.31. The site of the proposed Plan Change is one of the 14 sites identified in the RRS14 as being suitable locations for rural residential development, subject to the sites being confirmed through District Plan amendments under the RMA. All sites are noted in RRS14 as satisfying the following pre-requisites:

- They can be economically serviced with reticulated water and wastewater services.
- They can be able to be integrated with an established township.
- They do not significantly undermine the urban consolidation intensification principles of the LURP, Chapter 6 of the RPS, the SDP or RRS14.
- They are not affected by significant constraints
- They are owned by parties who have aspirations to rezone the land.

1.32. Sections 3.22 to 3.26 assess the proposed Plan Change against these criteria in detail.

### **Approach and Key Features of the Proposed Plan Change**

1.33. It is proposed that the Living 3 zone, and associated provisions, be applied to the site, albeit with some site-specific controls/rules.

- Additional provisions are proposed to apply to the site as follows: Requirement for all development to be in accordance with a proposed Outline Development Plan for the proposed Tai Tapu Living 3 zone (included in the SDCP as Appendix 47). The ODP provides for a comprehensive approach to development within the zone, whilst enabling the two existing landowners to develop independently of each other (except potentially for provision of flood offset areas at the time of subdivision). The ODP includes provisions relating to services including access, and stormwater management .
- A requirement for a slighter narrower legal road reserve than for other Living 3 zones (17m compared to 19m), which is more appropriate given that the only proposed road will serve a maximum of eight rural residential lots. The formed road width will be the same as other L3 zones ie. 6m.
- Requirement for dwellings to be sited within a raised building platform, at a level set to mitigate any flooding associated with a 0.5% Annual Exceedance Probability (1 in 200 year) flood event. The building platform is to be defined at the time of building consent, to enable continued farming of balance land, in the event that development occurs on a staged basis.
- Maximum number of lots in the zone specified as 16 (to achieve an average density of 5000m<sup>2</sup> per lot)

1.34. Key aspects of the design are shown on the Outline Development Plan ('the ODP') attached as **Annexure 2**. An indicative Subdivision Concept Plan (attached as **Annexure 9**) shows a possible subdivision layout, based on the ODP, including three indicative access points, for illustrative purposes. Key design aspects include:

- A total yield of 16 lots – ranging from approximately 2,700m<sup>2</sup> to 8,500m<sup>2</sup>(excluding access) and with an average size of 5,000m<sup>2</sup>. *(It is noted that this is consistent with the RPS which defines rural residential as residential units outside the identified Greenfield Priority Areas at an average density of between 1 and 2 households per hectare).*
- Relatively smaller rural residential sections in proximity to Lincoln Tai Tapu and Hauschilds Roads.
- 
- A layout which enables a good outlook for all lots across either rural land or open spaces and generous stormwater detention areas (ponds) within the site.
- Location of stormwater management areas (detention ponds) in the naturally-occurring low points within the site, to provide for both functional infrastructure and increased site amenity.
- Retention of the rural character of Hauschilds Road with simple access interventions at only the three intersecting points with the site.
- Access from Hauschilds Road (not Lincoln Tai Tapu Road) and utilization of School Road for connections into the village centre. (This is enhanced by the location of two of the three vehicle access points in close proximity to School Road to provide a strong (and direct) connection to the village.)
- A comprehensive and integrated plan for the provision of reticulated services (water supply, sewerage disposal, electricity and telecommunications) and on-site stormwater management.

1.35. Subdivision within the Living 3 zone is a Restricted Discretionary Activity in the SDP. The associated provisions specify performance requirements relating to the matters identified above and also outline general matters for discretion to ensure that proposed developments will achieve a sensitive rural/urban interface, integration with surrounding land, and good urban design and amenity (see **Annexure 4**).

## 2. PROPOSED AMENDMENTS TO THE DISTRICT PLAN

- 2.1. It is considered that the most appropriate means to achieve the proposed Plan change is to largely adopt the existing provisions of the Living 3 zone of the SDP. No new objectives or policies are proposed as part of this Plan Change request.
- 2.2. The changes sought to the SDP (more specifically the Living 3 zone provisions, appendices and planning maps) in order to enable the proposed rezoning to proceed are outlined in Table 2.1 below.
- 2.3. Text that is proposed to be added is shown ***bold italics and underlined*** and text to be deleted is shown in bold italics, with a ~~strikethrough~~. Please note that, as only the proposed new and amended provisions to the District Plan are shown in the table below, these should be read in conjunction with the full provisions of the District Plan.

Amendment 1:	Amend the District Plan Planning Maps to identify the zoning of the site as Living 3.
Amendment 2:	Include the Outline Development Plan Living 3 Zone Tai Tapu as attached to this document as a new Appendix 48 to the District Plan.
Amendment 3:	<p>Add the following above Rule 4.1.1:</p> <p>2.4. Add the following to Rule 4.1.1:</p> <p>2.5. 4.1.1 Erecting any dwelling or other principal building on land located in the Living 1A or 2A zones at Tai Tapu where the minimum floor level is less than 6.93m above mean sea level shall be a restricted discretionary activity.</p> <p><b><u>4.1.1(A) Any dwelling on land located in the Living 3 zone at Tai Tapu shall have a minimum freeboard height of 400mm above the 0.5% Annual Exceedance Probability flood event; and shall be sited on a building platform to be established prior to the issue of the building consent for the dwelling, which is of sufficient size to accommodate a dwelling and associated curtilage, in accordance with any applicable resource consent conditions for subdivision requiring the provision of building platforms in the Living 3 zone at Tai Tapu.</u></b></p>
Amendment 4	<p>Amend Reasons for Rules – Natural Hazards, 1st paragraph as follows:</p> <p>Rules 4.1.1, <b><u>4.1.1(A)</u></b> and 4.1.2 identify Tai Tapu as a township where there is a significant known risk of damage to people or property from flooding and ponding. Rules <del>4.1.1</del> <b><u>and 4.1.1 (A)</u></b> does not necessarily prevent earthworks and building in the township of Tai Tapu, <b><u>and the</u></b></p>

	<p><b><u>Tai Tapu L3 zone</u></b> rather, the rule requires a resource consent application for a restricted discretionary activity for <b><u>activities not complying with specified minimum floor level standards</u></b> larger scale activities, so the nature and level of any risk of hazard, and any mitigation measures proposed, can be assessed. <b><u>For the Living 3 Zone at Tai Tapu, the applicable standard meets the relevant regional plan requirement for dwellings to have an appropriate floor level above the 0.5% Annual Exceedance Probability flood event.</u></b></p>
Amendment 5	<p>After Rule 4.5.1 – Buildings and sewage treatment and disposal add the following:</p> <p><b><u>4.5.1A In the case of the Living 3 Zone at Tai Tapu as identified on the Outline Development Plan at Appendix 48, each lot owner shall install, at the time of dwelling construction, a low pressure sewer system with a semi-positive displacement pump, as approved by Council, including a storage tank with a volume no less than 1300 litres. The sewer system must be configured to pump during off-peak hours only, as determined by Council.</u></b></p>
Amendment 6	<p>Amend existing Rule 4.5.3 as follows:</p> <p>. Any activity which does not comply with <u>Rule 4.5.1</u>, <b><u>4.5.1A</u></b> or <u>Rule 4.5.2</u> shall be a non-complying activity</p>
Amendment 7	<p>Amend Rule 5.1.1.7 as follows:</p> <p>All other Living 3 Zone locations <b><u>except for Living 3 Zone at Tai Tapu identified on the Outline Development Plan in Appendix 48,</u></b> shall incorporate the treatments identified in the cross sections shown in <u>Appendix 43</u> <b><u>4</u></b></p>
Amendment 8	<p>Add after Rule 5.1.1.7 the following:</p> <p><b><u>5.1.1.8 For the Living 3 Zone at Tai Tapu identified on the Outline Development Plan in Appendix 48, any road shall be consistent with Appendix 44 except that the road shall a legal width of 17 metres, with a sealed width of 6m with 5.5m either side incorporating swales and berm. The berm can be on one side only.</u></b></p>
Amendment 9	<p>Amend Table C12.1 – Allotment sizes (page C12 – .015) to include the following;</p>

