

8 November 2016

Attn: Craig Friedel, Policy Planner
Selwyn District council
PO Box 90
Rolleston 7643
By Email only: craig.friedel@selwyn.govt.nz

Re: PC160049 Croft and Williams Private Plan Change – Response to Request for Further Information (RFI)

In response to your formal RFI dated 3rd October 2016, requesting further information in response to proposed Plan Change 49 to rezone land at Tai Tapu from Rural Inner Plains to Living 3, we herewith respond to the matters raised in your letter.

We have also revised PC49 to reflect the amendments to the application set out below, in response to the RFI (cover page notated as Revised 8/11/16).

Landscape and Visual

- 1. What is the nature of landscaping or site treatment in an around the stormwater detention ponds, especially given this is a matter of concern to Iwi as stated in their response?**

The stormwater detention ponds will be privately owned. The Commissioner's decision on other recent rural residential plan changes has signalled his reluctance to require the use of indigenous planting on private property – *"it would be an unpopular move and very difficult for the Council to enforce. Of course some landowners will chose to use indigenous species when landscaping their properties."*¹

- 2. Given that they are to be located within private land, what mechanism is proposed to ensure the existing trees to be retained (subject to proposed Amendment 8) and those proposed as part of the road frontage landscaping will be protected and maintained?**

¹ Plan Changes 36, 41 and 28 relating to rural residential proposals at Prebbleton and Lincoln

Existing and proposed trees have been removed from the ODP as is more appropriate to be addressed at subdivision stage under the following subdivision assessment matters:-

12.1.4.86

The extent to which features that contribute to rural character, including open space and plantings, have been retained & enhanced

12.1.4.92

The extent to which native species are used as street tree plantings and within vegetated stormwater swales

12.1.4.99

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

- *Existing vegetation, such as shelter belts, hedgerows and habitats for indigenous fauna and flora;*

The Council's Landscape Architect has also advised (and as is noted in the Commissioner's decision on Plan Change 41 (Trents/Shands Road, Prebbleton), that in his experience new owners of rural residential blocks can be relied on to plant them attractively without regulating the type of required planting.

3. What style of fencing is proposed for the internal west and south ODP boundaries?

The proposal must comply with the following District Plan rule:

Rule 4.2.3

Any Fencing in the Living 3 Zone, and the Living 2A Zone in Darfield, as identified in [Appendix 47](#), shall be limited to a maximum height of 1.2m, be at least 50% open, and be post and rail, traditional sheep, deer fencing, solid post and rail or post and wire only;

Except that nothing in the above controls shall preclude:

(i)

the use of other fencing types when located within 10m of the side or rear of the principal building. Such fence types shall not project forward of the line of the front of the building.

(ii)

fencing required by an Outline Development Plan and/or rule in this Plan as a noise barrier.

Note: *Except that fences on boundaries adjoining reserve areas, cycleways or pedestrian accessways identified in the Outline Development Plan for Lincoln in [Appendix 18](#) and for the Living 1A6 Zone in Prebbleton shall not exceed 1.2m in height.*

Fencing can also be addressed at subdivision stage under the following subdivision assessment matter:

12.1.4.98

Whether fencing achieves a high level of transparency, with a preference for designs that express rural vernacular, accord with the typologies outlined in [Appendix 44](#), and formulating mechanisms to ensure fencing remains on an ongoing basis (such as consent notices)

4. Would it be possible to add the road to the ODP so as to align with the references to it in Amendments 7 and 12?

Amendments have been made to the applicable amendments under the 'Schedule of amendments' (Section 2 of the plan change application) so as to now make reference to 'any' roads rather than 'the road' ie. any road in the plan change area must comply with the relevant rules. It is not necessary to show the location of internal roads on the ODP, other than the access points to the surrounding road network, in accordance with Policy 3.4.4a) which requires an ODP include "*methods to integrate the rural residential area with the adjoining Township*".

5. Iwi response to consultation is the preference for the planting of indigenous vegetation. In this regard it is noted that the Ngai Tahu Subdivision and Development Guidelines in the Mahaanui Iwi Management Plan encourages the use of indigenous vegetation. Regarding landscaping these guidelines strongly promote the use of locally sourced indigenous vegetation. In particular it states under the "Landscaping and open space" heading that:

Indigenous biodiversity objectives to include provision to use indigenous species

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

Can the applicant confirm if they propose to reflect this in the proposed landscaping as this is not apparent in the ODP or subdivision concept plan.

