

## Private Plan Change Request

### Leeston Dunsandel Road, Harmans Road and High Street, Leeston



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#### CLIENT

Holly Farm

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#### ADDRESS



Leeston Dunsandel Road,  
Harmans Road and High Street,  
Leeston

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#### REFERENCE

6129

# Report Information

Reference:	6129
Title:	Private Plan Change Request
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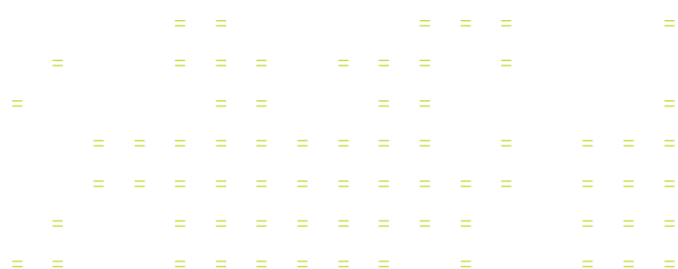
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## REQUEST TO CHANGE THE SELWYN DISTRICT PLAN UNDER CLAUSE 21 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991

**Request by:** D Marshall, L Martin & A Formosa, M & T Saunders, B Hammett and J & S Howson  
C/- Baseline Group CLS Limited  
PO Box 8177, Riccarton, Christchurch, 8440  
Attn: Adrienne Tisch

**To:** Selwyn District Council  
**Involving the:** Selwyn District Plan

**Site Address:** Leeston Dunsandel Road, Harmans Road and High Street, Leeston.

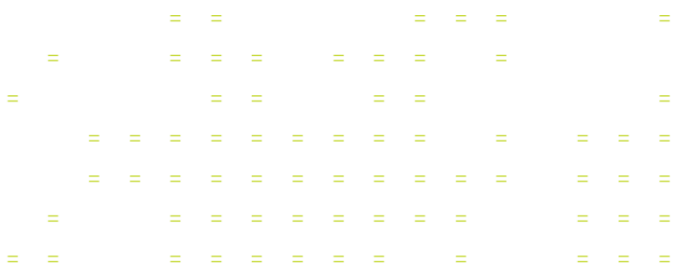
### The landowners and allotments to which the request relates:

Owner(s)	Address	Legal Description	Record of Title	Land Area (ha)
L Martin & A Formosa	85 Leeston Dunsandel Road	Lot 1 DP 9138	CB418/133	0.8093
D Marshall	Leeston Dunsandel Road	Lot 3 DP 82846	CB47D/695	20.00
J & S Howson	60 Leeston Dunsandel Road	Lot 2 DP 365379	264986	5.4440
B Hammett	45 Leeston Dunsandel Road	Lot 4 DP 82846	CB47D/696	0.6011
S Farrant	33-35 Leeston Dunsandel Road	Lot 2 DP 421172	574790	1.4757
T Anderson	31 Leeston Dunsandel Road	Lot 1 DP 451172	574789	0.1572
Cochranes of Canterbury	125a High Street	Lot 2 DP 319397	76388	2.23
D Marshall	High Street	Lot 1 DP 82846	CB47D/693	29.5500
M & T Saunders	149 High Street	Pt RSs 5482 & 5483	CB368/10	0.4047
Total				60.672

**The Plan Change Request** seeks to rezone the subject site from Living 1 (deferred) zone, Living 2 (deferred) zone and Outer Plains zone to Living 1 zone and Living 2 zone in accordance with the Outline Development Plan in Appendix 2.

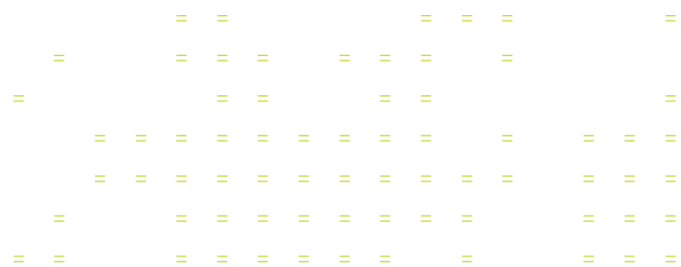
**The Plan Change Request** has been made under section 72(1), section 32, and the First Schedule of the Resource Management Act 1991.

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- Appendix 10: Section 32 Evaluation
- Appendix 11: Assessment of Canterbury Regional Policy Statement Objectives and Policies
- Appendix 13: Assessment of the Land and Water Regional Plan
- Appendix 12: Assessment of the Mahaanui Iwi Management Plan



# 1 Overview

D Marshall, L Martin & A Formosa, M & T Saunders, B Hammett and J & S Howson (“the applicants”) apply for a Private Plan Change Request (“Plan Change”) to the Selwyn District Council (“Council”) pursuant to Section 21 of Schedule 1 of the Resource Management Act 1991 (“the Act”), to rezone approximately 60 ha of land west of Leeston township from Living 1 (deferred), Living 2 (deferred) and Outer Plains to 42 ha of Living 1 and 19 ha to Living 2.

The area subject to the Plan Change is bound by High Street to the south, Harmans Road to the west, Leeston Dunsandel Road to the north and residential activity to the east. A 5.4 ha land parcel lies north of Leeston Dunsandel Road. The land subject to the Plan Change will be referred to as “the site”.

This request has been made under Section 21 of Schedule 1 and has taken into account the matters listed in Section 74 of the Act.

This Plan Change has been made in accordance with Section 22 of Schedule 1 and outlines the purpose of, and reasons for, the Plan Change and an evaluation report prepared in accordance with Section 32 of the Act. Where environmental effects are anticipated as a result of implementing the Plan Change, they have been described in this report.

The Plan Change is considered to be an appropriate method to lift the deferral over the Living 1 (deferred) and Living 2 (deferred), and to rezone the site to enable residential development. It is considered to be consistent with the objectives and policies of the Selwyn District Plan (“the Plan”), Canterbury Regional Policy Statement (“the CRPS”) and Part 2 of the Act.

## 1.1 Description of the Site and Surrounding Area

Leeston township is approximately 40 km south west of Christchurch, and 20 km from Lincoln in the same direction. The township is surrounded by rural land and is approximately 6 km west of the shore of Lake Ellesmere / Te Waihora. Leeston is located between Christchurch and Rakaia and services surrounding towns such as Doyleston and Southbridge.

The site is located west of the existing urban form of Leeston and is bound by Leeston Dunsandel Road to the north, with a small area lying north of this road; Ellesmere College / Te Kāreti o Waihora and residential development to the east; High Street to the south and Harmans Road to the west. The site has an area of 60.622 ha, is held in nine Records of Title and owned by eight parties, as listed previously in this report. The Records of Title are attached as Appendix 1.

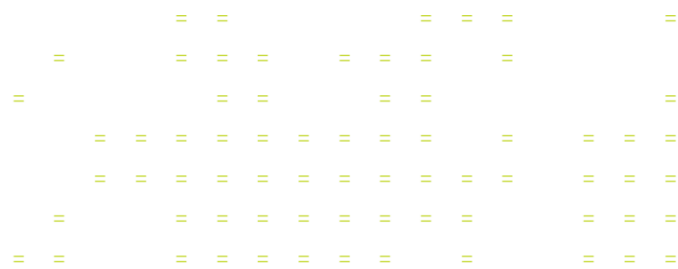
The site is predominately flat, with minor topographic relief. The majority of the site has historically been used for agricultural purposes (grazing and cropping) and rural-residential purposes. The site is held in separate ownership and contains seven dwellings located throughout the site as well as multiple accessory buildings. Ellesmere College / Te Kāreti o Waihora is a co-education secondary school (Year 7 to Year 13) with a student roll of 570 in 2019<sup>1</sup>. It is the only secondary school in Leeston, and services the wider Leeston and Selwyn area. The enrolment zone extends from Rakaia River in the south to the Selwyn River in the north, and inland approximately 10 km north of State Highway 1<sup>2</sup>.

The site adjoins the Living 1 zone west of Market Street, and dwellings accessed via Spring Place and Mountain View Place. An existing vacant allotment on Spring Place will form part of the ODP as a roading connection.

<sup>1</sup> Education Counts. (2019). *Ellesmere College – Student Population*. Accessed 19/06/2019. <https://www.educationcounts.govt.nz/find-school/school/population/year?district=62&region=13&school=349>

<sup>2</sup> Te Kete Iputangi. *Ministry of Education’s School Finder Service*. Accessed 19/06/2019. <https://nzschools.tki.org.nz/>

