

8 September 2020



Attention: Jocelyn Lewes
Selwyn District Council
PO Box 90
Rolleston 7643

50 Selwyn Lake Road
Irwell RD3
Leeston 7683
jane@jwest.co.nz
021323040

Dear Jocelyn

Hearing Statement by Cochranes of Canterbury Limited – Private Plan Change 62 to Rezone Land at Leeston for Residential Development

We write to confirm that Cochranes of Canterbury Limited (Cochranes) will not be attending the hearing commencing 15 September 2020 on the private plan change request PC62 by D Marshall, L Martin and A Formosa, M & T Saunders, B Hammett and J & S Howson to rezone land in the Selwyn District Plan (SDP) at Leeston for residential development. Instead, Cochranes requests that this hearing statement is tabled at the hearing in support of Cochranes' submission and further submission.

1. Cochranes is a tractor and farm machinery sales and repair business that was established in 1951 on the site at 125 and 125A High Street, Leeston. Please refer to Attachment A for a plan of the site within its existing surroundings.
2. As set out in its submission and further submission Cochranes is generally supportive of PC62. There are two amendments to PC62 that are requested to better reflect the historical use of the land used by Cochranes for over 50 years and protect that use into the future.
3. The first amendment is set out in the submission dated 12 February 2020. It requests that the 5,343 m² portion of land contained in Lot 2 DP533466 (shown in Attachment B) and covered by the proposed Living 1 zone in PC62 be changed to a Business 1 zone, which reflects the historical use of that portion of land as a farm equipment storage area by Cochranes.
4. The Selwyn District Council (SDC) planner has addressed this submission in the report prepared under section 42A of the Resource Management Act 1991 (RMA). The reporting planner acknowledges the recent boundary adjustment subdivision completed by Cochranes (RC185563) which also aligns with the request by Cochranes to rezone the 5,343 m² portion of land Business 1¹.
5. The reporting planner considers that although the change requested by Cochranes better reflects the existing use of the land, there may not be jurisdiction for this change

¹ SDC PC190062, s42A report, paragraph 7.18 and 7.19.

to be made due to the scope of PC62². The reporting officer concludes that although there may be a strong argument for the change in zone based on good planning practice, that neighbouring properties that may be affected could not reasonably have expected that outcome on reading PC62, and may therefore have been denied the opportunity to participate³.

6. While Cochranes accepts that the Business 1 zoning requested was not part of PC62 as notified, they consider that given the long history and use of the site there is very little potential that any party would consider themselves affected by requested zoning that reflects the activity that has taken place on the site for over 50 years.
7. The second amendment is set out in the further submission by Cochranes. It requests that a buffer area, to be mounded, fenced and planted appropriately, be imposed surrounding the allotments where Cochranes operates in order to minimise the potential for reverse sensitivity effects of future surrounding residential development (as shown in Attachment C).
8. The section 42A report addresses this further submission and considers that a similar issue exists at the rural-urban edge⁴. The reporting planner discusses the applicants proposal that to address any potential reverse sensitivity effects associated with residential development adjoining the existing business activity at 125 and 125A High Street, a rule (Rule 4.2.5) be inserted into the SDP requiring a 2 m wide landscape strip where residential allotments adjoin the Business 1 zone⁵.
9. Although the rule requiring a 2 m wide landscape strip may provide some visual screening, it does not require any acoustic treatment to take place. To date Cochranes have not experienced complaints by existing neighbouring residents regarding the activities at the site, however this is a long-established area of Leeston where any visual or acoustic effects are also long-established and expected in this area. New residential housing in a newly established development has greater potential to create reverse sensitivity effects on business operations such as Cochranes. As such, Cochranes request that the proposed rule is amended to either:
 - a) require acoustic treatment within the buffer area, such as a close-boarded acoustic fence of appropriate height to meet the Living Zone noise standards in the SDP, or
 - b) require the buffer area to be increased to 5 – 10 m wide to allow for a variety of visual and acoustic treatment such as a combination of earth mounding, fencing, and planting, to meet Living Zone noise standards in the SDP.
10. Cochranes consider that (b) above provides the higher amenity solution. Preferred suggested wording for Rule 4.2.5 is provided as follows:

² SDC PC190062, s42A report, paragraph 7.23 and 7.24.

