

Submission on Proposed Plan Change 66 to the Operative Selwyn District Plan

Clause 6 of the First Schedule, Resource Management Act 1991

To: Selwyn District Council



Note to person making submission

You can make this submission by filling in an online submission form which you can find on Council's website at www.selwyn.govt.nz/pc66

The submission period for the Proposed Plan Change 66 closes at 5pm Thursday 25 February 2021.

Your submission (or part of your submission) may be struck out if the Council is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

1. Submitter details

Please note: all fields marked with an asterisk (*) are compulsory.

Name of submitter(s)* PINEDALE AND KINTYRE ENTERPRISES

Submitter address* 131 LARCOMBS ROAD

City/Town* CHRISTCHURCH Postcode* 7648

Contact name (if different from above) MR. ROBERT S. PATON

Contact organisation (if different from above) _____

Contact email address bob@rose@xtra.co.nz

Contact address (if different from above) _____

City/Town _____ Postcode _____

Contact phone number 0274-321-758

Please note that by making a submission your personal details, including your name and addresses, will be made publicly available in accordance with the Resource Management Act 1991. This is because, under the Act, any further submission supporting or opposing your submission must be forwarded to you as well as to the Council.

While all information in your submission will be included in papers which are available to the media and the public, your submission will be used only for the purpose of the Plan Change Process.

2. Trade competition declaration*

I could gain an advantage in trade competition through this submission.

☐ Yes ☒ No

If yes: I am directly affected by an effect of the subject matter of the submission that

(a) adversely effects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

☒ Yes ☐ No

Note: If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

3. Hearing options*

Do you wish to be heard in support of your submission? *If you choose yes, you can choose not to speak when the hearing date is advertised.*

☒ Yes ☐ No

If others are making a similar submission would you consider presenting a joint case with them at the hearing? *You can change your mind once the hearing has been advertised.*

☒ Yes ☐ No

4. Submission details*

☒ Yes, I am enclosing further supporting information to this submission form.

Provision to which my/our submission relates: <i>(Please specify the Objective, Policy, Rule, Rule Requirement, Assessment Matter, Mapping feature or other reference your submission relates to)</i>	My position on this provision is: <i>(Select one option)</i>	The reasons for my/our submission are: <i>(Please give details)</i>	The decision I/we want Council to make: <i>(Please specify if you want the provision to be retained, amended or deleted, eg Amend – change the activity status to non-complying)</i>
	<input type="checkbox"/> Oppose in part <input checked="" type="checkbox"/> Oppose in full <input type="checkbox"/> Support in part <input type="checkbox"/> Support in full		
	<input type="checkbox"/> Oppose in part <input type="checkbox"/> Oppose in full <input type="checkbox"/> Support in part <input type="checkbox"/> Support in full		

Signature of submitter (or person authorised to sign on behalf of submitter) R. P. L. L. Date 25-2-2021

Note: A signature is not required if you make your submission by electronic means.

Please return this form no later than **5pm Thursday 25 February 2021**. You can:

- scan and email it to submissions@selwyn.govt.nz (Subject line: Proposed Plan Change 66)
- post it to Selwyn District Council, Freepost 104 653, PO Box 90, Rolleston 7643, Attention: Proposed Plan Change 66
- deliver it to a Council service centre in Darfield, Lincoln, Leeston or Rolleston.

selwyn.govt.nz

Attachment A - Plan Change 66 Submission: Pinedale and Kintyre Enterprises

Provision to which our submission relates – PC66 in its entirety

Our position on that provision is – oppose PC66 in its entirety

Reasons for our submission - see below

The PC66 proposal is not sound resource management and is contrary to the Resource Management Act 1991, including but not limited to Part 2 and s32. It will have direct adverse effects on us, including adverse traffic effects. The Assessment of Environmental Effects included with the PC66 is incomplete and does not address all relevant effects, including but not limited to traffic effects, including cumulative effects of PC66 and existing development enabled under the existing business zoning in the locality. It is not sound planning to zone the PC66 site which is prime farmland (Class 2 soils) for business purposes when there are alternative suitable sites available which are not prime farmland, namely our land at Two Chain Road and Walkers Road, Rolleston. By way of further background, and explanation, we note the following:

(1) Background

We own the vast majority (77ha) of the 98 ha block of rural land ('the Site') adjoining the main trunk railway line running parallel with SH1 opposite (north of) Rolleston township. It adjoins existing industrial development (Izone and Iport) to the north and west. It has a long frontage to Two Chain Road (an arterial) and frontage to Walkers Road.