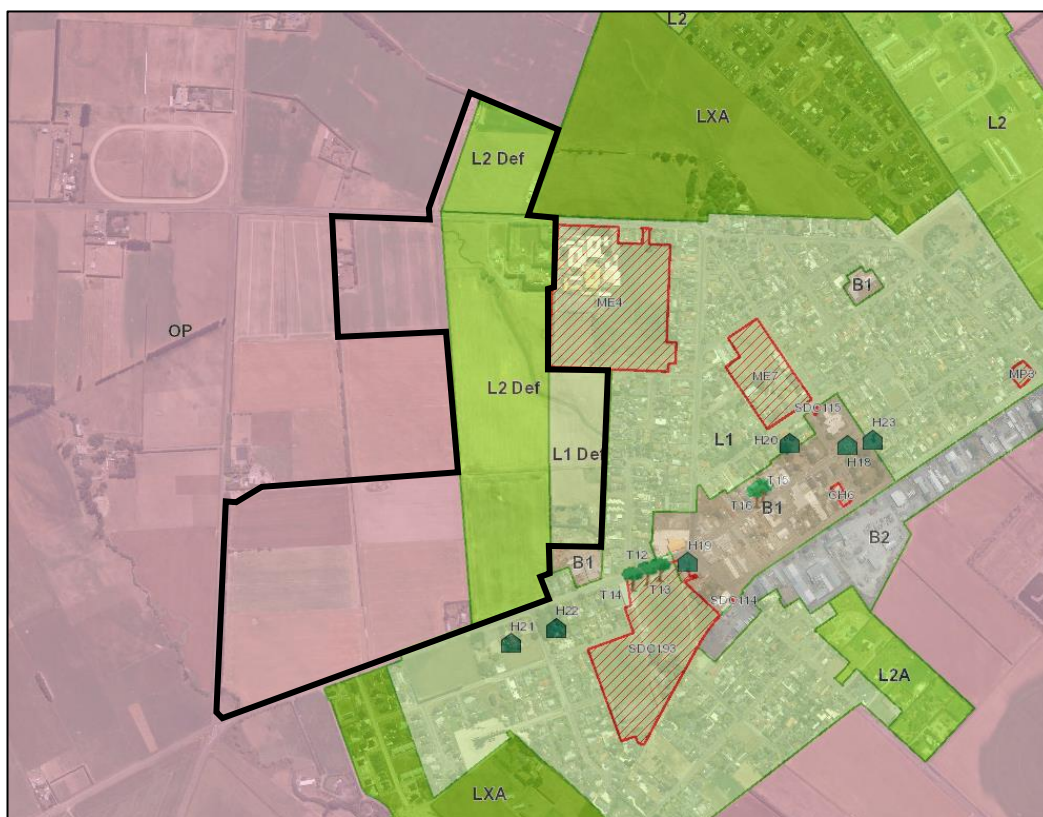




Leeston Creek runs northwest to southeast from Killinchy, through the site and between the Spring Place and Mountain View Place cul-de-sac heads. It then runs through the Market Street culvert to High Street. Leeston Creek often floods upstream of the Market Street Culvert in high rainfall and flood events as the Market Street culvert is undersized for the flows in these events<sup>3</sup>. This is the main reason for deferring development on the Living 1 and Living 2 zones.

Birdlings Brook is a stream that runs from Killinchy to Waitatari / Harts Creek and then into Te Waihora / Lake Ellesmere. Birdlings Brook runs through the southwest corner of the site near the intersection of High Street and Harmans Road. A public walkway “Marshall’s on Birdlings Brook” and associated planting has been provided along the banks of Birdlings Brook within the site. The walkway connects Harmans Road and High Street.

The site is shown in Figure 1, below.

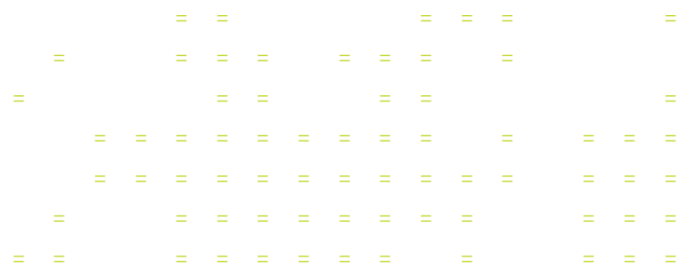


**Figure 1: Site and Surrounds, with the site identified with a black outline**

Leeston Dunsandel Road runs from Dunsandel township to Leeston township and turns into Market Street at the intersection of Leeston Dunsandel Road and Pound Road. Leeston Dunsandel Road is classified as an Arterial road under the Plan from Irvines Street (in Dunsandel) to Market Street (in Leeston). The eastbound speed limit reduces from 100 km/hr to 50 km/hr at the north west corner of 33 Leeston Dunsandel Road, approximately 100 m west of a vehicle entrance to Ellesmere College / Te Kāreti o Waihora. A traffic calming measure is located where the speed limit changes.

Harmans Road runs from Caldwell’s Road, northeast of Doyleston, to the southwest corner of the site and terminates at the intersection of Harmans Road, Feredays Road and High Street. Harmans Road is classified as a local road in the Plan and has a speed limit of 100 km/hr where it adjoins the site.

<sup>3</sup> Selwyn District Plan Township Volume. (2016). *Policy B4.3.54 Explanation and Reasons*.



Leeston Road turns into High Street at the 'T' intersection with Manse Road. High Street runs through the centre of Leeston township and along the commercial and retail strip and changes to Feredays Road at the intersection of Harmans Road, Feredays Road and Southbridge Leeston Road. High Street has a speed limit of 50 km/hr through Leeston township and increases to 100 km/hr approximately 130 m west of the intersection of High Street and Clausen Avenue.

The original intention of the Plan Change was to include Lot 2 DP 82846 (56 Harmans Road), however this allotment is no longer included in the Plan Change. The current owner of this allotment has been invited to participate in the Plan Change, as including this allotment is seen as best practise for re-zoning. However, they do not wish to participate in the Plan Change. Likewise, the owners of Lot 2 DP 451172 (33-35 Leeston Dunsandel Road) and Lot 2 DP 319397 (125A High Street) were invited to participate but did not wish to be included in the Plan Change. It is noted the owner of Lot 1 DP 451172 (31 Leeston Dunsandel Road) has not been consulted as part of this Plan Change process. A number of technical reports were completed when 56 Harmans Road was included in the Plan Change, and these reports have been unaltered where the removal of this allotment makes no material difference to the overall assessments as they relate to the remainder of the site.

The Plan Change seeks to lift the deferral on Lot 1 DP 451172 (31 Leeston Dunsandel Road), Lot 2 DP 451172 (33 - 35 Leeston Dunsandel Road) and Lot 2 DP 319397 (125a High Street) but does not seek to rezone the land. Leaving the deferral on this land is not seen to be appropriate in this case and instead, it is considered to be more appropriate to lift the deferral and retain the zoning.

## 1.2 Purpose of the Private Plan Change Request

The purpose of this Private Plan Change Request is to lift the existing deferral on the Living 1 (deferred) and Living 2 (deferred) zones on the western edge of Leeston, and rezone approximately 60 ha of land from the current zoning of Living 1 (deferred), Living 2 (deferred) and Outer Plains, to Living 1 and Living 2 zones.

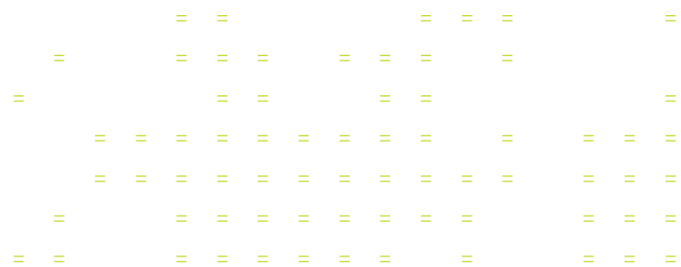
The Plan Change site is made up of 5.3 ha of Living 1 (deferred); 22.8 ha of Living 2 (deferred); and 31.2 ha of Outer Plains zoned land. The following changes are proposed:

- Lift the deferral on 5.3 ha of Living 1 (deferred) to be Living 1;
- Lift the deferral on 1.6 ha of Living 2 (deferred) to be Living 2;
- Rezone 22.8 ha of Living 2 (deferred) to be Living 1;
- Rezone 13.9 ha of Outer Plains to Living 1; and
- Rezone 17.3 ha of Outer Plains to Living 2.

The Plan Change seeks to amend the Plan and insert an Outline Development Plan ("ODP") with site specific requirements to facilitate the future development of approximately 410 allotments, made up of 380 Living 1 and 30 Living 2 zoned allotments. The ODP is attached to this application as Appendix 2. The Plan Change seeks to use the existing Living 1 and Living 2 density requirements, being 650 m<sup>2</sup> for Living 1 and 5,000 m<sup>2</sup> for Living 2 in Leeston.

Uplifting the deferral and rezoning the application site is considered to reflect a sustainable and efficient use of the site for the growth of future generations and to provide additional housing opportunities within Leeston Township. The ODP will provide guidance and requirements to implement the Leeston North Stormwater Bypass and stormwater management to ensure development of the site does not increase the existing stormwater issues in Leeston.





### 1.3 Reason for the Private Plan Change Request

#### Growth

Selwyn District was the fastest growing district in New Zealand until 2018<sup>4</sup>. Council's 2031 – District Development Strategy, predicts growth in Leeston to increase by 49% by the year 2031. By 2031, Leeston will have a population of 3,402 and require the number of households to increase from 813 to 1,215. The Ellesmere Area Plan has calculated the area of undeveloped residential zoned land can accommodate a further 953 residential allotments, and no new greenfield areas need to be re-zoned by Council to accommodate the projected growth. The Ellesmere Area Plan does however note areas suitable for rezoning and greenfield development.

Nevertheless, the Plan Change is seen as providing land for development for future generations beyond 2031. The Plan Change will require any future development to be in general accordance with the ODP and implement stormwater management prior to any development of the site, reducing the risk of ad-hoc development and ensuring stormwater is appropriately managed.

Leeston has been identified as being an important service township, key activity centre and a projected growth area in the Ellesmere Area Plan. The development of the Plan Change site will encourage development, financial investment, employment during construction and additional residents and rate payers to Leeston. The Living 1 (deferred) and Living 2 (deferred) zone has been identified by the Council as part of the preferred and potential growth options for Leeston (once stormwater issues are resolved). The Outer Plains zoned area of the site is identified for possible future development in the Ellesmere Area Plan.

#### Urban Form

Rezoning the site to Living 1 and Living 2 is seen as a natural progression and extension of the residential zones in the Leeston township and will enable efficient and sustainable residential activities to be established in this area without significant loss of the rural land resource. Extending the Living 1 and Living 2 zones will provide a range of residential living environments in this area, adjacent to the existing residential areas on Spring Place, Mountain View Place and south of High Street.

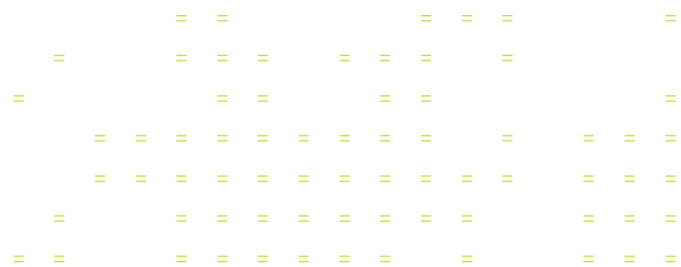
Rezoning the site will assist in providing a compact township form, in an area as that has been shown to be able to be serviced by connections to road infrastructure, potable water, sewage, stormwater, telecommunications and electricity. In addition, the zone's location will enable its residents to take advantage of nearby community facilities, employment opportunities, social interaction, schooling and other public services.

