

ADDERLEY HEAD



100618022

SCANNED

17 June 2010

Attention: Cameron Wood
Selwyn District Council
PO Box 90
Rolleston 7643



Dear Cameron

FURTHER SUBMISSIONS ON PC7 - FOSTER HOLDINGS LIMITED

Further to our email of 17 June 2010, please find enclosed further submissions by Foster Holdings Limited in response to the following original submissions on Plan Change 7:

- Submission 22 – Selwyn Central Community Board
- Submission 25 – Angelene Holton
- Submission 79 – Rolleston Residents Association

We confirm that copies of the attached submissions have also been served on the original submitters.

Yours faithfully
ADDERLEY HEAD

David Pedley
Senior Solicitor

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Partner responsible: Paul Rogers
Our ref: PGR-120241-9-14-V1

FURTHER SUBMISSION ON PLAN CHANGE 7 TO THE SELWYN DISTRICT PLAN

Clause 8 of the First Schedule to the Resource Management Act 1991

TO: Selwyn District Council
PO Box 90
Rolleston 7643

FURTHER SUBMISSION ON: Plan Change 7 to the Selwyn District Plan

NAME: **FOSTER HOLDINGS LIMITED** ("FHL"), C/- Adderley Head, PO Box 16, Christchurch 8140

Original submission to which this submission relates

- 1 This is a further submission that **opposes in part** submission no. 22 made by **Selwyn Central Community Board**.

Relevant part(s) of the original submission

- 2 The particular parts of the submission that are opposed are:
 - 2.1 That part of the submission that seeks to combine ODP Areas 5 and 6 into a single ODP Area.

Reasons for further submission

- 3 The submission is opposed for the following reasons, among others:
 - 3.1 ODP Area 5 is the most suitable location for the proposed Recreational Precinct and is of sufficient size to accommodate all necessary and appropriate activities;
 - 3.2 In contrast, ODP Area 6 is better suited for primarily residential development in accordance with FHL's original submission on Plan Change 7;
 - 3.3 There is no need to combine these two areas into a single ODP Area and retaining them as separate ODP Areas will enable more timely and efficient development to occur; and
 - 3.4 Overall, having regard to the relevant costs, benefits and risks, maintaining the current division between ODP Areas 5 and 6 is the most appropriate outcome that best achieves the purpose of the Act.

Decision sought

- 4 FHL seeks that the relief sought in the submission as described above be declined.

FHL **does** wish to be heard in support of this further submission

If others are making a similar submission, FHL **would** be prepared to consider presenting a joint case with them at a hearing



Signed:

Paul Rogers, Solicitor, being the duly appointed representative of Foster Holdings Limited

Date: 17 June 2010

Address for service:

C/- Adderley Head
PO Box 16
Christchurch 8140

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SCANNED

100618018

FURTHER SUBMISSION ON PLAN CHANGE 7 TO THE SELWYN DISTRICT PLAN

Clause 8 of the First Schedule to the Resource Management Act 1991



TO: Selwyn District Council
PO Box 90
Rolleston 7643

FURTHER SUBMISSION ON: Plan Change 7 to the Selwyn District Plan

NAME: **FOSTER HOLDINGS LIMITED** ("FHL"), C/- Adderley Head, PO Box 16, Christchurch 8140

Original submission to which this submission relates

- 1 This is a further submission that **opposes** submission no. 25 made by **Angelene Holton**.

Relevant part(s) of the original submission

- 2 The entire submission is opposed, including in particular:
- 2.1 That part of the submission that opposes the development of ODP Areas 5 and 6;
- 2.2 The relief sought that 200-300 households for ODP Area 6 be reallocated to an area of land along East Maddisons Road currently zoned Inner Plains; and
- 2.3 The relief sought that larger sections be required within ODP Area 6 along the boundaries with East Maddisons Road and Goulds Road.