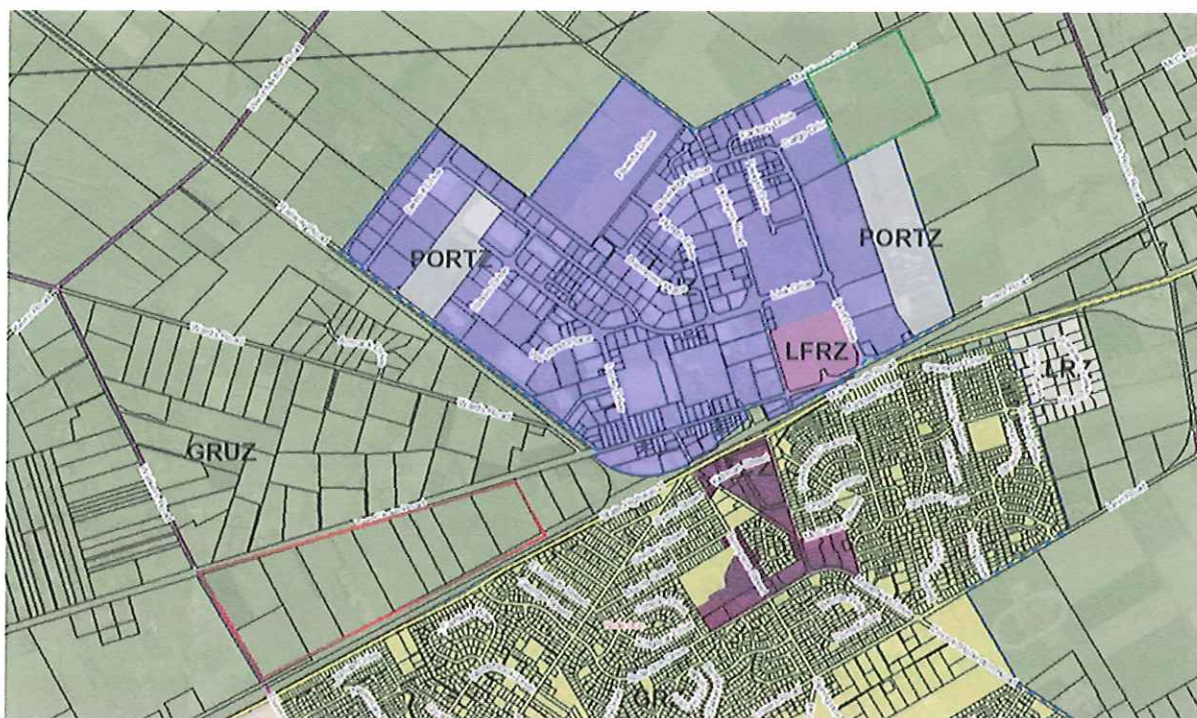


Figure 1: Site location (Kintyre/Pinedale site outlined in red, PC66 site outlined in green)

We have lodged a submission on the Selwyn Proposed District Plan Review seeking rezoning of the above land for business purposes, and a submission on Change 1 to the Regional Policy Statement seeking identification of the land as a Future Development Area – Business, with no constraints on the timing of development. We have attached copies of both of these submissions. The District Plan submission includes a full assessment of the proposal against the NPS-UD and other relevant plans (including the Proposed Selwyn

District Plan). Rezoning for business purposes is entirely consistent with all relevant planning documents, except that it is not a priority business area on Map A of the Canterbury Regional Policy Statement. However, it meets the criteria under Policy 8 of the National Policy Statement – Urban Development for unanticipated plan changes - it will add significant additional capacity for industrial land at Rolleston, and for eastern Selwyn (+25%) and is readily accessible to the State Highway, town centre and Rolleston residential areas on the south side of the SH. An assessment against the key provisions of the NPS-UD 2020 is set out below.

