

Annexure 2:

Submission on 'Are we on track?' (Oct 2018)



Submission on Selwyn District Plan Consultation Document 'Are we on track'

Mervyn Todd & Matthew Reed

October 2018

Selwyn District Council

SELWYN DISTRICT COUNCIL

SUBMISSION ON SELWYN CONSULTATION DOCUMENT 'ARE WE ON TRACK'

Submitter Details

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Submission:

Our submission applies in particular to Darfield township and environs, including zoning of Darfield Preferred Development Area 7 (DAR 7) as identified in the Malvern Area Plan ('the MAP') – see **Appendix A** and is zoned Outer Plains in the Operative Selwyn District Plan.

DAR 7 is located to the north and north east of the existing township of Darfield. It has frontage to Kimberley Road and partial frontage to Horndon Street. Land immediately adjoining the Site to the south is zoned L1 (Broadgate subdivision) with land to the west of Kimberly Road zoned L2 and L2 Deferred. Land immediately to the south of Horndon Street (the eastern edge of the site) is zoned L2.

DAR 7 is identified as suitable for standard to low density residential development on MAP Figure 9 Darfield Preferred Development Areas, which is not entirely consistent with the MAP written commentary for DAR 7 which notes that it *“presents an opportunity to provide mixed-use living densities to be progressively developed from the current township boundary in the north-east directionit is close to the Darfield town centre and other community services and provides for a compact and concentric urban development pattern. A mixed-use living zone would be consistent with adjacent urban areas. The area has high amenity values, with views to the*

Torlesse Range....The area is a suitable location from an infrastructure servicing perspective, other than the requirement for restricted water supplies to be imposed in Living 2 areas.”

What is meant by the term ‘mixed used living zone’ is unclear – possibly the wording was intended to be mixed density living zone as the adjoining Darfield living zones are not typically mixed use. A mixed density living zone including provision for some medium density housing and a retirement village would be appropriate given the proximity to the town centre and existing services and facilities; the previous Transitional District Plan Living X zoning which allowed the developer to nominate section sites not less than the Living 1 zone standard; and the landowners’ proposal to provide for a variety of section sizes including a retirement village.

Our submission supports identification of DAR 7 as a preferred development area in the MAP but notes that it should be identified as a mixed density residential area, and seeks that it be zoned as for this purpose in the District Plan Review, including for standard, medium and low density residential development and a retirement village. The submitter wishes to develop part of the site for a retirement village.

The Submitters:

Mervyn Todd and Matthew Reed are the owners of Darfield Area 7 (DAR 7).

The Todd block within DAR 7 (legally described as Lot 4 DP 524058, 14.6 ha – see quick map attached as **Appendix F**) is presently used for farming purposes and is one of three blocks with frontage to Kimberley Road, as shown on the plan below in blue. The southern block (and the adjoining access to the north) is within the MAP Area 7. The three blocks are separated by existing accesses to the Reed farm to the east.

The Reed Family has farmed at Darfield since 1897. They own 206ha on the north east boundary of the township, most of which is a dryland sheep farm. Part of the original southern portion of the farm was rezoned for living purposes and now forms the Broadgate subdivision, a four stage subdivision encompassing a total of 75 sections. Stages 1 and 2 of this development are complete (approx. 35 sections) with stages 3 and 4 now underway. The Reed block within DAR7 is legally described as Pt RS 27204 (45.9977 ha). Land adjoining to the east is also owned by Reed and is partially within a preferred business development area (see quick map attached as **Appendix F**). Reed supports identification of his land for business although would like to confirm an appropriate boundary line with the Council. Inclusion of part of the Reed land within a future business area

will enable the Reeds to manage the living/business zone interface with suitable buffers/setbacks etc.

Land Use and Planning History

Previous Living X Zoning in the 1995 SDC notified District Plan Township Volume identified a larger part of the Reed Property as Living X than is now the case, and the southern Todd block (see notified 1995 planning map in **Appendix B**). Unbeknown to the landowners, who were satisfied with the inclusion of part of their land as Living X, the zoning was removed by way of submission to the District Plan (see **Appendix C**). It is understood that this was as a result of a submission by Selwyn Plantation Board who at that time owned land adjoining their west boundary (now owned by Todd) which was used for forestry, and had concerns regarding 'reverse sensitivity' effects between forest and residential activity. The trees have since been felled, and the land sold. It is now used for grazing purposes.

The attached (in **Appendix D**) subdivision plans prepared in 1997 for 82 lots is evidence of the stage they had proceeded to on the basis that they were not aware that the LX zoning of their land had been removed.

Servicing

It is understood that previous township growth constraints relating to water supply have now been resolved. Preliminary discussions with the Council's Asset Department indicate that there are wastewater constraints for smaller lot subdivision i.e. septic tanks may not be approved for smaller residential lots. The Long Term Plan (p14) notes that the Council has *"endorsed the plan to progress further work to explore wastewater options for Darfield and Kirwee, to gather more information and undertake targeted consultation with the community."* There is no financial commitment or timeframe for establishing a reticulated wastewater system at Darfield so the retirement village proposal is likely to require consent for a communal package plant. The feasibility of a plant providing sufficient capacity for residential intensification within the existing residential area could be investigated, and is an option the Submitters are willing to explore with the Council. We note that approval was obtained in 2013 for L1 and L2 rezoning at Cardale Street, Creyke Road and Telegraph Road, Darfield under Plan Change 24 (Silverstream), with the rezoning providing for 151 x L1 sites and 46 x L2 sites. A community package plant was proposed with a 7.5 ha on site wastewater disposal area (see copy of approved Outline Development Plan attached as **Appendix E**).

