

100 413079 581

SCANNED

Resource Management (Forms, Fees, and
Procedure) Regulations 2003

Schedule 1

Form 5
Submission on publicly notified Plan Change
Selwyn District Plan

Clause 6 of First Schedule, Resource Management Act 1991



To Selwyn District Council
2 Norman Kirk Drive
PO Box 90
Rolleston
Christchurch 7614
FAX: 03-347-2799

1. Full name of submitter: DONALD, STRANACK, COTTE, WRIGHT

This is a submission on the following proposed Plan Change:

Plan change 7 & Plan change 23 (name and number of Plan Change)

2. The specific provisions of the proposal that my submission relates to are: (Attached)
The zoning time-line along the Springston -
Rolleston Road corridor (R.D.S Page 41.)
..... (give details).

3. *My submission in SUPPORT / OPPOSITION is: I strongly support Plan Change 23 Appendix 3.

I strongly reject the zoning timeline along
Springston - Rolleston Road (Attached)

*Include whether you SUPPORT or OPPOSE specific parts of the plan change or wish to have them amended; and the reasons for your views. Continue on a separate sheet if necessary.

4. †I seek the following decision from Selwyn District Council: a zoning change
(See Attached)
-
-
-
-
-
-
-
-

†Give precise details, including the nature of any change sought. Continue on a separate sheet if necessary.

5. I WISH / ~~DO NOT WISH~~ to be heard in support of my submission (delete as applicable)
6. If others make a similar submission, I will consider presenting a joint case with them at a hearing ☒ Yes.
(delete if you would not consider presenting a joint case)

7. DSC Wright 12 April 2010
Signature of submitter *or person authorised to sign on their behalf* Date

8. Address for service of submitter: 527 Springston-Rolleston Road.
R.D 8 CHRISTCHURCH 7678.

Telephone: (03) 3478 8440 Fax:

Email: DSCWright@xtra.co.nz

Contact person: Title(if appropriate)

Attachment to Form 5

Submission on publicly notified, Plan Change 7. Selwyn District Plan.

Don Wright

◆ We have serious concerns about our position regarding Plan Change 7 and the proposed 'Living Z' zone. We would prefer that Springston-Rolleston Road be given immediate development and high density status (Stage 1). This could be done by adding the land on the southern side of the road to the proposed SR6 and SR7 zones. Or creating new sub-zones SR6A and SR7A with some different conditions, if necessary. It is realised that the the existing population densities are different and that it is **easier** for planners and developers to deal with as few owners as possible, however, a glance at the map shows that the three areas are inextricably joined and are virtually one. Logic suggests that the whole area should be developed at the same time. The proposed upgrading of Springston-Rolleston Road to become a main leader road with a bus route, very close to the Recreational Precinct, High School and Neighborhood shopping centre as well as the SR6 and SR7 zones seems to suggest that S/R Road and SR'6s & 7 should be developed at approximately the same time..

◆ I question the absolute need for development to occur only along a narrow front, simply because a single owner has a relatively large area of unoccupied land for sale. It was only a short time ago that Rolleston was spreading like wildfire both north and south along State Highway 1.

◆ Long term residents of Springston-Rolleston Road have always considered themselves to be part of, and belonging to, the Rolleston community. We have served on committees and made constructive submissions to Consent Hearings over the 20 year period that has seen the town mushroom.(See attached appendices).

◆ The key to any future development, including the SR6 and SR7 zones, according to the Rolleston Draft Structure Plan, depends on installing the main sewerage line to the new Southern Pumping Station i.e. along Springston-Rolleston Road. It is planned to turn S/R Road into a tree-lined avenue with lateral and central tree-planting. According to the RDS Report this planting should be done sooner rather than later. With the existing water race on the north side of the road, widening might be expected to take place on the south side

◆ The notion that Springston-Rolleston Road is 'some' distance from the SR6 & SR7 zones, **must** be challenged. For **many** of us it is a nice easy walk which we do on a daily basis, just for exercise. (RDSP page 111)

◆ If the planned Recreational Precinct is going to attract hungry sports supporters as suggested, where better to go for sustenance than to the nearest Neighborhood Centre on S/R Road just a very short walk away.