	Township	Zone	Average Allotment Size not less than
	<b><u>Tai Tapu</u></b>	<b><u>Living 3 (Appendix 48)</u></b>	<p><b><u>The land contained within the Outline Development Plan at Appendix 47 shall be developed with an average allotment size of no less than 5000m<sup>2</sup> with a minimum allotment size of 2,750m<sup>2</sup></u></b></p> <p><b><u>The maximum number of allotments within the area defined by the Outline Development Plan at Appendix 48 shall be 16</u></b></p>
Amendment 10	<p>Amend Clause 12.1.4.81 as follows:</p> <p>12.1.4.81 If the land to be subdivided is located in an area which is identified on the planning maps as being in the Living 1A, <del>or</del>Living 2A <b><u>or Living 3</u></b> zones at Tai Tapu:</p> <p>(a) Whether the subdivision of land or subsequent use of the land is likely to cause or exacerbate potential risk to people or damage to property; and</p> <p>(b) Any measures proposed to mitigate the effects of a potential flood hazard including:</p> <ul style="list-style-type: none"> <li>- Building platforms within each allotment, of sufficient size to accommodate a dwelling and associated curtilage <b><u>(to be established at the time of building consent in the case of the Living 3 Zone at Tai Tapu as shown on the Outline Development Plan at Appendix 48)</u></b>; and</li> <li>- The filling (with inert hardfill) of any low lying area; and</li> <li>- <b><u>For the Living 3 Zone at Tai Tapu as shown on the Outline Development Plan at Appendix 48, proposed methods and locations for flood offset areas</u></b></li> </ul> <p>(c) How adequate and appropriate any such mitigation measures may be, and the mechanisms to secure any such measures.</p>		

Amendment 11	<p>Add a new assessment matter to 12.1.4.101 as follows:</p> <p><b><u>12.12.1.4.101A: In relation to the Living 3 Zone at Tai Tapu as shown on the Outline Development Plan at Appendix 48, appropriate legal mechanisms proposed to ensure the ongoing maintenance and upkeep of private sewer plant required on individual lots (as required by Rule 4.5.1A).</u></b></p>
Amendment 13	<p>Include any consequential amendments and renumbering of provisions as required to give effect to this Plan Change request.</p>

### 3. STATUTORY FRAMEWORK

#### Requests for Changes to Plans

- 3.1. Section 73(1A) of the Resource Management Act 1991 ('the Act') gives a territorial authority the right to change its District Plan. In addition, Section 73(2) enables any person to request a territorial authority to change a District Plan in the manner set out in the First Schedule of the Act. This Plan Change request has been prepared in accordance with Schedule 1, Clause 21 of the Act.

Under Clause 22(1) of the First Schedule, a plan change request must:

- a) *Explain the purpose and reasons for the request;*
  - b) *Contain an evaluation under s32 of the objectives, policies, rules or other methods proposed;*
  - c) *Assess environmental effects in such detail as corresponds with the scale and significance of actual and potential effects anticipated from the implementation of the change*
- 3.2. In making a determination on the request under Clause 25(2) of the First Schedule the territorial authority may adopt the request, or part of the request, as if it were a proposed plan by the territorial authority, or accept the request, in whole or part, and proceed to notify the request.
- 3.3. It is requested that the proposed Plan Change request be accepted in accordance with Clause 25(2)(b) of the First Schedule of the Act and that the territorial authority proceed to publicly notify the request under Clause 26. It is considered that there is no reason(s) to reject the request in whole or part under Clause 25(4) of the First Schedule.
- 3.4. The process for dealing with a Plan Change request once it has been publicly notified and submissions received is set out in the First Schedule of the Act. In the case of a private Plan Change request, the procedures set out in Part 1 of the First Schedule, with all necessary modifications, shall apply except as set out in sub-clauses (2) to (9) of Clause 29 of Part 2 of that Schedule. Therefore, in this case:
- a) *There needs to be a hearing into submissions on the proposed Plan Change (Clause 8(b) Part 1);*
  - b) *The person who made the request for the Plan Change has the right to appear at the hearing under Clause 8(b);*
  - c) *After considering the Plan Change the local authority may decline, approve, or approve with modifications the Plan Change and shall give reasons for its decision;*
  - d) *The decision to decline or approve shall be served on every person who made a submission and the person who made the request; and*
  - e) *Every person who made a submission on the Plan Change and the person who made the request may refer the decision to the Environment Court.*



### **Sections 74 and 75 – Matters to be considered**

3.5. The matters to be considered in respect of a Plan Change request are set out in sections 74 and 75 of the Act. In summary, before a plan change can be incorporated into a District Plan, the key matters that need to be considered include:

- (a) Consistency with other provisions of the district plan;*
- (b) Whether it gives effect to the regional policy statement and any relevant regional plans;*
- (c) The functions of a territorial authority as defined within section 31 of the Act;*
- (d) Whether the plan change will lead to the most appropriate outcome under section 32 of the Act;*
- (e) Actual and potential adverse effects anticipated from implementation of the plan change; and*
- (f) The purpose and principles within Part 2 of the Act.*

3.6. An assessment of the proposed Plan Change in relation to each of the above matters is outlined below.

### **Assessment Against Selwyn District Plan (SDP)**

3.7. The purpose of the proposed Plan Change is to allow for the rezoning of 8.1 ha of land on the western edge of Tai Tapu township from its current Rural Inner Plains zoning to Living 3.

3.8. The proposal does not require the formulation of new, site-specific objectives. The existing objectives for townships and the Rural Residential (Living 3) zone, sets the policy framework within which the Living 3 zone sits. Proposed new rules relate to development to be in general accordance with the Outline Development Plan for the site, practical flood mitigation measures (building platform development, minimum floor level and methods and locations for flood offset areas) and requirements relating to wastewater servicing.. An area of potential contamination identified in the Preliminary Site Investigation (**Annexure 7**) will be addressed at the time of subdivision. The combination of provisions will ensure that any risks associated with natural hazards are appropriately mitigated through the design of the development. They will also ensure that development occurs in an appropriate, integrated and efficient manner, and that the rural character and amenity of the site and surrounding area is retained.

3.9. **Annexure 3** (Table 2) contains a detailed assessment of the proposed Plan Change against the relevant objectives and policies of the SDP. This assessment demonstrates that the proposed Plan Change is in accordance with the relevant requirements of the Living 3 zone of the SDP and other relevant objectives and policies.

## **Assessment Against Relevant Regional Planning Documents**

### ***Canterbury Regional Policy Statement 2013 (RPS)***

- 3.10. Sections 1.21 to 1.24 provide an overview of the Canterbury RPS. It is noted that Chapter 6 of the RPS (which provides more specific direction for growth, development and enhancement of the urban and rural areas of Greater Christchurch) was added to the RPS following approval of the LURP for Greater Christchurch. Chapter 6 is consistent with the Recovery Strategy for Greater Christchurch and the Christchurch Central Recovery Plan, and supports their implementation.
- 3.11. An assessment of the proposed Plan Change against the relevant provisions of the RPS is contained in **Annexure 3**, Table 1. This assessment demonstrates that the proposed Plan Change is in accordance with the relevant objectives and policies of the RPS. (As noted previously, this assessment also addresses the relevant provisions of the LURP as implemented via Chapter 6 of the RPS).

