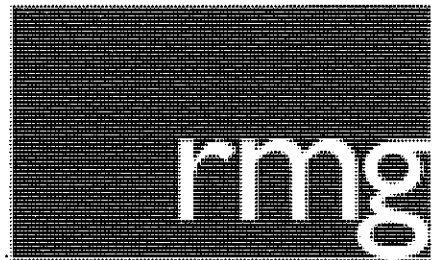


13 April 2010



528
29
30

Resource and Environmental Management Consultants

David Smith
Team Leader Policy & Strategy
Selwyn District Council
P O Box 90
Rolleston 7643

CF013, LU010, AG008



Dear David

SUBMISSIONS ON PLAN CHANGE 7

Please find attached submissions lodged on behalf of:

- Lincoln University
- AgResearch Limited
- The New Zealand Institute for Plant and Food Research Limited

Yours sincerely,
Resource Management Group Limited

Darryl Millar
Director

Email: darryl@rmgroup.co.nz
DDI: 03 962 1740

Resource Management Group Ltd

Phone 03-365 7056, Fax 03-365 7059

Level 5, SBS House, 180 Manchester Street
P O Box 13792, Christchurch

Form 5



SUBMISSION ON PUBLICLY NOTIFIED PLAN CHANGE NO.7 TO THE PARTIALLY OPERATIVE SELWYN DISTRICT PLAN

Clause 6 of First Schedule, Resource Management Act 1991

To:

Selwyn District Council (SDC)
2 Norman Kirk Drive
Rolleston

NAME OF SUBMITTER:

*The NZ Institute for Plant and Food Research Ltd
(Note address for service below)*



SUBMISSION BY THE NZ INSTITUTE FOR PLANT AND FOOD RESEARCH LTD (PLANT & FOOD)

Pursuant to Clause 6 of the First Schedule of the Resource Management Act, Plant & Food hereby lodges a submission to Plan Change 7 (PC7) to the Partially Operative Selwyn District Plan (the Plan).

Plant & Food is a New Zealand-based science company formed in December 2008 through the merger of HortResearch and Crop & Food Research. As a Crown Research Institute, Plant & Food's scientific research is primarily undertaken for the wider benefit of New Zealand. Plant & Food provides research and development that adds value to fruit, vegetable, crop and food products.

Plant & Food have significant assets and operational interests in land within the Greater Christchurch area and the Canterbury Region, particularly in Lincoln where they operate a Research Campus at the Canterbury Agriculture and Science Centre on the north side of Gerald Street within the Business 3 Zone. Plant & Food owns additional landholdings in the Inner Plains, Outer Plains and L2 zones in northern Lincoln.

This submission focuses primarily upon the impact of PC7 on Plant & Food's landholdings at Duncan's Block and Smith's Block (see Attachment 1). These two sites comprise part of the network of Plant & Food's nationally and regionally significant facilities in Lincoln.

In terms of its functions and responsibilities, and the importance of these as a matter of national and regional significance, Plant & Food makes the following submissions on the Plan.

In broad terms, Plant & Food both supports and opposes PC7 in part for the reasons discussed below.

THE SPECIFIC PROVISIONS SUBMITTED ON:

Notwithstanding the *general* comments made above, the specific provisions of PC7 that Plant & Food's submissions relate to are as follows:

Amendments to Township Volume – Part B – Growth of Townships

- New Policy for Residential and Business Development – Town Form, B4.3.7.
- New Policy for Lincoln Township, B4.3.56, Outline Development Plan (ODP) Area 3, including the requirement for:

Provision of a Rail Trail route, and main pedestrian and cycle links to township, including routes via 'Brown's Lane' and adjacent to both Ellesmere Road and Edward Street.

- New Policy for Lincoln Township, B4.3.56, Outline Development Plan Area 4, including the requirements to address:

Provision for a main road connection between Birchs Road and Boundary Road, aligning with main road from ODP Area 3

and

The potential for reverse sensitivity with surrounding rural land which includes but is not limited to: dust (during cultivation and harvesting), spray drift, irrigation drift, noise from bird scaring devices, noise and headlight glare from machinery, smoke from "burn off" and odour.