◆ Many of us along Springston-Rolleston Road still have septic tanks, which in March 1995 was a **powerful reason** for getting Resource Consent for a central collection, treatment and disposal systems. We along S/R Road were all in the **headcount** for getting that consent granted.

◆ Upgrading and widening the road, planting the trees, putting in the sewer line, water reticulation and fibre optic cables, establishment of the necessary residential setbacks from the road. etc., might all be expected to be done at the same time. Now. Rather than in bits and pieces somewhere down the track. I believe in consultation with the locals affected, and perhaps some financial input from them, it could be done now. **I would like to see Springston-Rolleston Road, developed early and as the perfect example of what the new ROLLESTON concept is really all about.** (See the RSP)

APPENDIX 1

Attachment to Form 5 Submission on publicly notified Plan Change Selwyn District Plan

Presenting supporting historical evidence to the fact that the residents along Springston-Rolleston Road were included as an integral part of Rolleston's early development and were factored into the towns future..

In the early 1990's a group of Springston-Rolleston Road residents, plus a few other people from two 'red herring' alternative sites, got together **to oppose the building of an oxidation pond** on the site that later became the now defunct treatment plant and effluent disposal area along Springston-Rolleston Road. The group took a petition, opposing the pond, to every household in Rolleston. The end result was that the idea was abandoned. Shortly afterwards 'Helpets boat clarifier treatment plant' was built. This move was crucial to the early, rapid development of Rolleston. The plant and effluent disposal system had many serious shortcomings most pointed out at its consent hearings by the Springston-Rolleston road group. The operation breached its consent constraints on a regular basis throughout its life. Most of the serious shortcomings, which, proved to be correct, were pointed out at the consent hearings for Scheme Change 6. During these hearings, at the end of his presentation a representative of the Springston-Rolleston Road residents group was asked to indicate on a map on the wall, for all to see, where the plant and effluent disposal area should be, if not along Springston -Rolleston Road. He immediately indicated a site along Burnham School Road. (this would be recorded in the minutes of this meeting).

The ensuing rapid growth of Rolleston and lessons learnt from the Springston-Rolleston Road fiasco, lead to its replacement by the Pines plant. At least, it did get things started.

Consent granted 30th March 1995.

Page 2 paragraphs 3 and 5 of the attached Agreement dated 7 September 1995 shows that the powers that be were not keen for the Springston-Rolleston Road residents group to appeal against the Commissioner's granting a consent for sewage treatment and effluent disposal, for 35 years, on the Springston-Rolleston Road site. These paragraphs show that there was an unsolicited offer to connect sewerage lines free of charge, to their properties. I think we all took it with a grain of salt but it does prove beyond any doubt that in 1995 we were **definitely part of Rolleston's immediate development plans. And now 15 years later we appear to be in limbo and only distantly and vaguely in the mix.**

DATED _____ **1995**

BETWEEN THE APPELLANTS

**AND HELPET INVESTMENTS
 LIMITED**

AGREEMENT

**ANTHONY HARPER
SOLICITORS
CHRISTCHURCH**

AGREEMENT

DATED the 7th day of September 1995

PARTIES

HELPET INVESTMENTS LIMITED at Christchurch (hereinafter variously called the Applicant and The Consent Holder ("Helpet"))

THE PERSONS NAMED IN THE SCHEDULE (hereinafter both jointly and severally called "the Appellants")