### ***Regional Land Transport Strategy (2012 – 2042) (RLTS)***

- 3.12. The Regional Land Transport Strategy (2012 – 2042) ('the RLTS') sets the strategic direction for land transport within the Canterbury region over a 30-year period. The role of the RLTS is to contribute towards the government's overall vision of achieving an integrated, safe, responsive and sustainable land transport system.
- 3.13. The proposed Plan Change is in accordance with the relevant provisions of the RLTS.

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

- 3.14. The Canterbury Natural Resources Regional Plan (NRRP) and Canterbury Land and Water Regional Plan regulates the sustainable management of natural resources in Canterbury.
- 3.15. As discussed in section 4.33, a discharge consent for stormwater will be required from Environment Canterbury prior to the physical development of the site. When processing this application, Environment Canterbury will assess compliance/consistency of the proposed stormwater management system against the relevant provisions of the above plans.

## **Assessment Against Other Planning Documents**

### ***Greater Christchurch Urban Development Strategy (UDS)***

- 3.16. The Greater Christchurch Urban Development Strategy ('the UDS') is a broad-scale, long-term land use strategy for the greater Christchurch area. It aims to provide a basis for managing growth in a proactive, integrated and sustainable manner. The UDS is being implemented through a range of tools, one of which is the Canterbury RPS.

- 3.17. Many of the criteria identified as critical to achieve the goals of the UDS have been adopted into objectives and policies for rural residential land in Chapter 6 of the RPS. The assessment of the proposed Plan Change against the relevant objectives and policies of the RPS (discussed in sections 3.10 to 3.11 and further detailed in **Annexure 3**, Table 1) also addresses the requirements of the UDS and demonstrates that the proposed Plan Change is in accordance with relevant provisions.

### ***Christchurch, Rolleston and Environs Transport Strategy (CRETS)***

- 3.18. The Christchurch, Rolleston and Environs Transport Strategy ('CRETS') is a strategic document detailing the most appropriate stages for the progression of a range of improvement projects that will achieve an ideal roading network to satisfy projected demands – and thus help reduce traffic congestion to the west and south of Christchurch over the next 10 to 15 years. Lincoln and Tai Tapu were included in the initial study area.
- 3.19. Key transportation improvement works outlined within the CRETS include: extending the Southern Motorway from Halswell Junction Road to south of Templeton; improving road links between the growing townships of Rolleston, Lincoln and Prebbleton, and improving connections to Christchurch and between Rolleston and State Highway 1. Some of the specified projects/proposals to improve the accessibility of Lincoln within the district and regional transport network include intersection upgrades and modifications to decrease delays and improve safety.
- 3.20. The site of the proposed Plan Change is located in Tai Tapu (approximately 3.5km east of Lincoln) and does not connect directly to State Highway 75 (SH75). It will not affect or compromise in any way, any of the planned improvements to the road link between Christchurch and Lincoln, or the accessibility of Lincoln within the district and regional transportation network.
- 3.21. However, the site's immediate proximity to Tai Tapu Village (which is bisected by SH75) and Lincoln (slightly further afield) means residents will be able to take advantage of the above improvements to the wider state highway network.

### ***Selwyn District Rural Residential Strategy 2014 (RRS14)***

- 3.22. See discussion under 1.26-1.30 above.
- 3.23. The ability of the proposed Plan Change to achieve the 'preferred rural residential location' pre-requisites (and as demonstrated within this Plan Change request) is summarised below:
- **Servicing** – The site can be economically serviced with reticulated water and wastewater services (see sections 4.35 to 4.39 and the Infrastructure Report in **Annexure 6**).

- **Integration** – The site adjoins Tai Tapu village. Location of the three access points in close proximity to School Road will facilitate efficient pedestrian, cyclist and vehicle access to the village centre. The proposed rural residential development will integrate well with the existing settlement pattern, complement the concentric urban form of Tai Tapu, and promote the urban consolidation principles of the LURP, CRPS, SDP and RRS14.
- **Urban consolidation and intensification principles** – The proposed rural residential node is small in size and able to be consolidated within the urban form of Tai Tapu.
- **Constraints** – The site is not affected by any constraints that cannot be dealt with through engineering and design solutions. While the site is located in a high groundwater zone, it is noted that it is 'higher and drier' than other parts of Tai Tapu including the existing undeveloped L2a zone to the north of Tai Tapu and the existing Living zone at Schools Road/Forbes Road (see ECAN flood report at Annexure 12). The proposed on-site stormwater treatment and disposal facilities will mitigate any possible adverse effects of the increase in stormwater discharge (refer to the Infrastructure Report in **Annexure 6**). The **Geotechnical Assessment** attached as **Annexure 8** confirms that the site is suitable for subdivision under Section 106 of the RMA providing the subsidence and flood hazards are mitigated by ground improvement, appropriate minimum finished floor levels and specific engineering design for foundations. Further investigation of the small identified area of arsenic contamination, and development of a site remedial action plan (to be completed prior to the commencement of any on-site earthworks) will ensure that any associated risk to future users of the northern portion of the site are mitigated to an acceptable level.
- **Owner aspirations** – Both owners of the site wish to proceed with the development of this site for rural residential purposes (including the Crofts developing one of the sites in the southern block as their own family home – they currently live opposite in Hauschilds Road).

### ***Selwyn District Council Walking and Cycling Strategy & The Greater Christchurch Travel Demand Strategy***

- 3.24. The broad intent of the Walking and Cycling Strategy and The Greater Christchurch Travel Demand Strategy documents is to increase the provision of sustainable transport modes, including walking and cycling, and reduce reliance on private motor vehicle transport.
- 3.25. The distance of several rural residential Existing Development Areas from the closest district townships means residents are highly reliant on private motor vehicle transport to access services and facilities. In contrast, the site to which this request relates adjoins the urban limit of Tai Tapu township and is within walking and cycling distance (via School Road) of the retail facilities there, as well as the local school.

- 3.26. The Possible Subdivision Concept attached as **Annexure 9** (which shows a possible subdivision layout) demonstrates that the three access ways/roads within the development will each service between four and eight lots. The low traffic volumes will ensure that the internal roads are suitable for pedestrians and cyclists, as well as motorised vehicles.
- 3.27. The location of the site and associated design features will ensure a range of sustainable transportation options for the site, consistent with the SDC Walking and Cycling Strategy and Greater Christchurch Travel Demand Strategy.