Policy	Assessment
Policy 1 Well functioning urban environments	
(a) N/A housing	
(b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size;	<p>The proposal is to re-zone 86 ha of General Rural land for General Industrial. </p> <p>The existing area of General Industrial zoning in Selwyn District is all in Rolleston (apart from a 12 ha undeveloped site at Lincoln which does not appear to be 'reasonably available') and is 342 ha. The proposed 86 ha extension to the General Industrial zoning is a 25% increase on what is currently in the Selwyn District.</p> <p>The site co-joins (with the addition of the 3 blocks at the eastern end) <u>lzone</u>, and has excellent road connections by arterial roads, including the State Highway.</p> <p>The Site has flexibility in how it responds to market demands for uses, lot sizes and amenity.</p>
(c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and	<p>The Site has frontage to Two Chain and Walkers Roads offering convenient and easy access to the State Highway, <u>town centre</u> and the Park and Ride facility.</p> <p>The Site is 2500m from Rolleston Drive via <u>Hoskyns Road</u> which is the northern edge of the <u>town centre</u> with the core employment areas, and community facilities.</p>
(d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and	<p>There is on-going demand for industrial/business land in Rolleston.</p> <p>This proposal will contribute to the pool of industrial land presently set aside in the PSDP and will extend the development market increasing competition for such land.</p>

(e) support reductions in greenhouse gas emissions; and	The Site has the advantage of being easily accessible to the town centre, the arterial roading network and railway. The proposal builds on the existing zone and will add to the employment base of Rolleston reducing the need for commuter travel to Christchurch with associated benefits in limiting greenhouse gas emissions.
(f) are resilient to the likely current and future effects of climate change	The Site is an inland site away from major rivers. It is not at risk from climate change induced extreme natural hazard events like sea level rise, or river flooding.

Policy 2 - Sufficient development capacity Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.	The proposed rezoning will add another 25% to the pool of industrial zoned land in eastern Selwyn The locational and amenity advantages of Rolleston also favour strong ongoing demand.
Policy 8 – Responsiveness to plan changes Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is: (a) unanticipated by RMA planning documents; or (b) out-of-sequence with planned land release	Proposed Change 6 to the RPS has not been notified and without an operative development capacity FDS and specific capacity bottom lines by areas this submission falls to be considered as “unanticipated” by RMA documents and “out of sequence” as the RPS does not currently provide for future urban growth consistent with NPS-UD 2020. The proposal will add significantly to industrial land development capacity in Rolleston and there are other sound planning reasons to re-zone the Site. The separate ownership of the land supports competition in the land market.

(2) Highly Productive Land

We have a farming background and currently farm our block. However, its productive potential is very limited due to the poor quality soils (Lismore stoney silts which are very difficult to irrigate). Given its dryland status, it does not have any realistic high level productive potential. Limits on nitrate fertilizer use under ECAN rules severely limit any scope for further intensification of rural production.

The PC66 site is, in contrast, Class 2 land in terms of its Land Use Capability classification. This is defined as highly productive land (i.e. Classes 1-3 land) under the Proposed National Policy Statement – Highly Productive Land. Rezoning PC66 will have adverse effects on the environment, with the permanent loss of highly productive land for farming purposes. This is contrary to the Proposed NPS-HPL including

Objective 1: Recognising the benefits of highly productive land

To recognise and provide for the value and long-term benefits of using highly productive land for primary production.

Objective 2: Maintaining the availability of highly productive land

To maintain the availability of highly productive land for primary production for future generations.

Objective 3: Protecting from inappropriate subdivision, use and development

To protect highly productive land from inappropriate subdivision, use and development, including by:

- avoiding subdivision and land fragmentation that compromises the use of highly productive land for primary production;
- avoiding uncoordinated urban expansion on highly productive land that has not been subject to a strategic planning process; and
- avoiding and mitigating reverse sensitivity effects from sensitive and incompatible activities within and adjacent to highly productive land.

Proposed Policy 3: New urban development and growth on highly productive land

Urban expansion must not be located on highly productive land unless:

- a. there is a shortage of development capacity to meet demand (in accordance with the NPS-UDC methodologies and definitions); and
- b. it is demonstrated that this is the most appropriate option based on a consideration of:
 - a cost-benefit analysis that explicitly considers the long-term costs associated with the irreversible loss of highly productive land for primary production;
 - whether the benefits (environmental, economic, social and cultural) from allowing urban expansion on highly productive land outweigh the benefits of the continued use of that land for primary production; and
 - the feasibility of alternative locations and options to provide for the required demand, including intensification of existing urban areas.