Reasons for further submission

- 3 The submission is opposed for the following reasons, among others:
- 3.1 ODP Areas 5 and 6 are ideally suited for residential development for the following reasons:
- (a) Central location and proximity to existing town centre;
 - (b) Can be efficiently serviced with necessary infrastructure and integrated with surrounding land;
 - (c) Provides essential land to accommodate anticipated demand and provide for the growth and prosperity of Rolleston; and
 - (d) Consistent with relevant planning documents, including the Rolleston Structure Plan and Proposed Change 1 to the Canterbury Regional Policy Statement ("PC1").

3.2 The grounds of opposition raised are without substance and do not have any valid resource management basis. In particular:

- (a) There is no need for larger sections or development restrictions on the boundary of ODP Area 6 given the absence of any reverse sensitivity effects and the fact that all adjacent land will ultimately be developed for urban use (in accordance with the Rolleston Structure Plan and PC1);
- (b) Contrary to the assertions in the submission, the rezoning of these areas in Plan Change 7 does not prevent meaningful consultation on the future of facilities within the recreational precinct; and
- (c) The increased traffic associated with development can be adequately accommodated within the future road network to ensure that any adverse effects are no more than minor.
- (d) The selection of ODP Areas 5 and 6 for development was based on the location and suitability of the land, not land ownership. Furthermore, market competition will still occur due to the range of other ODP Areas that are rezoned by Plan Change 7.

3.3 Overall, having regard to the relevant costs, benefits and risks, approving Plan Change 7 (incorporating the amendments in FHL's original submission) is the most appropriate outcome for the Selwyn District that best achieves the purpose of the Act.

Decision sought

4 FHL seeks that the relief sought in the submission be declined and that Plan Change 7 (incorporating the amendments in FHL's original submission) be approved.

FHL **does** wish to be heard in support of this further submission

If others are making a similar submission, FHL **would** be prepared to consider presenting a joint case with them at a hearing



Signed:

Paul Rogers, Solicitor, being the duly appointed representative of Foster Holdings Limited

Date: 17 June 2010

Address for service:

C/- Adderley Head
PO Box 16
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ADDERLEY HEAD



21 June 2010

Mr Cameron Wood
Selwyn District Council
PO Box 90
Rolleston 7643

Dear Mr Wood

FURTHER SUBMISSIONS ON PLAN CHANGE 7 TO THE SELWYN DISTRICT PLAN

Further to our email of 18 June 2010, please find **enclosed** further submissions from the following persons in response to original submissions on Plan Change 7:

- Bruce & Michelle Coles;
- Murray & Lisa Alfeld; and
- Foster Holdings Limited.

We confirm that copies of the attached submissions have also been served on the original submitters.

Yours faithfully
ADDERLEY HEAD

David Pedley
Senior Solicitor

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Partner responsible: Paul Rogers
Our ref: DOP-115441-4-10-V1

SCANNED

100618017

FURTHER SUBMISSION ON PLAN CHANGE 7 TO THE SELWYN DISTRICT PLAN

Clause 8 of the First Schedule to the Resource Management Act 1991



TO: Selwyn District Council
PO Box 90
Rolleston 7643

FURTHER SUBMISSION ON: Plan Change 7 to the Selwyn District Plan

NAME: **FOSTER HOLDINGS LIMITED ("FHL")**, C/- Adderley Head, PO Box 16, Christchurch 8140

Original submission to which this submission relates

- 1 This is a further submission that **opposes in part** submission no. 79 made by **Rolleston Residents Association**.

Relevant part(s) of the original submission

- 2 The particular parts of the submission that are opposed are:
 - 2.1 That part of the submission that seeks to combine ODP Areas 5 and 6 into a single ODP Area.

Reasons for further submission

- 3 The submission is opposed for the following reasons, among others:
 - 3.1 ODP Area 5 is the most suitable location for the proposed Recreational Precinct and is of sufficient size to accommodate all necessary and appropriate activities;
 - 3.2 In contrast, ODP Area 6 is better suited for primarily residential development in accordance with FHL's original submission on Plan Change 7;
 - 3.3 There is no need to combine these two areas into a single ODP Area and retaining them as separate ODP Areas will enable more timely and efficient development to occur; and
 - 3.4 Overall, having regard to the relevant costs, benefits and risks, maintaining the current division between ODP Areas 5 and 6 is the most appropriate outcome that best achieves the purpose of the Act.