### ***Iwi Management Plan***

- 3.28. The Mahaanui Iwi Management Plan 2013 ('the Mahaanui IMP') represents the collective effort of the six Papatipu Rūnanga that represent the hapū who hold manawhenua rights over lands and waters within the takiwā from the Hurunui River to the Hakatere River and inland to Kā Tiritiri o Te Moana.
- 3.29. The Maahanui IMP contains a collective statement of values of the six Papatipu Rūnanga. It covers Ranginui (air), Wai Māori (water quality and quantity and catchment mixing), Papatūānuku (land and how it is managed), Tāne Mahuta (biodiversity and areas of mahinga kai), Ngā tūtohu whenua (significant sites) and the catchment of Te Waihora (Lake Ellesmere). This document is relevant to policy and planning processes under the Act – with sections 5 and 6 (which focus on regional issues and policies and catchment issues and policies respectively) of particular interest to the proposed Plan Change.
- 3.30. The objectives and policies of the IMP have been considered during the development of this Plan Change. The indicative stormwater management system provides two stormwater detention areas/ponds, and associated first flush ponds (if required). An existing drain along the southern site boundary will continue to be utilized to convey stormwater from the site. As there will be no mixing of waters from different catchments, there is no adverse effect from the detention and treatment of stormwater. The proposal is consistent with P6.1 including (d) *"discharge to land based methods, including swales, stormwater basins, retention basins and constructed wetponds and wetlands (environmental infrastructure) using appropriate native species, recognizing the ability of particular species to absorb water and filter waste"*. Existing SDP subdivision matter 12.1.4.92 enables the Council to assess the extent to native species are used as street tree plantings and within vegetated stormwater swales.
- 3.31. There are no identified sites of significance within the subject site, nor are there any known areas of mahinga kai. The site has a long history of use for pastoral and grazing purposes as discussed in the Preliminary Site Investigation Report (**Annexure 7**).
- 3.32. A draft version of the Plan Change was provided to Mahaanui Kurataiao (MKT) for their comment. Their response is attached as **Annexure 14** includes their assessment of the Plan Change against the MIMP. In summary, in order to ensure consistency with the relevant objectives and policies of the MIMP, MKT recommend that an Accidental

Discovery Protocol is established, consideration be given to the incorporation of rainwater tanks, greywater systems and vegetated swales, that all discharge of stormwater into waterways includes all practical steps to ensure that best treatment is available and that individual opportunities are utilized where opportunities exist to increase biodiversity of indigenous flora and fauna.

- 3.33. Overall it can be considered that the proposal is in accordance with the provisions of the Maahanui IMP and appropriate steps will be taken at the subdivision stage to ensure consistency with the relevant objectives and policies.

## **Further Resource Management Act Considerations**

### ***Section 31 – Consistency with Functions under the Act***

- 3.34. The functions of territorial authorities are outlined in section 31 of the Act. The following functions are of particular relevance in respect of the proposed Plan Change:

- (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:*
  - (iia) the prevention or mitigation of any adverse effects of the development, subdivision or use of contaminated land*
- (d) the control of the emission of noise and the mitigation of the effects of noise.*

### ***Integrated Management – section 31(a)***

- 3.35. Integrated management relates to both the management of effects at the site level and the integrated management of a district's natural and physical resources at a wider strategic level. The site is situated at the urban/rural interface with Tai Tapu. Extensions to the urban boundary occur best when there is comprehensive planning. Good planning process requires a 'integrated holistic' approach where all the issues for a site are identified and appropriate design solutions are adopted.
- 3.36. From a strategic perspective, the proposed Plan Change (and associated rezoning of the site) is consistent with the policy direction for rural residential development at the sub regional (Greater Christchurch) level as set out in the LURP and Chapter 6 of the RPS.
- 3.37. The proposal aligns with the wider vision for the District - in particular the managed rural residential growth of the township of Tai Tapu and sensitive treatment of the associated rural/urban interface. The site is identified in the RRS14 as being suitable for rural residential development from a strategic planning and infrastructure servicing perspective.
- 3.38. At a site level, the proposal seeks to integrate good urban design solutions and infrastructure extensions that manage the effects of the use, development, or protection of

land and associated natural and physical resources. Additionally, methods are proposed to be implemented to avoid and mitigate effects of the development, to ensure development occurs in an appropriate, integrated and efficient manner to maintain a compact township shape, and to ensure an identified area of contamination is appropriately remediated prior to development and use of the land.

#### ***Prevention or Mitigation of Contaminated Land – section 31(b)(iia)***

- 3.39. The Assessment of Effects in section 4 of this request highlights a small area of land with elevated arsenic concentrations above the NESCS trigger value for a rural residential land use (likely to stem from an adjoining sheep spray). The Preliminary Site Investigation Report (**Annexure 7**) recommends that further investigation be undertaken to ascertain the depth and extent of arsenic contamination in the vicinity of the western site boundary (north section – upper cluster) and that a site remedial action plan be developed following the investigation and prior to the commencement of any earthworks. This will occur at subdivision stage. It is further concluded that these actions will ensure that any associated risks to future users of the northern portion of the site are mitigated to an acceptable level – thus not precluding use of the site for residential purposes.

#### ***Emission of Noise – section 31(d)***

- 3.40. Refer to the discussion on noise and reverse sensitivity in the assessment of effects in section 4 of this request.

#### ***Section 32 Evaluation***

- 3.41. Section 32 of the Act 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 Act, and if the proposed amendments to the District Plan are the most efficient and effective method of achieving the objective. The Section 32 Evaluation (attached as **Annexure 11**) concludes that, of the possible alternative methods for achieving rural residential development for this site, a plan change is the most efficient and effective method.

#### ***Adverse Effects on the Environment***

- 3.42. Actual and potential adverse effects on the environment from implementation of the Proposed Plan Change are discussed in section 4 of this request. The various assessments undertaken, and associated reports, are attached and cross-referenced as annexures.

## **Part 2 – Purpose and Principles of the Act**

### **Section 5(1)**

- 3.43. As outlined in section 5(1) of the Act, the overall purpose of the Act is to promote the sustainable management of natural and physical resources.
- 3.44. The proposed rezoning of the site promotes the sustainable management of natural resources by providing for an appropriate use of the land given its location, immediately adjacent to the urban limit of Tai Tapu township. While the site does contain high quality soils (according to the RRS 14), the small size of the two lots that make up the site, and location adjacent to Tai Tapu, reduces the likelihood of these soils being appropriately utilized for other than low intensity grazing into the future. The provision of a small rural residential node in this location will also help meet the unmet market demand for such land within Selwyn District.
- 3.45. The proposed rezoning also promotes the sustainable management of physical resources. Any effects of the proposed development on the roading network are considered to be minor given the direct links through to existing road networks. Infrastructure can be provided for in a manner that efficiently utilises the systems already in place thus negating the need for additional major new services.
- 3.46. It is considered that the rezoning of the site for rural residential use will better achieve the purpose of the Act.

### **Section 5(2)(a) – (c)**

- 3.47. Section 5(2) defines ‘sustainable management’ as:

*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 wellbeing 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, mitigating any adverse effects of activities on the environment.*

- 3.48. Utilisation of the site for rural residential purposes will provide housing choice and provide for rural residential development in a sustainable manner, in accordance with the provisions of the relevant planning documents. The site is in close proximity to Tai Tapu township and associated retail services and facilities, which provides the opportunity to minimise travel distances for future residents. Additionally, the township of Lincoln (which offers a broader range of services and facilities) is only a short 3.5 km drive away.
- 3.49. The proposal, in combination with the existing SDP provisions for the L3 zoning (including relating to fencing, subdivision assessment matters, building setbacks etc) provides for a socially connected and high amenity rural residential living environment while avoiding



and/or mitigating all potentially adverse effects. The needs of future generations are well served by adjoining urban and rural residential areas that provide integrated, well-planned and sensitively designed living zones. The proposed Plan Change will achieve this.

- 3.50. The actual and potential effects of the proposed Plan Change, and resultant rural residential development of the site, are outlined in section 4 of this request. The overall conclusion of this assessment is that all adverse effects can be appropriately avoided, remedied or mitigated such that they minor or less.