Amendments to Township Volume – Part E – Appendix

- New Appendix E35 for Lincoln Township, Outline Development Plan Areas 3 and 4

NATURE OF SUBMISSIONS:

Plant & Food both **supports and opposes PC7 in part**. In more specific terms, Plant & Food supports the inclusion of Duncans Block within ODP Area 3 and the Living Z zone, but opposes the prescriptive requirements which must be shown on the Area 3 ODP and elements of the ODP itself. Plant & Food is also opposed to proposed ODP Area 4, particularly in regard to its potential impacts on an active research farm at Smiths Block.

DETAILS OF SUBMISSIONS:

Duncans Block

On balance, Plant & Food supports the inclusion of Duncans Block within ODP Area 3 and the proposed Living Z zone. Notwithstanding this, Plant & Food is not able to support the specific provisions outlined in new Policies B4.3.7 and B4.3.56 and shown on the ODP for Area 3 as notified.

Plant & Food has resolved to dispose of Duncans Block. This decision reflects the commitments made by Plant and Food to the Lincoln Structure Plan and PC1 process where it signalled general agreement to the concept of urban development to the north and east of Lincoln so as to afford long term protection to the balance of Research farms and activities west of the township. Though the land will be eventually disposed of and developed by an outside party, Plant & Food wishes to ensure that the full development potential of the land not be compromised by the introduction of provisions contained in PC7. In addition, Plant & Food notes that the introduction of PC7 should not compromise the site's current use as a research facility.

In specific terms, Plant & Food is concerned that the design of the various layer diagrams contained in ODP Area 3 (as notified) could impact on the block's future development potential. By way of example, the 'Stormwater and Sewer Network Plan' in ODP4 shows a sewer main route originating from the centre of Duncans Block, and running through the land currently owned by Fulton Hogan to the south. To this end, it is implied that the development of Duncans Block is dependent on the development of the Fulton Hogan land insofar as the former could not be serviced without the latter having established its 'share' of the wastewater network. Put differently, if the Fulton Hogan block is not developed prior to the development of Duncans Block, the developer of Duncans Block will require an alternate wastewater conveyance solution (thus requiring a higher level resource consent). Alternately, the Duncans Block developer might be required to bear the financial

burden of establishing the full extent of the sewer main currently shown on the ODP in order to service its land, though more viable options might exist. Neither of these results is acceptable to Plant & Food.

An additional concern Plant & Food has with respect to ODP Area 3 relates to the proposed use of Brown's Lane. In particular, Plant & Food considers that the lane's proposed use as an 'off-street walkway and cycle connection' is not the most optimum use of the site. Moreover, Plant & Food has concerns that the proposed walkway/cycleway could give rise to security risks and/or adversely affect the efficiency of Duncan's Block whilst its current use as a research facility is continued. This notation shown on the ODP, and the related Policy which requires the connection (B4.3.56) are not supported.

Smiths Block

Plant & Food understands that both the Lincoln Structure Plan (**LSP**) and Proposed Change 1 to the Regional Policy Statement (**PC1**) have identified ODP Area 4 for future residential use in the order of 10 households/hectare. Plant & Food also understands that SDC must give effect to the Regional Policy Statement (**RPS**), and have regard to any proposed changes to the RPS. For this reason and though it is not Plant & Food's preference to see residential uses created in immediate proximity to Smith's Block, Plant & Food does not oppose the use of ODP Area 4 for residential use in general.

Plant & Food does not, however, support the specific ODP for Area 4 included in PC7 as notified, as in its current form it raises potential reverse sensitivity effects for Plant and Food's Smiths Block which adjoins ODP Area 4. The proposed ODP is contrary to the Christchurch UDS¹ (of which SDC is a signatory), PC1, the Partially Operative District Plan, and the Objectives and Policies included within PC7 itself. Specifically:

- **UDS** – The Urban Development Strategy & Action Plan, 2007 (**SAP**) notes the significance of the agricultural research facilities operated by Plant & Food. More specifically, it states:
 - *National and regional assets will be protected including...the agricultural research centres and farms as these are essential infrastructure².*
 - *Greater Christchurch also contains a number and range of research centres and agricultural research farms located in close proximity to each other that are of strategic importance from a local and national perspective. Their retention and continued operation is of importance to the regional economy³.*

Further, the UDS outlines several 'Key Approaches' which include the need to "Manage adverse effects on strategic nationally and regionally important research centres and farms."

