

SUBMISSION ON PLAN CHANGE 7 TO THE SELWYN DISTRICT PLAN – VOLUME 2, RURAL SECTION

UNDER CLAUSE 8 OF THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991

To: The General Manager
Selwyn District Council
PO Box 90
Rolleston 7643

Name: Denwood Trustees Ltd
Postal Address: c/- Fiona Aston Consultancy Ltd
PO Box 1435
Christchurch 8140
Telephone: 03 3828898
Fax: 03 3828858
Email: fiona.aston@xtra.co.nz

Our response:-

We oppose all of Plan Change 7 except for the provisions relating to Rolleston and for medium density housing.

The reasons for our response are outlined below.

1. Background

We own 82.3776 ha on the west side of Springs Road, Lincoln, in the location shown on the map attached as Appendix A. Our land adjoins the existing urban boundary at Lincoln. Lincoln University is located immediately to the north (zoned Business 3) and land on the opposite side of Springs Road (the Dairy block) zoned a mix of L1A3, L1, L1A2, L2 and LZ (Deferred) under PC7.

2. Provisions of Change 1 to Canterbury Regional Policy Statement (Change 1), Lincoln Structure Plan and PC7 As They Affect Our Land and Environs

Our land is excluded from the Urban Limits (UL) in Change 1, apart from 10.6492 ha which is the proposed SR7 Greenfield Business Area. The Trust submitted on Change 1 seeking that its balance land (70ha) be zoned Living, Business, Rural Residential or a mix of these zonings. It also opposed the requirement for all rural residential to be provided with reticulated services. ECAN's decision to reject the Trust's submission is subject to appeal by the Trust.

The SR7 area (10.6 ha), hereafter referred to as the Lincoln B2 Zone is zoned Deferred Business 2 under PC7, and the balance of the Trust land is zoned Rural Outer Plains.

The Trust supports the provision in PC7 for the Lincoln B2 Zone being zoned Business 2, but opposes the Deferred status of the zoning. It seeks that this be removed, and the land be zoned Business 2. It seeks amendments to the B2 Zone rules as they affect the

the Lincoln B2 Zone as set out in Appendix B and, if ODPs are to be retained as part of PC7, inclusion of the Area 5 ODPs for the proposed B2 and LZ Zones as set out in Appendix C.

A Section 32 Assessment in support of removing the deferred status from the Lincoln B2 Zone is attached as Appendix D.

The Trust opposes the balance of its land (70ha) being zoned Rural Outer Plains under PC7.

In terms of PC7, the Trust seeks that its balance 70 ha be either (in order of preference):-

- Rezoned Living Z and included as a greenfield development area able to be developed immediately; or
- Rezoned partially Living Z and partially Business 2 and included as a greenfield development area able to be developed immediately; or
- Rezoned Living 2 (average allotment size 3000m²) and included as a greenfield development area able to be developed immediately; or

If ODPs are retained as part of PC7, the Trust seeks that its balance land be included as part of the ODP Area 5.

The Trust did not submit on the Lincoln Structure Plan because it was not aware of its existence. It considers consultation on the Plan was deficient and contrary to the rules of natural justice.

Deferred Status for Lincoln B2 Zone

The Trust's 10.6 ha B2 Zone is the only B2 Zone at Lincoln (either existing or proposed). There are no reasons relating to provision of services or infrastructure to justify its deferred status.

Consultation with the Council prior to PC7 being notified indicated that the main concern was that there was insufficient time to resolve various issues prior to the Council's proposed date for notification. It is not sound resource management practice to defer zoning in a plan change simply because the Council has not allocated adequate time to address issues prior to notification, particularly where the owner of the land in question (in this case Denwood Trustees) is willing to undertake and fund the necessary work.

The issues raised related to the preliminary noise report by Marshall Day; the fact that formal consultation had not been undertaken with existing residents located within the B2 Zone (there had been early discussions about possible industrial zoning but not in relation to the proposed Area ODP); and the fact that Lincoln University opposed the rezoning. Matters relating to the University/B2 Zone interface area addressed in the ODP and the Marshall Day report (with respect to noise). The fact that the University opposes the B2 Zone and ODP because the Council requires it to make provision for the future Southern Bypass is a matter to be resolved between the University and the Council.

The Council also advised that it was not 'compelled' to rezone the Trustees 10.6 ha to B2 (as opposed to creating a deferred zoning) given that Izone (at Rolleston) is to accommodate at least the first ten years worth of the business land allocated under Change 1. With respect, this argument completely overlooks the important fact that Lincoln is a Key Activity Centre under

Change 1, to increase to a population of 12 000, and to become more self sufficient in terms of employment. The Lincoln B2 Zone is needed now to provide business land to provide for local business and employment needs.

3. Purpose of PC7 in giving effect to Change 1 and Lincoln Structure Plan

The purpose of PC7 is to implement Lincoln Structure Plan and Change 1. The Trust was not adequately consulted on, and does not support the exclusion of its balance 70 ha from the UL and its exclusion from the areas of Living Z and/or Business 2 zoning.

The Trust considers it is premature to undertake District Plan changes to give effect to Change 1 when it is still subject to numerous appeals not yet heard. Those appeals include some which oppose fundamental aspects of Change 1, including the location of the UL, and the sequencing and phasing of development, and provisions relating to rural residential development.

4. Rural Outer Plains Zoning of the Balance Trust Land (70 ha)

The Trust strongly opposes retaining the Rural Outer Plains zoning of its balance land (70ha). The Trust land adjoins Lincoln University which has an academic population of 6000 compared with the existing Lincoln town population of 2710. The land is ideally sited and suited to provide a new Greenfield residential area with an 'academic neighbourhood' character. It is also well located in relation to the new retail development in Gerald Street (a New World supermarket which will replace the existing Four Square in the existing town centre).

Research undertaken in relation to preparation of submissions and evidence on PC1 established that there was no robust set of criteria which was used to determine what land should be included within or outside the UL, or how any such criteria should be weighted with regards to their relative importance. It is therefore very difficult to understand on what grounds the Trust's land has been excluded from the UL. ECAN's decision on the Trust's submission is very brief and is of no real assistance in this regard.

The Trust's land is identified in the Lincoln Structure Plan as not subject to any constraints. Officers and consultants involved with the SP have advised that the only real constraint is that the land is unable to be serviced by gravity for stormwater drainage and wastewater. The Council have since accepted that on site servicing for stormwater is appropriate for the Lincoln B2 Zone. With regards to wastewater servicing this a 'negotiable constraint' for which there is a simple technical solution, namely a pumping station. Negotiable constraints (as opposed to critical constraints) do not, on their own, justify excluding an area from the UL. As is evident from the various ODPs for Lincoln included as part of PC7, most of the other proposed Lincoln growth areas will require pumping stations i.e. this constraint equally applies to land that is proposed to be rezoned for urban purposes.

5. Staging/sequencing of urban development

The staging/sequencing of development is justified in Change 1 as giving effect to Objective 4 – to ensure rate and location of development is integrated with the provision of strategic infrastructure and associated funding mechanisms.

However, the s32 assessment for Change 1 does not consider alternative ways of achieving this objective eg developer – led funding, alternative temporary infrastructure solutions to enable development to proceed in the short term prior to major infrastructure upgrades. When

landholding costs are taken into account, these options are often a far more sustainable method of enabling urban development. They also enable development to proceed, providing capital contributions to the 'long term' solution and assisting with its funding.

In the case of the Trust's land, engineering advice for the Trust is that it is feasible to implement a temporary community wastewater system to service residential or business development of its land until such time as connections to the upgraded Rolleston Pines Wastewater Treatment Plant are available. This would be at no economic cost to the community at large, in that the capital cost, operation, management and maintenance and decommissioning cost would be covered by the developer. The temporary system will be designed based upon the end use i.e. as part of the integrated wastewater system for Lincoln, and required to connect to the same at no cost to the Council, when those connections are available. The comparatively large land area involved enables such a temporary community system to be established in an economic manner. The developers will still be required to provide capital contributions to the ultimate Council integrated system, and will thus provide funding for that ultimate system, reducing the Council's risk in expending significant monies on upgrades prior to development proceeding and receiving any return on the investment.

With respect to low density residential development of the Trust's land, Barry Fairburn's advice is that on site disposal of wastewater is entirely feasible and will not generate any adverse effects on the environment. Attached as Appendix E is a memo from Barry Fairburn which establishes that there is an appropriate method of treatment and effluent disposal for a wide range of soil types, from free draining soils to very poorly drained soils, and that a minimum lot size of 2500m² is appropriate for any soil type.

The Trusts seeks removal from PC7 of the provisions for phasing of development.

If phasing is retained in PC7, the Trust seeks that all of its land (80ha) be zoned for immediate development (ie. not deferred).

It is essential that the Council is willing to be 'open minded' in its consideration of alternative servicing options which will not compromise its long term strategic growth objectives but will enable development to proceed in accordance with market demand and the 'enabling' intent of the Resource Management Act 1991.

If phasing is retained in PC7, then the Trust seeks more flexibility for amending phasing where sustainable management of physical and natural resources will still be achieved, by way of a restricted discretionary resource consent application (or similar).

In these circumstances, the Trust seeks amendments to the proposed policies and rules, addition of a new policy and rule (or similar), and any consequential amendments, as follows:-

Amend Policy B4.3.7 as follows:-

Policy B4.3.7

Each Outline Development Plan shall include:

...
(vi) Set out the staging and coordination of subdivision and development in line with the staging shown on the Planning Maps, *except where it can be demonstrated that the rate and location of development can be integrated with the provision of infrastructure and*

associated funding mechanisms by a different method to that which forms the basis for the applicable development staging provisions in the District Plan and Plan Change 1 to the Canterbury Regional Policy Statement.

Amend Policy B4.3.8 as follows:-

Policy B4.3.8

Except as provided for in Policy B4.3.9, ensure that the staging of any Greenfield urban growth area shown on the Planning Maps occurs as follows:-

....

Add Policy B4.3.9 as follows:-

Policy B4.3.9

Enable development to proceed ahead of the phasing requirements set out in Policy B4.3.8 and as shown on the Planning Maps and Appendices in circumstances where it can be demonstrated that the rate and location of development can be integrated with the provision of infrastructure and associated funding mechanisms by a different method to that which forms the basis for the applicable development phasing provisions in the District Plan and Change 1 to the Canterbury Regional Policy Statement.

This policy is intended to provide for some flexibility in the staging of development, in accordance with the enabling provisions of the Resource Management Act 1991. It recognizes that there may be a number of ways of providing for and funding infrastructure requirements, including developer-funded upgrades (to be subsequently recovered from the Council where the upgrades have wider public benefits), and temporary solutions which generate capital contributions to the Council upgrades programmed for a later date. Such flexibility will help ensure a continuous supply of residential sections in accordance with market demand, and avoid the potential for a few landowners allocated to 'early stages' 'monopolising' the development process.

Amend Explanation and Reasons of Policy 4.3.9 (renumbered 4.3.10) to read as follows:-

...It is nonetheless recognized that through the detailed preparation of subdivision consent applications or asset design processes there is the potential for alternative solutions or routes to be development that still achieve the outcomes sought in the ODPs than the broad land use pattern shown on the ODP. When assessing applications for development that is not in accordance with an ODP, it is anticipated that such applications will only be granted where they are able to demonstrate that the proposed development still achieves the key principles and outcomes sought in the ODP that the layout shown in the ODP.

Amend Policy B4.3.50 as follows:-

Except as provided for in Policy B4.3.9, ensure that new Greenfield urban growth only occurs within the Outline Development Plan areas identified on the Planning Maps and in accordance with the staging set out in Policy B4.3.8.

Amend Subdivision Rule 12.1.6.5 as follows:-

Restricted Discretionary Activities – Subdivision – General

The following activity shall be a restricted discretionary activity:-

- Any subdivision in a Living Z Zone covered by an operative Outline Development Plan within the District Plan that is not in general accordance with that Outline Development Plan and/or the Planning Maps including in relation to phasing.