Decision sought

- 4 FHL seeks that the relief sought in the submission as described above be declined.

FHL **does** wish to be heard in support of this further submission

If others are making a similar submission, FHL **would** be prepared to consider presenting a joint case with them at a hearing



Signed:

Paul Rogers, Solicitor, being the duly appointed representative of Foster Holdings Limited

Date: 17 June 2010

Address for service:

C/- Adderley Head
PO Box 16
Christchurch 8140

Contact: Paul Rogers

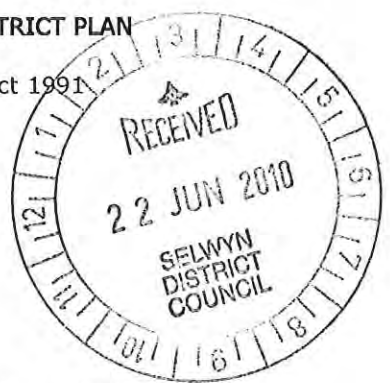
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FURTHER SUBMISSION ON PLAN CHANGE 7 TO THE SELWYN DISTRICT PLAN

Clause 8 of the First Schedule to the Resource Management Act 1991



TO: Selwyn District Council
PO Box 90
Rolleston 7643

FURTHER SUBMISSION ON: Plan Change 7 to the Selwyn District Plan

NAME: **FOSTER HOLDINGS LIMITED** ("FHL"), C/- Adderley Head, PO Box 16, Christchurch 8140

Original submission to which this submission relates

- 1 This is a further submission that **opposes** the original submissions by **Rolleston Square Limited** (No. 82), **Rolleston Retail Limited** (No. 83) and **Roll Ten Investments Limited** (No. 84).

Relevant part(s) of the original submissions

- 2 The particular parts of the submission that are **opposed** are:
 - 2.1 That part of the submission that seeks that Plan Change 7 be declined.

Reasons for further submission

- 3 The submission is **opposed** for the following reasons, among others:
 - 3.1 Declining Plan Change 7 would frustrate the rezoning and ODP Areas 5 and 6, in which FHL has an interest.
 - 3.2 For the reasons outlined in FHL's original submission (No. 91), ODP Areas 5 and 6 are ideally suited for development and should be rezoned accordingly.
 - 3.3 Overall, having regard to the relevant costs, benefits and risks, approving Plan Change 7 is the most appropriate outcome for the Selwyn District that best achieves the purpose of the Act.

Decision sought

- 4 That the relief sought in the submission is declined and that Plan Change 7 be approved, subject to the amendments sought in FHL's original submission.

FHL **does** wish to be heard in support of this further submission

If others are making a similar submission, FHL **would** be prepared to consider presenting a joint case with them at a hearing



Signed:

Paul Rogers, Solicitor, being the duly appointed representative of Foster Holdings Limited

Date: 18 June 2010

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SCANNED

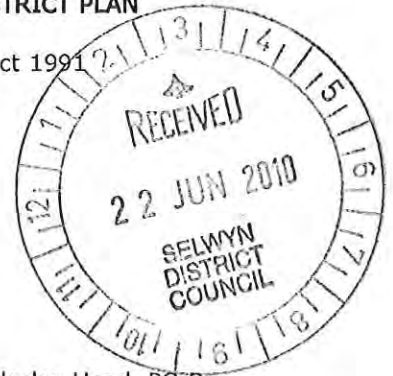
FURTHER SUBMISSION ON PLAN CHANGE 7 TO THE SELWYN DISTRICT PLAN

Clause 8 of the First Schedule to the Resource Management Act 1991

TO: Selwyn District Council
PO Box 90
Rolleston 7643

FURTHER SUBMISSION ON: Plan Change 7 to the Selwyn District Plan

NAME: **FOSTER HOLDINGS LIMITED** ("FHL"), C/- Adderley Head, PO Box 16, Christchurch 8140



Original submission to which this submission relates

- 1 This is a further submission that **opposes** the original submission by **Jens Lauritz Christensen** (No. 93).