The proposed planting can be addressed at subdivision time under the District Plan subdivision assessment matters set out under 2). As noted under 1) above, the Commissioner's decision on other recent rural residential plan changes has signalled his reluctance to require the use of indigenous planting on private property.

6 In para 3.53 it states *the concept design for the development respects and builds on the special very high amenity character of the adjacent rural township*. Can the applicant elaborate?

This section has been deleted from the proposal.

7. **In para 4.9 mention is made of nominated building platforms where it is intimated that their location will ensure the delivery of open space rural character and amenity. Throughout the application it is stressed that buildings will be clustered so as to achieve desired outcomes. It is also noted in this para that the identification of building platforms will occur at the time building consent is sought. To assist in understanding what form the proposed clustering will take and where the anticipated open space character is achievable; would it be possible to provide an indicative location of the building platforms?**

The Possible Subdivision Concept included with the application shows possible flood offset areas, which in combination with the stormwater management areas will create open space areas. It is not appropriate to include the flood offset areas on the ODP as they are subject to detailed design to be undertaken at subdivision/stormwater discharge consent stage. However, they are indicative of likely 'open areas'. Indicative building platforms are shown on the Possible Engineering Concept Plan included in the Infrastructure Report (Appendix 6). These comply with the District Plan internal and road setback rules.

References to clustering in the application have been removed. The appropriateness of the site for rural residential development was confirmed by inclusion of the site in the Council's Rural Residential Strategy as a 'preferred rural residential site' (subject to RMA processes). The small size of the node, in combination with the existing District Plan rules and proposed ODP will ensure a high amenity rural residential environment and appropriate degree of 'ruralness' and 'openness'. Further rules specific to the site are not necessary in this context. The Council's landscape architect has advised through consultation that this approach is appropriate.

8. **It is stated in para 4.13 that *Proposed planting along the narrow frontage to Lincoln Tai Tapu Road (with flowering cherries) will further strengthen the existing visual buffer....* What is the 'existing visual buffer' and why is it necessary to strengthen it?**

This statement has been removed from the application. Council staff advice is that boundary planting is not necessary. As noted in 7 above, the small size of the node, in combination with the existing District Plan rules and proposed ODP will ensure a high amenity rural residential environment and appropriate degree of 'ruralness' and 'openness'. Further rules specific to the site are not necessary in this context.

Transportation

9. **The formalisation of Access A and B as ROW's is supported in principle, but as advised previously a 3.5m carriageway is too narrow.**

This can be dealt with at subdivision stage. Cross section showing 3.5m carriageway has been removed from Infrastructure Report (Annexure 6).

10. Andrew has signalled that he does not believe it is necessary to amend the road standards to a Local Minor Classification.

The road standards within the Site have been amended to generally accord with the indicative road standards of the L3 Zone (as shown the District Plan Appendix 44 Indicative Road Cross Section for the Living 3 Zone), with the exception of the legal carriageway width which will be a maximum of 17m, not 19m wide. This still provides ample space for the road side swales and generous grass berms, in keeping with rural residential character.

11. An aspect of the proposal mentioned during the pre-application discussions was the possible increased right hand turning movements from Lincoln Tai Tapu Road into Hauschilds Road and if additional seal widening/right hand turn bay is required to cater for these extra vehicle movements.

The low level of additional traffic generated by the plan change (maximum 16 households) is not likely to have any noticeable impact on the operation of the intersection in its current form. Lisa Williams (Transport Planner for the applicant) has discussed this with the Council's Traffic Engineer, Andrew Mazey, who is now in agreement. In any case, this is a matter to be addressed at subdivision stage. Ms William's advice is as follows:-