The exercise of discretion shall be restricted to the matters set out below:-

- With regard to the matters listed in Policy B4.3.7, whether the proposed amendments (e.g. alternative routes, staging, infrastructure methods) will enable development to proceed without compromising the long term outcomes sought in the ODPs; and/or where it can be shown that the proposed amendments better achieve the overall purpose of the ODPs of achieving integrated high quality urban development based on best practice urban design principles.
- Appropriate mechanisms (funding, covenants, consent notices on titles etc) to assist with achieving the above outcomes.

6. Outline Development Plans

General

The requirements of Policy B4.3.56 for the form of ODPs for each ODP area are too restrictive and should be deleted or amended as outlined below. The infrastructure proposals included in the Lincoln Structure Plan have not been sufficiently researched to become statutory requirements, as part of PC7. It is only at the subdivision stage that the most appropriate layouts, methods of servicing etc are fully researched, at considerable cost.

If the provision for ODPs in PC7 is retained, then the Trust supports Policy 4.3.9 (page 46) and Rule 12.1.6.5 (page 98), but in an amended form (or similar) as outlined above. It considers these provisions at least provide some much needed flexibility to enable consideration of development proposals not in accordance with an approved ODP which still achieve sustainable management of natural and physical resources.

ODP Area 5 – B2 Zone

The Trust seeks that the Deferred status be removed from the Lincoln proposed B2 Zone at Springs Road; and that the ODP Area 5 – Lincoln B2 Zone as attached as Appendix C be included as part of PC7; and the amended B2 rules as they apply to the B2 Zone at Lincoln as attached as Appendix B be included as part of PC7. Two alternative ODPs are included in Appendix C, with the preference for Option 1 which does not show the potential Southern Bypass. The amended B2 Zone rules for Lincoln are considered appropriate in terms of the requirements of Part 2 of the Act, in particular to avoid or mitigate any potential environmental effects on adjoining zones. Also attached as Appendix D is a s32 assessment in support of the removal of deferred status, the Area 5 ODP and the amended B2 rules for the Lincoln B2 Zone. This includes a noise report from Marshall Day Acoustics explaining the reasoning for the proposed noise rules.

ODP Area 5 – LZ Zone

The Trust further seeks that the balance of the Trust land be rezoned LZ; and the ODP Area 5 – Lincoln LZ Zone as attached as Appendix C be included as part of PC7. Two alternative ODPs are included, with the preference for Option 1 which does not show the potential Southern Bypass.

As an alternative to the above, the above Area 5 ODPs could be amended to provide for a larger B2 Zone south of the proposed B2 Zone, as shown on the plan attached as Appendix F. The Trustees seek this alternative in the event that it is preferred by the Council.

It should be noted that the 10.6 ha proposed B2 Zone is the only such zone proposed at Lincoln, even though the township is allocated for growth to a population of approximately 12 000. This is the approximate size of Rangiora, which has a much larger area of business zoning to support the needs of the town.

Southern Bypass

As part of preparation of the above ODPs, consultation has been undertaken with representatives for Lincoln University. Lincoln University strongly opposes the Southern Bypass route as shown in the Lincoln Structure Plan where it passes through their land. It opposes the Lincoln Area 5 ODPs if they show the Southern Bypass, because this is further confirming the position of the Bypass as linking with the University land.

It is understood that the Southern Bypass is a long term project, that the Council has not allocated any funding to either investigate its feasibility, or for construction, and that is highly unlikely to meet cost:benefit analysis requirements in terms of being economically feasible. There are also potential routes e.g. utilizing Collins Road to the south, which have not been investigated.

The Trustees consider that in the circumstances it would be far more appropriate that the Area ODPs did not include the Southern Bypass route given the high level of uncertainty surrounding the feasibility or location of this route.

7. Section 32 Assessment

The Section 32 Analysis is inadequate and incomplete. It is flawed because its starting point is the objectives and policies of Change 1, which are not yet operative. The fundamental basis of the change to a 'community led/strategic' approach to urban growth is not addressed because it is assumed that the Change 1 is the only and correct approach. Given the extent of appeals on Change 1, this assumption is inappropriate. The s32 assessment should have considered these 'fundamental' questions. It should also have provided justification for the location of the new growth areas, and proposed phasing.

The alternative options assessed by PC7 focus on alternative methods for providing for medium density housing, which is only one part of the scope of PC7.

The options do not include incorporating within PC7 greater flexibility in terms of the form and timing of development (form of ODPs, phasing etc) which still achieves high quality integrated development. The amendments we seek to PC7 seek to remedy this major flaw with PC7, in the event the overall 'community led' approach is continued to be pursued by the Council.

Given the extent and breadth of appeals on Change 1, this assumption is inappropriate. The s32 assessment should have considered these 'fundamental' questions. It should also have provided justification for the location of the new growth areas, and proposed phasing.

The options do not include zoning the Lincoln B2 Zone now, rather than giving it deferred status; inclusion of the Trust's balance land (70 ha) within the urban limits at Lincoln (as either greenfield residential or business or both) or for rural residential purposes; or including more land in the UL than is required to meet the Change 1 population growth targets in circumstances where there such land is equally suitable for urban purposes. This approach has been adopted for the UL at Rangiora, although this is not specifically acknowledged in C1 (excess capacity has been included for East Rangiora). It provides for greater choice and more competition, thus helping stabilize urban land prices, and avoids a restriction in the land supply where owners of allocated land choose not to develop for potentially a variety of reasons.

8. Urban Development Strategy Memorandum of Understanding

Selwyn District Council is a partner to the Urban Development Strategy (UDS). The Lincoln Structure Plan and PC7 are intended to give effect to the UDS, which is being implemented in a statutory sense through C1. ECAN has accepted that it is inappropriate for its own councillors to hear submissions on PC1, because, as signatories to the UDS MoU, they cannot be objective and impartial in their consideration of PC1. The matter would be pre-determined. The same applies to Selwyn District Council councillors with respect to PC7. **It is essential on grounds of natural justice that independent commissioners are appointed to hear submissions and further submissions on PC7.**

The Trust seeks the various amendments/outcomes set out above in bold and/or any other changes or amendments, including consequential amendments, to PC7 which give effect to the intent of our submission.

9. Conflict of Interest

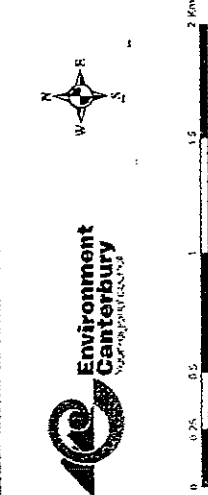
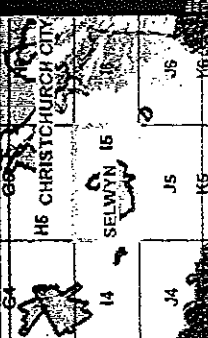
The Council should appoint independent commissioners to hear submissions and further submissions by Denwood Trustees on PC7 for a further equally important reasons - because they have a conflict of interest, as owners of the Rolleston Izone Industrial Area.

The Trust does desire to be heard in support of its submission.

If others are making a submission, the Trust would consider presenting a joint case with them at a hearing.

Signed PF Aston Date: 13th April 2010.
PF ASTON
Denwood Trustees

MAP 1. 15



**Proposed Change No.1
Including Variations 1 to 4:
Track Changes to Map 1
Showing Officer Recommendations
On Accepted Submissions**

Officer Recommendations

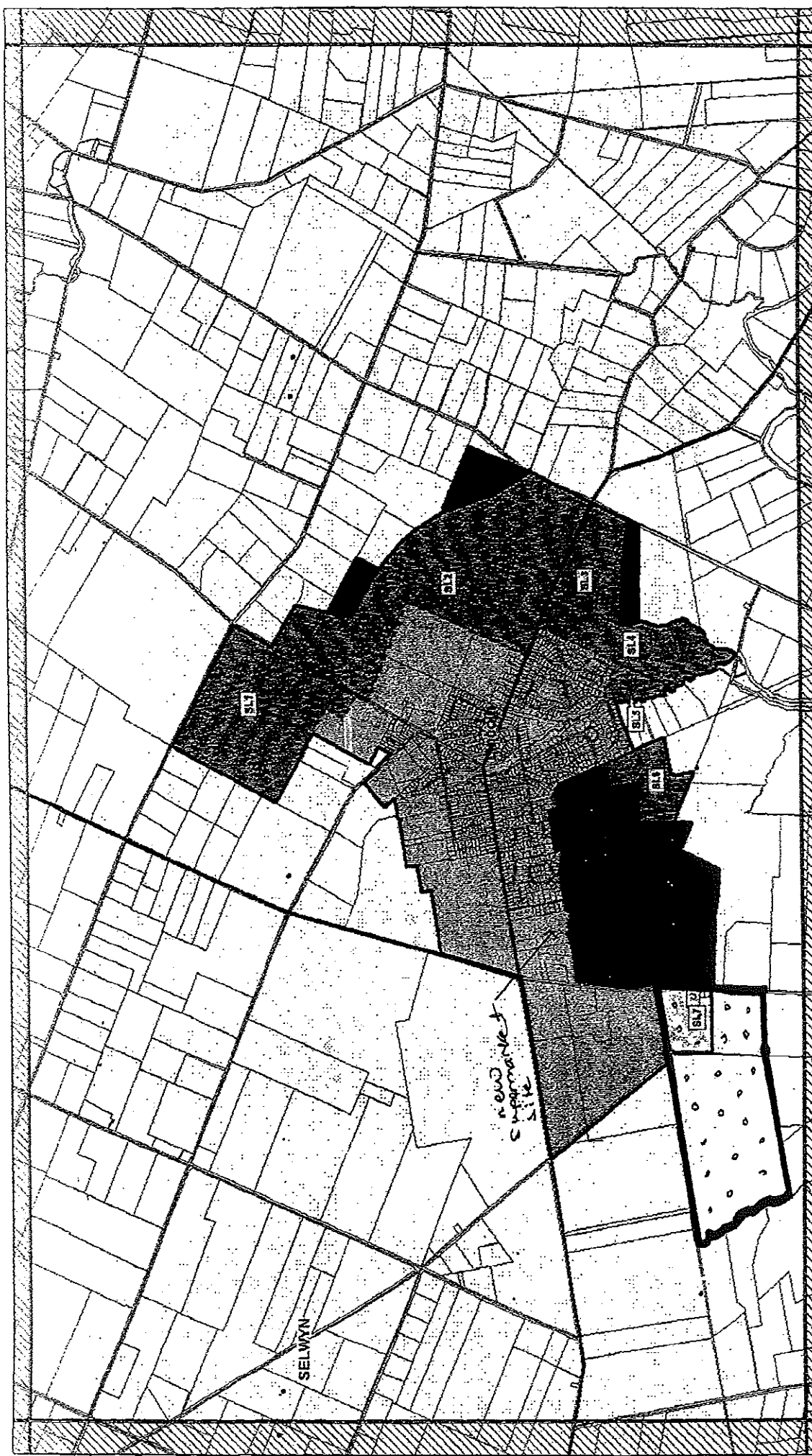
- Accepted Addition
- Accepted Deletion

Refer to Officer Recommendation letters for further details

Derwood Trustees land

See separate Map Legend for map descriptions

Document Transition Sheet IV



Appendix A

Appendix B:

Proposed Changes to B2 Zone Rules for Lincoln ODP Area 5

BUSINESS 2 ZONE LINCOLN (SPRINGS ROAD):

PROPOSED DISTRICT PLAN AMENDMENTS

EXPLANATION OF AMENDMENTS:

Plan Change 7 includes re-zoning 10.6 ha of land on the southwest boundary of the existing Lincoln Township from Rural Outer Plains to Business 2.

In addition, some additional rules specific to the proposed Springs Road Lincoln B2 Zone, and an Outline Development Plan. These amendments (including an explanation of their purpose and intent) are summarized below.

