

27 April 2021

Marama Te Wai Ltd
C/- Aston Consultants Ltd
PO Box 1435
CHRISTCHURCH 8140
Attention: Fiona Aston

Sent by email to:

info@astonconsultants.co.nz

Dear Fiona

PC200077: Private Plan Change Request from Marama Te Wai Limited to the Operative Selwyn District Plan at West Melton (West): Request for further information

Thank you for your request lodged on behalf of Marama Te Wai Ltd to change the Operative Selwyn District Plan (zoning at West Melton). In accordance with Clause 23 of Schedule 1 of the Resource Management Act 1991 (RMA), the following information is requested to enable Council to better evaluate the potential effects of the change, the ways in which adverse effects may be mitigated, and the nature of consultation undertaken.

Description of Land Subject to the Plan Change

The request does not include all legal descriptions and addresses of the land to which the request relates. Specifically this relates to the existing residentially zoned properties located to the west of Shepherd Avenue.

1. *Please provide a list of the addresses, legal descriptions and ownership details of the properties along Shepherd Avenue incorporated into this plan change request, i.e., complete Table 1 so that it relates to all properties affected by the proposed plan change. .*

Consultation

The plan change request is silent on whether there has been any pre-lodgement consultation with these Shepherd Avenue (or other) landowners included within the plan change request area.

2. *Please provide evidence that the owners of the properties on Shepherd Avenue within the plan change area are party to, or supportive of, the request.*
3. *If any, or all, of the above land owners do not wish to be party to the plan change, please provide the rationale for including these parcels in the plan change request.*

It is not stated whether the Applicant has undertaken any pre-lodgement consultation with any party of other than the Council. The plan change should be provided to Mahaanui Kurataiao Limited.

4. *Please provide a copy of any feedback received from Mahaanui Kurataiao Limited on the requested plan change.*

The plan change request is depending on securing the appropriate connection through to State Highway 73. Given the importance of this connection and the reliance of the plan change request on it, there needs to be further advice from the appropriate road network authority (Waka Kotahi/NZTA)

as to whether they will agree to another intersection along SH73 west of Iris Taylor Dr and consequently extending the 60kmph speed limit further west to encompass it.

5. *Please provide details of any consultation undertaken with Waka Kotahi/NZTA regarding the proposed new intersection onto State Highway 73.*

Plan Change Text and Outline Development Plan (ODP)

It is noted that the text accompanying the proposed ODP should make reference to how development of the area should acknowledge the cultural, natural and heritage features of the area, and how these may be incorporated into any design philosophy accompanying future development. It should also incorporate the urban design principles.

It is noted that through the Proposed District Plan process, Council is seeking to establish a consistent ODP design with an approach to minimise features on an ODP and utilise assessment considerations in supporting explanatory text. While this is a request to change the Operative District Plan, please be aware that alignment of the ODP design may be sought as this request progress.

6. *Please provide an updated ODP addressing the various matters below and also include explanatory text addressing matters such as density, access and transport, open space, recreation and community facilities, servicing and reverse sensitivity.*

Figure 1 of the Plan change request indicates the existing zoning, however, this does not appear to reflect the current zoning by including that the rear portion of some of the Shepherd Avenue properties is within the Living 1 zone.

7. *Please update Figure 1 of the proposed plan change document to reflect the current zoning found in the operative Selwyn District Plan.*

The amendments to the residential density found in Table C12.1 of the operative District Plan do not provide sufficient detail to deliver the expectations of the proposed plan change request. For example, it is stated therein that the overall density shall achieve the net density target shown on the ODP. The proposed ODP (map only) does not include such a target.

8. *Please update the ODP/accompanying explanatory text to include the overall density target and also to at least describe the areas where any Medium Density Residential Development is proposed.*

[Please also see #20 below regarding the Council Urban Designer's query over the proposed approach to the provision of Medium Density]

The Integrated Transport Assessment provided with the application was reviewed by Council's Asset Manager – Transportation.

The ODP shows the secondary connections with the existing West Melton Township to the east. Furthermore, all the urban design and traffic assessments undertaken in relation to the plan change appear to be contingent on these connections going ahead. The northern connection (Preston Avenue) is through an existing Council Reserve vested for recreation purposes (see **Figure 1** below). The ability to utilise this reserve for roading purposes is dependent on the outcome of a Reserves Act process. Council's Asset Manager also advises that the likely re-alignment required might also impact on other adjoining properties. Furthermore, the other connections (aligning with Elizabeth Allen Ave, and Wilfield Ave) are currently blocked by private properties and houses. This raises matters of feasibility of achieving the proposed connections.



Figure 1: Existing Council Recreation Reserve

9. *Please advise of any discussions with the owners of these adjoining properties (as well as Council and the Department of Conservation) regarding the feasibility of the proposed roading connections between the area of the plan change and the existing township proceeding as shown on the ODP.*
10. *Please provide some commentary on the ability of the plan change to proceed in the absence of the ability to secure one or any of the proposed connections. Furthermore, please advise of the proposed mechanisms included within the amendments to the operative District Plan to ensure that residential development could not proceed until such time as these connections are available.*
11. *Please provide sufficient engineering detail to show how the proposed connection and re-alignment could be accommodated within the existing land available without impacting on other adjoining private landholdings.*

The ODP does not show any main walking and cycling networks. It is noted that Section 8.2.2 of the Carriageway Traffic Assessment refers to extending an existing footpath west along SH73 to the new intersection. The Council's Asset Roading Manager advises that there is no existing footpath on the development side of the road west of Weedons Ross Rd. It would have been preferable to have further walk/cycle links to Shepherd Drive as the development is elongated, but like the ODP roading links this would be required through existing private property.