- *With 16 dwellings proposed on what is two existing legal parcels (which assumingly could each have a dwelling built on the site) there is a net increase of 14 dwellings as a result of the proposed plan change.*
- *Rural residential trip rates tend to be in the order of 6-8 trips per dwelling therefore a total traffic increase of 84-112 trips per day half of which would be to the site and half away from the site i.e., 42-56 trips approaching the site.*
- *Assuming peak hours represent 10% of daily trips this suggests 4.2-5.6 trips arriving per hour.*
- *Two approaches to Hauschilds Rd are possible being either from Lincoln Tai Tapu Road or School Road (from SH75) with the selection of routes likely to depend on direction of travel.*
- *Right turns from Lincoln Tai Tapu Road into Hauschilds Road would only be associated with people arriving home from Lincoln or similar locations west of the site.*
- *As a crude estimate of trip origin / destination, comparing the traffic volumes on Lincoln Tai Tapu Road (approx. 1800vpd), Old Tai Tapu Road (approx. 800 vpd) and SH75 (approx. 7300 North and 4000 south) suggests that around 13% of trips are likely to be via Lincoln Tai Tapu Road.*
- *Applying the 13% factor to the 42-56 trips arriving per day suggests up to 5-7 additional right turn movements from Lincoln Tai Tapu Road onto Hauschilds Road are likely per day (and at 10% in the peak hour would be around 1 additional turning vehicle per hour).*

- *Such low additional volumes are not likely to have any noticeable impact on the operation of the intersection in its current form.*

Utilities

Stormwater

Filtration looks to be very poor, where extreme care needs to be taken to ensure a robust system is established that will operate under a wide range of conditions.

- **An indication from ECan on the suitability and the ability to gain consent for the development is required to ensure that the stormwater can be appropriately managed on site.**

Infiltration is not intended to be the main discharge method for the site, but any potential infiltration will be taken into account during the detailed design and consenting phase. The main discharge method will be a discharge to the existing drain with suitably designed treatment and attenuation. At this stage it is not appropriate to be seeking a discharge consent from ECan for the development. This will be undertaken at subdivision stage.

Consultation has been undertaken with ECAN on this matter and their response is set out in Annexure 13. Staff advice is that a stormwater consent for 16 lots is still likely to be approved even if there is no infiltration.

Council will only accept vested stormwater assets where they are located in the road or within utility reserves

- **Further detail on what assets are to be maintained by Council is required.**

No vested assets are proposed (apart from any roading assets and their associated infrastructure). The stormwater management areas are intended to be held and consented privately.

Wastewater – Refer to Appendix A

The Tai Tapu wastewater system has limited capacity. Any additional connections outside the existing urban boundary have the potential to limit growth within the current urban limit. Providing a low pressure sewer with off peak pumping does minimise this impact. However, Council requires additional information on how this pumping system will/could be controlled.

There are a couple of options for ensuring off peak pumping, e.g. setting the controls within the individual pump controllers at the time of construction, or alternatively installing an actuated valve at the end of the pressure main to limit the ability of the pumps to run. We propose that these details are confirmed during detailed design with the manufacturer (Ecoflo) at subdivision consent/engineering approval phase.

Although not specifically requiring additional information, Murray also notes the following matters of relevance that may either need to be addressed through substantive evidence or subdivision process:

- **The flood offset areas need to be protected via covenants or other appropriate measures**
- **It is agreed that firefighting capacity and hydrant spacing as per the application is appropriate**
- **Because of the large size of the lots, each property is to be provided with a restricted water connection of 3m³/day. This will be formalised as time of subdivision.**

These matters can be addressed at subdivision stage.

Preliminary Site Investigation – Refer to Appendix B

Paul Walker of Tonkin and Taylor Ltd has peer reviewed the request, including the Preliminary Site Investigation prepared by Tasman Environmental Management.

This peer review establishes that the Preliminary Site Investigation broadly addresses the current requirements of the National Environmental Standard, but that the following matters need to be addressed to fully meet the requirements:

- 12. A scale needs to be referenced within the figures contained within the report.**

This will be addressed in the additional investigation phase report.

- 13. Confirmation provided that all the data sources that were assessed, even where no relevant information was obtained from them (e.g. SDC property files and certificates of title)**

Site history was established on the basis of interview with the previous site owners and review of historical aerial photographs. On the basis of these two sources it was established that historical use of the site comprised farm paddocks only, and accordingly that review of additional sources of information (e.g. SDC property file and CT) was not necessary. However, for completeness, these sources will be reviewed as part of additional investigation of the site.