Rules

Some additional rules specific to the Lincoln (Springs Road) B2 Zone are proposed, which reflect a number of factors as follows:-

- Size – the size of the B2 Zone is relatively small (10.6 ha compared with over 140 ha for the proposed extended Izone at Rolleston) and therefore the distances to the Zone boundaries and neighbouring land uses are not substantial (approximately 300m or less). Given the small size (and location some distance from major strategic transportation routes), it is not envisaged that the Lincoln B2 Zone will be desirable or generally suitable for heavy industry or large regionally based (as opposed to more local) operations. Accordingly, a greater range of industries are discretionary or restricted discretionary compared with most other B2 zones in the District.
- Location – the B2 Zone adjoins a proposed Living Zone to the east (but with separation provided by Springs Road) and Lincoln University research farms on the northern boundary. Land to the west and south is zoned Rural Outer Plains. Boundary controls (including setbacks, landscaping requirements and noise standards) seek to ensure a high standard of amenity at the Zone boundaries, consistent with the amenity outcomes sought by the District Plan for the adjoining zones.

An appropriate standard of amenity within the B2 Zone is ensured by the requirement for street tree planting, and building facades facing the Zone boundary, including roofs, to be of low reflectivity, addresses this concern.

- The requirements of PC1 to the Regional Policy Statement and PC7 for Outline Development Plans to be prepared for greenfields area and for development to be in accordance with those ODPs.
- Consistency with other District Plan B2 Zone provisions. In particular, in preparing the specific provisions, regard has been given to the provisions applying at Rolleston Izone,

3. Add after 1st sentence the following:-

The B2 Zone at Springston Road, Lincoln is identified as required in the Lincoln Structure Plan (May 2008) and in Plan Change 1 to the Canterbury Regional Policy Statement (which implements the Greater Christchurch Urban Development Strategy).

AMENDMENTS TO PART C – RULES:

Amendment 4 - 13 Business Zone Rules, 13.1 Status of Activities

4. Add new Rules 13.1.5 and 13.1.6 as follows:-

Restricted Discretionary Activities – Status of Activities

13.1.5 The following shall be restricted discretionary activities in the Business 2 Zone at Lincoln as shown on the Lincoln Area 5 B2 Zone Outline Development Plan at Appendix x:

- (a) Meat processing
- (b) Cement manufacture
- (c) Hot mix, asphalt paving manufacture
- (d) Glass or fibreglass manufacture
- (e) Foundry processes, electroplating works, melting of metal, steel manufacture and galvanizing
- (f) Natural gas, oil or petroleum distillation or refining
- (g) Manufacture of hardboard, chipboard or particle board
- (h) Timber treatment
- (i) Thermal power generation
- (j) Any other industry using the combustion of coal, wood or any other biomass for space heating or as a source of energy

13.1.6 Under Rule 13.1.5 the Council shall restrict the exercise of its discretion to:-

13.1.5.1 The conditions for permitted activities under Rules 14 to 23.

13.1.5.2 Any potential nuisance effects arising from dust, odour, smoke and noise.

7. Re-number Rules 13.1.5 – 13.1.10 accordingly.

8. Add 'Reasons for Rules' at end of Rule 13.1 Status of Activities as follows:-

A wider range of potentially noxious industries are listed as restricted discretionary or discretionary in the Lincoln Business 2 Zone than in other District B2 Zones, given its relatively small size (in particular in comparison to Rolleston Izone) and its location neighbouring Living and Business 3 Zones to the east and north respectively.

Amendment 5 – 16 Business Zone Rules – Buildings, Rule 16.1 Buildings and Landscaping

Permitted Activities – Buildings & Landscaping

9. Add new Rule 16.1.6 as follows:-

16.1.6 Any principal building in the B2 Zone at Lincoln as shown on the Lincoln Area 5 B2 Zone Outline Development Plan at Appendix A, if the following standards are met:

16.1.6.1 A landscape strip of at least 5m width along the Springs Road frontage of every site, comprising 1 evergreen tree for every 5m of the road frontage, capable of growing to a least 15m height at maturity.

16.1.6.2 A landscape strip of at least 3m width along all other boundaries of the Lincoln Area 5 Outline Development Plan ('ODP') Area at Appendix x, comprising 1 tree for every 10m of the internal ODP Area boundaries, capable of growing to a least 10m height at maturity, with spacing of no less than 5m and no greater than 15m.

16.1.6.4 The landscaping planted shall be maintained, and if dead, diseased or damaged, shall be removed and replaced.

10. Re-number Rules 16.1.6-16.1.7 accordingly.

Discretionary Activities – Buildings & Landscaping

11. Amend Rule 16.1.6 as follows:-

16.1.76 Any principal building which does not comply with Rule 16.1.1 or 16.1.6 shall be a discretionary activity.

Amendment 6 – 16 Business Zone Rules – Buildings, Rule 16.7 Buildings and Building Position

Setbacks from Boundaries

12. Amend Rule 16.7.2.3 as follows:-

16.7.2.3 Business 2 Zone (excluding area at Rolleston that is depicted on the Outline Development Plan at Appendix 22 and 32 and that part which is depicted on the Landscape Development Plan at Appendix 28; and excluding the B2 Zone at Lincoln as shown on the Lincoln Area 5 B2 Zone Outline Development Plan at Appendix x.

13. Add new Rule 16.7.2.9 as follows:-

16.7.2.9 B2 Zone at Lincoln as shown on the Lincoln Area 5 B2 Zone Outline Development Plan at Appendix x:-

- Springs Road Boundary: 5 metres

- Internal Boundaries: 3 metres (only along the common boundaries with a Rural Zone or Business 3 Zone)

14. Amend Rule 16.7.5 as follows:-

Discretionary Activities

16.7.5 Any activity which does not comply with Rules 16.7.1.2 – 16.7.2.98 shall be a restricted discretionary activity.

Amendment 7 – 16 Business Zone Rules – Buildings

15. Add new Rule 16.9 as follows:

16.9 Buildings and Reflectivity

Permitted Activities – Buildings and Reflectivity

16.9.1 In the B2 Zone at Lincoln as shown on the Lincoln Area 5 B2 Zone Outline Development Plan at Appendix x, the erection of any principal building shall be a permitted activity if the reflectivity of the building facades, including roofs, facing the any Zone boundary does not exceed 35%.

Restricted Discretionary Activities – Building and Reflectivity

16.9.2 Any building not complying with Rule 16.9.1 shall be a restricted discretionary activity.

16.9.3 The Council shall restrict the exercise of its discretion to consideration of:-

- The design and siting of the building, including height, size/scale, external finish, colour and reflectance value;

- Alternative proposed methods and/or mitigating factors which will serve to reduce the visual dominance of the building as viewed from adjoining zones and/or public areas.

Amendment 8 - 16 Business Zone Rules – Buildings, Reasons for Rules

Landscaping

15. Add additional paragraph as follows:

For the B2 Zone at Lincoln, landscaping strips along the Springs Road frontage and internal Zone boundaries are required to ensure that appropriate levels of amenity are achieved along the Zone boundaries. Along the Springs Road frontage, higher density planting is required to enable effective screening of buildings and to avoid building domination, thus ensuring a high amenity outlook for dwellings on the opposite side of the road (in combination with the landscaping required for the Springs Road frontage of this Living Zone, as shown on the Lincoln Area 1 Outline Development Plan at Appendix x). Along the internal Lincoln B2 Zone boundaries, the objective is to achieve consistency of substantial planting throughout the full length of these boundaries, to reduce building domination and to soften the presence of buildings.

Building Position

16. Add additional paragraph as penultimate paragraph as follows:

For the B2 Zone at Lincoln, appropriate building setbacks apply along all of the Zone boundaries. There are intended to provide sufficient space to establish landscaping, and in particular large trees; to avoid or reduce building domination; and to provide along the Springs Road frontage higher density planting so as to enable effective screening of buildings.

17. Add at the end of Reasons for Rules the following additional Reason for Rules:

Building Reflectivity

For the B2 Zone at Lincoln, control over the reflectivity of building facades, including roofs, facing the Zone boundaries is intended to reduce the visual effects of building domination and to avoid the adverse effects of glare. Inclusion of roofs will help protect the outlook from possible future higher buildings in the adjoining B3 Zone (which has a maximum height limit of 30m).

Amendment 9 – 22 Business Zone Rules – Activities, 22.4 Activities and Noise

18. Add at end of Rule 22.4.1.5 as follows:

- 22.4.1.5 Except that in the case of the Lincoln B2 Zone, noise shall be assessed at the Rural Zone/B2 Zone boundary not at the notional boundary of any dwelling.

19. Add new Rule 22.4.3 and amend subsequent rule numbering accordingly.

Controlled Activities – Activities and Noise

- 22.4.3 In the case of the Lincoln B2 Zone, any industrial activity sited within 150m of an adjoining B3 or Living Zone and meeting the noise standards set out in Rules 22.4.1.4-5, shall be a controlled activity with respect to noise. No affected party approvals will be required for such resource consents. Applicants shall submit a noise assessment from a quality noise consultant (where necessary) to establish proposed method(s) to meet the applicable noise standard in Rules 22.4.1.4-5.

Amendment 10 – 22 Business Zones – Activities, Rule 22.7 Activities and the Outdoor Storage of Materials and Goods

19. Amend Rule 22.7.1 as follows:

Screening and Dust

- 22.7.1 Except within the Lincoln B2 Zone boundary building setback areas required under Rule 16.7.2.9, where no outdoor storage is permitted, the outdoor storage of any materials or goods shall be a permitted activity if the following conditions are met....

Amendment 11 – 22 Business Zones – Activities, Reasons for Rules

20. Amend the second sentence of paragraph 4 under 'Noise' as follows:

Controlled activity status for proposed industrial activities in the Lincoln B2 Zone located close to adjoining Living and/or B3 Zones will ensure assessment of the appropriate method(s) to meet the noise standard in advance of the industry establishing on site.

21. Amend the first sentence of the last paragraph of Reasons for Rules 'Outdoor Storage' as follows:

However, except for the B2 Zone at Lincoln (Springs Road), for the Business 2 Zone, the Council believes that screening of storage areas is required only on sites located along Strategic Roads, Arterial Roads and where they are opposite a Living zone.

22. Add additional paragraph under 'Outdoor Storage' as follows:

Within the Lincoln Business 2 Zone, no outdoor storage is permitted within the required Zone boundary setbacks in order to ensure high levels of amenity are achieved along

the Zone boundary, and because this area is required for landscaping purposes (see Reasons for Rules, Landscaping).

Amendment 12 - 24 Business Zones – Subdivision

23. Add after Rule 24.1.3.18 (Rolleston) the following:-

Lincoln

24.1.3.19 In the Business 2 Zone at Lincoln (Springs Road) as shown on the Lincoln Area 5 B2 Zone Outline Development Plan at Appendix x, the following street plantings shall be planted in the secondary roads prior to vesting of the roads in the Council:

- a planting strip of 2 metres down both sides of the road.

- the landscaping shall consist of only those species listed in Group A, Appendix 21. There shall be a minimum of two trees for every 10 metres of road frontage.

24. Amend Appendix 21 as follows:-

APPENDIX 21

PLANTING REQUIREMENTS FOR BUSINESS 2 ZONE (APPENDIX 22) AT ROLLESTON AND FOR STREET TREES FOR BUSINESS 2 ZONE AT SPRINGS ROAD LINCOLN

AMENDMENTS TO PART E – APPENDICES

Amendment 13 – Appendices

25. Add as Appendix x Lincoln Area 5 B2 Zone Outline Development Plan as attached as Attachment A

ATTACHMENT A

N

DENWOOD - PROPOSED OUTLINE DEVELOPMENT PLAN
AREA 5 LINCOLN - CHRISTCHURCH
Scale 1:2000 @ A3

Date: 12-04-2010

132 Zone

LEGEND

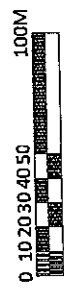
INDICATIVE LOCATION OF STORM WATER PONDS

PUMPING STATION - POTENTIAL LOCATION

LANDSCAPE SET BACK (NO BUILDINGS OR OUTDOOR STORAGE)

POTENTIAL PEDESTRIAN/CYCLEWAY ACCESS

INDICATIVE ROAD ACCESS: SECONDARY ROUTE WITH STREET TREES



NOTE: All areas and dimensions are approximate and subject to final survey.