³ SDC PC190062, s42A report, paragraph 7.26.

⁴ SDC PC190062, s42A report, paragraph 7.12.

⁵ SDC PC190062, s42A report, paragraph 7.15.

Rule 4.2.5

Where the Living 1 zone adjoins the Business 1 zone as identified on the Leeston Outline Development Plan in Appendix XX, any dwelling or other principal building shall be permitted where a buffer area of not less than 5 m wide is provided along any boundaries which adjoin Lot 2 DP 533466 or the Business 1 zone. The buffer area shall include planting of at least one tree per 3 m, earth mounding and/or fencing sufficient to meet the Living Zone noise standards under Rule 10.6.1.

Cochranes appreciates the opportunity to present this statement. A copy of this statement has also been served on the applicant, c/- Baseline Group, 54 Manchester Street, Christchurch 8011.

Should you require clarification on any of the matters raised in this hearing statement, please contact me on 021 323 040 or via email jane@jwest.co.nz.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Jane West', written in a cursive style.

Jane West

Director

Attachment A – 125 and 125A, High Street, Leeston

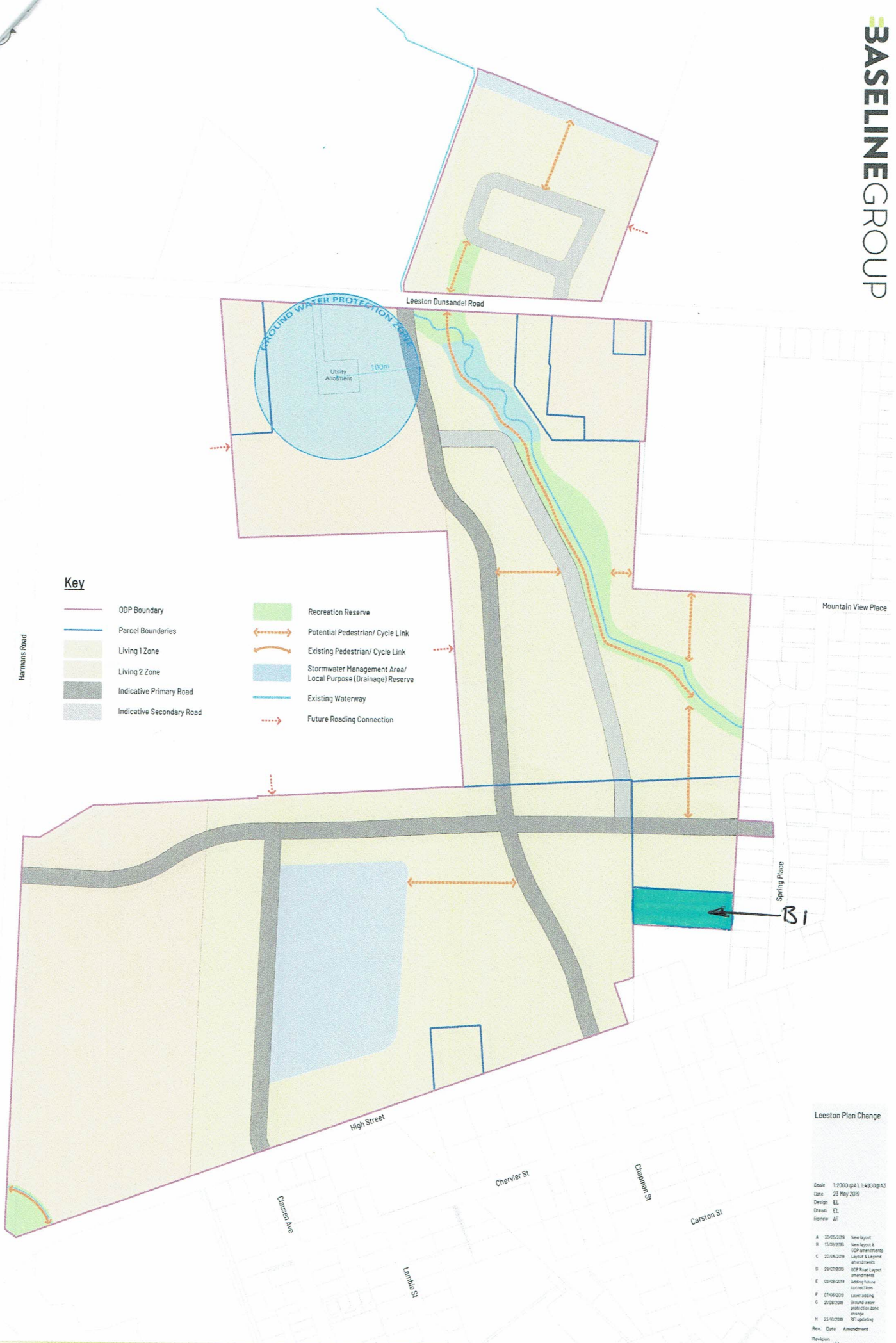


Attachment B – Business 1 Zone

Key

- ODP Boundary
- Parcel Boundaries
- Living 1 Zone
- Living 2 Zone
- Indicative Primary Road
- Indicative Secondary Road

- Recreation Reserve
- Potential Pedestrian/ Cycle Link
- Existing Pedestrian/ Cycle Link
- Stormwater Management Area/ Local Purpose (Drainage) Reserve
- Existing Waterway
- Future Rooding Connection



Leeston Plan Change

Scale: 1:2000 (A1, 1:4000 @ A3)
 Date: 23 May 2019
 Design: EL
 Drawn: EL
 Review: AT

A	10/05/2019	new layout
B	10/05/2019	new layout & ODP amendments
C	10/05/2019	Layout & Legend amendments