- **PC1** – These views are being codified into the RPS by way of PC1. Environment Canterbury released its decisions on submissions in December of 2009. This document highlighted a number of relevant issues for the Region's future urban growth, including 'Issue 3' which states specific 'Environmental Challenges':
 - *Development can have adverse effects, which if not identified and avoided, could result in inappropriate outcomes, such as:*
 - ...
 - (f) *conflicts between legitimately established rural activities (including quarrying and agricultural research establishments) and sensitive activities which seek to locate in proximity to these activities.*

¹ Urban Development Strategy

² SAP, p.25

³ SAP, p.93

Similarly, 'Issue 4' in PC1 notes that *"Sporadic or unplanned growth can...adversely affect the efficient use or development of strategic infrastructure, due to reverse sensitivity impeding their operations."* Though the region's research centres (including those operated by Plant & Food) are not explicitly listed under the definition of "strategic infrastructure" in PC1, this definition is not "exclusive;" and in considering the relationship between the SAP (which notes research centres as examples of strategic regional importance) and PC1, it is inferred that research farms such as Smiths Block fall under this classification.

The guiding principle of PC1 that relates to the relationship between development and strategic infrastructure is Objective 8, which sets out to *"achieve urban land use and development that does not adversely affect the efficient operation, use and development of strategic infrastructure and enables the development of the additional strategic infrastructure necessary to meet the needs of growth in population and economic activity in the Greater Christchurch area."*

This Objective is to be achieved by a number of Policies. Of most relevance for Smiths Block is Policy 10, which seeks to *"Ensure urban activities do not adversely affect the efficient use and development of Strategic Infrastructure."* Policy 10 includes 4 methods to achieve this end, including the need for *"Territorial authorities within their district plans [to] provide policies and rules to manage reverse sensitivity effects between strategic infrastructure and the subdivision, use and development of land, including for residential and rural residential activities."*

- **District Plan** – The partially Operative Selwyn District Plan⁴ mirrors these sentiments, seeking to *"ensure rezoning any land for new residential or business development does not create or exacerbate potential reverse sensitivity issues in respect of activities in the Business 3 Zone or surrounding Rural Zone."*
- **PC7** – Plan Change 7⁵ itself contains Policy guidance specifically for the potential reverse sensitivity issues associated with future development of ODP Area 4, including the requirement to address the *"potential for reverse sensitivity with surrounding rural land which includes but is not limited to: dust (during cultivation and harvesting), spray drift, irrigation drift, noise from bird scaring devices, noise and headlight glare from machinery, smoke from 'burn off' and odour."*

It is Plant & Food's view that the proposed ODP for Area 4 has not adequately considered any of the above provisions. No specific treatment is suggested on the ODP for the interface between Area 4 and the adjacent Smiths Block. Plant & Food submits that the ODP should not be approved until an appropriate level of mitigation is included to achieve the outcome anticipated by the above Policy considerations.

Plant & Food also opposes the requirement in Policy B4.3.56 to include a main road connection between Birchs Road and Boundary Road, aligning with main road from ODP Area 3. The notation shown on ODP Area 4 which gives effect to this Policy and the supporting text in the ODP which states, *"The connection to Boundary Road can be routed either through the Golf Course or the directly adjacent land (being Smiths Block), utilising existing tracks and/or unused parts of the Golf Course"* are likewise opposed. As noted above, Smiths Block is an active research farm, and the inclusion of a new main road through the site could compromise the efficient use of the site.

PLANT AND FOOD SEEKS THE FOLLOWING DECISION FROM SELWYN DISTRICT COUNCIL:

- 1) That all reference to the requirement that a main pedestrian and cycle route be provided at Browns Lane (including, but not limited to, the provisions set out in Policy B4.3.56 and in ODP 3) be deleted from the plan change.