CELL TOWER

LINCOLN UNIVERSITY
RESEARCH FARM

FORMER RAILWAY
CORRIDOR

5M WIDE

ALTERNATIVE ROAD ACCESS

SPRINGS ROAD

TREES @ 15M CTRS

X

OPTION 1: Preferred Option - potential bypass not shown

LEGEND

INDICATIVE LOCATION OF STORM WATER PONDS

PUMPING STATION - POTENTIAL LOCATION

LANDSCAPE SET BACK (NO BUILDINGS OR OUTDOOR STORAGE)

POTENTIAL PEDESTRIAN/CYCLEWAY ACCESS

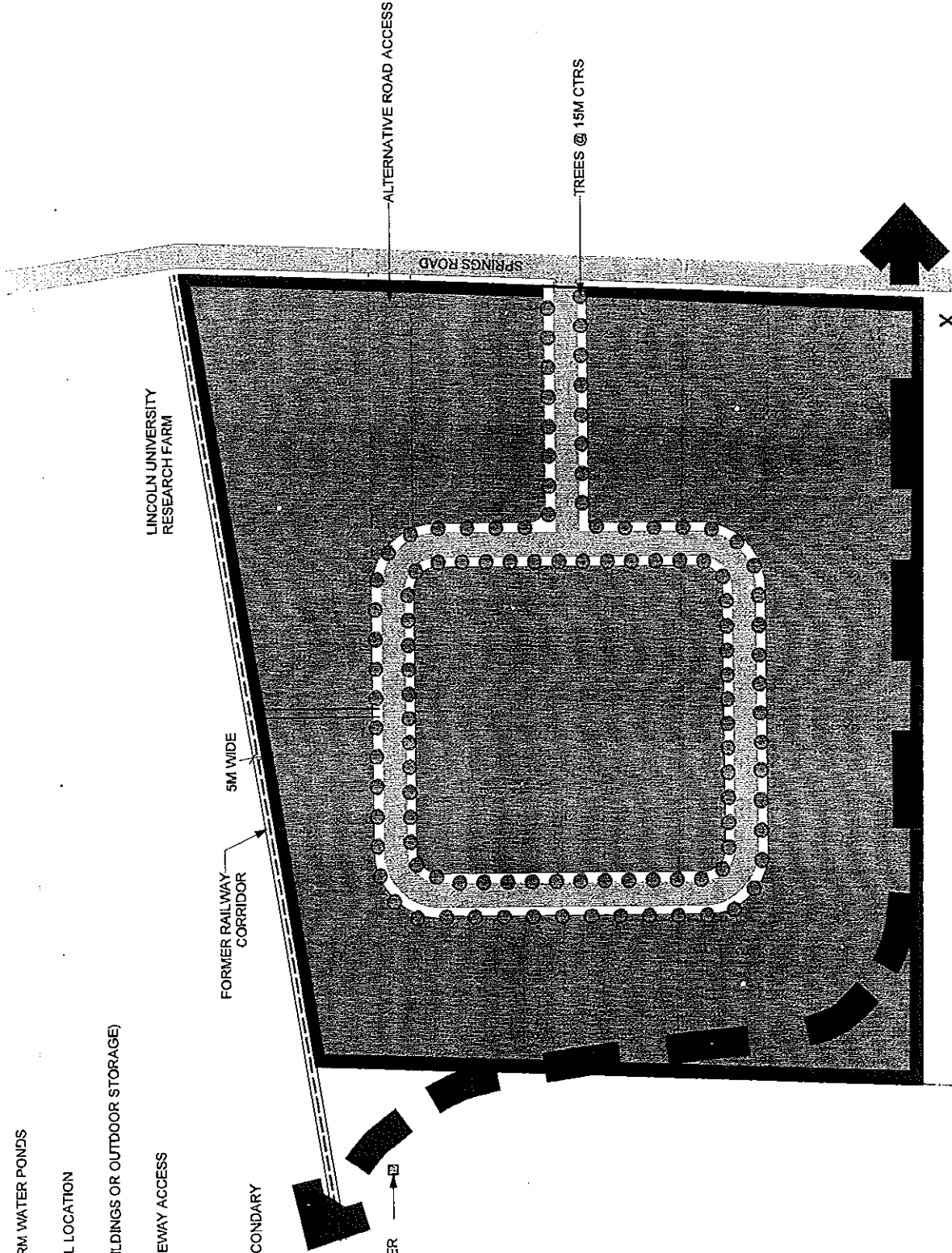
POTENTIAL BYPASS ROAD

INDICATIVE ROAD ACCESS: SECONDARY ROUTE WITH STREET TREES



CELL TOWER

NOTE: All areas and dimensions are approximate and subject to final survey.



OPTION 1: Preferred Option - potential bypass not shown

DENWOOD - PROPOSED OUTLINE DEVELOPMENT PLAN
AREA 5 LINCOLN - CHRISTCHURCH

Date: 12-04-2010 Scale 1:2000 @ A3

B2 Zone



Appendix C:

Outline Development Plans – Area 5 Lincoln (B2 and LZ Zones)

LEGEND

INDICATIVE LOCATION OF STORM WATER PONDS

PUMPING STATION - POTENTIAL LOCATION

LANDSCAPE SET BACK (NO BUILDINGS OR OUTDOOR STORAGE)

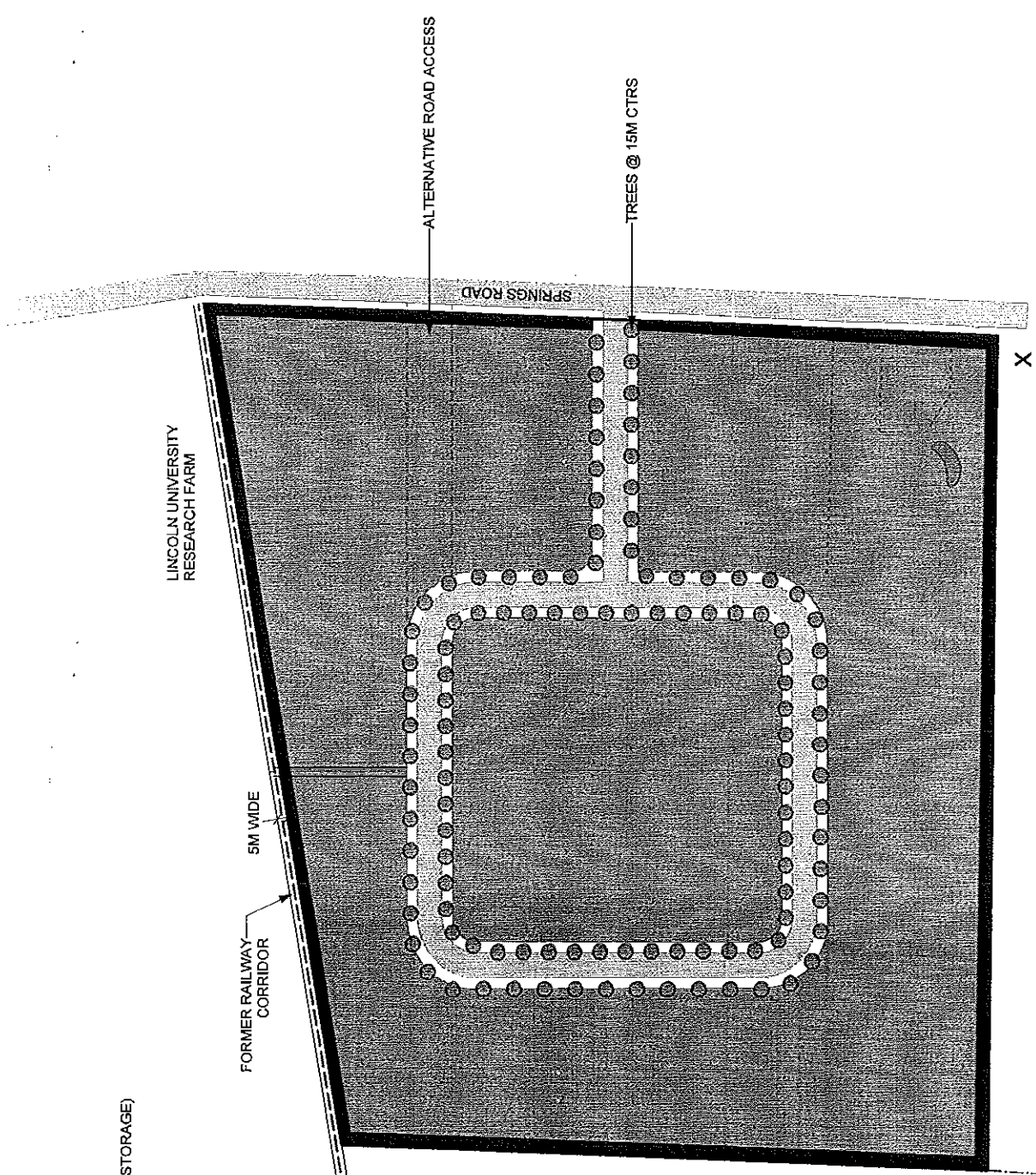
POTENTIAL PEDESTRIAN/CYCLEWAY ACCESS

INDICATIVE ROAD ACCESS: SECONDARY ROUTE WITH STREET TREES



NOTE: All areas and dimensions are approximate and subject to final survey.

CELL TOWER



OPTION 1: Preferred Option - potential bypass not shown

DENWOOD - PROPOSED OUTLINE DEVELOPMENT PLAN
AREA 5 LINCOLN - CHRISTCHURCH

Date: 12-04-2010

Scale 1:2000 @ A3

32 Zone

LEGEND

INDICATIVE LOCATION OF STORM WATER PONDS

PUMPING STATION - POTENTIAL LOCATION

LANDSCAPE SET BACK (NO BUILDINGS OR OUTDOOR STORAGE)