#### Case Law

The Environment Court Case *Operation Homer Ltd v Selwyn District Council* [C100/2007] concluded that significantly out-of-zone development should be subject to a rezoning proposal rather than a non-complying resource consent. Therefore, the Plan Change is considered to be more appropriate than a significant non-complying subdivision.

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<sup>4</sup> Selwyn District Council, *Selwyn's Potential Growth Path up to 2048*, accessed 19/06/2019, <https://www.selwyn.govt.nz/property-and-building/planning/population>



## 2 Key Features of the Plan Change

### 2.1 Density

It is proposed to change the zoning of the site from the current Living 1 (deferred), Living 2 (deferred) and Outer Plains to Living 1 and Living 2, creating average densities of 650 m<sup>2</sup> in the proposed Living 1 zone and 5,000 m<sup>2</sup> in the proposed Living 2 zone. The ODP includes specific guidance in terms of transport, reserves and stormwater networks. If implemented, the site could accommodate approximately 410 allotments, comprised of 380 Living 1 allotments and 30 Living 2 allotments.

The proposed re-zoning will align with the existing Living 1 and Living XA zones opposite the site, south of High Street. The alignment of the living zones on High Street will provide a more defined entrance and exit to the Leeston township when traveling along High Street.

### 2.2 Outline Development Plan

The ODP is an essential component of the Plan Change and has been prepared to provide guidance for the future development of the site. The ODP is attached in Appendix 2 and consists of five plans and associated text. The five plans show indicative transport, landuse, reserve and stormwater networks as well an overall plan.

The ODP also shows an indicative roading layout and reserve locations to guide any future development of the site. The final design of the development including the precise layout of the lots will be determined at the time of subdivision. However, any future subdivision of the site is required to be generally in accordance with the ODP.

The ODP will require the section of Leeston Creek that runs through the site to be vested to Council as reserve, providing a high level of amenity for residents.

The ODP indicates levels of service provided by the various roads and access ways, the proposed zoning for the entire area, existing features of importance and matters such as relevant servicing infrastructure, stormwater treatment areas and pedestrian ways and cycle ways.

### 2.3 Reserves

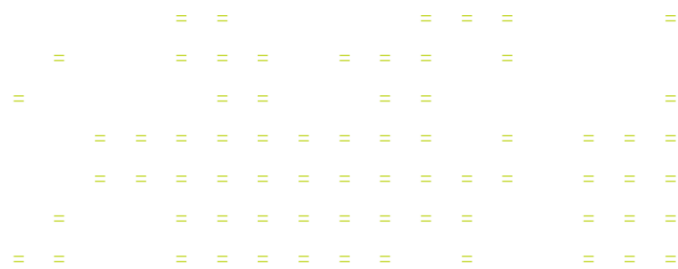
Several recreation and local purpose reserves are proposed as part of the Plan Change and outlined on the ODP.

#### Local Purpose Reserves

Three local purpose reserves are proposed for the purpose of stormwater management. A 20 m wide strip in the northern most section of the site is required for the Leeston North Stormwater Bypass. It will provide a connection for the Leeston Creek to flow through the site and to the adjoining land to the east of the site, known as the 'Martin' block, in accordance with Council's plan for the Leeston Stormwater Bypass. A pedestrian / cycle link will be required connecting the stormwater management area and the secondary road.

Another local purpose reserve for stormwater management is proposed within Leeston Creek. This area could be utilised for stormwater attenuation and retention, slowly releasing stormwater from this management area to Leeston Creek. Calculations and the design of the stormwater management area can be undertaken at subdivision stage.

The main stormwater management area is located in the south west quadrant of the site. It is intended this management area will accommodate most of the site south of Leeston Dunsandel Road and southwest of Leeston Creek. It will provide storage for stormwater before being discharged into the reticulated network on High Street. The design of the stormwater management area will be developed at the time of subdivision.



## Recreation Reserves

Three recreation reserves are proposed as part of the Plan Change and are shown on the ODP. The first recreation reserve will provide a wide pedestrian / cycle link between the northern area of the site to Leeston Dunsandel Road. This connection will align with the pedestrian / cycle link following Leeston Creek.

The second recreation reserve will follow the length of Leeston Creek inside the site and both sides of the Creek. A central play area will be provided, and a pedestrian / cycle pathway will follow the length of the Creek. Pedestrian / cycle links will also be provided from Leeston Creek reserve to the rest of the site – to Ellesmere College, primary and secondary roads and the northern section of the site. The secondary road will adjoin the reserve to provide passive surveillance and a sense of openness.

The third recreation reserve will be located in the southwest corner of the site, at the corner of High Street, Harmans Road and Southbridge Leeston Road intersection. Birdlings Brook runs through this section of the site and a public walkway (on private land) has been created 'Marshall's on Birdlings Brook'. The reserve is seen as an efficient way to protect the public walkway, while providing opportunities to enhance this southwest section as a recreation reserve.

## 2.4 Stormwater

The ODP outlines blue networks for stormwater management. A section along the northern boundary of Lot 2 DP 365379 (60 Leeston-Dunsandel Road) will be set aside for stormwater management required for the Leeston North Stormwater Bypass. This area will connect with the 'Martin' block and will divert stormwater from Leeston Creek, around Leeston, rather than through Leeston.

Should the bypass not be constructed prior to the site being developed, a minimum floor level rule is proposed and outlined in section 3. The proposed rule will ensure any new dwellings will be protected from flood events, should any new dwellings be constructed prior to the stormwater bypass being constructed.

A stormwater basin will be required for the stormwater from new residential development, an area for this has been shown on the ODP as being in the naturally low-lying area of the site. Additional stormwater management adjacent to Leeston Creek has been indicated i.e. stormwater ponds. Specific calculations will be required at the time of subdivision to ensure the flow of the Leeston Creek will be less than pre-development rates.

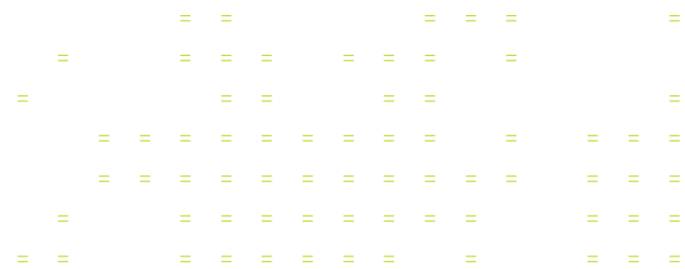
It is noted the Plan Change Request covers three allotments (125A High Street, 31 and 33-35 Leeston Dunsandel Road) which are not party to the request, but it is proposed to lift the current deferral from these allotments. These allotments do not contain any specific characteristics which would preclude stormwater quality and quantity being managed appropriately at the time of subdivision. These allotments are also subject to the requirements of the ODP, requiring stormwater to be appropriately managed and discharged. At the time of development, stormwater from the allotments could be discharged into the existing network (via Spring Place or Leeston Dunsandel Road), or the stormwater management areas within the site.

## 2.5 Urban Design

The New Zealand Urban Design Protocol (2005) identifies seven essential design qualities that can act as guiding considerations in the structure planning process. These are referred to as the seven Cs and are assessed as follows.

**Context** – seeing buildings, places and spaces as part of whole towns and cities

The ODP shows the development in west Leeston can be a coherent, natural extension of the township. Development within the ODP area can provide for allotments sufficient in size and orientation to be recognised as



an appropriate neighbourhood within Leeston. The reserves and cycle / pedestrian links will provide connections throughout the site and to the existing township.

### Character - reflecting and enhancing the distinctive character, heritage and identity of our urban environment

While a portion of the site is outside of the existing township urban boundaries, as defined in the Ellesmere Area Plan, the Plan Change provides Living 1 and Living 2 densities to continue the urban form of Leeston. The low density component of the plan change area (proposed Living 2 zone) will create its own distinctive character through the establishment of open sites with extensive space for gardens and landscaping. The proposed Living 1 zone could provide generous residential allotments which complement the existing form and character of Leeston.

### Choice - ensuring diversity and choice for people

The ODP provides for greater housing choice within Leeston township whereby sections of both Living 1 and 2 zones will be available for uptake west of the existing township. There will be good access to open spaces for all future residents provided by the reserve areas shown on the ODP and ample road and pedestrian access to these spaces. The green network provides an abundance of amenity and utility for residents to use and enjoy. The plan change will avoid future development occurring on an ad-hoc basis without the certainty of infrastructure and a confirmed growth pattern for the township.

### Connections - enhancing how different networks link together for people

Roading connections are indicated on the ODP as being from Leeston Dunsandel Road, Spring Place, High Street and Harmans Road. These roading links, particularly with Spring Place, will provide connection through to the existing roading network and the township centre. The pedestrian and cycle links will provide connections to the reserves, roading network, and Ellesmere College / Te Kāreti o Waihora. Future roading connections will be required through the ODP, providing connectivity for future development adjoining the site.

### Creativity - encouraging innovative and imaginative solutions

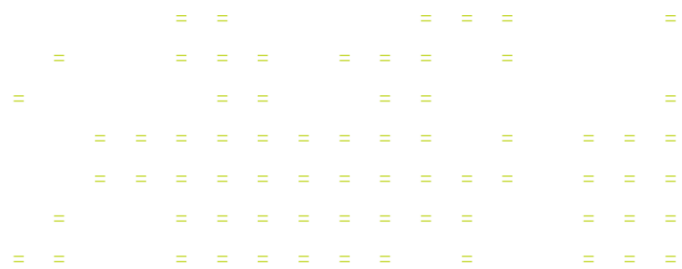
It is anticipated the future landowners will express their creativity through their individual requirements of house design. The plan change does not seek to limit such creativity beyond the existing provisions within the Plan.