A INTRODUCTION

- 1 Helpet has applied to the Selwyn District Council and the Canterbury Regional Council for resource consents, application numbers R301205, 950310 and 950311;
 - 2 The Canterbury Regional Council Hearing Committee in a joint hearing with the Commissioner for the Selwyn District Council reported their decisions on the applications by notice dated 30th March 1995.
 - 3 The Appellants have lodged a Notice of Appeal under section 121 of the Resource Management Act 1991 requesting the Planning Tribunal to re hear the applications and that the resource consents not be granted.
 - 4 Helpet and the Appellants have held discussions concerning the issues between the parties and as a result the Appellants has/have agreed to apply to the Planning Tribunal for its approval of a consent order allowing the Appeal in part by mending the conditions of the consent but in other respects disallowing the Appeals for the considerations hereinafter set out.
 - 5 As the Appellants' Appeal is not the only Appeal filed with the Planning Tribunal seeking cancellation of the consents, in the event of any one or more of the other Appellants not applying to the Tribunal for its approval of a consent order agreed upon between the parties and in the event of any hearing proceeding, the Appellants agrees either to support the Councils' decisions (subject to the modifications and inclusions set out in the consent memorandum filed with the Planning Tribunal) or at least not to oppose the upholding of the Councils' Decision (subject to the modifications and inclusions set out in the consent memorandum previously referred to).
 - 6 The Appellants further agrees that the arrangement between the parties in respect of the application for the approval of the Planning Tribunal of a consent order setting out the agreement between the parties and the considerations which flow to them as a result thereof is subject to the decisions of both the Canterbury Regional Council and the Selwyn District Council
- [Handwritten signature]*

subject to these Appeals being upheld subject only to the same being modified with the approval of the Planning Tribunal by an order setting out the agreement between the parties.

B THIS AGREEMENT RECORDS

- 1 The Appellants agrees forthwith to apply to the Planning Tribunal for its approval of a consent order allowing the Appeal in part of resource consents numbers 950310, 950311 and R301205, by amending the conditions of consents in the manner set out in the consent memorandum signed by Simon Hedley on our behalf and filed with the Planning Tribunal but in other respects disallowing the Appeals of the considerations hereinafter set out.
- 2 In consideration of the foregoing upon the Planning Tribunal approving the consent order referred to in clause B1 herein Helpet will, on construction and commissioning of its sewage treatment plant the subject of the applications referred to above, provide to the Appellants one free connection to the sewage scheme for the benefit of the land currently owned by the Appellants being located within the Rolleston District and being subject to Scheme Change 10 of the Selwyn District Council Plan.
- 3 The Appellants shall only be entitled to obtain a connection to the sewage scheme as and when the same is available from the Selwyn District Council, the timing of which shall be at the Council's discretion.
- 4 The Appellants acknowledge that the Council shall be entitled to charge the Appellants a connection fee prior to him/them being entitled to utilise the sewage disposal system. In that event the Appellants shall complete payment of the connection fee to the Council following which Helpet shall on receiving written notice complete full reimbursement of the moneys paid by the Appellants to the Council.
- 5 The Appellants acknowledge that he/they shall only be entitled to a free connection referred to above while he/they remain the registered proprietor of the land referred to above, unless the connection be required as a consequence of a subdivision of the land undertaken by the Appellants.
- 6 That the Management Plan shall set out all procedures for operation by which the effluent quality is achieved and maintained. Helpet shall continue consultation with the Appellants' representative on the contents of the Management Plan prior to the operation of the plant. Consultation with the Appellants' representative is not intended to create any right of veto or objection nor is consensus required. The intended process is to draw upon the resource of the Appellants and to recognise the need for discussions to understand the concerns of the Appellants in order that they may be properly addressed.

Handwritten signatures and initials:
 [Signature] S.J.C.
 H.H.