POTENTIAL PEDESTRIAN/CYCLEWAY ACCESS

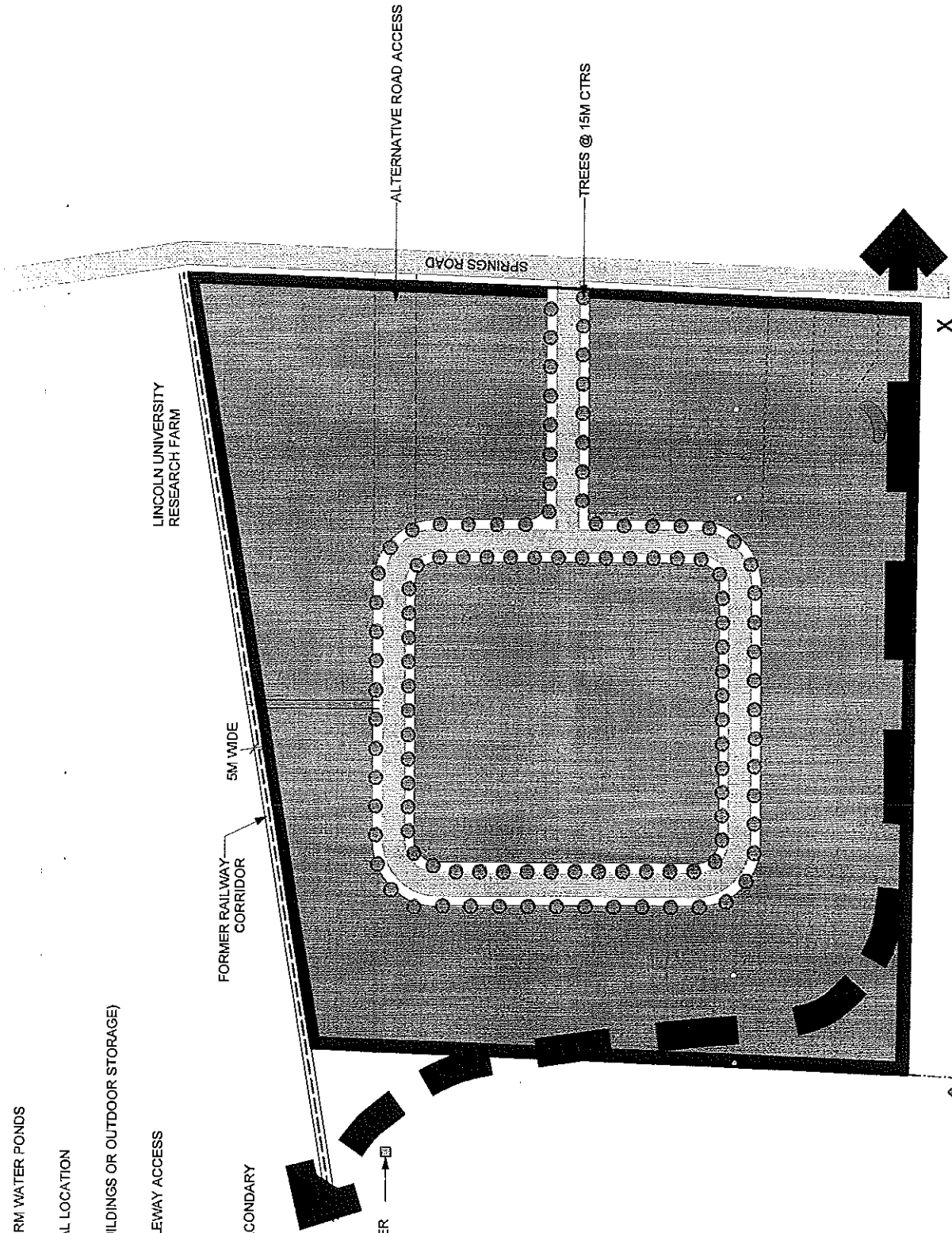
POTENTIAL BYPASS ROAD

INDICATIVE ROAD ACCESS: SECONDARY ROUTE WITH STREET TREES



CELL TOWER

NOTE: All areas and dimensions are approximate and subject to final survey.



OPTION 1: Preferred Option - potential bypass not shown

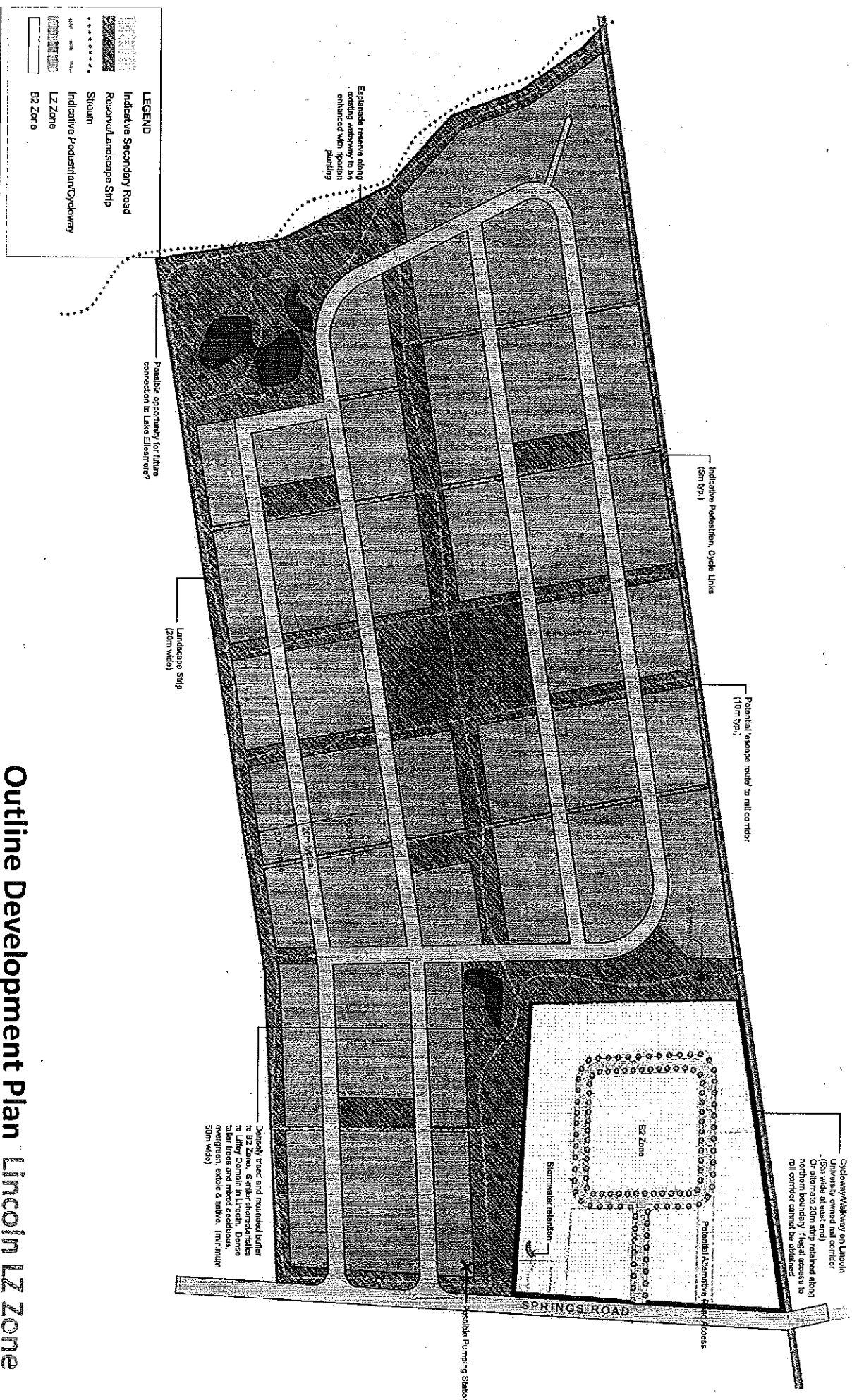
DENWOOD - PROPOSED OUTLINE DEVELOPMENT PLAN
AREA 5 LINCOLN - CHRISTCHURCH

Date: 12-04-2010

Scale 1:2000 @ A3

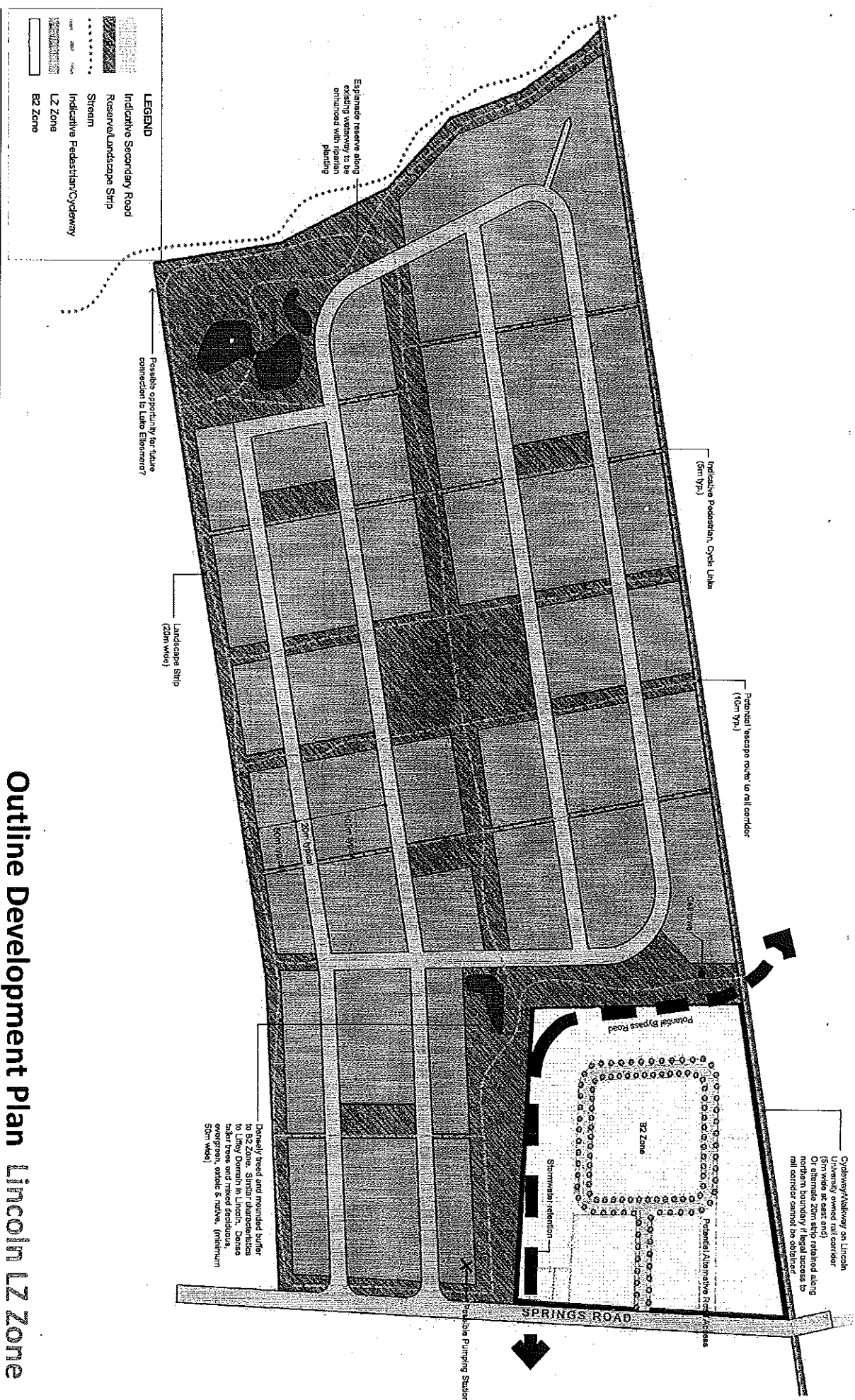
B2 Zone





Outline Development Plan Lincoln LZ Zone

Option 1 Preferred Option: Potential Bypass Not Shown



Outline Development Plan Lincoln LZ Zone

Option 2 Least Preferred Option: Potential Bypass Shown

Appendix D

Section 32 Assessment for Lincoln B2 Zone

BUSINESS 2 ZONE, LINCOLN:

SECTION 32 ASSESSMENT

INTRODUCTION

Under s22 of the First Schedule, private plan change requests are required to include a s32 assessment, in accordance with Section 32 (1)(c) of the Act. This is not necessary for submissions on plan changes. However, the following s32 assessment is provided as further information in support of the submission.

STATUTORY REQUIREMENTS OF SECTION 32 OF THE RESOURCE MANAGEMENT ACT

The s32 evaluation must examine:

- the extent to which each objective is the most appropriate way to achieve the purpose of the Act; and
- whether, having regard to their efficiency and effectiveness, the proposed policies, rules or other methods are the most appropriate for achieving the objectives.

The evaluation must take into account:

- the benefits and costs of policies, rules or other methods; and
- the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.

Effectiveness measures how successful a particular option is in achieving the desired environmental outcomes sought by the District Plan, and the Plan objectives.

Efficiency measures the comparative costs and benefits of alternative options.

In this case, the specific proposed rezoning to create the Lincoln (Springs Road) B2 Zone does not propose any changes to the District Plan objectives. However, the broader PC7 (of which the rezoning is a part) does propose some changes. The evaluation

therefore assesses whether, having regard to costs and benefits, and in comparison to alternatives, the proposed methods are the most appropriate for achieving the District Plan objectives, as proposed to be amended by other parts of Draft PC7.