### Custodianship - ensuring design is environmentally sustainable, safe and healthy

Implementation of the plan change will enhance the built environment by integrating with the existing pattern of development along High Street and adjoining Spring Place, whilst providing enhanced amenity through the natural features of the site including Leeston Creek, Birdlings Brook and connections to the township. The ODP will provide stormwater management guidance to ensure any future development does not exacerbate the flooding issues in Leeston.

### Collaboration - communicating and sharing knowledge across sectors, professions and with communities.

This Plan Change has been prepared based on the applicant's knowledge of the site and discussions with Council.



Wider consultation has not been undertaken as the site is anticipated for residential development through the Living 1 (deferred) and Living 2 (deferred) zones. The Outer Plains area has been noted in the Ellesmere Area Plan for potential future development.

## 2.6 Transport

A Transport Assessment, and additional comments and assessment have been prepared by Carriageway Consulting and are attached in Appendix 3. The Transport Assessment discusses the existing roading network; the potential increase in vehicle movements; and future compliance with the relevant transport rules of the Plan. It concludes the additional traffic and vehicle movements can be accommodated by the existing roading network and no upgrades are required to accommodate these. The additional comments and assessment relate to the increase in traffic volumes affecting the capacity of the High Street / Market Street intersection, if the plan change was implemented. It concludes the High Street / Market Street intersection will continue to operate with a good level of service with the additional vehicles as a result of the plan change, based on traffic survey data. The intersection fits within a Level of Service category C during the peak hour. The Traffic Assessment concludes a Level of Service C is not unreasonable for an urban intersection during the peak hours.

Two roading connections are proposed onto High Street. The first forming an intersection with High Street and Chapman Street and providing a spine that runs directly through the site to Leeston Dunsandel Road. The second access is proposed to form an intersection with High Street and Clausen Avenue. These indicative roads will provide north to south primary routes through the site.

An additional primary route will run east to west from Harmans Road to Spring Place. Secondary roads will provide connection between the north to south road and the east to west road and enable access to the land parcel north of Leeston Dunsandel Road. The secondary road connecting the north /south and west/east roads has been shown on the ODP as fully within the allotments party to the Plan Change, to strengthen the transport network and future-proof connections. The additional transport assessment concludes the High Street / Plan Change road intersection will function at a Level of Service Category A in the morning and evening peak hours.

Four future roading connections have been shown on the ODP to provide access to adjoining land not part of the Plan Change. Three connections to 56 Harmans Road along the property's southern and eastern boundaries. A fourth future connection is indicated to provide a link to the land zoned Living XA and known as the 'Martin' block north of Leeston Dunsandel Road.

Pedestrian and cycle links will provide access and linkages within the site, to Ellesmere College/ Te Kāreti o Waihora and to the town centre.

The Transport Assessment notes the speed limit is 100 km/hr along Harmans Road, part of Leeston–Dunsandel Road and High Street. The common trigger to reduce speed limits is development. Therefore, when development occurs the speed limit on Leeston–Dunsandel Road and High Street could be reduced to 50 km/hr west of Harmans Road. It is noted this is not a matter that can form part of the Plan Change and is not administered by the Act.

Overall, subject to the 100 km/hr speed limits being reduced (which could be achieved at subdivision stage), it is highly likely the Plan Change can be supported from a transportation perspective.

## 2.7 Services

A Servicing Report has been prepared by Baseline Group and is attached as Appendix 4. The Servicing Report identifies options for potable water supply, wastewater disposal, stormwater management, and confirmation of adequate telecommunications and power connections. The report concludes the site can be appropriately serviced by way of extending the existing service connections.

The Ellesmere Treatment Plant and reticulated wastewater services Leeston township. The site can be serviced by connections to the reticulated wastewater either by a gravity network to a central pump station or low pressure systems on-site. Either options would sufficiently accommodate wastewater from the development of the site and discharge would be to the Ellesmere Wastewater Treatment Plant. As the site is not currently serviced, and existing pipe networks terminate prior to the site, the pipe network would need to be extended to service the site.

Council have confirmed if the deferral was to be lifted without increasing the density, the wastewater network and treatment plant could accommodate development of up to 80 allotments. Given this, some development of the potential 410 lots can proceed, however development cannot exceed the existing capacity of the wastewater treatment and disposal systems without upgrades.

## Stormwater

Potable Water

<sup>5</sup> Meeting with Selwyn District Council Staff, Jocelyn Lewes and Murray England. October 2019.

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Orion and Chorus NZ Ltd have confirmed the site can be serviced with reticulated power and telecommunications from the existing networks. Details of connections can be confirmed at the time of subdivision. Confirmation letters are included in the Servicing Report.

The Plan Change, if implemented, could yield approximately 410 allotments (380 Living 1 allotments and 30 Living 2 allotments).

A Geotechnical Investigation Report has been prepared by Soil and Rock Consultants and is attached as Appendix 5. The report concludes the ground is suitable for subdivision, however further geotechnical investigation will be required at the subdivision stage to confirm Technical Categories of the site. The further investigation could provide recommended conditions or consent notices regarding the building foundations or site-specific geotechnical matters. It is considered a consent notice or conditions of consent relating to building foundations can be appropriately managed at subdivision stage.

The site is not identified within a flood hazard area under the Plan; however, flooding is a known issue in Leeston. A Flood Risk Report has been obtained from Environment Canterbury (“ECan”) and is attached as Appendix 6. In addition, ECan has confirmed the 2017 data is the most up to date. This confirmation is also attached in Appendix 6. The report includes photos of how the site behaved during significant flooding events starting from 1986 to 2013. These images show there are specific areas of the site which are more susceptible to flooding and ponding in high rainfall and flood events. Other areas of the site are not subject to inundation in high rainfall and flood events and could be developed prior to the stormwater bypass being constructed.

The LiDAR map indicates the elevation of the site ranges from 20.5 – 24 m above mean sea level from the southeast corner to the northwest corner respectively, with a small portion of the site being 24 – 24.5 m above mean sea level in the west of the site along Harmans Road. The flood hazards on the site arise from flooding of the Leeston Creek. As discussed previously, the Servicing Report provides options for stormwater management on the site to reduce the risk of flooding and ensure the flow of the Leeston Creek is no more than pre-development flows.

A Preliminary Site Investigation (PSI) has been prepared by Malloch Environmental and is attached in Appendix 7. The PSI concludes there is evidence of activities listed on the Hazardous Activities and Industries List (HAIL) having been undertaken on the site previously. The activities include contractors' yard, farm pit and pre 1940s buildings and are noted in Figure 3 of the PSI. Due to HAIL activities being on the site, a Detailed Site Investigation (DSI) will be required at the time of subdivision. The presence of HAIL activities on the site is not considered to preclude the Plan Change.

The PSI was undertaken when 56 Harmans Road was included in the Plan Change and notes a chemical store; commercial chemical contractors' yard; nursery use and pre 1940s buildings on 56 Harmans Road. As this parcel is not included in the Plan Change, these HAIL activities are no longer considered relevant to the Plan Change.



### 3.4 Chapter 4 Living Zone Buildings

## Amendment 5

Add an additional rule after Rule 4.1.1, and amend the matters of discretion as follows:

**Any dwelling located in the Living 1 and 2 zones, as identified on the Leeston Outline Development Plan in Appendix XX, shall have a minimum floor level 400 mm above the 0.5% Annual Exceedance Probability flood event.**

Rule 4.1.2 Under Rules 4.1.1 and 4.1.2 the Council shall restrict the exercise of its discretion to:

- 4.1.2.1 The nature of any flooding or land instability and whether this makes the site unsuitable to erect the proposed building or undertake the proposed earthworks.
- 4.1.2.2 Any effects of buildings or earthworks in displacing or diverting floodwater and increasing the potential risk of flooding elsewhere.
- 4.1.2.3 Any mitigation measures proposed.

## Amendment 6

Add an additional rule and matters of discretion after Rule 4.2.2 as follows:

**Where the Living 1 zone adjoins the Business 1 zone as identified on the Leeston Outline Development Plan in Appendix XX, any principal building shall be permitted where a 2 m landscape strip is provided along any boundaries which adjoin the Business 1 zone. The landscape strip shall be a minimum of 2 m wide and contain a minimum of one tree per 3 m. The trees shall be a minimum height of 1.5 m at the time of planting and shall be capable of reaching a minimum height of 3 m at maturity.**

Insert new matters of discretion after 4.2.6 as follows:

**4.2.7 Any activity which does not comply with Rule 4.2.X shall be a restricted discretionary activity. Council shall restrict the exercise of its discretion to the consideration of:**

#### 4.2.7.1 The extent to which the proposed landscaping provides visual screening from the Business 1 zone.

**4.2.7.2 Whether other methods of visual screening are proposed and are effective to visually screen the Business 1 zone.**

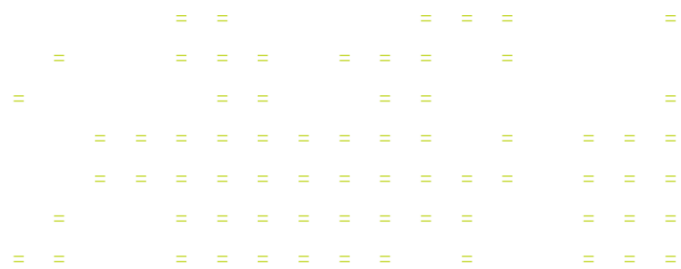
## Amendment 7

Amend Rule 4.2.3 as follows:

Any Fencing in the Living 3 Zone, ~~and the Living 2A Zone in Darfield, as identified in Appendix 47, and the Living 2 Zone in Leeston, as identified on the Leeston Outline Development Plan in Appendix XX, except on any property boundary adjoining a Living 1 Zone~~ 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.