### **Section 7 – Other Matters**

- 3.51. Relevant 'other matters' under section 7 of the Act include the following:

*(b) The efficient use and development of natural and physical resources;*  
*(c) The maintenance and enhancement of amenity values;*  
*(f) The maintenance and enhancement of the quality of the environment;*  
*(g) Any finite characteristics of natural and physical resources; and*  
*(i) The effects of climate change.*

- 3.52. The proposed Plan Change is considered to represent a sustainable and efficient use of the land resource (under section 7(b)) which does not limit future urban growth, does not create adverse effects with surrounding rural land and does not reduce the potential productive capacity of large land holdings in the area. The provision of a small node adjoining an existing township will help to meet strong, unmet market demand for rural residential sections in Selwyn District. While the site does contain high quality soils, the small size of the individual lots that make up the site, and location adjoining a township, reduces the likelihood of these soils being appropriately utilized for other than low intensity grazing into the future.
- 3.53. Under sections 7(c) and 7(f) particular regard must be had to the maintenance and enhancement of amenity values and the maintenance and enhancement of the quality of the environment. While the amenity of the existing rural environment will be changed, the plan change provisions in combination with the District Plan L3 requirements will ensure a high amenity rural residential environment.
- 3.54. Section 7(g) the Act requires that particular regard be given to any finite characteristics of natural and physical resources. Rural land is a finite resource. However, in this case, and as noted within the RRS14, while the site does contain high quality soils, the small size of the site and location adjoining a township reduces the likelihood of these soils being appropriately utilized for other than low intensity grazing. It is also noted that maintenance of the life supporting capacity of the soils will not be precluded due to the low density of residential development and limited areas of hard surfaces to be provided.

***Sections 6 and 8 – Matters of National Importance / Treaty of Waitangi***

- 3.55. The proposal is considered to be consistent with section 6 of the Act, noting that there are no specific matters set out in section 6 that apply to this proposal.
- 3.56. The principals of the Treaty of Waitangi have been taken into consideration throughout the development of the proposed Plan Change. An assessment of the Mahaanui IMP has been undertaken, as discussed in sections 3.31 to 3.35.

## **4. ASSESSMENT OF EFFECTS ON THE ENVIRONMENT**

- 4.1. An Assessment of Effects on the Environment (AEE) is required to be carried out for any Plan Change request. Schedule 4, Part 2(a) – (f) of the Act sets out the matters that are to be considered when undertaking an AEE. These matters have been considered below and also include consideration of the matters and issues identified in the relevant District and Regional planning documents.

### **Neighborhood and Wider Community Effects**

#### ***Reverse Sensitivity***

- 4.2. An assessment of potential effects on the neighbourhood and wider community includes consideration of potential 'reverse sensitivity' effects that could be generated as a result of rezoning the site. Reverse sensitivity effects can occur following the establishment of a new residential activity, whereby the new residents have an issue with noise, odour, dust or other effects arising from existing activities on adjoining sites, thereby creating conflict.
- 4.3. The RRS14 identifies the site of the proposed Plan Change as a 'suitable' for rural residential development and notes that the site avoids reverse sensitivity effects and the urban form of Tai Tapu coalescing with Lincoln to the west and Christchurch City to the north-east.
- 4.4. The western edge of Tai Tapu township is currently ill-defined, with houses in parts turning their back onto Hauschild Road and the rural environment, as there is no transition (either spatial or landscaped) from the denser residential living into the adjacent rural activities. The proposed development will create a more appropriate transition into the productive rural landscape and mitigate any existing concern about reverse sensitivity between urban and farming activities here while still retaining a semi rural outlook.
- 4.5. Stormwater management areas will provide a natural buffer to rural activities west of the site. It is understood that there are no existing intensive farming activities such as poultry or pig farming in the locality.

### **Physical Effects**

#### ***Landscape and Visual Effects***

- 4.6. As the site adjoins the defined urban limit of Tai Tapu, landscape and visual effects have been considered in light of the need to achieve a sensitive rural/urban transition and integration with the surrounding rural land. It is also noted that the site adjoins part of the western 'gateway' to Tai Tapu – one of three gateways along the main approaches to Tai Tapu (identified in the RRS14) as thresholds from the rural environment into the township.
- 4.7. The surrounding landscape character is rural, with the exception of a residential subdivision directly east of the site (in the northern section of Hauschilds Road) and Lincoln Tai Taupu Road to the north. The surrounding rural land to the west and south

has a relatively flat contour and comprises pastoral farmland (used for crop production and grazing) separated by shelterbelts in places. Vegetation associated with the residential properties on the northeast side of Hauschilds Road comprises a mixture of hedges, fences and landscaped front and back lawns, typical of a rural township. Views to the site from Lincoln Tai Tapu Road are limited by large, established trees along the roadside.

- 4.8. The landscape and visual (and rural) character of the site will change as a result of the proposed rezoning and subsequent rural residential development. The small scale of the proposal (total of 16 houses) and associated ODP in combination with the SDP Living 3 zones will ensure a high amenity rural residential environment which will achieve a sensitive rural/urban interface and integrate the proposed development with the surrounding land. Generous dwelling setbacks (20m front yard and 15m internal boundary), rural style fencing and the requirement for stormwater management and flood offset areas will ensure an appropriate degree of 'openness' and 'ruralness'. Domestic curtilage will be limited to nominated building platform areas (to be defined at the Building Consent stage).
- 4.9. The western edge of Tai Tapu township is currently ill-defined, with no transition (either spatial or landscaped) from the denser residential living into the adjacent rural activities. The proposed development will create an appropriate transition into the productive rural landscape while still retaining a semi rural outlook. In a visual sense, the development will provide a suitable buffer between the smaller residential sites to the east of the site (on Hauschilds Road) and the rural landscape.
- 4.10. The indicative Subdivision Concept Plan (attached as **Annexure 9**) provides a potential subdivision layout and demonstrates that it is possible to achieve a good outlook for all lots across either rural land or open spaces, as well as the stormwater management and likely flood off-set areas within the site.
- 4.11. Location of the stormwater management areas in the naturally-occurring low points within the site will provide a buffer between residential and rural activities and a natural boundary between the two northern-most groups of housing (four each) to be accessed from separate rights of way, – and also contribute to the open space and amenity of the development.
- 4.12. The rural character of Hauschilds Road will be retained with simple access interventions at only three intersecting points with the site (as shown on the ODP).
- 4.13. In a visual sense the proposed development is relatively small. It will complement the concentric urban form of Tai Tapu, allow good visual connectivity to the village centre and create a suitable buffer between the small residential sites along Hauschilds Road and the surrounding rural landscape. While it will introduce 'built forms' and thus change the current rural landscape and visual 'open space' characteristics of the site, the design

features and SDP Living 3 provisions discussed above (and elsewhere in this Plan Change request), will ensure a high amenity rural residential environment.

### ***Ecosystems***

- 4.14. The site has historically been used for agricultural and grazing purposes, as is common for much of the rural land throughout the Canterbury Plains.
- 4.15. There are no known areas of significant indigenous vegetation or habitat for significant indigenous fauna within the site.