DISTRICT PLAN OBJECTIVES AND POLICIES

The most relevant District Plan objectives and policies in this case are those relating to the Quality of Environment and Growth of Townships. An assessment of the Lincoln B2 re-zoning against these and other relevant objectives and policies is set out in Table 1 below.

District Plan – Growth of Townships	Assessment
QUALITY OF THE ENVIRONMENT	
Objective B3.4.1 The District's townships are pleasant places to live and work in.	The combination of existing B2 zone rules and specific rules proposed for the Lincoln (Springs Road) B2 Zone ('the proposed Zone') will ensure that the new Zone is an attractive place to work, and that its development will not detract from the amenity of adjoining zones.
Objective B3.4.2 A variety of activities are provided for in townships, while maintaining the character and amenity values of each zone.	
Objective B3.4.3 Reverse sensitivity effects between activities are avoided.	The proposed Zone rules include a number of specific rules (relating to landscape setbacks, noise standards and building reflectivity) which will ensure reverse sensitivity effects do not arise between business activities and activities in adjoining zones (including more noise/amenity sensitive activities such as residential development, rural dwellings and classrooms).
Objective B3.4.4	The proposed Zone immediately adjoins the existing southwest boundary of the existing Lincoln townships,

<p>Growth of existing townships has both a compact urban form and provides a variety of living environments and housing choices for residents.</p> <p>Objective B3.4.5 New urban development provides a high level of connectivity, both internally and with adjoining parts of existing townships, and provides accessibility for a variety of transport modes.</p>	<p>and its rezoning for urban purposes is consistent with maintaining a compact form.</p> <p>The Lincoln Area 5 B2 Zone Outline Development Plan for the proposed Zone has been developed taking into account the relationship with proposed development of adjoining areas, including the Area 1 ODP (the proposed Dairy Block residential development), the University and the proposed future Lincoln Southern Bypass; and makes provision for a variety of transport modes including walking, cycling and public transport, private cars and heavy traffic.</p>
<p>Policy B3.4.1 To provide zones in townships based on the existing quality of the environment, character and amenity values, except within Greenfield Outline Development Plan areas in the Greater Christchurch area where provision is made for high quality medium density housing.</p>	<p>The proposed Zone is currently predominantly open farmland used for grazing purposes. However, it does also contain four existing dwellings along the Springs Road frontage, including a dwelling on a larger site in an attractive mature garden setting. Retention of these residences is not compatible with the proposed development of the site for a variety of business and industrial purposes. Their location within the Zone would almost certainly result in adverse reverse sensitivity effects. It is anticipated that the dwellings will be removed as part of the development of the Zone.</p>
<p>SUBDIVISION OF LAND – OBJECTIVES</p> <p>Objective B4.2.3 The maintenance and enhancement of amenities of the existing natural and built environment through subdivision design and layout to create a sense of place.</p> <p>Objective B4.2.4 That subdivision provides for variety and efficiency in its</p>	<p>The proposed Zone rules and ODP include the requirement for street tree planting to be provided by the subdivider prior to roads vesting in Council, and more generous road widths than the minimum District Plan requirements, including wider combined pedestrian/cycle</p>

design, form and function	pathways and adjoining street trees for shade. This will assist in creating an attractive working environment, and encourage walking and cycling, by providing offroad options.
RESIDENTIAL AND BUSINESS DEVELOPMENT — OBJECTIVES Objective B4.3.1 The expansion of townships does not adversely affect: <ul style="list-style-type: none"> - Natural or physical resources; - Other activities; - Amenities values of the township or the rural area; or— Sites with special ecological, cultural, heritage or landscape values. 	<p>The proposed Zone boundary rules will help ensure that the re-zoning does not result in significant adverse effects on the amenity values or outlook from adjoining zones, a combination of University research farmland (and the University Campus at a greater distance), proposed residential zoning on the opposite side of Springs Road, and rural activity to the south and west. There are existing rural dwellings to the south (along Springs Road) and west of the site, approximately 197m and 204m distance respectively. The Marshall Day Noise Report (Appendix x) establishes that the District Plan noise standard that will apply under the proposed B2 zoning in relation to these dwellings i.e. 55 dBA daytime, should be readily achievable at these distances.</p> <p>The requirements for landscaped setbacks along the Zone boundaries, with the requirement for substantial tree planting, will help integrate future business/industrial buildings into the landscape setting. There will inevitably a loss of the current open rural outlook afforded by the current farming activity undertaken on the site.</p> <p>The site soils comprise a mix of Wakanui silt loam and Templeton moderately deep silt loam and Eyre shallow silt loam. They are suitable for both cropping and grazing purposes. Similar quality soils are located on all boundaries of the existing Lincoln townships, but with some gleying in the case of the Dairy block soils (due to</p>

<p>Objective B4.3.3 Land is rezoned for new residential or business development by use of a consistent and equitable process. To provide sufficient land for growth within the Urban Limits of those townships in the Greater Christchurch area and that subsequent residential and business development is to occur in accordance with approved Outline Development Plans.</p> <p>Objective B4.3.4 New areas for residential or business development support the timely, efficient and integrated provision of infrastructure, including appropriate transport and movement networks through a coordinated development approach.</p> <p>Policy B4.3.1 Ensure new residential or business development either: - Complies with the Plan policies for the Rural Zone; or - The land is rezoned to an appropriate Living or Business zone and, where within the Greater Christchurch area, is contained within the Urban Limit identified in the Regional Policy Statement and developed in accordance with an Outline Development Plan incorporated into the District Plan.</p> <p>Policy B4.3.2 In areas outside the Greater Christchurch area, require any land rezoned for new residential or business development to adjoin, along at least one boundary, an existing Living or Business zone in a township, except that low density living environments need not adjoin a boundary provided they are located in a manner that achieves a compact township shape.</p> <p>Policy B4.3.3</p>	<p>lowlying nature of the block).</p> <p>The proposed is within the Greater Christchurch Metropolitan Urban Limit identified in Plan Change 1 to the Canterbury Regional Policy Statement. An ODP is included as part of the plan change for the rezoning.</p> <p>Development of the site for business and industrial purposes is anticipated and provided for as part of Plan Change 1 and the Lincoln Structure Plan. The Commissioner's decision on PC1 does not require phasing of greenfield business areas.</p> <p>There is an acknowledged shortage of B2 land (in fact none) at Lincoln, as recognized in the Lincoln Structure Plan. On site stormwater treatment and disposal is supported by the Council and will enable the site to be developed ahead of the latter stages of the Dairy Block development to the east. As for the rest of Lincoln, development can only proceed once additional sewer connections are available subsequent to the proposed Rolleston Pines Treatment Plant upgrade, and provision of the installation of necessary infrastructure between Lincoln and Rolleston.</p> <p>The proposed Zone adjoins an existing B3 Zone (University land) on the northern boundary and proposed Living zone (former Dairy Block) on the eastern boundary, on the opposite side of Springs Road.</p>
---	--

<p>Avoid zoning patterns that leave land zoned Rural surrounded on three or more boundaries with land zoned Living or Business.</p> <p>Policy B4.3.4 Encourage new residential or business development to occur on vacant land in existing Living or Business zones, if that land is available and appropriate for the proposed activity.</p> <p>Policy B4.3.5 Encourage townships to expand in a compact shape where practical.</p> <p>Policy B4.3.6 Greenfield urban growth areas identified in the District Plan shall not be developed for urban purposes until an operative Outline Development Plan for that area has been included within the District Plan. Each Outline Development Plan shall:</p> <p>Be prepared as a single plan for any identified Outline Development Plan area identified on the Planning Maps.</p> <p>Be prepared in accordance with the matters set out in Policy 4.3.7 below.</p> <p>Policy B4.3.7 Each Outline Development Plan shall include:</p> <p>(i) Principal through roads, connection and integration with the surrounding road network and strategic infrastructure;</p>	<p>The proposed Zone will have Rural zoning on two sides and urban zoning on the two sides.</p> <p>There is no suitable vacant land in existing Living or Business zones at Lincoln which could accommodate a B2 Zone. The B2 Zone enables a wide range of industrial and business activities, and it requires a degree of separation, where possible from sensitive land uses such as living environments. In this case, Springs Road provides separation from the only adjoining Living Zone.</p> <p>The proposed Zone immediately adjoins the existing southwest boundary of Lincoln township and will retain a compact shape to the township.</p> <p>PC7 includes an ODP for the proposed Zone (ODP Area 5), which has been developed in accordance with the matters listed under Policy B4.3.7</p>
--	---

<p>(ii) Any land to be set aside for community facilities or schools;</p> <p>parks and land required for recreation or reserves;</p> <p>any land to be set aside for business activities;</p> <p>the distribution of different residential densities;</p> <p>land required for the integrated management of water systems, including stormwater treatment, secondary flow paths, retention and drainage paths; and</p> <p>land reserved or otherwise set aside from development for any other reason, and the reasons for its protection.</p> <p>(iii) Demonstrate generally how each ODP area will accommodate the required number of households identified for each ODP area on the Planning Maps;</p> <p>(iv) Identify any cultural, natural, and historic or heritage features and values and show how they are to be enhanced or maintained;</p> <p>(v) Indicate how required infrastructure will be provided, when it will be required, how it will be funded, and whether it is to be vested or retained in private ownership;</p> <p>(vi) Set out the staging and co-ordination of subdivision and development in line with the staging shown on the Planning Maps;</p> <p>(vii) Demonstrate how effective provision is made for a range of transport options, including public transport systems, pedestrian walkways and cycleways, both within and adjoining the ODP area;</p> <p>(viii) Include any other information which is relevant to an understanding of the development and its proposed zoning;</p>	
---	--

<p>(ix) Demonstrate that the design will minimise any reverse sensitivity effects.</p>	
<p>RESIDENTIAL AND BUSINESS DEVELOPMENT – SPECIFIC POLICIES FOR TOWNSHIPS – LINCOLN</p> <p>Policy B4.3.50 Ensure any new Greenfield urban growth only occurs within the Outline Development Plan areas identified on the Planning Maps and in accordance with the staging set out in Policy B4.3.8</p> <p>Policy B4.3.52 Ensure stormwater disposal from any land rezoned for new residential or business development will not adversely affect water quality in the LI and LII waterbodies; or exacerbate potential flooding from the LI or LII waterbodies 'downstream'.</p> <p>Policy B4.3.54 Ensure rezoning any land for new residential or business development does not create or exacerbate potential 'reverse sensitivity' effects issues in respect of activities in the Business 2 and 3 zones or surrounding Rural Zone.</p> <p>Policy B4.3.56 Ensure that each of the five Outline Development Plan areas identified on the Planning Maps within Lincoln addresses the specific matters relevant to each ODP Area number listed below:-.</p> <p>Lincoln ODP Area 5 –Southwest block</p> <ul style="list-style-type: none"> • ODP Block 5 to align with ODP Block 1 • Provision of a main road link originating from Weedons Ross Road, linking to Springs Road, aligning with the southern most east-west main 	<p>The B2 Zone is shown as Area 5 ODP on the Planning Maps. Policy B4.3.8 refers to staging of greenfield areas. No staging is required for greenfield business areas.</p> <p>Stormwater disposal will require a discharge consent from Environment Canterbury, which will address any potential adverse effects of the same, including on the water quality and potential flooding. A stormwater management system is proposed partially on site and partially onto adjoining rural land (as shown on the Area 5 ODP) which proposes a first flush treatment pond and detention ponds.</p> <p>The proposed Zone rules include a number of specific rules (relating to landscape setbacks, noise standards and building reflectivity) which will ensure reverse sensitivity effects do not arise between business activities and activities in adjoining zones (including more noise/amenity sensitive activities such as residential development, rural dwellings and classrooms).</p> <p>The Area 5 B2 Zone ODP addresses all matters identified for Area 5 in Policy B4.3.56. As agreed with Council, a comprehensive stormwater conveyance system is proposed which will discharge necessary flows within the site and onto adjoining rural land, rather than to the ODP Block 1 system. This is preferable as the adjoining rural land is in the same land ownership as the B2 zone block, and therefore agreement has been</p>

<p>road from ODP Block 2;</p> <ul style="list-style-type: none"> • Provision of main pedestrian and cycle links to township and university; • Provision of a comprehensive stormwater conveyance system to discharge necessary flows to the ODP Block 1 system; • Provision of wells and water pumping facilities to provide sufficient capacity for all future growth in this area, including main trunk connections where necessary; • Provision of a reticulated wastewater system and pumping stations with capacity to accommodate necessary flows • Provision of landscaped buffer areas between industrial and adjoining land uses. 	<p>reached for such an arrangement, whereas discharge to the ODP 1 Block would require agreement regarding timing and availability of land from a third party, and would require utilizing land that is a later stage of the ODP Area 1 residential development.</p>
---	--

OPTIONS

In determining which is the most appropriate method of achieving the Selwyn District Plan objectives, the following alternative options were considered:-

Option 1 Make No Change

Retain the current planning map and rules i.e. retain the current rural zoning.

