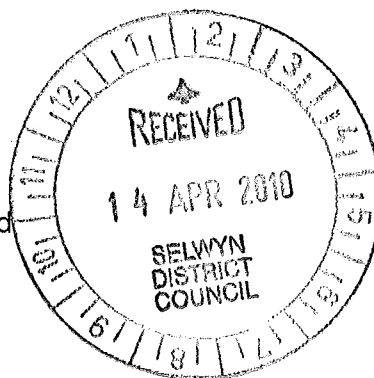


WYNN WILLIAMS & CO
BARRISTERS • SOLICITORS

582
83
84

13 April 2010

Attention Cameron Wood
Selwyn District Council
PO Box 90
Rolleston
CHRISTCHURCH 7614



SCANNED

EMAILED

PLAN CHANGE 7 TO THE SELWYN DISTRICT PLAN

We act for:-

- a. Rolleston Square Limited;
- b. Rolleston Retail Limited; and
- c. Roll Ten Investments Limited.

We **enclose**, for filing, submissions on Plan Change 7 for the above entities.

Yours faithfully
Wynn Williams & Co

Philip Maw
Associate

e-mail: philip.maw@wynnwilliams.co.nz

Partners
P F Whiteside
G H Nation
O R Matson
C R Johnstone
M Perpick
A K Sheppard
J D Gillard
K C France
A M Douglas
J V Ormsby
J B Kenny
S M Anderson

Consultants
A H Young
Prof. S Todd
G A Cooper

Associates
R L D Paul
S H Marsden
D I Haigh
J M Orton
C A Muir
E J Walton
P A C Maw
G E Slevin
M B Martin

General Manager
M A Jones

SCANNED

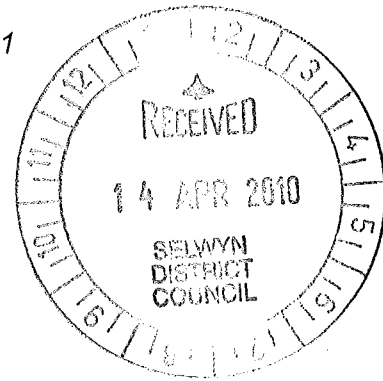
100414001

SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY STATEMENT OR PLAN

Clause 6 of First Schedule, Resource Management Act 1991

To: Selwyn District Council

Name of submitter: Rolleston Square Limited



1. This is a submission on proposed Plan Change 7 to the Selwyn District Plan.
2. The specific provisions of the proposal that this submission relates to are:
 - a. The Plan Change in its entirety, including those provisions that relate to the protection of the existing Rolleston Town Centre and the creation of new business zoned land in and around Rolleston, and the provision of medium density housing.

3. The submission is:

Protection of the Existing Town Centre

- a. Plan Change 7 fails to adequately protect the function, vitality and amenity of the existing Rolleston Town Centre. The objective and policy framework introduced by Plan Change 7 fails to provide adequate guidance in relation to the creation of new business zoned land outside of the existing Rolleston Town Centre. Without appropriate direction and guidance from the Objectives and Policies, land may, in the future, be zoned for business purposes without considering whether the zoning of land for such purposes would detract from the function, vitality and amenity of the existing Rolleston Town Centre.
- b. Those particular parts of Plan Change 7 which are opposed include, but are not limited, to:
 - i. Policy 3.4.3 which seeks to provide living zones with neighbourhood centres. The term "*neighbourhood centres*" is not defined in the Plan. There is no guidance given on the types of activities that can take place in neighbourhood centres, nor is there any guidance on the size of neighbourhood centres. Improperly designed neighbourhood centres have the potential to adversely effect the function, vitality and amenity of the existing Rolleston Town Centre. In these

circumstances, the reference to “neighbourhood centres” in Policy 3.4.3, together with the references in the explanation and reasons for the Policy, should be deleted.