### ***Natural and Physical Resources***

- 4.16. The transport network (both within the site and in the wider area) comprises one of the most significant physical resources in the area.
- 4.17. The Preliminary Transport Advice in **Annexure 5** considered the proposed site access arrangements as outlined on the ODP (see **Annexure 2**). It provides preliminary comments (in the form of recommendations) on the transport-related upgrades that would be required to service the proposed lots – to ensure the proposed development can be safely and efficiently accommodated within, and integrated into, the local transportation environment, with effects that are no more than minor. This includes the need to extend Hauschilds Road south of the School Road intersection to the existing proposed access for the southern dwelling cluster (referred to as Access C in the Transport Advice). It should form a giveway controlled arm of the 'Y' intersection with Hauschilds Road / School Road (formalising the existing accessway). Additional sealed carriageway width will be required on this local minor road (i.e., more than the 5.0m minimum) for turning splays at the intersection with Hauschilds Road and School Road. These recommendations will be incorporated into the detailed design for the development and be addressed as part of the subdivision consent process.
- 4.18. The ODP for the site avoids connection to SH75 (classified as a strategic road and the main road link between Christchurch and Akaroa) with connections to be via local roads to the east of the site (School Road and Hauschilds Road) or Lincoln Tai Tapu Road via Hauschilds Road. While some residents may approach the site via SH75, and subsequently School Road, any impact over and above existing traffic volumes is unlikely to be discernable and to have a less than minor effect on the current and future safe and efficient functioning of SH75.
- 4.19. The transport-related upgrades required to service the proposed lots (as outlined in the Preliminary Transport Advice in **Annexure 5**) will ensure that the proposed development can be safely and efficiently accommodated within, and integrated into, the local transportation environment.
- 4.20. Given there is no direct link to SH75 or the Lincoln Tai Tapu Road from the site, and given the low traffic volumes generated by the creation of an additional 16 residential units, it is

considered that the proposed Plan Change will have only a minor effect on the current and future safe and efficient functioning of SH1 and the local roading network.

### **Servicing**

- 4.21. Infrastructure is a physical resource. Servicing has the potential to create adverse effects on the environment, particularly in respect of the disposal of stormwater and wastewater, and the provision of a water supply.
- 4.22. **Annexure 6** contains an Infrastructure Report which outlines the preliminary engineering design concepts for the proposed rural residential development of the site – to meet the associated requirements for stormwater and wastewater disposal and water supply.

### **Existing Infrastructure**

- 4.23. The Infrastructure Report (see **Annexure 6**) notes that, while there is no existing Council infrastructure within the site, there is existing high pressure water and gravity sewer reticulation adjacent to the site in Hauschilds Road. Likewise, although there is no existing stormwater infrastructure within the site, there are road-side drains in Hauschilds Road.

### **Stormwater**

- 4.24. The ODP (attached as **Annexure 2**) shows the indicative location of two stormwater detention areas (ponds) within the naturally-occurring low points within the site. As shown on the indicative Subdivision Concept Plan (attached as **Annexure 9**) it is possible to achieve a 3m setback from the relevant property boundaries.
- 4.25. The site's natural overland flow path will direct excess stormwater in a north-south direction, toward an existing drain along the site's south boundary which will then convey stormwater eastward from the site. As highlighted on the indicative Subdivision Concept Plan (see **Annexure 9**) a possible subdivision layout could also incorporate the provision of road-side swales to convey stormwater westward toward the stormwater management areas.
- 4.26. Specific design solutions and devices will be the subject of, and confirmed through, the subdivision consent process and associated stormwater discharge consent process (through Environment Canterbury). This will include consideration of the need (or otherwise) for first flush ponds/treatment. The stormwater management area is not expected to be vested in the Council.
- 4.27. As discussed in the Preliminary Services Report (**Annexure 6**) the site is well-suited for on-site stormwater treatment and disposal and the adverse effects of the likely increase in stormwater discharge can be adequately mitigated. The proposed stormwater management system is considered sufficient to off-set the additional stormwater run-off

created from the proposed development up to and including the 60 hour 2% AEP (1/50-year flood event).

### **Wastewater**

- 4.28. Tai Tapu is not connected to Selwyn District Council's Eastern Selwyn Sewerage Scheme. The current agreement between Selwyn District Council and Christchurch City Council allows for a maximum annual volume of 90,000 m<sup>3</sup>/year with a peak flow of 7.5 l/s. The Preliminary Services Report (see **Annexure 6**) notes that the addition of a further 16 lots (and associated connections) would increase the total volume discharged per year to approximately 64,000m<sup>3</sup>. This is well within the current 90,000 m<sup>3</sup> yearly limit.
- 4.29. It is proposed to utilise a low pressure sewer system that will incorporate an enlarged on-site storage tank, whereby the pumps would only be required to operate during off-peak times. This would, therefore, not increase the peak flow from Tai Tapu and would also ensure the peak flow aspect of Selwyn District Council's agreement with Christchurch City Council is not breached. The optimal off-peak time would be determined in consultation with the Council's asset management team.
- 4.30. Each on-site tank (one per lot) would discharge into a common low-pressure rising main (to be vested as a Council asset) which would in turn discharge into an appropriate gravity reticulation sewer manhole – the specific details of which will be determined during the detailed design and subsequent subdivision consent process. The on-site tanks and associated pumps would remain under private ownership.
- 4.31. A proposed rule has been inserted requiring a low pressure gravity wastewater system in installed in the respective lots.

### **Water Supply**

- 4.32. As noted in the Infrastructure Report (**Annexure 6**) the existing 100mm uPVC main in Hauschilds Road could be utilized to provide high pressure water reticulation to each lot. It is acknowledged that on-site tanks would be required for the respective lots, and this will be addressed through the detailed design process.

### **Discharge of Contaminants**

- 4.33. The proposed rural residential use of the site has the potential to result in the discharge of contaminants from stormwater run-off from buildings and hardstand areas (including roads) during storm events. The discussion under *Servicing* above indicates that stormwater can be managed in an appropriate manner to ensure that the actual and potential effects of the discharge of contaminants from the site will be no more than minor.

### **Natural Hazards and Hazardous Substances**

## ***Contamination***

- 4.34. A Preliminary Site Investigation (attached as **Annexure 7**) was undertaken to assess the potential for contaminants to have been deposited at the site as a result of historic activities (within or in the immediate vicinity of the site) and report on any identified risk to future site users – and ultimately determine whether the site is ‘fit’ for the proposed rural residential use.
- 4.35. The site is not currently listed on Environment Canterbury’s Listed Land Use Register. However, given the identification of a former sheet spray on an adjoining property (to the west) three samples were collected from a location where treated sheep spray could possibly have entered the site. Two of the three samples contained elevated arsenic concentrations that are above the NESCS trigger value for a rural residential land use, meaning a complete exposure pathway may exist if development were to go ahead.
- 4.36. The Preliminary Site Investigation Report (**Annexure 7**) recommends that further investigation be undertaken to ascertain the depth and extent of arsenic contamination in the vicinity of the western site boundary (north section – upper cluster). It also recommends that a site remedial action plan be developed following the investigation and prior to the commencement of any earthworks – to ensure that any associated risk to future users of the northern portion of the site is mitigated to an acceptable level.
- 4.37. It is considered that the development and implementation of an appropriate site remediation plan will ensure the effects of hazardous substances on the future users of the site will be less than minor. It is also considered that the potential effects of natural hazards on the site will be no more than minor.
- 4.38. No other hazardous substances were identified that would pose a risk to future users of the site.

## ***Geotechnical Issues***

- 4.39. **Annexure 8** contains a Geotechnical Assessment of the site. It is adjacent to the Halswell River and is underlain by dominantly river deposits comprising grey river alluvium, beneath plains or low level terraces. Given the proximity to Halswell River, there is potential for lateral spread with the proposed four northern most lots resulting from potential future significant seismic events. The Assessment concludes that the site is suitable for subdivision under Section 106 of the RMA providing the subsidence and flood hazards are mitigated by ground improvement, appropriate minimum finished floor levels and specific engineering design for foundations. For future development of the site, a site specific geotechnical investigation for each new lot will be required to confirm the underlying geology and provide appropriate design criteria.