Option 2 Rezone site Business 2

This option re-zones the site Business 2 but makes no changes to the B2 rules and does not include an ODP (Outline Development Plan) for the site.

Option 3 Rezone site Business 2 with some amended site specific rules and an ODP

This is the preferred option. It rezones the site B2 but includes some site specific amendments to the rules which address potential environmental effects on the zone boundaries, and ensure an appropriate standard of amenity within the Zone.

ANALYSIS OF OPTIONS

The following table assesses the above options, in terms of the relevant s32 criteria i.e. cost, benefits and relative efficiency and effectiveness.

Option	Benefits/Advantages	Cost/Disadvantages	Efficiency/Effectiveness
Option 1 Make No Change	<p>Avoids costs of preparing plan change.</p> <p>Land can continue to be used for farming purposes.</p> <p>Retention of existing rural amenity including open rural outlook from adjoining areas and relatively 'benign' farming activity (notwithstanding that some more intensive farming activity could occur as a permitted activity).</p>	<p>Retaining Rural zoning inconsistent with Plan Change 1 to the Canterbury Regional Policy Statement which identifies the Site as a greenfields business area.</p> <p>Significant growth is planned for Lincoln under PC1. Suitable B2 zoning is required to support that growth, and enable Lincoln to become more self sufficient in terms of employment opportunities, consistent with its status as a Key Activity Centre under PC1. The Site has been identified in PC11 and the Lincoln Structure Plan as the most suitable around the periphery of Lincoln for B2 zoning.</p>	<p>Not effective in meeting the District Plan's objective of providing for sufficient appropriately located new areas for business development within the Urban Limits at Lincoln.</p> <p>Inefficient as simply does not provide for the above District Plan outcome in comparison with Options 1 and 2.</p>
Option 2 Re-zone Business 2	<p>Reduced costs of preparing plan change compared to Option 3 as adopts existing District Plan B2 rules.</p>	<p>Loss of the Site's existing rural amenity values, including rural outlook from adjoining areas.</p> <p>The existing generic District Plan B2 Zone rules do not adequately address potential adverse environmental effects at the Lincoln B2 Zone boundaries or ensure a coordinated and comprehensive approach to future planning at Lincoln, as intended under PC7.</p>	<p>Implements the District Plan's objective of providing for sufficient appropriately located new areas for business development within the Urban Limits at Lincoln</p> <p>Not as effective as Option 3 in addressing the specific environmental issues that arise in the case of the Lincoln B2 Zone, or in ensuring coordinated planning.</p>
Option 3	The proposed 'package' of Lincoln B2 Zone rules and other provisions address potential	More costs to Council in administering rules and processing consents as	Most effective and efficient in achieving the District Plan objectives,

<p>Re-zone Business 2 with amended site specific rules and an Outline Development Plan (ODP)</p>	<p>adverse environmental effects at the Lincoln B2 Zone boundaries and ensure a coordinated and comprehensive approach to future planning at Lincoln, as intended under PC7. The provisions are also consistent where possible and appropriate, with those applicable at Izone, Rolleston (including under proposed PC10).</p>	<p>there are some additional site specific performance standards and rules for the Lincoln B2 Zone.</p>	<p>including:-</p> <ul style="list-style-type: none"> - providing for sufficient appropriately located new areas for business development within the Urban Limits at Lincoln. - Not creating or exacerbating potential reverse sensitivity effects with neighbouring permitted existing or potential activities; - Maintaining and where possible enhancing amenity values of adjoining areas; - Requirement for an Outline Development to ensure comprehensive and coordinated development. <p>The specific rules, for example with respect to noise, protect the amenity of adjoining areas whilst maintaining flexibility regarding how specific future activities in the B2 Zone may meet the required performance standards, in comparison to, for example more prescriptive rules such as a noise bund and/or noise setback.</p>
--	--	---	--

CONSULTATION

There has been considerable previous consultation by the Council and Environment Canterbury on the proposed Lincoln B2 zoning in principle, as part of the Lincoln Structure Plan, Plan Change 1 to the Canterbury Regional Policy Statement and draft Plan Change 7 (Lincoln) processes. Accordingly, the consultation undertaken by the applicant and its advisors as part of this B2 Plan Change process has focused on the detail of Lincoln Area 5 (Business 2 Zone) ODP and associated rules, and has been with the major landowners to the north and east, namely Lincoln University and Lincoln Land Developments Ltd. The land to the west is under the same ownership as the B2 Zone, and land to the south is zoned Rural. No specific consultation has been undertaken with the existing residential landowners or occupiers within the B2 Zone area, although this will occur prior to any hearing of submissions on PC7. They will be aware of the proposed rezoning as part of the earlier Council processes. It is not practical or intended that these properties will be retained once the B2 Zone is established.

Lincoln University have advised, through their consultants, that they oppose the Area 5 B2 Zone ODP in principle on the grounds that it makes provision for the proposed future Southern Bypass Road, providing for a linkage through University owned land (paper road) to Ellesmere Junction Road. Provision for the Southern Bypass has been shown on the Option 2 Least Preferred ODP at the request of the Council.

Specific amenity issues at the B2/B3 boundary and within the B2 Zone have been addressed by amendments to the B2 Zone rules specific to the Lincoln B2 Zone.

Appendix E:

Barry Fairburn (Consulting Engineer) Memo re On site Wasterwater Systems

MEMO

From: Barry Fairburn

To: Fiona Aston

Subject: Plan Change 1: Additional information on on-site effluent disposal for the Denwood Rural Land

Date: 30 April 2009

- a. The soil types available for effluent disposal on individual lots are likely to vary across such a large area of land. They will range from poorly drained silts and clays to free draining gravels (below the surface soils).
- b. The methods of wastewater treatment and effluent disposal will be governed by the soil types.
- c. Where there is access to freely draining gravels, a simple multi-chambered septic tank provides the treatment from which effluent is pumped to a disposal trench (which contains a special sand filter layer for further treatment). The effluent is then discharged to the gravels below the trench.
- d. Where the soils are not free draining gravels, the most common form of treatment is through an aerated wastewater treatment plant (such as an Oasis Clearwater system) from which the effluent is pumped to a drip-line irrigation system (small-bore tubes laid within the topsoil layer), from which effluent is dripped slowly into the ground.
- e. Thus, there is an appropriate method of treatment and effluent disposal for a wide range of soil types, from free draining gravels to very poorly drained soils. The big difference between them is the size of the effluent disposal area that is required: The poorer the drainage the bigger the area.
- f. In New Zealand, the methods of treatment and effluent disposal are specified in AS/NZS 1547: 2000: *On-Site Domestic Wastewater Management*. I have attached Table 4.2A4, which shows the different effluent irrigation rates for a drip-line irrigation system for different soil drainage classes. Essentially, for a typical discharge of 1 m³ per day, you would need an area of 350 m² for a rapidly drained soil and 500 m² for a very poorly drained soil.
- g. I have spoken to Chris Kortegast, who is a senior manager with Oasis Clearwater. He advised me that a minimum lot size of 2500 m² is

appropriate for any soil type. He accepts that planning documents may be more conservative than that.

Barry Fairburn
30.04.09.

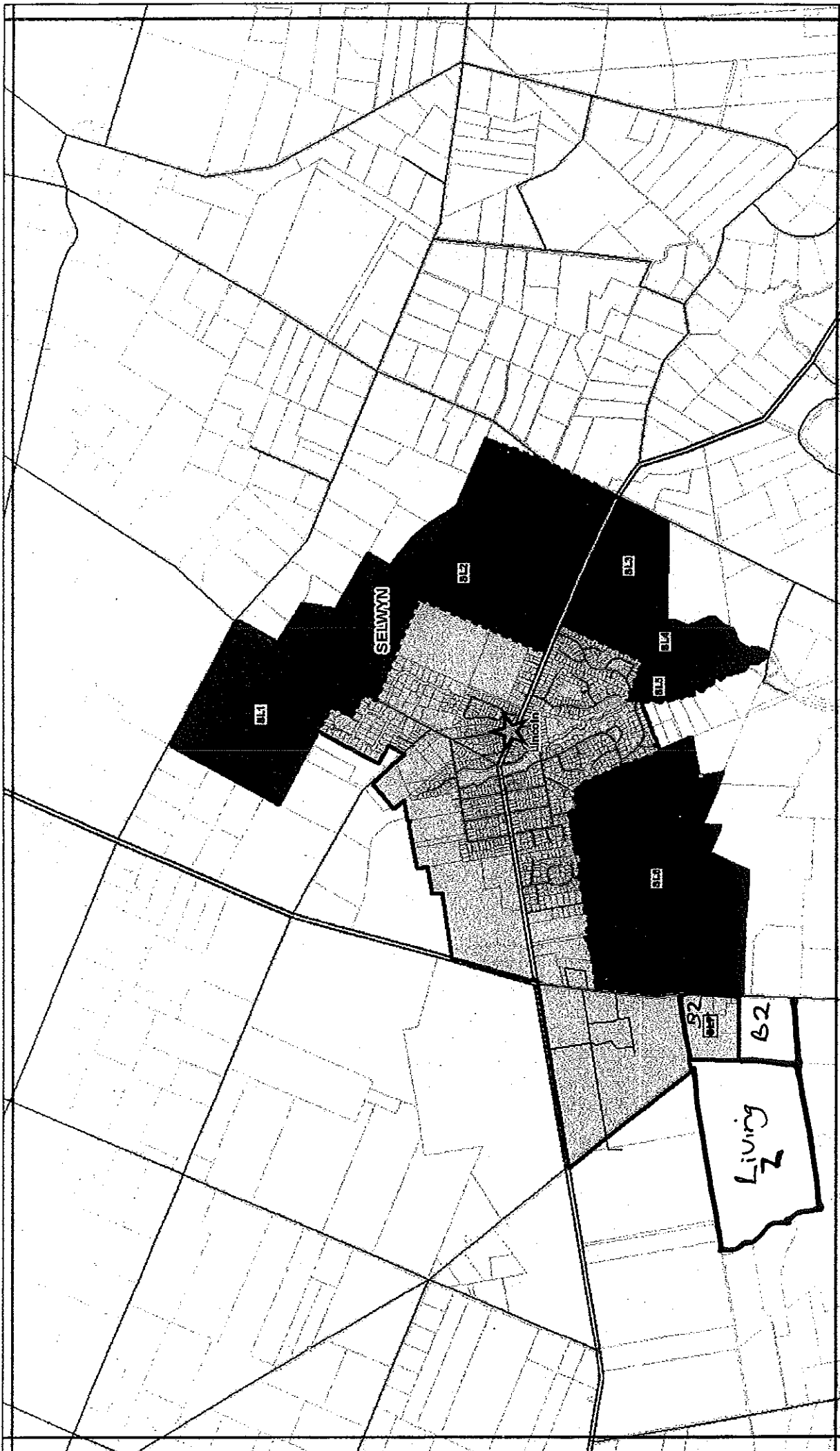
TABLE 4.2A4
RECOMMENDED DESIGN IRRIGATION RATE (DIR) FOR IRRIGATION SYSTEMS

Soil category	Soil texture	Structure	Indicative permeability (K_{sat}) (m/d) (see Note 1)	Design irrigation rate (DIR) (mm/week) (see Notes 2 & 3)	Indicative drainage class (see Note 4)
1	Gravels and sands	Structureless Massive	>3.0	35	Rapidly drained
2	Sandy loams	Weakly structured	>3.0	35	Well drained
		Massive	1.4 – 3.0	35	
3	Loams	High/moderately structured	1.5 – 3.0	28	Moderately well drained
		Weakly structured or massive	0.5 – 1.5	28	
4	Clay loams	High/moderately structured	0.5 – 1.5	25	Imperfectly drained
		Weakly structured	0.12 – 0.5	25	
		Massive	0.06 – 0.12	25	
5	Light clays	Strongly structured	0.12 – 0.5	20	Poorly drained
		Moderately structured	0.06 – 0.12	20	
		Weakly structured or massive	<0.06	20	
6	Medium to heavy clays	Strongly structured	0.06 – 0.5	15	Very poorly drained
		Moderately structured	<0.06	15	
		Weakly structured or massive	<0.06	15	