In terms of Objective 3, we acknowledge that the PC66 is within the Regional Policy Statement Map A Projected Infrastructure Boundary. However, that is based on work undertaken for the RPS notified in 2007 and adopted in 2009, 13 years ago. The last strategic planning exercise for Rolleston was the Rolleston Structure Plan, adopted in September 2009 which shows PC66 as within the Izone Business Hub (but subject to decisions on then Change 1). These plans are well out of date, do not take account on the more recent increased focus on protecting HPL, and cannot be relied on to satisfy the requirements of Objective 3 and Policy 3. Policy 3 requires an assessment of the feasibility of alternative locations to provide for the required urban expansion. PC66 has simply not done this – also required under Schedule 4 (Assessment of Environmental Effects) and s32 (Costs and Benefits of alternatives).

(3) Effects on the Environment

In addition to the adverse effects arising from the permanent loss of highly productive land, the proposal will result in adverse traffic effects on the surrounding network, including cumulative effects, taking into account development enabled under existing zoned land, as yet only partially developed. The ITA fails to consider cumulative traffic effects. These wider traffic effects will directly affect the use of our property.

The PC66 ITA predicts that the development enabled by PC66 will generate in the order of 180 vm per hour and 2885 vm per day. It acknowledges that a significant portion of this traffic will access SH1 via existing intersections at Hoskyns Road/Jones Road and Hoskyns Road/SH1 which are already operating poorly. It considers this is acceptable because NZTA propose to upgrade the SH1/Hoskyns Road intersection in 2025. However, it fails to consider how those upgrades will address the current traffic intersection constraints, and the impacts on the operation of the surrounding road network.

A further advantage of our site for industrial development, is that there are alternative routes for accessing the SH1(via Walkers Road as well as Hoskyns Road), thus spreading traffic effects across two intersections. However, a significant portion of traffic is likely to use the Hoskyns/SH1 and Hoskyns/Jones Road intersections. We are concerned that the additional traffic generated by PC66 at these intersections, and on the surrounding network, including Two Chain Road, will have impacts on the operation of our site if developed for industrial purposes; and for current farming and rural based activities and other permitted uses under the current rural zoning. We further note that this is not simply a matter of 'first past the post' i.e. PC66 does not need to consider our business rezoning proposal, because it is not yet a consented development. It needs to be considered now – because our land is a feasible, viable alternative site, and the PC66 AEE needs to consider alternative sites and methods for undertaking the activity, as does the s32 assessment.

(4) Alternative Sites

Our land is ideally suited for industrial development, including freight related development given:

- The proximity and ready access to Rolleston township (i.e. a large and growing employment base to draw from) and regional transport routes (road and rail);
- The land quality is poor very limited productive potential.
- The Site can be efficiently serviced given its location adjoining the existing Rolleston township;
- Reverse sensitivity effects will not arise with industrial development given the nature of surrounding land uses (industrial, rural and Rolleston Prison on the west side of Walkers Road);
- The site has a long boundary with the main trunk railway, so is ideal for industry requiring access to rail freight.

We have recently received an offer from the PC66 applicants, who have developed Iport, wishing to purchase. They also recognise and appreciate its suitability for industrial/business development.

Schedule 4 of the RMA requires an Environmental Effects Assessment to include an assessment of alternative sites and methods for undertaking the activity where the activity will generate actual or potential significant adverse effects on the environment. PC66 has not done this.

(5) Section 32

S32 of the RMA requires identification of reasonable alternatives options for achieving the objectives of the plan change, and assessment of the relative efficiency and effectiveness, including costs and benefits of the plan change and the alternative options.

The objective of PC66 is stated as being *to provide for the establishment of a Business 2A Zone extension in Rolleston*. This could equally be achieved by rezoning our land (and the balance of the block, at the western end). The only alternatives considered are other methods for facilitating development of the PC66 site i.e. resource consent or Proposed District Plan submission, not possible alternative suitable locations for a B2A zone extension. This is a significant omission, when another site ie. the Two Chain Road, Walkers Road, SH1/main trunk railway line block, is available and has additional significant environment benefits, including less adverse traffic effects, and avoiding loss of HPL.

The decision we want the Council to make – decline PC66 in its entirety. In the alternative, we suggest a possible land swap between the PC66 land and our land, which would enable us to continue farming and realise the productive potential of the prime PC66 land, and for

the applicants to develop our much poorer quality land for a more appropriate use i.e. industry, including freight related. This could include relocation of the lport related activities – as farmers we find the logic behind putting containers on prime land difficult to comprehend.