- ii. Objective B4.3.1 deals with the expansion of townships. It does not contain any reference to protecting the function, vitality and amenity of the existing town centres. It is submitted that the objective be amended to ensure that the expansion of townships does not adversely affect the function, vitality and amenity of existing town centres.
- iii. The changes to Objective B4.3.3 seeks to remove the requirement for the rezoning of land to occur by way of a consistent and equitable process. Removal of the requirement to for consistent and equitable treatment of development is undesirable. It is submitted that the changes sought to this Objective should also include reference to a consistent and equitable process.
- iv. Policy B4.3.9 deals with development that is not in general accordance with an operative Outline Development Plan. The Policy does not provide any protection to the function, vitality and amenity of the existing Rolleston Town Centre. It is submitted that the Policy should be amended to include reference to the protection of the function, vitality and amenity of the existing Rolleston Town Centre.
- v. Policy B4.3.68 contains the specific policies for development within each Outline Development Plan (“ODP”) Area in Rolleston.
 - The part of the Policy relating to ODP Area 1 contains reference to the “Provision of a local business centre”. No further guidance is given as to what constitutes a “local business centre”. No reference to the types of activities or the size of the local business centre is given in the Policy. Given the lack of controls on the development of a local business centre within ODP Area 1, development could occur in such a way that detracts from the function, vitality and amenity of the existing Rolleston Town Centre. In the circumstances, it is submitted that reference to the provision of a local business centre within ODP Area 1 should be deleted. Alternatively,

express reference should be made in the Policy to require the provision of a local business centre only if the provision of such a centre does not affect the function, vitality and amenity of the existing Rolleston Town Centre.

- The part of the Policy relating to ODP Area 6 contains reference to the provision of a neighbourhood centre in the vicinity of the intersection of Goulds Road and East Madison Road. The term "*neighbourhood centres*" is not defined in the Plan. There is no guidance given on the types of activities that can take place in neighbourhood centres, nor is there any guidance on the size of neighbourhood centres. Improperly designed neighbourhood centres have the potential to adversely effect the function, vitality and amenity of the existing Rolleston Town Centre. In these circumstances, the reference to "neighbourhood centres" in that part of Policy B4.3.68 should be deleted.
- c. Notwithstanding the issues raised above, it is submitted that the provision of neighbourhood centres and local business centres is ill-conceived and should be avoided. There is no demonstrated need for such centres, nor is there any justification for the inclusion of such centres. Neighbourhood centres and local business centres in other townships have proven unsuccessful, both from an economic perspective and from an amenity perspective. They are unsustainable long-term and have the ability, in the short-term, to detract from the function, vitality and amenity of existing town centres.
- d. The failure of Plan Change 7 to properly protect the function, vitality and amenity of the existing Rolleston Town Centre fails to give effect to, and fails to have regard to the relevant provisions in the Canterbury Regional Policy Statement ("RPS") and those provisions in Proposed Change 1 to the RPS, including, but not limited to:
 - Chapter 12A, Policies 3, 5 and 8.

Medium Density Housing

- e. The plan provisions which seek to introduce medium density housing refer to the Medium Density Housing Guide. The Medium Density Housing Guide has not yet been finalised and is still in draft form. It is inappropriate to rely on a document which is still in draft form as the basis upon which the changes to medium density housing are promulgated. In order to properly understand the justification for Plan Change 7, the Medium Density Housing Guide must, first, be completed.
 - f. There are a number of issues with Medium Density Housing which Plan Change 7 seeks to introduce into the District Plan. In particular, the rules package which Plan Change 7 seeks to introduce provide for a decrease in the ratio of visible public open space per household. This is contrary to the Section 32 analysis which refers to the need for open space. Extra effective and functional open space is a key requirement for successful medium density housing. This appears to have been overlooked in Plan Change 7.
 - g. Medium density housing, as provided for, is typically two stories in height. However, two-storey developments are not suitable for older people who are major users of medium density housing.
 - h. There are inconsistencies between the density requirements set out in Plan Change 1 to the RPS, the Rolleston Structure Plan and the Section 32 analysis for Plan Change 7. There is no justification for housing densities exceeding 15 household units per hectare (as provided for in Plan Change 7) as this limits the ability to provide visible public open space and to retain existing character or open space together with single level housing.
 - i. For these reasons, it is submitted that Plan Change 7 does not amount to the sustainable management of natural and physical resources and is contrary to the purpose and principle of the Resource Management Act 1991.
4. Rolleston Square Limited seeks the following decision from the local authority:
- a. That Plan Change 7 be declined, or, alternatively, be amended to address the issues raised in this submission.

5. Rolleston Square Limited wishes to be heard in support of its submission.
6. If others make a similar submission, Rolleston Square Limited will consider presenting a joint case with them at a hearing.


.....
P A C Maw

Solicitor for Submitter

Date: 12 April 2010

Address for service of Submitter:

Wynn Williams & Co
Level 7, BNZ House, 129 Hereford Street, Christchurch 8140
P O Box 4341
CHRISTCHURCH 8140

Telephone: 03 3797622

Fax: 03 3792467

Email: philip.maw@wynnwilliams.co.nz

Contact person: P A C Maw