⁴ Policy 4.3.54, Township Volume

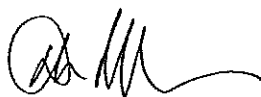
⁵ Proposed New Policy B4.3.56

- 2) That the ODP for Area 3 (Lincoln) be approved subject to the amendments proposed in Attachment 2.
- 3) That ODP Area 4 as proposed by notified Plan Change 7 be deleted; or
- 4) Without derogating the relief sought in point 3 above, that ODP Area 4 be amended to include an appropriate landscaped buffer and setback from Smiths Block so as to avoid or mitigate the risk of reverse sensitivity effects arising between existing research activities and future residential activities.
- 5) That all reference (including, but not limited to, text in proposed Policies, Rules, and ODPs) to a requirement for a main road connection linking Boundary Road to Birchs Road via Smiths Block be deleted from the plan change.

HEARING

The NZ Institute for Plant and Food Research Ltd wishes to be heard in support of its submission. If others make similar submissions, Plant & Food may be prepared to consider presenting a joint case with them at any hearing.

Submission signed for and on behalf of **The NZ Institute for Plant and Food Research Ltd:**



.....
Darryl Millar
Director
Resource Management Group Ltd

Dated: 13 April 2010

Address for service of submitter:

The NZ Institute for Plant and Food Research Ltd
c/- Resource Management Group Ltd.
PO Box 13 792
Christchurch
Attn: Darryl Millar

(p) 03.962.1740
(f) 03.365.7059
(e) darryl@rmgroup.co.nz

ATTACHMENTS

- (1) Plant & Food landholdings affected by PC7
- (2) Proposed Amendments to Area 3 Outline Development Plan

ATTACHMENT 1
Plant & Food landholdings affected by PC7

ATTACHMENT 2
Proposed Amendments to Area 3 Outline Development Plan

Amendments to Area 3 Outline Development Plan – LINCOLN

The proposed amendments below are to be read in conjunction with the submission on Selwyn District Council's Plan Change 7 from The NZ Institute for Plant and Food Research Ltd. Text proposed to be added to Outline Development Plan 3 is shown as underlined.

INTRODUCTION

1. Amend the 'Introduction' to Lincoln Area 3 Outline Development Plan by **adding** the following text after the final paragraph:

All key structuring elements (roads, reserves, walkways, cycleways, wastewater network, etc) shown on the following plans are indicative only and subject to final subdivision design. The alignment shown on the current plans should be generally adhered to; however, some flexibility is considered appropriate to allow for minor amendments which may arise as a result of detailed design.

ROAD NETWORK AND WATER SUPPLY PLAN

2. Amend notations shown by **adding** the word "indicative" before the notations for "Primary Route" and "Secondary Route."
3. Amend the text under the heading 'Road Network' by **adding** the following text after the second paragraph as follows:

Primary and secondary routes have been indicatively shown on the ODP. Future subdivision applications for Area 3 should be in general accordance with this roading layout, though there is flexibility for minor amendment to be made at subdivision design stage.

CYCLE AND PEDESTRIAN NETWORK PLAN

4. Amend notations shown by **adding** the word "indicative" before the notations for "Primary pedestrian + cycle routes" and "Secondary pedestrian routes."
5. **Amend** the first paragraph under the heading 'Cycle and Pedestrian Network' as follows:

The cycle and pedestrian network has a relationship with the underlying road pattern and open space network, and any minor amendments made to the alignment of these other features at subdivision stage should be reflected in the overall layout of cycle and pedestrian routes.

6. Amend the Cycle and Pedestrian Network Plan by **deleting** the 'potential local off-street walkway and cycle route' notation shown over Brown's Lane.

STORMWATER AND SEWER NETWORK PLAN

7. Amend notations shown by **adding** the word "indicative" before the notations for "Sewer main routes," "Stormwater Pond" and "Pump Station."
8. Amend the text under the heading 'Sewer Network' by **adding** the following text after the second paragraph:

Indicative locations of pump stations and sewer main routes have been shown; however, the final number and precise location of these assets will be finalised at subdivision stage

OPEN SPACE NETWORK PLAN

9. Amend notations shown by **adding** the word "indicative" before the notations for "Streets with special tree and landscape provisions" and "Key open space locations."

NEIGHBOURHOOD SERVICES AND AMENITY PLAN

10. Amend notations shown by **adding** the word "indicative" before the notation for "Medium density."