D	28/07/2019	ODP Road Layout amendments
E	12/08/2019	adding future connections
F	07/08/2019	Lower zoning
G	24/08/2019	Groundwater protection zone change
H	25/10/2019	R11 updating

Rev. Date Amendment
 Revision H

Sheet 1

- Key**
- ODP Boundary
 - Parcel Boundaries
 - Living 1 Zone
 - Living 2 Zone
 - Indicative Primary Road
 - Indicative Secondary Road
 - - - - - Future Roading Connection

Harmans Road

Leeston Dunsandel Road

Utility Allotment

Mountain View Place

Spring Place

B1

High Street

Glaucus Ave

Chervier St

Chervier St

Carsten St

Lunnie St

Feredays Road

Leeston Plan Change

Scale	1:2000 @A1, 1:4000 @A3
Date	23 May 2019
Design	EL
Drawn	EL
Review	AT
A	30/05/2019 New layout
B	13/06/2019 New layout & ODP amendments
C	20/08/2019 Layout & Legend amendments
D	29/01/2019 ODP Road Layout amendments
E	02/09/2019 Indicative future connections
F	02/09/2019 Layer adding
G	21/08/2019 Ground water protection zone change
H	12/02/2019 MFL updating

Rev	Date	Amendment
Revised	H	
Sheet	2	

Attachment C – Buffer Area



Key

- ODP Boundary
- Parcel Boundaries
- Living 1 Zone
- Living 2 Zone
- Indicative Primary Road
- Indicative Secondary Road

- Recreation Reserve
- Potential Pedestrian/ Cycle Link
- Existing Pedestrian/ Cycle Link
- Stormwater Management Area/ Local Purpose (Drainage) Reserve
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Leeston Plan Change

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Rev.	Date	Amendment
A	30/05/2019	New layout
B	15/06/2019	ODP amendments
C	20/06/2019	Layout & Legend amendments
D	28/07/2019	ODP Road Layout amendments
E	02/08/2019	Adding future connections
F	07/08/2019	Lower adding
G	29/08/2019	Groundwater protection zone change
H	23/07/2020	RTT updating
Rev.	Date	Amendment
Revision		H

Sheet 1