### ***Flood Water Offset***

- 4.40. The southern fringes of the site are identified as low-lying areas within the 200-year flood path.
- 4.41. The Infrastructure Report (**Annexure 6**) notes that a flood risk assessment/modelling of Lot 2 (the southern half of the site) was undertaken by Environment Canterbury in 2012 – the results of which have been assumed (for the purposes of this assessment) to be equally applicable for Lot 1 (the northern half). This flood modelling (based on 50-year and 200-year return periods for the site, and complemented by an assessment of historic photos) indicates potential flood levels of approximately 6.7 m – 6.9 m above mean sea level.
- 4.42. Assuming a conservative (maximum) flood level of 6.9 m above mean sea level, building platforms (comprising gravel ‘rafts’) could be constructed to elevate the dwellings and achieve a minimum clearance of 400 mm above the modelled flood water levels – thereby achieving a preliminary finished floor level of 7.4 m above mean sea level. The finished building ‘rafts’ would thus be approximately 900 mm above existing site ground levels and have sloping sides at a grade of 1:5. A proposed SDP rule requires building platforms and minimum floor levels at the time of building consent to protect against the 0.5% (1/200 year) Annual Exceedance Probability flood event, in accordance with RPS policy.
- 4.43. The stormwater detention areas (ponds) discussed in sections 4.30 to 4.34 above will also be used to mitigate against peak stormwater flows (of up to 4,350m<sup>3</sup>), thereby attenuating any potential flood water on site and avoiding any negative effects on neighbouring land or the downstream catchment.
- 4.44. The indicative Subdivision Concept Plan (attached as **Annexure 9**) highlights one option for the provision of flood offset areas (with a combined area of approximately 9,100 m<sup>2</sup>) as part of a subdivision layout. Flood offset areas are to be assessed, and the actual requirements confirmed at the time of subdivision consent. The required volumes could be provided by lowering site ground levels through a combination of shallow site excavations, swales and/or other stormwater management features.

## 5. CONSULTATION

- 5.1. Consultation has been carried out with SDC staff (Planning, Assets–Infrastructure, Urban Design, Assets–Transport and Greenspace) during the course of developing the proposed Plan Change, and in relation to the ODP. (see **Annexure 13**).
- 5.2. Aspects of the proposal that have subsequently been discussed and agreed with the Council include:
- Nominated building platforms for a ‘habitable’ dwelling (for each allotment) can be defined at the Building Consent stage – with this to be enforced via the inclusion of a new rule<sup>1</sup>;
  - A footpath is not required along Hauchilds Road. No upgrades of Hauschilds Road are necessary.<sup>2</sup>

Responses to the SDC staff feedback on the draft Plan Change application are set out in the table below. RFI responses are contained in **Annexure 15**.

- 5.3. The proposal for rural residential use of the site has already been the subject of considerable public consultation through the process of developing the RRS14. This included public notification of the draft Rural Residential Strategy (which identified the site as a ‘suitable’ location for rural residential development) a public submission period and an associated hearings process. There were no submissions received in opposition to the future rural residential use of the site.
- 5.4. A copy of the draft proposed Plan Change has been provided to the local Runanga, Canterbury Regional Council and Selwyn District Council and consultation meetings held with the two councils. The applicant has also responded to Canterbury District Health Board’s ‘submission’ on PC49 prior to amendments being made in response so the Council’s Request for Further Information. A full consultation record is contained in **Appendices 13 and 14**.
- 5.5. The Plan Change request and associated ODP takes into account the matters raised in the above consultation.

### Mahaanui Kurataiao Limited (MKT)

- 5.6. The following recommendations have been received from Mahaanui Kurataiao Limited (MKT) and are summarized and discussed below:

Recommendation	Response
Amend the final plan change application to	A summary of engagement is included in

1.1. \_\_\_\_\_

1.1. <sup>1</sup> Discussion with Rosie Flynn, Team Leader - Consents

1.2. <sup>2</sup> Discussion with Andrew Mazey, Traffic Engineer

summarise engagement with runanga.	this plan change application.
That an accidental discovery protocol be implemented, with appropriate identification of Ngai Tahu representatives, as part of any consent granted and/or work undertaken.	The applicant agrees that a condition on subdivision consent for accidental discovery would be appropriate. No further action required for this plan change.
That any contractors involved in earthworks be given appropriate guidance on this protocol by a designated runanga representative. The proposed plan change, and subsequent rural residential development has the potential to impact on the cultural health of Te Waihora/Lake Ellesmere. There are also potential impacts on groundwater and waterways through potable water abstraction.	As above, this is a matter that is appropriate for subdivision consent, but does not require further action at this plan change stage. Notwithstanding, these concerns have been considered and addressed in the through the plan change application. The proposed stormwater management system will ensure no adverse effects in relation to Te Waihora/Lake Ellesmere.
That further consideration be given to the possibility of including rainwater tanks, greywater systems, vegetated swales.	The stormwater management system will include vegetated swales and detention ponds. Rainwater tanks and greywater systems are an option to be considered by the purchasers of future lots. It is not appropriate under the RMA to stipulate this as part of the PC application, as such requirements do not apply to permitted residential development in the District.
That a first flush basin is established as part of the onsite stormwater treatment, and that best practice is followed in terms of design.	The applicant is willing in principle to undertake indigenous planting around the stormwater detention basins. However, any planting must be practical and feasible. The planting design will be determined at detailed design stage as part of the ECAN stormwater consenting process. It is in principle feasible to incorporate planting within the stormwater detention area.
There needs to be an appropriate system put in place to ensure planting and maintenance of the on-site stormwater retention areas if they are not to be administered by SDC. The Mahaanui IMP advocates for the use of low impact urban	This is a matter outside the scope of the plan change. SDC has existing subdivision design guides and could incorporating MKT suggestions as part of any revisions to the guidelines. It would be equitable or reasonable to impose higher requirements

design and sustainability options to reduce the development footprint on existing infrastructure and the environment ie solar passive design, rainwater collection etc	on this subdivision than apply to permitted residential development in the District.
That a subdivision design guideline be developed to require and/or encourage the incorporation of low impact urban design by future development, including rainwater collection, low energy/water fittings, insulation and solar or alternative energy sources/systems, as well as solar hot water systems. Mahinga Kai – Customary Food and Resource Species and Biodiversity - The proposed development has the potential to enhance mahinga kai values in the area.	The applicant is willing in principle to undertake some indigenous planting around the stormwater detention basins. However, any planting must be practical and feasible. It is not appropriate to stipulate indigenous planting exclusively within the subdivision area. Any planting needs to also reflect the existing village character of Tai Tapu and existing mixed style of planting in the locality. Street trees should be appropriate to the setting and not restricted to indigenous species. This approach is reflected in the Commissioner's Recommendations on other recent SDP rural residential plan changes (PC28, 36, 41) where the Commissioner expressed his reluctance to require indigenous planting on private property which would be an unpopular move and difficult to enforce (the stormwater management areas for this plan change will be privately owned).
That a landscape plan is developed in conjunction with Nga Rūnanga to include valued food gathering species or those that support habitat for mahinga kai species for both flood offset areas and stormwater detention basins. Consideration should be given to wider biodiversity gains for native birds, insects and also lizards by providing specific habitat for these species.	See above. Landscaping can be addressed at subdivision stage.
Encourage specific indigenous planting regimes/palettes for individual section/home landscaping through subdivision design guidelines.	see above
To identify view shafts to important	The Applicant's Urban Designer has passed

maunga/peaks of the area and recognise these on the master plan for the site.	<p>comment in response to that:</p> <p><i>“The nature of the development and its location will not obscure views from public places and roads towards the port hills including maunga/ peaks. Individual houses could block views to those peaks only from the rural land immediately adjacent and only intermittently and if the viewer is in close proximity to the boundary to the proposed site. The trees along the river are significantly taller than any houses will be in the future and will therefore be more visually prominent and more of a visual block towards the hill. In addition the site is lower than the Lincoln Tai Tapu Road which further assists viewshafts over the development towards the hills.</i></p> <p><i>With regard to views from the hills to Tai Tapu the proposed development blends into the wider village development pattern in a natural way and will not stand out or detract from the views over the plains towards the alps”.</i></p>
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#### Environment Canterbury