- 14. Confirmation that the site history has been discussed with the current and/or previous land owners, including a statement as to whether or not there have been any spillages or losses of potential contaminants; and**

See above comments

- 15. Comment on the hydrogeology and hydrology of the area, particularly considering that contaminant migration in groundwater is identified as a plausible pathway.**

This will be addressed in the additional investigation phase.

In addition, the peer review identifies that further investigations are required now to address the following matters:

- 16. All of the potential exposure scenarios should be investigated or otherwise ruled out as requiring further investigation.**

This will be addressed in the additional investigation phase.

- 17. Visual assessment of fill material is not adequate. Sampling and analysis of fill materials should be completed.**

This will be addressed in the additional investigation phase.

18. Additional investigations should consider all of the potentially relevant contaminants.

The additional investigations should be undertaken at subdivision stage as per PC28 where the Commissioner Recommendation states:-

A Preliminary Site Investigation into the potential for soil contamination was included with the application. This identified a number of farming related activities on the site which have some potential to have created localised site contamination, including over and underground fuel storage tanks, a disused silage pit and a waste oil storage system. The report concluded that all this was capable of being further investigated and if necessary remediated at the time of subdivision and the Council confirmed that its subdivision consenting system was robust enough to ensure this occurred. No further action is required at this stage.

Planning

19. Undertake a review of the proposed Schedule of Amendments in consultation with Council.

Refer to **Appendix C**

There continues to be uncertainty around how future private land owners will ensure that the on-site management of stormwater and wastewater remains compliant with any ECan requirements and where the liability lies in respect to the maintenance and upkeep of these systems.

20. Clarification is required around what measures are to be established, and through what process e.g private covenants ECan permit conditions or consent notices), to ensure that the onsite management of wastewater and stormwater avoids any potentially adverse effects on the environment.

These matters are addressed in the assessment table in the amended schedule of amendments (**Appendix C**).

It is understood that the wastewater solution is to install onsite tanks that have a 24 hours holding capacity that enables discharging to network at off-peak times. The assumption is that these tanks will be relatively small to enable them to be installed below ground level and that they will not be visible from beyond the boundary of each property.

21. Confirmation of the size of the wastewater storage tanks and whether it is necessary to require that they are either buried, or screened if installed above ground.

The Applicant's technical expert has confirmed that the wastewater tanks storage tanks will be permanently stored below ground. No visual screening will be required.

Please feel free to contact me should require further clarification on the above matters.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Liz Stewart', with a stylized, cursive script.

Liz Stewart

Senior Planner

Appendix A: Davis Ogilvie response to wastewater matters

Appendix B: Davis Ogilvie response to PSI matters

Appendix C: Revised proposed Schedule of Amendments

Appendix A: Davis Ogilvie response to wastewater matters

File No 32571

3 November 2016

Selwyn District Council
P O Box 90
ROLLESTON

Attention: Murray England

Email: murray.england@selwyn.govt.nz

Dear Sir,

TAI TAPU PLAN CHANGE (PC49) – RFI RESPONSE

Please find below our responses to a number of the queries raised in your Request for Information dated 3 October 2016.

Also, please note that the Outline Development Plan included in the Preliminary Services Report is now superseded with the attached Outline Development Plan.

9. *An indication from ECan on the suitability and the ability to gain consent for this development is required to ensure that the stormwater can be appropriately managed onsite*

Infiltration is not intended to be the main discharge method for the site, but any potential infiltration will be taken into account during the detailed design and consenting phase. The main discharge method will be a discharge to the existing drain with suitably designed treatment and attenuation. At this stage we don't believe it is appropriate to be seeking a discharge consent from ECan for the development and we propose that this is tied to the subdivision consent.

10. *Further detail on what assets are to be maintained by Council is required.*

Agreed. No vested assets are proposed (apart from any roading assets and their associated infrastructure). The stormwater management areas are intended to be held and consented privately.

11. *Please contact Council's Asset Manager Water Services to discuss the details of the solutions that have been proposed to address wastewater network capacity issues.*

As discussed there are a couple of options for ensuring off peak pumping, e.g. setting the controls within the individual pump controllers at the time of construction, or alternatively installing an actuated valve at the end of the pressure main to limit the ability of the pumps to run. We propose that these details are confirmed during detailed design with the manufacturer (Ecoflo) at subdivision consent/engineering approval phase.