## Amendment 8

Amend Rule 4.17.1 – Fences Adjoining Reserves as follows:

All development located within the Living Z zone or the High Street, Southbridge Outline Development Plan area (Appendix 45), **and the Living 1 and 2 zones, as identified on the Leeston Outline Development Plan (Appendix XX)** that shares a boundary with a reserve or walkway shall be limited to a single fence erected within 5 m of any Council reserve that is at least 50% visually transparent where it exceeds 1.2 m in height (which shall be applied to the whole fence in its entirety).

## 3.5 Chapter 12 Living Zone Subdivision

## Amendment 9

Delete references to Living 1(Deferred) and Living 2 (Deferred) in Table C12.1 as follows:

Township	Zone	Average Allotment Size Not Less Than
Leeston	Living 1	650 m <sup>2</sup>
	<b><u>Living 1(Deferred)</u></b>	<b><u>4ha until deferral lifted, then 650 m<sup>2</sup></u></b>
	Living 2	5,000 m <sup>2</sup>
	<b><u>Living 2(Deferred)</u></b>	<b><u>4 ha until deferment lifted, then 5,000 m<sup>2</sup></u></b>

## Amendment 10

Insert new rule 12.1.3.21 following Rule 12.1.3.20 as follows:

### **Leeston**

**12.1.3.21 In relation to the Living 1 and Living 2 zones in the Leeston Outline Development Plan in Appendix XX, any subdivision is to be in general accordance with the Outline Development Plan and shall comply with any standards referred to in that Outline Development Plan.**

## Amendment 11

Insert new rule 12.1.3.22 following Rule 12.1.3.21 (proposed above) as follows:

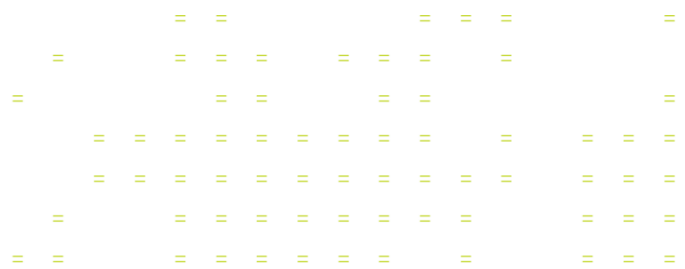
**12.1.3.22 In relation to the Living 1 and Living 2 zones in the Leeston Outline Development Plan in Appendix XX, no residential subdivision shall occur after the 80th residential allotment until such time as the Ellesmere Wastewater Treatment Plant has been upgraded and is capable of servicing additional allotments within the ODP.**

## Amendment 12

Insert new rules under 12.1.6 Discretionary Activities – Subdivision General:

**12.1.6.9 Any subdivision in the Leeston Outline Development Plan that is not in general accordance with the Outline Development Plan in Appendix XX.**

**12.1.6.10 Any subdivision in the Leeston Outline Development Plan which does not comply with Rule 12.1.3.21.**



Amendment 13

Insert new rule under 12.1.7 Non-Complying Activities – Subdivision – General:

**12.1.7.9 Any subdivision that does not comply with Rule 12.1.3.22.**

## 4 Statutory Framework

Section 73(2) of the Act enables any person to request a change to a district plan. Changes are required to be undertaken in the manner set out in Schedule 1 of the Act. This Plan Change has been prepared in accordance with Schedule 1.

Section 74 and 75 set out the matters which must be considered when undertaking a plan change. Before a plan change can be incorporated into a district plan, the following matters must be considered and are assessed below:

- *The functions of a territorial authority under section 31;*
- *The provisions of Part 2;*
- *An evaluation report prepared in accordance with section 32;*
- *Consistency with other District Plan Provisions*
- *Any regional policy statement or regional plan;*
- *Any management plans and strategies including iwi management plans;*
- *Any national policy statement, coastal policy statement and national planning standard.*

## 4.1 Functions of Section 31

Section 31 of the Act outlines the functions of a territorial authority for the purpose of giving effects to the Act. The following functions are considered relevant when considering the Plan Change Request:

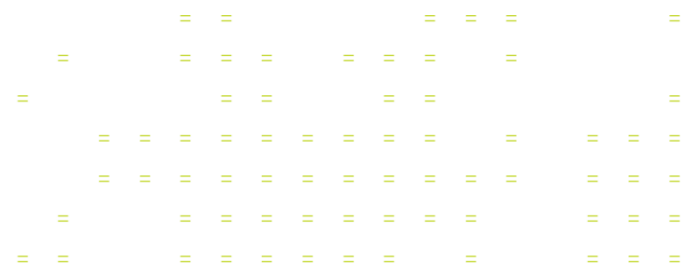
- (a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:
- (b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—
  - (i) the avoidance or mitigation of natural hazards; and
  - (ii) [Repealed]
  - (iia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:
  - (iii) the maintenance of indigenous biological diversity:
- (d) the control of the emission of noise and the mitigation of the effects of noise
- (e) the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes

The Plan Change request includes an assessment of the objectives and policies in the Plan in Appendix 8. The proposed ODP will enable development controls to provide integrated management of the natural and physical resources on the site and provide direction regarding stormwater management, roading and pedestrian and cycle linkages.

The Plan Change site is currently zoned Living 1 (deferred), Living 2 (deferred) and Outer Plains. The Plan Change request seeks to lift the deferral of the Living 1 (deferred) and Living 2 (deferred) zones, and rezone the existing Living 2 (deferred) zone to Living 1 zone, as well as extend the Living 1 zone in the south of the site to be in line with the Living XA Zone on the south side of High Street. The Plan Change also seeks to re-zone part of the existing Outer Plains zone to the Living 2 zone. The surrounding area west of the site is currently zoned Outer Plains. The Living 1 zone adjoining the Outer Plains zone will be consistent with the surrounding Leeston Area; the Living XA zone south of the site directly adjoins the Outer Plains zone and the site north east of the site zoned Living XA and adjoins the Outer Plains zone.

Through the ODP, any future development of the site will be integrated with the surrounding residential environment in Leeston and is an efficient use of land identified for future development. Therefore, the Plan Change is consistent with Section 31(a) of the Act.





The proposed ODP will provide guidance with regards to movement networks, roading, servicing requirements and stormwater management. Any future subdivision will be required to be in general accordance with the ODP. Therefore, it is considered any effects of future subdivision (as a result of the Plan Change) would be able to be appropriately avoided, remedied or mitigated at the time of subdivision through conditions of consent. At the time of this Plan Change, future subdivision would be assessed as a restricted discretionary activity if all of the activity standards were met. Therefore, matters of discretion can be assessed and effects mitigated appropriately. Restricted discretionary activity status is the lowest threshold of subdivision in the Plan as provision has not been made for controlled subdivision, except subdivision for creating access, reserve or utility allotments.

The site is not identified as being within any natural hazard overlays under the Plan. However the site is known to be subject to flooding and ponding in high rainfall events, as confirmed by the ECan Flood Risk Assessment in Appendix 6. The ODP will provide guidance for the future subdivision of the site with regards to stormwater management, reducing the risk of flooding and mitigating effects.

The PSI undertaken concludes there is evidence of HAIL activities having been undertaken on the site previously. The activities include contractors' yard, farm pit and pre 1940s buildings and are noted in Figure 3 of the PSI. Due to HAIL activities being on the site, a DSI will be required at the time of subdivision. The presence of HAIL activities on the site is not considered to preclude the Plan Change.

The ODP will require Leeston Creek to be vested to Council as reserve. The reserve will provide a high level of amenity for residents. Birdlings Brook runs through the southwest portion of the site near the intersection of High Street and Harmans Road and a public walkway has been created and planted along the north eastern side of Birdlings Brook. The ODP will require future subdivision of the site to vest the reserve area identified on the ODP to Council.

An assessment of the noise and reverse sensitivity effects has been undertaken in the Assessment of Environmental Effects.

## 4.2 Part 2 Matters, Purpose and Principles

Part 2 of the Act sets out the purpose and principles of the Act. Each section of Part 2 is assessed as follows:

### Section 5 - Purpose

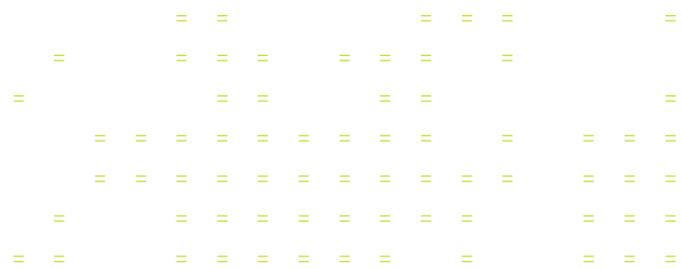
Section 5(1) states the purpose of the Act is to promote the sustainable management of natural and physical resources. Section 5(2) further defines sustainable management as follows:

*"sustainable management means 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 well-being 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, or mitigating any adverse effects of activities on the environment.*

The proposed rezoning of the site adjoining existing residential development and the Leeston Township is considered to be a sustainable use of the natural resources by providing residentially zoned land for future development and future generations. The ODP outlines the various vehicular and non-vehicular networks including roading, cycling and walking, ensuring a high level of walkability and movement networks. The proposed rezoning will provide residential land for future generations beyond 2031.

Part of the site is currently zoned Living 1(deferred) and Living 2(deferred) and is appropriate for development when stormwater issues are resolved, or mitigation is provided. The Servicing Report has identified stormwater



management areas and the ODP identifies land to be used for stormwater management to achieve an appropriate solution. In addition, a minimum floor level requirement is proposed to ensure dwellings and people are safe and protected from inundation.

Future development of the site can be serviced via upgraded connections to Council's potable water and wastewater networks. Stormwater can be managed at the time of subdivision as any subdivision will be required to be in accordance with the ODP. The rezoning of the site includes a section of 60 Leeston Dunsandel Road to be vested to Council through future subdivision and will play a vital role in the Leeston North Stormwater Bypass.

It is considered the result of the Plan Change will better achieve the purpose of the Act than retaining the land in its current form.