<b>Recommendation</b>	<b>Response</b>
If a DSI identifies significant contamination in relation to previous sheep dipping, remediation will be required before the zone can be considered suitable	<p>There is only a small area of potential site contamination sited away from the proposed stormwater management areas and potential building platforms. There may also be secondary flow paths but the exact location is not yet confirmed. The intention is for the DSI to be undertaken at subdivision stage. The contamination should be easy to remediate and remediation would be required before s224 subdivision approval. SDC has confirmed that a PSI will be required with the PC application as a starting point that will need to be peer reviewed by a suitably qualified expert. This has been</p>

	undertaken and is included as part of the plan change application. The Council would then take advice from this evaluation on whether a DSI was required at that time or at subdivision.
<p>There is a need to preserve a flood path from east to west required as a result of the subdivision of land to the east (Ballymacky). Allowance for a 200 year flow through the site is suggested.</p> <p>Any changes to the levels of Hauschilts Rd need to be considered as this could result in floodwaters heading south not west.</p> <p>An easement across the site is appropriate so that hydraulic connections can be maintained.</p> <p>Compensatory storage could be operated as one system with the adjacent storage area (the Ballymacky storage area) with a common outlet. It is accepted that this may be difficult given the different land ownership.</p> <p>Infiltration is preferable to surface water discharge with respect to stormwater discharges. Groundwater levels may at times be too high for infiltration. Effects on ponding times in the area need to be considered</p>	<p>The proposed rural residential density is low enough to ensure that an east-west overland flow path will be retained in any case and there is no need for an easement to preserve this or for it be shown on the ODP.</p> <p>The height of Hauschilts Road will not be altered as a result of this development.</p> <p>A combined compensatory storage system with the Ballymacky subdivision storage area is not feasible or proposed given landownership issues.</p> <p>Infiltration tests have been undertaken and the results included in the Plan Change Infrastructure Report. Four tests were carried out; two tests on the topsoil in the proposed flood attenuation areas, and two tests approximately 240 mm below the surface in the proposed detention pond areas. An ultimate soakage value of 23 mm/hr was measured for the site silts. These soakage rates will be allowed for during the detailed design phase to provide nominal onsite volume attenuation.</p>
The site is suitable for development as long as the ground is treated and appropriate foundations are used. This should include treating the corridor for the infrastructure pipes given that the property is susceptible to	<p>This matter will be addressed at subdivision stage.</p> <p>Given ROW's are intended to be private, then it is not normal to remediate these for</p>

liquefaction as well as lateral spread.	services alone in a rural situation. The infrastructure, e.g. sewer, is a low pressure system, which is more resilient than traditional gravity systems with regards to liquefaction induced damage.
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### Selwyn District Council

The following comments from SDC Planning and Assets feedback is as follows:

<b>Recommendation</b>	<b>Response</b>
It is essential that the site is able to connect to a community managed reticulated wastewater scheme	<p>The following rule is inserted Amendment 11:</p> <p>After Rule 4.5.2 – Buildings and sewage treatment and disposal add the following:</p> <p><b><u>4.5.3 In the case of the Living 3 Zone at Tai Tapu as identified on the Outline Development Plan at Appendix 48, each lot owner shall install, at the time of dwelling construction, a low pressure sewer system with a semi-positive displacement pump, as approved by Council, including a storage tank with a volume no less than 1300 litres. The sewer system must be configured to pump during off-peak hours only, as determined by Council.</u></b></p>
An alternative to the proposed road for the southern lots is a ROW servicing 6 lots and 2 lots being serviced directly off Hauschids Rd but recognises that additional costs associating with sealing Hauschids Rd may influence the approach.	The alternative access options for the Croft land (southern block) has been investigated. The Crofts wish to proceed with the internal road option.
Accepts the use of ROW A and B as depicted but a formed width of 4.5m is preferable to the 3.5m proposed, as it would be better suited for the nature of this type of development.	The ROW width is a matter to be dealt with at subdivision stage.

<p>Road C is OK, but notes that Amendment 13 proposed for the Plan Change amends Council's standards for a Minor Road. SDC doesn't agree with this as the final design of this road may need to use additional width and or kerbing etc to provide for stormwater drainage. Equally SDC may be amenable to the use of a "hammer head" turning arrangement if designed appropriately. The applicant would be responsible for the extension of Hauschids Rd south from School Rd to meet up with Road C.</p>	<p>Response - The applicant prefers the cul- de sac rather than a hammer head. The revised Schedule of Amendments in response to the Council's RFI proposes that any road with the Tai Tapu L3 zone be consistent with the District Plan Indicative Cross Section for the L3 zone, except that the minimum legal width is 17m not 19m. It is no longer proposed that internal roads are consistent with the Living Zones Local Minor Road standards.</p>
<p>A footpath along Hauschids Rd needs to be incorporated into the frontage of the development site as there is not room elsewhere to do this.</p>	<p>This is a matter to be addressed at subdivision stage not as part of the plan change.</p>
<p>Lighting needs to be provided along Hauschids Rd and Road C.</p>	<p>This is a matter for the subsequent subdivision application not the plan change.</p>



## CONCLUSION

- 5.7. The proposed Plan Change seeks to rezone 8.1 ha of land, legally described as Lots 1 and 2 DP 436752, from Rural Inner Plains to Living 3.
- 5.8. The site adjoins the western urban limit of Tai Tapu township and is currently used for pastoral and grazing purposes.
- 5.9. The site is identified within the RRS14 as 'suitable' for rural residential development subject to an RMA rezoning process meets all RRS14 relevant criteria which relate to economic servicing, integration with Tai Tapu township, consistency with urban consolidation, no significant constraints and owners have aspirations for rezoning.
- 5.10. The proposal provides for a connected and high amenity rural residential living environment while avoiding and/or mitigating all potentially adverse effects. The needs of future generations are well served by adjoining urban and rural residential areas that provide integrated, well-planned and sensitively designed living zones.
- 5.11. The use of this site for rural residential purposes has been demonstrated through this Plan Change request to be a sustainable and efficient use of land and infrastructure which does not limit future urban growth, and does not create adverse effects with surrounding residential and rural land. The location is optimal with respect to integrating with a self-sustaining township and promotes efficient and cost-effective connectivity via infrastructure services and transport networks. A total of only 16 rural residential lots are proposed, which is consistent with making 'limited' provision for rural residential development.
- 5.12. Rezoning of the site to Living 3 is consistent with the policies and objectives of theSDP , the RPS and the LURP.
- 5.13. As the proposed Plan Change is consistent with the relevant provisions of the Act it can therefore be accepted by Selwyn District Council in accordance with Clause 25(2) of the First Schedule of the Act.