Please don't hesitate to contact me if you require any further clarifications.

Yours faithfully

DAVIS OGILVIE & PARTNERS LTD

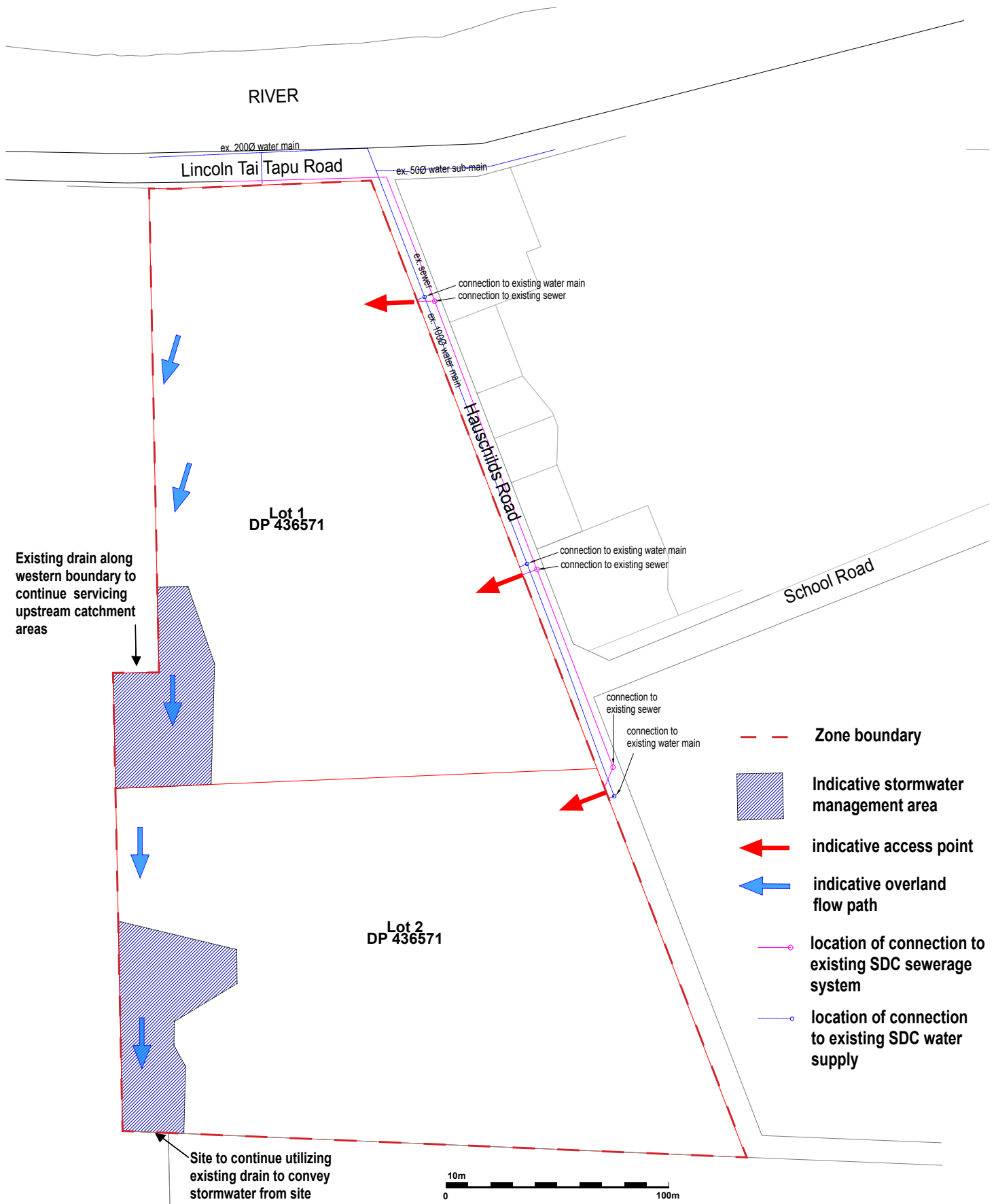


JEREMY REES

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Appendix B: Davis Ogilvie response to PSI matters

File No: 32571

2 November 2016

Selwyn District Council
PO Box 90
ROLLESTON 7643

Attention: Craig Friedel

Dear Craig

**PC160049 CROFT AND WILLIAMS PRIVATE PLAN CHANGE REQUEST - RFI RESPONSE
(PRELIMINARY SITE INVESTIGATION)**

Please find below a response to points 12 through 18 of the RFI dated 3 October 2016.