### Section 6 – Matters of National Importance

Section 6 of the Act requires all persons exercising functions and powers under it to recognise and provide for the certain matters of national importance. The preservation of the natural character of rivers and their margins is listed as a matter of national importance. Leeston Creek and Birdlings Brook are identified as recreation reserves within the ODP and will create a buffer between the waterways and development. The management of significant risks from natural hazards is also listed as a matter of national importance. As discussed, the ODP requires stormwater to be managed to reduce the risk of flooding in and around Leeston Creek. The minimum floor level requirement is considered appropriate to reduce the risk of natural hazards.

The Plan Change is considered to take into account and provide for the relevant matters of national importance.

### Section 7 – Other Matters

Section 7 sets out other matters that must be given particular regard in achieving the purpose of the Act. Not all the matters are relevant to the Plan Change. The following matters are considered relevant to the Plan Change:

- b) *The efficient use and development of natural and physical resources*
- c) *The maintenance and enhancement of amenity values*
- d) *Intrinsic values of ecosystems*
- f) *Maintenance and enhancement of the quality of the environment*
- g) *Any finite characteristics of natural and physical resources*

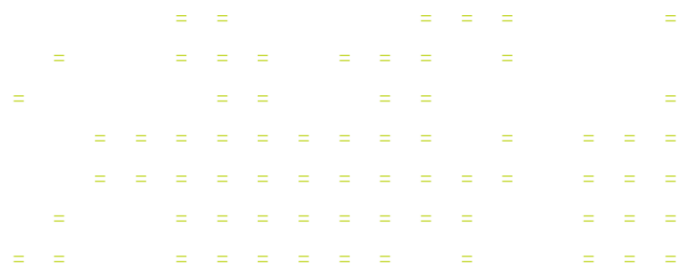
The proposal to utilise the land for a range of residential purposes is considered to be an efficient use of a natural and physical resource. It will enable a greater number of allotments to be created across the site than the current deferred and Outer Plains zoning. As the proposed site adjoins the Living 1 zone on Spring Place, Living XA zone north of Leeston Dunsandel Road and Living 1 and Living XA zones south of High Street, it will provide a logical extension to Leeston.

The rezoning will affect the amenity values of the site and adjoining sites as it will change from rural to residential. While the amenity of the existing environment will change, the proposal represents sustainable mixed density residential development in an area identified for future growth in Leeston.

Rural land is a finite resource and the site has been identified in the Ellesmere Area Plan as having high quality soils. However, the site has been identified for future growth and will provide a compact extension of Leeston.

### Section 8 Treaty of Waitangi

Section 8 of the Act requires all persons exercising functions and power under it to take into account the principles of the Treaty of Waitangi / Te Tiriti o Waitangi.



Mahaanui Kurataiao Limited has been consulted as part of the Plan Change and provided comment. Their comments, assessment of the Mahaanui Iwi Management Plan and recommendations are attached in Appendix 9. Most of the recommendations from Taumutu can be implemented at the time of subdivision. Further consultation with Taumutu has been recommended through the consultation, and this requirement forms part of the ODP. It is considered the Plan Change will not be inconsistent with the principles of the Treaty of Waitangi / Te Tiritiri o Waitangi.

## 4.3 Section 32 Evaluation

Section 32 of the Act requires an evaluation report to be prepared which identifies the objectives of the proposal and determines if the proposal is the most appropriate way to achieve the purpose of the Act. A Section 32 evaluation report has been prepared and is attached in Appendix 10.

The evaluation report considers the following alternative methods for achieving the objectives of the Plan Change:

- Continue with the status quo (i.e. do nothing);
- Apply for a resource consent; and
- Initiate a private plan change.

The evaluation concludes the Plan Change is the most appropriate method.

## 4.4 District Plan Provisions

An assessment of the Plan Change against the relevant objectives and policies of the Selwyn District Plan (Township Volume) is attached as Appendix 8. The assessment discusses how the Plan Change is consistent with the objectives and policies and will not undermine the integrity of the Plan. As the Plan Change seeks to rezone the site to Living 1 and Living 2 zones, the objectives and policies of the Township Volume are considered to be relevant and the Rural Volume objectives and policies have not been assessed.

The assessment concludes that overall, the Plan Change will be consistent with the objectives and policies of the Plan.

## 4.5 Canterbury Regional Policy Statement

Under section 75(3)(C) of the Act, district plans are required to give effect to regional policy statements, therefore an application to change a district plan must also enable the plan, once changed, to give effect to the regional policy statement. The Canterbury Regional Policy Statement (CRPS) became operative on 15 January 2013 and provides a framework for managing and resolving these resource management issues and achieving the integrated management of natural and physical resources. Territorial authorities must give effect to the CRPS through District Plans. Chapter 5 Land use and infrastructure; Chapter 7 Fresh water; and Chapter 11 Natural hazards have been assessed in Appendix 11.

The assessment concludes the Plan Change is consistent with the objectives and policies of the CRPS.

## 4.6 Canterbury Land and Water Regional Plan

The Canterbury Land and Water Regional Plan ("LWRP") is administered by ECan and its purpose is to identify the resource management outcomes or goals for managing land and water resources in Canterbury to achieve the purpose of the Act. It identified the policies and rules needed to achieve the objectives and provides direction in terms of the processing of resource consent applications.

The site is identified as being with the following zones under the LWRP:

- location zone;

the provisions of the LWRP, or resource consents  
 Appendix 4 concludes servicing future sites in the plan  
 against the relevant objectives and policies of the LWRP  
 consistent with the objectives and policies of the

in February 2013. The IMP reflects the six Papatipu  
of land and water with the takiwā from the Hurunui  
Te Moana (the Southern Alps).

gards to resource management. It covers:

IP. In this case, the site is within the Te Waihora  
to be relevant, are contained in Chapter 5 of the IMP;

13. The assessment concludes the Plan Change is submitted to Mahaanui Kurataiao Limited to consult and recommendations. The consultation report is submitted to the Council at the time of development (subdivision) has

) was adopted by Council in November 2014. The strategic framework for achieving sustainable growth set out in the Plan Change include:

- at least 2031 through the development of over 900  
 old priority area within the Land Use Recovery Plan  
 function of Rolleston, Lincoln, Darfield and Leeston  
 structure;  
 a consolidated approach to urban growth;  
 by requiring outline development plans and the use  
 t areas;  
 se range of social, cultural and economic needs of  
 ss environments by requiring new development to  
 , design guidelines and to give effect to higher

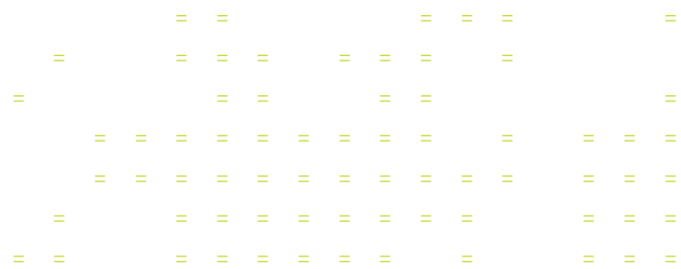
been prepared to provide development guidance in

meet, the key actions of Selwyn 2031. Additional in a Key Activity Centre, while providing stormwater structure. The Living 1 zone will align with the existing car and consolidated urban form, particularly when Living 2 zones will provide a variety of housing and

) was adopted by Council in September 2016. The Area Plans for Ellesmere and Malvern. The vision of the most liveable, attractive and prosperous places in

Ellesmere Area due to its central location, size, and a 49% population growth in Leeston from 2,275 in the Living 1 (deferred) and Living 2 (deferred) zones on the current Area Map; and the current Outer Plains zone is not.

water management issues and localised flooding, to be utilised for stormwater management and the Leeston North Stormwater Bypass. Minimum floor are protected from inundation. The Servicing Report Council's reticulated network for water supply and



wastewater disposal, subject to network extensions. While residential development may result in the loss of versatile soils, the Plan Change will lift the deferral on the Living 1 (deferred) and Living 2 (deferred) zones and provide for the anticipated residential development close to the Leeston town centre.

The Plan Change would also rezone part of the existing Outer Plains zone west of the Living 2 (deferred) zone and east of Harmans Road to a mixture of Living 1 and Living 2. This area is outside the existing township boundary and is an identified area for future low-density residential development. The Plan Change will, in most part, rezone the Outer Plains zone to Living 2; a low-density residential zone, as well as aligning the Living 1 zone with the Living XA zone on the south side of High Street, providing a clear entry and exit to and from Leeston township.

While the EAP notes Council does not need to rezone any areas for greenfield development, the Plan Change will provide mechanisms to lift the deferral on land anticipated for residential development and provide stormwater mitigation. The Plan Change will also provide for future residential development and the expansion of Leeston township beyond 2031. Taking into account the above, the Plan Change is considered to be in general accordance with the vision and objectives of the Ellesmere Area Plan.

## 4.10 National Policy Statements

The following National Policy Statements (NPS) are currently in place:

- NPS on Urban Development Capacity
- NPS on Freshwater Management
- NPS for renewable electricity generation
- NPS on Electricity Transmission
- New Zealand Coastal Policy Statement

The NPS on Urban Development Capacity, and how it applies to the Plan Change is assessed below. None of the other operative National Policy Statements are relevant to the proposal.

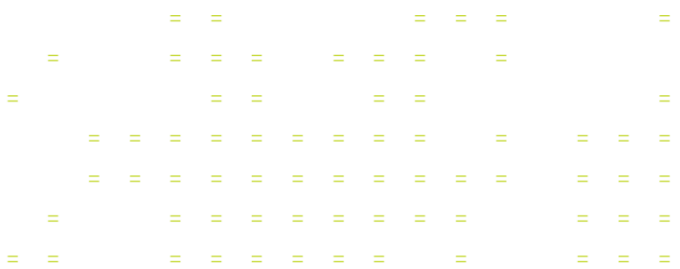
### National Planning Statement on Urban Development Capacity

The National Policy Statement on Urban Development Capacity (NPS-UDC) is designed to focus local authorities to enable development to occur when there is demand for development in our fast growing cities. Importantly this policy directs local authorities to undertake assessments to determine if there are development pressures and to enable development where it is found development pressures exist. The aim of the NPS-UDC is to enable growth and market driven development to meet the housing and business land necessary to provide for current and future needs. There is direction in the policy statement for local authorities to ensure in high growth urban environments there is sufficient land with development capacity (i.e. infrastructure and zoning etc) for the short term, medium term and long term needs.