NOTES:

- 1 The values of indicative permeability as K_{sat} are based on the movement of water, and not effluent through the soil. They are estimates only and should be used with caution in determining soil category and Design Loading Rates.
- 2 The relevant qualifications regarding the use of trenches and beds in Table 4.2A1 are applicable for irrigation systems.
- 3 The Design Irrigation Rates in Table 4.2A4 are based on the best available information at the time of preparation of this Standard.
- 4 Indicative drainage classes listed are based on the assumption that drainage of water out of the soil is governed only by the indicative permeability and that external factors play no role.

Appendix F:
Alternative Zoning for Denwood Trustees Land



Map 1: Decisions on Submissions and Further Submissions

Map 1.

15

Proposed Change No.4 (including Variations 1 to 4) to the Canterbury Regional Policy Statement

1:21,000

Greenfield Areas - Qualities

- Greenfield Areas - Residential
- Special Treatment Areas (STAs)
- Outline Development Plan Areas
- Urban Limit
- Land within the Urban Limit (other than Greenfield Areas and STAs)

Key Activity Centres

- Southern Airports Noise Contour
- Strategic Road Network
- Greater Chislehurst Boundary
- Territorial Authority Boundaries

Appendix G:

Noise Report

PREPARED FOR: Denwood Trustees
C/- Fiona Aston Consultancy Ltd
PO Box 1435
Christchurch

Attention: Fiona Aston

DATE: 12 March 2010


PROJECT: Lincoln Area 5 Rezoning
Noise Assessment

REPORT NO.: 002 R01 2009514

PREPARED BY:


Stuart Camp

REVIEWED BY:


Rob Hay

1.0 INTRODUCTION

Marshall Day Acoustics has been engaged to provide a noise assessment to accompany an Outline Development Plan (ODP) for Area 5 within Plan Change 7 of the Selwyn District Plan.

The land is currently a paddock in private ownership zoned Outer Plains, Rural within the Selwyn District Plan. The Plan Change would rezone the land as Business 2.

This report considers the effect that rezoning would have on surrounding properties, and proposes rules to ensure that businesses establishing on the site will comply with relevant noise rules.

2.0 SUMMARY OF FINDINGS

The existing Selwyn District noise standards provide appropriate protection to surrounding zones should the site be rezoned B2.

A slightly more stringent noise rule could be argued for the boundary common to Lincoln University, but this would need to be coupled with an acceptance by the University that their ability to produce noise should also be controlled. On balance, we recommend application of existing District Plan noise rules for the site.

To ensure the businesses establishing on the site comply with relevant noise rules, we have proposed that any industrial activity within 150 metres of the B3 and Living Zone boundaries should be a controlled activity—requiring advance assessment of noise from the activity.

3.0 EXISTING NOISE ENVIRONMENT

We have not conducted any assessment of existing noise levels in the area. Our assessment is confined to consideration of the level of amenity anticipated under the District Plan, and any changes in that amenity that would result from the proposed rezoning.

4.0 SELWYN DISTRICT PLAN

The Selwyn District Plan Business 2 Zone noise rules are contained in the Town Volume, Sections 22.4.1.4 (noise to other Business zones) and 22.4.1.5 (noise to Living and Rural zones) of the Plan. Activities within the Rural Zone are controlled by Rural Volume Section 9.16.1. These rules are summarised in Table 1.

The rules which apply to this area based on existing and proposed zoning can be summarised as shown in Table 1:

Table 1: Permitted District Plan Noise Limits

Zone Producing Noise	Daytime		Night-time	
	dB L _{A1}	dB L _{Afma}	dB L _{A1}	dB L _{Afmax}
	0	x	0	
<i>Rural</i>				
At any living zone boundary	55	85	40	70
At any notional boundary in a rural zone	60	85	45	70
At the notional boundary of any classroom in the Business 3 (University) zone	60	85	45	70
<i>Business 3 (University)</i>				
At any notional boundary in a rural zone	55	85	40	70
At a Business 2 zone		No restriction		
<i>Business 2</i>				
At any living zone	55	85	40	70
At any notional boundary in a rural zone	55	85	40	70
At the boundary of the Business 3 (University) zone	65	85	45	70
At any other site in the Business 2 zone		No restriction		

The effect of the proposed zone change would therefore result in the following changes;

- No change to allowable noise levels in the surrounding living zones.
- The allowable level of noise generated by activities in the proposed B2 Zone at properties in the Rural Zone, would *reduce* by 5 dB compared with the permitted level under the current Rural zoning.
- The current restriction on noise that the University can produce at its southern boundary would no longer apply—there would be no limit on noise at this location.
- Noise from the rezoned land would have to comply with a 65 dBA daytime limit at the University *site boundary*, compared to the current 60 dBA limit at the *notional boundary* of any classroom which applies under the current Rural zoning. Given the large setback distances of existing classrooms from this common boundary, the change to B2 zoning would provide better protection for the University than they currently receive.

In summary, the permitted level of noise at surrounding properties would remain the same or reduce slightly. Hence, we conclude that the acoustic amenity on surrounding properties will continue to be in line with that anticipated in the District Plan.

5.0 NOISE EMISSIONS

As a guide, Table 2 gives noise levels can typically be achieved from industrial sites with standard good noise control practice for all elements of an activity.

Table 2: Typical noise levels from industrial sites.

Industry	Examples	Noise level at boundary dB L _{A10}
Light	Warehouse/storage facilities	55 – 60
Medium	Light workshop facilities, bulk retail	60 – 65
Heavy	Manufacturing, heavy engineering	70 – 75

Whilst these levels are very generic, both medium and heavy industries tend to produce noise levels higher than the relevant limits for a Business 2 interface with a Rural or Residential Zone. However, heavy industry typically includes significant heavy vehicle use, and therefore demands large sites. Given the relatively small size of the proposed industrial zone and the proposed internal roading layout, we believe it is unlikely that heavy industry would choose to establish here. We also understand that this site is unlikely to be attractive for large scale industry, or industry serving other than a local catchment, because of its location remote from strategic transport routes—unlike Rolleston for example.

Light industry typically produces noise only marginally above the Living/Rural Residential daytime noise limit. Night-time noise is generally of no concern because very few "noisy" commercial activities operate at night. Only minor mitigation will be required to ensure compliance with the daytime noise rules.

Despite the generic noise levels given above, there are a number of "industrial" activities which produce very little noise, and/or produce noise which is well controlled within buildings if site layout is considered with respect to noise control. As an example, warehousing often only involves the use of forklifts and trucks. If the warehouse is constructed along the zone or site boundary, noisy activities are acoustically screened, giving simple compliance with daytime noise rules. The same warehouse can often achieve night-time noise rules if loading and unloading activities are undertaken within the warehouse building.

On this basis, we consider it essential that noise is assessed prior to construction of any industrial activity within say 150 metres of the Business 3 and Living Zone boundaries. This would ensure that site layout and operational procedures are developed with noise control in mind, avoiding the problems that would arise if an activity established on site and was then found to be exceeding the noise rules.

To achieve this, we recommend that any industrial activity within 150 metres of the Business 3 and Living Zone boundaries should be a controlled activity with respect to noise, with no requirement for affected party approval. Such a control will not prevent activities from obtaining resource consents, merely ensure that noise is properly assessed in advance.

5.1 Specific consideration of this site

We believe that there are two important issues to address on this site;

5.1.1 Zone boundary Noise Rule

As noted in Table 1, the District Plan noise limit at the Rural zone interface applies at the *notional boundary* of any dwelling. Whilst this is appropriate for specific consent applications, we believe it is inadequate as part of this zone change. Firstly, a notional boundary limit does not provide sufficient protection to the undeveloped land surrounding the zone, which could be rezoned for other purposes at some future stage given its close proximity to Lincoln. Secondly, many businesses in the B2 zone could each contribute to noise at one dwelling, resulting in a higher overall noise level than anticipated. Thirdly, measuring compliance, and/or proving non-compliance can be extremely difficult when the notional boundary is some distance from the industrial site.

For these reasons, we recommend that an exception is created to the existing Plan noise rules requiring compliance with the rural noise rule at the B2 zone boundary bordering the rural zone, rather than the existing notional boundary rule. In our view, this is achievable by the types of industry anticipated in this area, yet at the same time, it provides greater protection for surrounding land owners.

5.1.2 University Land

The University are concerned that a B2 zone adjoining their site will restrict their ability to develop their land in future.

As already noted, activities on the existing rural land are permitted to produce a noise level of 60 dBA at the notional boundary of any classroom. Under the B2 zone rules, this would change to being 65 dBA at the zone interface. Given that existing classrooms are a considerable distance from the interface, the B2 zone rules are more onerous. However, we acknowledge that B2 activities are more likely to produce noise on an ongoing basis than rural activities.

With a B2 zone in place, there will be no restriction on how much noise the University can make at the interface with the proposed B2 zone. At the same interface location, activities within the proposed B2 zone will be limited to 65 dBA. If the University wishes to retain the right to have no limit on how much noise they produce, we cannot see any justification for the B2 zone being restricted any further than the District Plan envisages.

If the University wants to limit noise on the southern part of their site to allow for future classrooms or similar noise sensitive activity, then they cannot at the same time expect to produce high levels of noise at the same location.

5.1.3 Living Zone Land

Taking into account the proposed B2 zone setback, road reserve and Living zone landscaping reserve there is sufficient room that the majority of light industries could be expected to establish in the proposed B2 zone with appropriate prior consideration of noise control. The application of Controlled Activity status along this boundary

interface will ensure that such consideration occurs and will give certainty for all parties that an appropriate level of noise control will be achieved. In some cases the assessment process may highlight activities that are unable to economically achieve the Living Zone noise rules, which is a better scenario than establishing an activity which then proves to be unable to comply.

6.0 TRAFFIC NOISE

In common with all District Plans, the Selwyn District Plan excludes traffic noise on roads from the noise rules. This exception accounts for both the fact that everyone uses roads as an essential part of life, and also that it would be difficult to enforce any limit where the noise producer could not be clearly identified (noise from roads is due to a large number of different vehicles). However, when assessing the effect of rezoning this site, the potential increase in noise due to vehicles travelling to and from the site should be considered.

We understand that the proposed rezoning will result in additional traffic including a relatively high proportion of heavy commercial vehicles. This will cause a corresponding increase in traffic noise levels on surrounding roads.

Any noise effects due to this increased traffic will be most noticeable to existing residential and educational activities to the north of the site on Springs Road. We currently lack the data required to quantify this noise effect. However, we note that roads within the proposed industrial development will be central, rather than around the perimeter of the site and therefore surrounding zones will be screened to some degree from traffic noise within the zone.