Relief Sought

- i) Rezone DAR 7 Living X or equivalent i.e. what the subdivider nominates but not less than the minimum standard residential zone site size for the township (currently 650m²), but with an allowance for up to 25% of lots within any subdivision to be small lot medium density lots as defined below, and additional provision for retirement villages as set out below;
- ii) Selwyn District Council work with the landowners of DAR 7 in preparing an Outline Development Plan and commissioning of any required supporting technical reports and advice, and in relation to wastewater options for the site (and potentially existing urban areas with potential for residential intensification) with SDC funding the same;
- iii) Provide for retirement villages as a permitted activity in the Living X zone (as it applies to Darfield and potentially other townships) including within DAR 7 and/or as an overlay for DAR7. A suggested definition of retirement villages (taken from the Christchurch District Plan) is:-

means any land, building or site that:

- a. is used for accommodation predominantly for persons in their retirement, or persons in their retirement and their spouses or partners; and*
- b. satisfies either of the following:*
 - (i) it is registered as a retirement village under the Retirement Villages Act 2003 or will be so registered prior to it being occupied by any resident; or*
 - (ii) it is a rest home within the meaning of s58(4) of the Health and Disability Services (Safety) Act 2001; and*
- c. includes not less than two residential units; and*
- d. may include any or all of the following facilities or services for residents on the site:*
 - (i) a care home within a retirement village;*
 - (ii) a hospital within a retirement village;*
 - (iii) nursing, medical care, welfare, accessory non-residential and/or recreation facilities and/or services.*
- iv) Provide for the equivalent of small lot medium density subdivision and housing as a permitted activity in the Living X zone at Darfield (and potentially other townships) including at DAR 7. Small lot medium density lots are those with a minimum average size of 500m² and minimum individual allotment size of 400m² (ie. the same as for the Living Z priority greenfield residential areas with the Selwyn Greater Christchurch area i.e. Rolleston, Prebbleton and Lincoln).

- v) Any other consequential amendments to the Selwyn Proposed District Plan and other relevant documents, and any other actions by Selwyn District Council which are necessary to give effect to the intent of this submission.

Explanation – Reasons for Submission

- 1) The proposed rezoning is consistent with the MAP which identifies DAR 7 as providing the opportunity for the development of a mixed use residential area close to the town centre – it is unclear what is meant by a ‘mixed use’ zone, and we question whether the intended wording was ‘mixed density’ rather than ‘mixed use’.
- 2) The rezoning will re-instate living zoning of this site as was proposed in the notified 1995 District Plan (Living X). The zoning was removed without the landowners’ knowledge or agreement. We understand it was in response to a submission by Selwyn Plantation Board who at that time owned the land now owned by Mervyn Todd. The plantation trees on the Todd land have since been removed and the land is now in private ownership.
- 3) DAR 7 is far closer to the existing town centre than any other proposed Darfield preferred development area, and much of the existing living zoned land, in particular the various L2 areas which extend southeast and southwest to Creyke Road and Clintons Road. Development here will support a consolidated and concentric urban form for Darfield. It is ideally located to provide for a retirement village (which will require approximately 1 ha of greenfield land) and a mixed density subdivision include some smaller medium density housing lots. The only other area identified for intensification (DAR 5) contains existing older housing stock including some larger sites, but any redevelopment to higher density housing here is likely to piecemeal, ‘organic’ and occur over an extended timeframe.
- 4) As noted in the MAP, there is no supply of more intensive residential development less than the standard Living 1 zone, and *“there are opportunities to facilitate more intensive housing typologies within close proximity to the town centre to better meet the needs of the wider community.... A preferred approach would be to develop and apply intensification criteria through the District Plan Review process to facilitate elderly persons housing and/or medium-density development options in appropriate locations: or to rezone the Living 1 zone land within a 400m radius of the town centre Business 1 zone to a mix-density Living Z zone, which is preferred to spot zoning as it would provide flexibility and recognises the presence of older housing stock that could accommodate multi-lot developments”*. The above options both involve intensification of existing sites and will not accommodate a purpose built retirement village which requires approximately 1 – 3 ha of greenfield land. As

noted DAR7 is ideally located for this purpose given the proximity to the town centre – it is located 700m from the Darfield B1 zone.

- 5) The landowners are committed to, and have a proven successful track record in land development (the Reed family who have developed the adjoining Broadfield subdivision).
- 6) It is our understanding that unresolved issues relating to wastewater disposal at Darfield, in particular for medium density housing development on smaller sites, have restricted the ability of the township to provide for a range of housing choices, in particular elderly persons housing. Darfield is a popular retirement centre and this matter needs urgent resolution.
- 7) The circumstances of the rezoning of this Site are a unique situation in that it will re-instate the previous urban zoning which was removed without the landowners' knowledge or agreement. Indeed they would have strongly opposed Selwyn Plantation Board submission to removed the rezoning had they been aware of it. Clearly the site is ideally suited for urban development and in the circumstances, the submitters request that the Council support and fund the cost of the rezoning process.
- 8) The District Plan has a minimum 10-15 year planning horizon. Rezoning DAR 7 for mixed density living purposes is necessary to fulfill the Council's function under Section 31 (1) (aa) of the Resource Management Act 1991 (RMA) i.e. to establish, implement, and review objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district.



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(Signature of applicant or person authorized to sign on behalf of the applicant)

Date: October 31, 2018

Appendices:

Appendix A: Malvern Area Plan Preferred Development Areas - Darfield

Appendix B: Selwyn District Plan as notified 1995 (Township Volume) – zoning Todd & Reed land

Appendix C: Operative Selwyn District Plan – zoning Todd & Reed land

Appendix D: Reed 1997 subdivision plans

Appendix E: Approved Outline Development Plan for Plan Change 24 (Silverstream – Creyke
& Telegraph Roads Darfield)

Appendix E: Quick Map – Todd and Reed land