The NPS-UDC defines an Urban Environment as “an area of land containing, or intended to contain, a concentrated settlement of 10,000 people or more and any associated business land, irrespective of local authority or statistical boundaries.” The Ellesmere Area Plan (EAP) projects the population of Leeston to grow to 3,402 by 2031, which is less than 10,000 as defined in urban environments with the NPS-UDC.

Objectives OA1-OD2 in the NPS-UDC are applicable to urban environments and decision making by local authorities. As the plan change site is within an area which does not meet the definition of urban environments, the objectives of the NPS-UDC are not applicable to the plan change site.





The NPS-UDC includes a range of policies that apply only to urban environments (PA1-PA4), and decision making by local authorities (PB1-PD4). By specifically limiting Policies PA1-PA4 to apply only to urban environments, the NPS-UDC places greater importance on assessment when development is proposed or occurs in urban environments. As Leeston is not an urban environment (as defined by the NPS-UDC), these policies are not applicable to the plan change.

Policies PB1-PD4 require local authorities to carry out and publish assessments on housing and business development capacity. This research carried out by local authorities ensures planning decisions are evidence based and provide land for future development, if the evidence shows additional land is required.

Given Leeston is not classified as an urban environment, and the NPS-UDC is silent on development outside urban environments, and medium or high growth areas, the plan change does not need to be assessed against the objectives and policies of the NPS-UDC. For clarity, Leeston is not classified as a high or medium growth area.

4.11 National Planning Standards

In 2017 the New Zealand Government introduced legislation to establish national planning standards to provide a standard approach to district and regional plans. The first set of national planning standards included a standard approach to zones that can be adopted by Local Councils. The Living 1 and Living 2 zones proposed for the Plan Change will align with the current Plan zoning and it is not proposed to add an additional zone to the Plan.

## 5 Description of Environmental Effects

Clause 22 (2) of Schedule 1 of the Act requires that where environmental effects are anticipated from the implementation of a Plan Change, the effects shall be described in such detail that corresponds with the scale and significance of such effects. The following is a description of the environmental effects anticipated from implementing of the Plan Change.

The site is currently typical of rural properties in this general area, with areas of pasture interspaced with fences, lines of trees and a small number of houses. The site is rural in nature due to most of the site being subject a deferral. Uplifting the deferral and extending the Living 1 and Living 2 zones will ultimately generate a significantly more intensive residential land use over the site, which will alter the visual characteristics and nature of the site as well as the productivity of the land. However, the use of the land for a mix of densities for residential development adjoining and linking to an existing township will also help provide living areas for current and future generations and is seen as a sustainable use of land close to the existing township.

## 5.1 Neighbourhood and Community Effects

The site is zoned Living 1 (deferred), Living 2 (deferred) and Outer Plains. Considering this, residential development is anticipated in the Living deferred zones once the deferral is lifted. Therefore, effects on the neighbourhood arising from residential development are anticipated where the site is zoned Living 1 (deferred) and Living 2 (deferred). Residential density greater than one dwelling per 20 ha is not anticipated the Outer Plains zone and any development greater than this density will change the character of the existing Outer Plains and the visual outlook from adjoining properties.

The proposed Living 1 zone will align with the existing Living XA zone on the south side of High Street and provide a clear entrance and exit to Leeston township and will be a natural extension of the Leeston urban environment. The Living 1 zone will also connect to the existing Living 1 zone on Spring Place, thereby complementing the existing residential environment and ensuring connections to the centre of the town. Any increase in density across the site will, to a degree, give the site a more enclosed feeling and reduce the open space character experienced in traditional rural farmland.

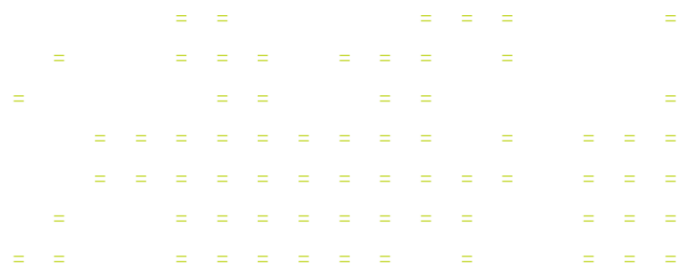
The proposed Living 2 zone will provide a visual and physical buffer (in the most part) between the Outer Plains zone and the Living 1 zone, particularly along Leeston Dunsandel Road and High Street as people enter and exit Leeston. Harmans Road will remain primarily rural, with the exception of the Living 2 zoned area on the south eastern portion of Harmans Road. The average allotment size in the Living 2 zone will be 5,000 m<sup>2</sup> and will be required to have rural fencing such as post and rail or fence and rail, retaining a sense of openness between the Living 1 and Outer Plains zone.

The location of the stormwater management area and Leeston Creek will create a high level of amenity, sense of openness and natural gathering areas for the neighbourhood. The proposed ODP provides a number of walking and cycling connections to these neighbourhood spaces and reserves.

## 5.2 Reverse Sensitivity Effects

Reverse sensitivity arises where a new incompatible activity is introduced into an environment, which has the potential to limit the operation of existing activities. In this case, there is potential for the Living 1 zone adjoining the Outer Plains zone to create reverse sensitivity issues.

Commonly, reverse sensitivity effects occur because of odour or noise generated from normal lawful farming activities, creating a disturbance for residents of newly developed sites, particularly if new residents are not familiar with normal farming practices. The Outer Plains zone is typically used for cropping or grazing for animals. Cropping activities could result in effects from spraying or harvesting and grazing of animals could result in noise



or odour effects. It is noted at the time of the Plan Change, all the adjoining sites (outside of the Plan Change site) zoned Outer Plains contain dwellings, accessory buildings and farm buildings closer to the respective road and access than to the site and noise coming from the sheds and machinery in the sheds is away from the site and proposed Living 1 zone.

Leeston is a rural town by nature and has an urban centre within a rural environment. Being 40 minutes from Christchurch and 20 minutes from Lincoln should lend itself to be a rural township. Having Living 1 or Living XA zoned sites adjoin the Outer Plains zone is not uncommon in Leeston. There are a number of areas where this occurs; north of the site where the land known as the 'Martin block' is zoned Living XA and adjoins an Outer Plains zone; and south east of the site where land zoned Living 1 and Living XA adjoins the Outer Plains zone for approximately 1,050 m. The existing planning and zone boundaries in Leeston indicate the Living 1 zone and Outer Plains zone are not incompatible in the rural environment.

The site currently contains Living 1 (deferred) and living 2 (deferred) zones adjoining the Business 1 zone at 125 High Street. The business located at 125 High Street is an agricultural machinery business 'Cochranes'. The Selwyn District Plan does not currently require mitigation or interface measures for Living zoned sites which adjoin a Business zone, with the exception of the Living Z zone adjoining the Business 2B zone, Springs Road, Lincoln and in Appendix 37 of the Township Volume, which requires a landscape buffer and acoustic fencing. It is noted however, this reverse sensitivity mitigation is between a Living Z zone and a Business 2B zone.

The deferred zoning of the plan change site shows future development is anticipated in this area. The Selwyn District Plan (Township Volume) notes under Objectives and Policies B3 Health Safety and Values, B3.4 Quality of the Environment "Business 1 zones are noisier and busier than Living zones. They are still pleasant areas for people to gather, live or work in, with good aesthetic values and few nuisance effects". Therefore, the Business 1 zone and Living zones are compatible without the need for reverse sensitivity measures.

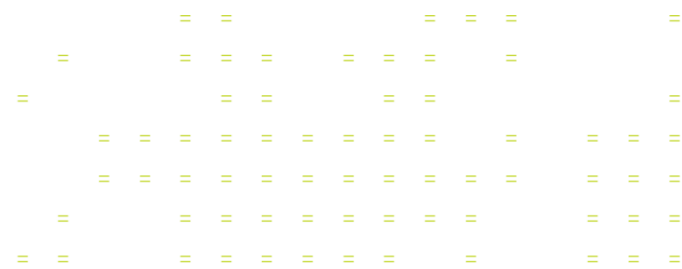
In addition, the surrounding Leeston environment shows the Business 1 zone and Living 1 zone are compatible without the need for interface for mitigation measures. This can be seen along High Street where the Business 1 zone north of high street directly backs onto the Living 1 zone on Selwyn Street; on the corner of Market Street and High Street, and on Pennington Street Business 1 zone.

Notwithstanding the above, residential development adjoining the activity at 125 High Street could increase the chances of reverse sensitivity effects with regards to visual amenity, given the higher densities surrounding 125 High Street. Therefore, an additional rule has been proposed in section 3 of this application requiring a 2 m wide landscape buffer where allotments adjoin the Business 1 zone. The landscape buffer is intended to provide visual screening between residential development and the existing activity.

### 5.3 Effects on Versatile Soils

The Pan Change will enable the development of the site from farmland into a mix of residential activities in the Living 1 and Living 2 zones. The change from rural to residential will have an effect on the site's soils resources. As residential development occurs in the Canterbury Plains, there is a threat to the amount of economically viable farmland remaining. Farmland is considered to be an important physical resource for the region as a whole, providing meat, milk, and fibre for national and international consumption.

It is for this reason regional and district policies, and strategies have been established to ensure development occurs in a manner that retains the farmland resource. The focus of many of these documents is to promote sustainable development within or adjoining existing settlements. The proposed plan change is located adjoining the existing township of Leeston. While there will be a loss of rural farmland as a result of the proposed rezoning, this loss of rural farmland will not have a significant adverse effect on the overall quality and area of rural farmland in the Selwyn District. Instead, will provide for future development and housing, without compromising larger more viable farming enterprises now and into the future.