7 In particular and without in any way derogating from paragraph 6.

- a Helpet agrees that it shall incorporate within the Management Agreement irrespective of whether the same is required as a consequence of the decision of the Tribunal the following monitoring provision:
- b "The consent holder shall through an independently accredited research agency (in the first instance Lincoln Environmental) monitor the effects of the land disposal of treated sewage as follows:
 - i Four lysimeters to be installed in the appropriate blocks at a suitable depth to allow collection and analysis of water draining through the soil. The specific design and installation of the lysimeters to be carried out by Lincoln Environmental in consultation with the applicant's consultant and Dr D S C Wright. The location of the lysimeters will be such as to include the different soil types in each block.
 - ii Water collected in the lysimeters will be analysed for concentrations of nitrate, total nitrogen, and faecal coliforms as a measure of the degree of the drainage through the soil vs uptake by the plant/soil system.
 - iii The frequency of collection and timing after irrigation will be agreed between Royds Consulting (on behalf of the Consent Holder) and Lincoln Environmental. Lincoln Environmental shall make control measurements before the effluent irrigation begins in wet weather when drainage would be expected. A second round of measurements shall be made six months after the STP and land disposal scheme are in operation or at such time as there are sufficient volumes of treated sewage to result in possible changes to the drainage of nitrogen from Blocks 1 and 4.
 - iv Subsequent tests shall be carried out during winter irrigation over each following year until the development reaches the Stage II level.
 - v Before operation of the sewage treatment and disposal scheme analyses will be carried out of water from bores closest to the site for nitrate and faecal coliforms. The same bore water will be sampled and analysed again on at least one occasion each year after the land disposal begins.
 - vi Temporary air sampling points will be erected around the site during the first time effluent is irrigated. The samplers will contain sterile air filters which will be cultured to determine whether there is any transport of bacterial aerosols beyond the site. The same testing will be carried out during ground level irrigation in north westerly wind conditions. The testing will be

AS 11.11.11
7412

repeated monthly over the first six months of operation of the disposal scheme, and thereafter every six months.

- 8 Helpet **ACKNOWLEDGES AND AGREES** that for its part that subject to the Appellants entering into this agreement and advising the Tribunal that he/she/they apply for the Planning Tribunal's approval of a consent order allowing the Appeal by amending the conditions of the consents but in other respects disallowing the Appeal, Helpet shall not seek the recovery of costs against the Appellants for their having lodged an Appeal before the Tribunal.
- 9 The parties hereby agree and declare that the provisions of this agreement shall be binding upon any successors of Helpet to the intent that those obligations shall run with the land in the same way that the resource consent referred to herein shall run with the land described herein.

SCHEDULE

B J & C J Hicks
R J A Bunker
A J & L A Mitchell
W R & N E Harper
D S C Wright
R & S Y Anderson
C G Hobbs

DATED the day and year first hereinbefore referred to

SIGNED for and on behalf of
the Appellants by
SIMON HEDLEY

in the presence of:

)
)
) *S. J. Hedley*
)
)
)

Witness:

[Signature]
.....

Occupation

Resident Engineer
.....

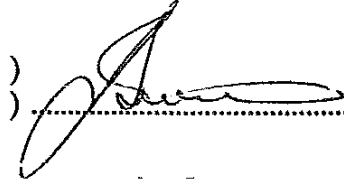
Address:

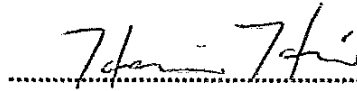
House No. 1025 Christchurch
.....

SIGNED by
HELPET INVESTMENTS LIMITED



S. G. MORTLOCK
SOLICITOR
CHRISTCHURCH

)  Director

 Director

APPENDIX 2

Attachment to Form 5 Submission on publicly notified Plan Change Selwyn District Plan

The Rolleston Draft Structure Plan emphasizes the importance of having sewerage lines and disposal in place before any further development around Rolleston and indeed several nearby towns and areas can take place.

Appendix 2 is the first three pages of a 30 page document tabled before the commissioners sitting on consents for sewerage disposal for Scheme Change 60, subsequently called 'The Pines'. It was a consolidation of what was learnt from experience and possible options. As I understand it there were meaningful outcomes resulting from the tabling of this document.