Relevant part(s) of the original submissions

- 2 The particular parts of the submission that are **opposed** are:
 - 2.1 That part of the submission that oppose the use of Outline Development Plans and which seek that all subdivision consents should be publicly notified.

Reasons for further submission

- 3 The submission is **opposed** for the following reasons, among others:
 - 3.1 The use of Outline Development Plans ("ODPs") is a well accepted planning technique that enables co-ordinated and sustainable development to occur. Furthermore, ODPs are required for all Greenfield Development under Proposed Change No.1 to the Regional Policy Statement.
 - 3.2 Under Policy B4.3.7 and B4.3.68 (Rolleston), Plan Change 7 contains detailed requirements for ODPs that will provide a clear outline of the nature of the development and address all important issues and potential constraints associated with development.
 - 3.3 The inclusion of an ODP within the Selwyn District Plan is a publicly notified process, either through Plan Change 7 or a subsequent plan change. This provides an adequate opportunity for public input without the need for subsequent subdivision applications that are in accordance with the relevant ODP to be publicly notified.

- 3.4 Requiring subdivision applications to be public notified is an unnecessary, inefficient and onerous requirement that is contrary to the purpose and principles of the Act.

Decision sought

- 4 That the relief sought in the submission is declined and that the current provisions of Plan Change 7 are maintained so that subdivision applications in general accordance with the relevant ODP are processed on a non-notified basis.

FHL **does** wish to be heard in support of this further submission

If others are making a similar submission, FHL **would** be prepared to consider presenting a joint case with them at a hearing



Signed:

Paul Rogers, Solicitor, being the duly appointed representative of Foster Holdings Limited

Date: 18 June 2010

Address for service:

C/- Adderley Head
PO Box 16
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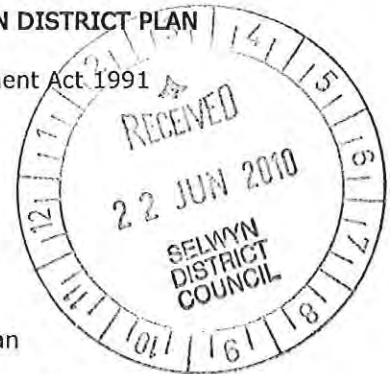
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FURTHER SUBMISSION ON PLAN CHANGE 7 TO THE SELWYN DISTRICT PLAN

Clause 8 of the First Schedule to the Resource Management Act 1991



TO: Selwyn District Council
PO Box 90
Rolleston 7643

FURTHER SUBMISSION ON: Plan Change 7 to the Selwyn District Plan

NAME: **FOSTER HOLDINGS LIMITED** ("FHL"), C/- Adderley Head, PO Box 16, Christchurch 8140

Original submission to which this submission relates

- 1 This is a further submission that **opposes** the original submission by **Nimbus Group Limited** (No. 38).

Relevant part(s) of the original submissions

- 2 The particular parts of the submission that are **opposed** are:
- 2.1 That part of the submission that seeks that Plan Change 7 be declined.

Reasons for further submission

- 3 The submission is **opposed** for the following reasons, among others:
- 3.1 Declining Plan Change 7 would frustrate the rezoning and ODP Areas 5 and 6, in which FHL has an interest.
- 3.2 For the reasons outlined in FHL's original submission (No. 91), ODP Areas 5 and 6 are ideally suited for development and should be rezoned accordingly.
- 3.3 Overall, having regard to the relevant costs, benefits and risks, approving Plan Change 7 is the most appropriate outcome for the Selwyn District that best achieves the purpose of the Act.

Decision sought

- 4 That the relief sought in the submission is declined and that Plan Change 7 is approved, subject to the amendments sought in FHL's original submission.

FHL **does** wish to be heard in support of this further submission

If others are making a similar submission, FHL **would** be prepared to consider presenting a joint case with them at a hearing



Signed:

Paul Rogers, Solicitor, being the duly appointed representative of Foster Holdings Limited

Date: 18 June 2010

Address for service:

C/- Adderley Head
PO Box 16
Christchurch 8140

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