

**IN THE MATTER OF**  
The Resource Management Act  
1991

**AND**

**IN THE MATTER OF**  
Proposed Plan Change 62 to the  
Selwyn District Plan

**FURTHER JOINT STATEMENT**

**of the**

**HARTS CREEK STREAMCARE GROUP**

**and**

**ELLESMERE SUSTAINABLE AGRICULTURE INCORPORATED**

6 October 2020

## 1. INTRODUCTION

- 1.1 This joint statement is provided as a response to the *‘Evidence in Reply’* of Michael Benjamin Carvalho Vincent lodged on behalf of the applicants in respect to Proposed Plan Change 62 (hereafter referred to as ‘PPC62’) to the Selwyn District Plan (hereafter referred to as ‘SDP’) by the Harts Creek Streamcare Group and Ellesmere Sustainable Agriculture Incorporated (hereafter referred to as ‘the submitters’). The submitters recognise and appreciate the opportunity to provide further commentary regarding the *‘Evidence in Reply’*.
- 1.2 The submitters have read both the *‘Evidence in Reply’* and the *‘Legal Submissions in Reply’* documentation, along with Minutes 3 and 4 of the Hearing Commissioner. The submitters would like to express that this further statement does not change their requested recommendations specified in paragraph 8.1 of their original joint statement dated 7 September 2020. The following provides a consideration of the matters relevant to the *‘Evidence in Reply’*.

## 2. DEVELOPMENT CAPACITY

- 2.1 The submitters recognise that there are differing opinions on the calculation of development capacity provided on behalf of the applicants and as documented in the *‘Ellesmere Area Plan’*. Regardless of the differences in the overall number of potentially available allotments that currently exist and their uptake, the submitters remain concerned specifically with any potential adverse environmental effects on surface water and groundwater quality and quantity down gradient and downstream of Leeston Township; in particular the further degradation that any additional urban development at any level may have on such systems. What is of concern is the ‘environmental capacity’ to cope with degradation caused by any further urban development. From the information provided to Environment Canterbury as part of the Selwyn District Council’s application for a global stormwater discharge consent (CRC186175) it would appear currently that even the existing urban development levels of the township are causing significant adverse effects on the environment downstream of the township’s existing wetland developments and stormwater retention ponds.
- 2.2 It has been highlighted by Environment Canterbury in a recent article in *‘The Press’*<sup>1</sup> the impact urban development is having on water quality:
- ‘Environment Canterbury (ECan) chief scientist Tim Davie said there was a strong link between intensive land use and poor water quality. “The most intensive land use, with the greatest modification from natural, is in the urban areas and this is where we consistently see the worst water quality”’.*
- 2.3 The submitters reiterate that regardless of any amendments in calculations of the development capacity of Leeston, there still remain significant concerns over the lack of a current global stormwater discharge consent for Leeston, existing adverse stormwater

---

<sup>1</sup> *‘Data Shows ‘mixed bag’ for river water quality’* by Michael Hayward, page 3, Tuesday, September 29, 2020 edition

discharge effects, the potential for the PPC62 area to have both primary and secondary runoff to Birdlings Brook, and the potential to allow even more urban development in the township via approval of this plan change. The submitters consider it would be entirely inappropriate to approve further development areas at this time given the current situation and potentially degrade the water quality and quantity further i.e. elevated flood water flows in Birdlings Brook and exceeded water quality standards emanating immediately downstream of the historical and more recently developed urban areas. For the submitters there is little value in undertaking significant investment in riparian management, such as fencing and planting, in the rural area if flood hazard events and degraded water quality are to be further propagated from Leeston Township. There is a need to consider these matters at the zoning proposal stage in order to satisfy the assessment of potential adverse environmental effects. The submitters reiterate that significant matters of flooding and stormwater runoff effects are key determining factors specified in the *Ellesmere Development Plan*.

- 2.4 It is drawn by the applicants' representatives that the recalculation of the development capacity will assist in illustrating that there is a current lack of allotments to meet the demand in Leeston. Therefore by association the proposed form<sup>2</sup>, along with other aspects, of the PPC62 area is considered necessary by the applicants in order to meet this demand. With respect, the submitters disagree with this view and consider that the proposal still remains contrary to several objectives and policies of the SDP. The Operative SDP states clearly in its directives regarding the policies for Residential and Business Development:

*'RESIDENTIAL AND BUSINESS DEVELOPMENT — TOWN FORM POLICIES*

*Policies B4.3.1 to B4.3.10 of this section apply to rezoning of land for residential or business development in addition to the general policies in, Part B, Sections 1.1 to 4.2 and 4.4. Any variation or plan change request **should be consistent with each and every relevant policy in these two parts of the Plan or seek to change those policies with which it is not consistent.***<sup>3</sup>

- 2.5 The proposed re-zoning application only sought to delete Policy B4.3.55 which relates to ensuring that land that is zoned for residential development but is presently subject to surface flooding is not developed for its zoned purpose until provision is made for the amelioration of that constraint. Regardless of any recalculated potential allotment numbers that the township may currently provide, the proposal still remains in the submitters view contrary to several objectives and policies of the plan of which only one has been proposed to be deleted in the application.

### 3. CONCLUSION

- 3.1 In conclusion, the submitters remain of the views reached in paragraphs 7.1 and 7.2 of their Joint Statement dated 7 September 2020.

---

<sup>2</sup> As relevant in Policy B4.3.3 specifically.

<sup>3</sup> Bold is submitters' emphasis.