In general, while two areas of potential concern requiring additional investigation were identified by the Preliminary Site Investigation (PSI), no potential for ground contamination that would present a significant risk to human health was determined for the majority of the site area. The two identified areas of concern can be further investigated and managed (as/if required) as part of application for subdivision consent, and as such it is considered that the PSI conducted provides sufficient information with regards the proposed plan change; i.e. that the site is generally likely to be suitable for residential development.

Specifically:

RFI Number	Response
12 (scale required on Figures)	Agreed. Will be addressed in additional investigation phase report.
13 & 14(Data sources and Site Owner interview)	Site history was established on the basis of interview with the previous site owners and review of historical aerial photographs. On the basis of these two sources it was established that historical use of the site comprised farm paddocks only, and accordingly that review of addition sources of information (e.g. SDC property file and CT) was not necessary. However, for completeness, these sources will be reviewed as part of additional investigation of the site.
15 (hydrogeology)	Addressed in additional investigation phase.
16, 17, 18 (additional investigation scope)	Addressed in additional investigation phase.

If you have any further questions, please do not hesitate to contact the undersigned.

Yours faithfully

DAVIS OGILVIE & PARTNERS LTD



WARREN SHARP

Environmental Scientist

Technical Director / SQEP

Email: warren@do.co.nz

Appendix C: Revised proposed Schedule of Amendments

1.1. Table 2.1: Changes Sought to the SDP in Conjunction with the Proposed Plan Change
(Revised 8 November 2016)

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>Add the following to Rule 4.1.1:</p> <p>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><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></p>
Amendment 4	<p>Amend Reasons for Rules – Natural Hazards, 1st paragraph as follows:</p> <p>Rules 4.1.1, <u>4.1.1(A)</u> 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 <u>4.1.1 and 4.1.1 (A)</u> does not necessarily prevent earthworks and building in the township of Tai Tapu, <u>and the Tai Tapu L3 zone</u> rather, the rule requires a resource consent application for a restricted discretionary activity for <u>activities not complying with specified minimum floor level standards</u> larger scale activities, so the nature and level of any risk of hazard, and any mitigation measures proposed, can be assessed. <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></p>
Amendment 5	<p>After Rule 4.5.1 – Buildings and sewage treatment and disposal add the following:</p> <p><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</u></p>

	<u>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>		
Amendment 6	Amend existing Rule 4.5.3 as follows: Any activity which does not comply with <u>Rule 4.5.1, 4.5.1A</u> or <u>Rule 4.5.2</u> shall be a non-complying activity		
Amendment 7	Amend Rule 5.1.1.7 as follows: All other Living 3 Zone locations <u>except for Living 3 Zone at Tai Tapu identified on the Outline Development Plan in Appendix 48,</u> shall incorporate the treatments identified in the cross sections shown in Appendix 43 <u>4</u>		
Amendment 8	Add after Rule 5.1.1.7 the following: <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>		
Amendment 9	Amend Table C12.1 – Allotment sizes (page C12 – .015) to include the following;		
	Township	Zone	Average Allotment Size not less than
	<u>Tai Tapu</u>	<u>Living 3 (Appendix 48)</u>	<u>The land contained within the Outline Development Plan at Appendix 47 shall be developed with an average allotment size of no less than 5000m² with a minimum allotment size of 2,750m²</u> <u>The maximum number of allotments within the area defined by the Outline Development Plan at Appendix 48 shall be 16</u>
Amendment 10	Amend Clause 12.1.4.81 as follows: 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, or Living 2A		

	<p><u>or Living 3</u> 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"> - Building platforms within each allotment, of sufficient size to accommodate a dwelling and associated curtilage <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>; and - The filling (with inert hardfill) of any low lying area; and - <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> <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><u>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></p>
Amendment 13	<p>Include any consequential amendments and renumbering of provisions as required to give effect to this Plan Change request.</p>

ANNEXURE 2 Outline Development Plan