The Plan Change will rezone land from Outer Plains to Living 1 and Living 2. The site has been identified in the Ellesmere Area Plan as having Class 2 and 3 soils. The Geotechnical Report concludes the site is appropriately defined as ‘deep soil site’ and Class D applies to the site. If the Plan Change is approved and implemented, approximately 30 ha of Outer Plains zoned land would be rezoned to Living 1 and 2 zones and would be developed in accordance with the zone requirements. Zoning approximately 17 ha of Outer Plains to Living 2 is not considered to preclude or eliminate small scale agriculture or horticulture activities on these sites.

The soils in this area are suited to cropping and grazing and, once rezoned, the land will be no longer be available for production. However, it is accepted that despite this environmental effect the land is well suited for residential development. This has been evidenced in part by the various planning processes undertaken to identify land as suitable for residential use over the last few years, in particular the Ellesmere Area Plan.

The location of the site in the immediate vicinity of Leeston and its proximity and ability to connect to services, together with the increased demand for safe land in proximity to Christchurch, are considered to mitigate any argument for the retention of soils for productive purposes in this case.

## 5.4 Effects on Ecosystem

Birdlings Brook runs through the site in the south west corner, is a tributary to Waitatari/ Harts Creek, and a public walkway forms part of the well-known walking block ‘Harmans Loop’. The public walkway along Birdlings Brook is planted with native vegetation and is fenced around the stream edge preventing any stock from accessing the water.

Birdlings Brook travels through Birdlings Reserve in a north west – south east direction, then underneath a large culvert on High Street and reappears on the southern side of High Street, eventually connecting with Harts Creek and then into Lake Ellesmere/Te Waihora. The *Te Waihora Catchment Flow Review; Ecological Values and Flow Recommendations at Minimum Flow Sites* report<sup>7</sup> notes that a portion of Birdlings Brook, recorded at Leggs Road and Lockhead Road, has low to moderate ecological values. No assessment of ecological value was undertaken where Birdlings Brook runs through the site.

The implementation of the Plan Change could have adverse effects on the ecosystem values of Birdlings Brook as stormwater will be discharged from the stormwater management area in the southern half of the site to the existing network that discharges into Birdlings Brook further south of the site. The stormwater management area will be required to provide treatment of stormwater from future development and any future discharge is likely to be a better quality than currently discharges into Birdlings Brook.

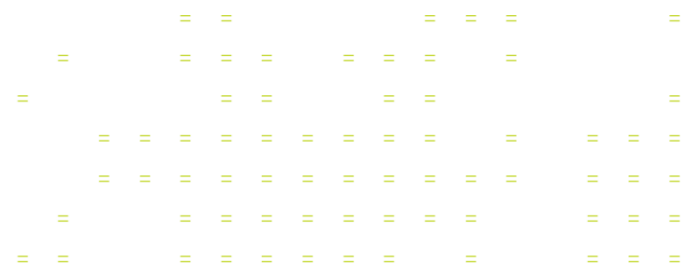
It is not proposed to alter the shape or form of Birdlings Brook, rather this area of the site has been identified as a potential reserve area and would be vested to Council at the time of subdivision. This would provide a high level of amenity for future the residential allotments within the site and for the wider community and residents whom exercise using the Harmans Loop down High Street, Harmans Road and Leeston Dunsandel Road.

The Leeston Creek runs through the site from northwest to southeast and through the existing residential area of Leeston. The Leeston Creek is required to be vested to Council as reserve, creating a high level of amenity for residents and a natural buffer between development and the creek.

There are no other known ecosystems of any significance on this site given its historical use for open pastoral land. Given the surrounding area is predominantly either residential to the east and south of the site or rural farmland to the north and west of the site, it is considered there are no other significant ecosystems in the surrounding area.

<sup>7</sup> Golder Associates for Environment Canterbury. May 2011. *Te Waihora Catchment Flow Review; Ecological Values and Flow Recommendations at Minimum Flow Sites*. Report No. R11/124.





implementation of the Plan Change and no changes or improvements to the existing roading network are required to accommodate the traffic flows.

### Temporary

There is likely to be temporary effects arising at the time of development of the site through the construction phase of development such as visual effects, traffic effects arising from trucks and construction machinery, noise effects and potentially dust effects. However, given current building regulations, District Plan and ECan requirements relating to building and construction and the temporary nature of such development, it is considered any adverse effects arising from construction can be appropriately mitigated through conditions of consent at the time of residential development.

## 5.6 Contamination effects

The PSI concludes there is evidence of activities on the HAIL being undertaken on the site previously through agriculture, contractor's yards and pre 1940s building. While these activities pose a potential risk to human health, a DSI and any remediation required can be undertaken at the time of subdivision. Contaminants could enter land or water from implementing the Plan Change from surface run-off. However, it is considered adverse effects arising from contaminants entering land or water can be appropriately mitigated through the subdivision process, remediation of potential existing contaminants and stormwater management.

## 5.7 Positive Effects

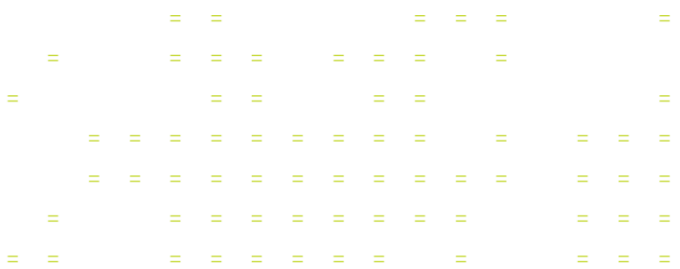
Implementation of the Plan Change will result in a number of positive effects within the Leeston township and wider community. These have been described as follows;

The northern most portion of the site will be vested to Council to enable the Leeston North Stormwater Bypass to be constructed. The bypass will divert water from Leeston Creek to the Martin block and around Leeston township. This will reduce the flows in Leeston Creek and will reduce the risk of flooding in high rainfall events. Additional stormwater management areas are required as part of the ODP to ensure water flows in Leeston Creek are less than predevelopment flows.

Additional residential land in Leeston provides for additional housing and development opportunities. This has the potential to encourage new residents into Leeston and create more jobs during the construction phase. The site would provide residential land within close proximity to services and facilities, while maintaining a compact township form.

Walking and cycling linkages have been indicated on the ODP and will encourage walking, cycling and other non-vehicular modes of transport within the site. Walking and cycling connections have been made to Leeston Creek reserve, the stormwater management reserve and to Ellesmere College / Te Kāreti o Waihora.





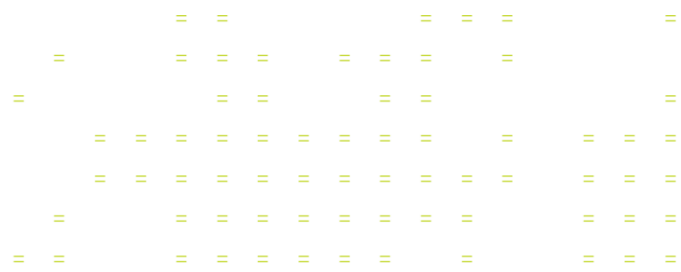
## 6 Consultation

Consultation has been carried out with Selwyn District Council staff throughout the preparation of the Plan Change, particularly when the Plan Change was first being contemplated in 2017 and in July 2019. Council staff did not raise concern over the proposal, rather offered suggestions with regards to stormwater management, servicing and roading connections. Some of the suggestions have been incorporated into the ODP.

The Plan Change initially included 56 Harmans Road, however this allotment is no longer included in the Plan Change due to a change of ownership. The new owner of this allotment has been consulted, however did not wish to partake in the Plan Change. Technical reports were completed when 56 Harmans Road was included in the Plan Change.

Consultation has been undertaken with the owners of 33 Leeston Dunsandel Road, 56 Harmans Road and 125a High Street in the initial stages of the Plan Change. No concerns were raised with the proposal; however, the parties did not wish to participate. The necessary area for stormwater management has been identified in the ODP to enable the deferral to be lifted and it is considered appropriate to lift the deferral on all properties that are subject to the deferral, rather than Council undertaking a Public Plan Change to lift the deferral.

The application was submitted to Mahaanui Kurataiao Limited to consult with the local Rūnanga, Taumutu, and provide comments and recommendations. The consultation report is attached in Appendix 9. The recommendation to consult with Taumutu at the time of development (subdivision) has been included in the ODP.



## 7 Conclusion

The Plan Change to rezone the site from Living 1 (deferred), Living 2 (deferred) and Outer Plains, to Living 1 and Living 2 zones is considered to be the best method to achieve the purpose of the Act, while being consistent with the objectives and policies of the Selwyn District Plan (Township Volume) and the Canterbury Regional Policy Statement. The Plan Change is considered to be a sustainable and effective way to lift the existing deferral, provide stormwater management areas for the site and provide for additional housing options in Leeston for future generations.

The Plan Change will result in an additional 60 ha of residential zoned land, being 42 ha of Living 1 zoned land and 19 ha of Living 2 zoned land. This could provide for an additional 410 residential allotments in Leeston. Any adverse effects that may arise from implementing the Plan Change are able to be appropriately avoided, remedied or mitigated through ODP and conditions of consent on future subdivision consents. The ODP will provide guidance and requirements for any future development of the site including stormwater management areas and recreation reserves.

Future development can be serviced with reticulated potable water and wastewater connections, subject to network extensions. Stormwater can be appropriately managed so that post development stormwater flow rates in Leeston Creek do not exceed pre-development flow rates.

Rezoning the site will enable the Living 1 zone to better align with the existing Living XA zone and urban boundary south of High Street. The Plan Change will provide a more defined urban boundary and township edge when traveling along High Street and Leeston Dunsandel Road and will provide residential allotments with close proximity to community, sport and education facilities, commercial activities and the town centre.

The Plan Change is considered to meet the purpose and principles of Part 2 of the Act and is seen as a sustainable and effective way to develop land for future generations.