



DAVIE LOVELL-SMITH

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17 July 2009

Selwyn District Council
PO Box 90
ROLLESTON 7643

Attention Emma Chapman

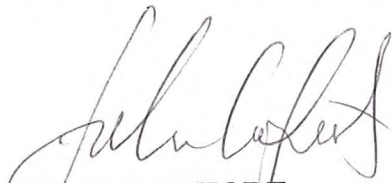
Dear Madam

PROPOSED PLAN CHANGE 6 HEARING – 22 JULY 2009

We are writing on behalf of our client, Mr J Smith, to advise you that Mr Smith will not appear at the above hearing. However, we enclose a written submission that we wish to have presented to hearing panel.

Yours faithfully

DAVIE, LOVELL-SMITH LTD



JULIE COMFORT

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The Commissioner
Selwyn District Council
PO Box 90
ROLLESTON 7643

Dear Sir

SUBMISSION ON BEHALF OF MR J SMITH

We are writing on behalf of Mr Smith in support of his submission to the Proposed Plan Change 6. We wish the Commissioner to consider the following comments.

1. The splitting of this property effectively in half with a zone boundary will reduce the ability to develop and use the property in an efficient and sustainable manner. The size of the property is such that it does not warrant having two zones. The District Plan is silent on how to treat such sites. This creates confusion and uncertainty and leaves the applicability of rules and standards to a site open to interpretation.
2. The landscape assessment prepared by Peter Rough Landscape Architects Ltd notes that this area is more modified, contains smaller holdings and has a higher concentration of buildings and dwellings, than the land to the south of Tai Tapu. Dwellings and buildings are visible from the road in this locality. All these factors indicate that this area is less sensitive to change than the area south of Tai Tapu. On this basis, we do not consider that Mr Smith's request to shift the zone boundary back to the 60m contour, or to the property boundary will compromise the identified Outstanding Natural Landscape of the Port Hills in any manner.
3. We have become aware since the closure of submissions of the variability of the 'line' chosen to form the boundary between the Rural Inner Plains and Rural Port Hills Zones. Attached is a plan provided by the Selwyn District Council for a property to adjacent to Mr Smith's on Old Tai Tapu Road. We have taken the contours from 'TerraView' and dropped over the image. All other information shown is from the Council. As can be seen, the new zone boundary (the green line) does not follow the 20m contour in this area, but the falls somewhere between the 20m and 60m contour line. At the bottom of the picture to the east of the words 'Holmes Rd', the new zone boundary appears to bisect a dwelling, with one half being in the Inner Plains and the other in the Port Hills. It is unclear why the zone boundary does not go around this building as has occurred for buildings and sites to the north. We consider that this has arisen from not examining the positioning of a boundary for each property. Whilst the positioning of zone boundaries is not normally an issue as they typically follow property boundaries, where zones are to split properties then an



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examination where they fall in relation to each property should be undertaken, to avoid similar situations to that shown in the attached picture. We are unaware whether the owner of this property has made a submission. We consider that the Council should carefully examine the position of the boundary in relation to aerial photographs and the activities and buildings located on each site.

On behalf of Mr J Smith, we thank you for time.

Yours faithfully

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