- ◆ My concerns are focused on effluent disposal and especially on the nitrate pollution of the ground water, because the problem is simple to understand, and is one of the major factors in land disposal of treated sewerage. Nitrate is a hazardous substance, as in its reduced form nitrite, it is toxic to humans (Submission by N.Rykers pp 99 & 100). The evidence presented in this submission indicates that it is being released into the environment, namely to unconfined aquifers. This is contrary to the R.M.A.. The literature also highlights other chemical contaminants and pathogenic organisms associated with treated sewerage applied to land near Rolleston (Refs 5 & 9).
 - ◆ There is also the question of the inevitable, aerosols and spray drift associated with strong winds experienced 18% of the time on the Central Plains and sprinkler irrigation (Ref 9). Legionella is known to be transmitted via moving warm moist air and there is no evidence to suggest that trees will prevent the free movement of aerosols even through a forest.
-

APPENDIX 3

Attachment to Form 5 Submission on publicly notified Plan Change Selwyn District Plan

A copy of a letter dated July 2005 supporting Plan Change 23.

(There are about 40 property owners affected by CIAL Appeals)
I have copied it for a few property owners who have shown an interest in what is happening
Regards Annette

page 23

Springston-Rolleston Road
Rd 5 Christchurch 7675
17 July 2005

Airport noise appeal documents

Dear Annette,

Many thanks for letting us see the appeal documents. My first impression after reading the document, was that this was a good example of bureaucratic decisions being made without logic or discussion with those directly affected..

For example I and my family enjoy living under this 'airport noise footprint' and always have. Over this period the planes seem to have become quieter.

It seems that someone is trying to save us from ourselves. I would be more convinced about their concerns if they had canvassed the 40 or so properties affected, about their opinions on their current perception of the nuisance value of the air traffic. Plus a doubling or trebling of the aircraft overhead in the next 14 years. I would be surprised if there were any serious concerns .

Some points

1/ The airport is essential to Christchurch, Canterbury, the South Island, NZ, for lifestyle, freight and public transport. Planes overhead make some noise. But all of this applies equally well to the railway and State Highway 1 running through Rolleston. People are aware of all this and still choose to live here. Toll or Transit N.Z. do not regulate to lower the value of local resident's property because of the noise their activities create. It is rather like legislating against and penalising people who use Ipods or those attending Rock concerts.

2/ I have lived under the 'airport noise footprint' for 24 years and it has NEVER bothered me. If the Airport Authority had taken the trouble to contact the 40 or so people affected by the proposed rezoning I would be very surprised if anyone of them felt the noise was a problem. In strong nor-west winds the planes come in low over a large built up area from Shirley to Avonhead. I would be interested to know how many, if any, noise complaints the airport authority receives after a period of strong nor-west winds.

3/ The notion that the noise level will become much worse by the year 2020 is nonsense. Even doubling or trebling the current traffic level will NOT create an unbearable noise level. Because (a) there can be long periods of calm weather or the wind can and does blow from any point of the compass so, the amount of time that planes are flying directly over the designated Rolleston noise footprint area is not all that very much either now or in the future. (b) on a calm day recently only 1/3 of the incoming aircraft flew directly over the directional beacon. Some came in on either side of it while others were well to the north of it. Also they came in at different heights. The approach rules appear to be flexible and left to the pilots. (c) No one can predict what the level of air traffic into Christchurch will be, even in the short period of 14 years. For example the recent Asian crises, international upheavals, oil prices, bird flu. etc. etc. can have a dramatic effect.

3/ This restriction is going to cause ribbon development at Rolleston, as there are constraints in place on one side with the state highway and the rail.

4/ Since the proposed rezoning is going to affect the value of the properties under the 'airport noise footprint' and the loss can easily be established can those affected expect compensation, either from the Christchurch Authority or the Selwyn Council? In my view those affected should get legal advice.

Yours faithfully,

Don. Wright.