12. *Please provide further detail as to the proposed pedestrian and cycle linkages through to West Melton township, in particular the School and existing amenities.*

The ODP submitted also includes a 'green dot' on the western extent of the Wilfield Drive extension. it seems to correlate with a greenspace along the proposed road link on the indicative Concept Plan in the Urban design statement. However, if this indicates an additional Neighbourhood Park, it is noted that Council's Reserves Manager has indicated that this would not be required.

13. *Please clarify what the green dot shown on the ODP represents.*

National Policy Statement on Urban Development 2020 (NPS-UD)

This Plan Change relies on the NPS-UD (namely **Policy 8**) to address the apparent conflict with the Canterbury Regional Policy Statement (CRPS) **Objectives 6.2.1** and **6.2.2.5**, and their associated policies.

At its meeting on 9 December 2020, the Selwyn District Council adopted an update its Housing and Business Development Capacity Assessment for the short, medium and long term (see https://www.selwyn.govt.nz/_data/assets/pdf_file/0006/360735/PUBLIC-AgendaCouncil-Meeting-9-December-2020.pdf).

This update identifies a shortfall of some 1,464 residential units for the medium term (between 3-10 years), across the greater Christchurch portion of Selwyn District. This shortfall is able to be met through bringing forward the areas adjacent to Rolleston township already identified within the infrastructure boundary. Change 1 to the RPS identifies these areas as Future Urban Development Areas ('FUDAs'). These FUDA have capacity for between 5-7,000 household units depending on final density. The CRPS change 1 direction is that where additional capacity is needed, it is to be delivered through bringing forward these FUDA, which will provide some 3,500- 5,500 units more than required to meet NPS direction/1,500 unit medium term shortfall.

The assessment of the criteria in **Policy 1** of the NPS-UD for 'well-functioning urban environments' provided with the request only considers this in relation to the plan change area. In that context, it is considered that the benefits identified by private plan change proponents need to be viewed in a wider context (i.e., all Townships within the UDS area with the Selwyn District), rather than an assessment of West Melton in isolation. The urban environment is considered to encompass all of the Greater Christchurch.

14. *Please provide an assessment of how the request would contribute to the function of the wider urban environment, the surrounding district and the Greater Christchurch Area.*
15. *Please provide a more thorough assessment of how the request supports an urban environment that supports the reduction in greenhouse gas emissions and is resilient to the current and future effects of climate change, as required by Objective 8 and Policies 1 and 6.*
16. *Please provide an assessment of the building heights and densities proposed in the request relative to Policies 3(d) and 1(a). This assessment should demonstrate, in terms of the proposed densities, what the differences are on the ground between 12 and 15hh/ha and how the proposal provides for a variety of homes that meet the needs of different households, including all age groups.*

Urban Design

The visual assessment acknowledges that the plan change would result in an overall change of character from open and rural to one that is more dense and suburban. Mitigation measures are to be incorporated within the plan change, primarily through the ODP and the adoption/location of different zones. However, the ODP largely shows the Living Z zone immediately adjacent the boundary with the western Rural boundary, and no mention is made of any provisions relating to fencing, either existing within the Operative District Plan or proposed.

The following comments have been received from the Council's Urban Designer regarding the proposed plan change request:

17. *The Council's Urban Designer considers the proposal is missing an assessment of the western boundary in the context of what will be a rural-urban interface. Such an assessment is required and needs to extend to a discussion of the current land uses and potential reverse sensitivity issues, as well as discuss any mitigation measures proposed.*
18. *The application also needs to include a character assessment of the site, including visual impact (e.g., loss of outlook) on existing residential sections in West Melton (Shepherd Avenue).*

19. *Discussion on SH73 interface and more specifically how the proposed response will create a more urban streetscape/entry into the town. The proposed layout is designed to create buffer for immediate relief from SH73 rather than an integrated solution.*
20. *Clarification on proposed Medium Density areas and how single lot only & not comprehensive is considered appropriate to meet both the density target and also achieve a variety of housing options.*

Land Contamination

The Preliminary Site Investigation (PSI) (attached as Appendix 9 of the plan change request) prepared by Malloch Environmental Ltd recommends that a Detailed Site Investigation, in terms of the Ministry for the Environments Contaminated Land Management Guidelines, be undertaken on the identified risk areas prior to any change of use or development.

The locations of the risk areas are shown on the Risk Area Plan in **Figure 2** below. These are confirmed or likely HAIL activities and there may be a risk to human health from potentially contaminated soils in this area.



Figure 2: Risk Area Plan (Source: Malloch Environmental Ltd, 2019)

Should the plan change request be approved, a Detailed Site Investigation (DSI) will be required over all the identified HAIL areas of the site. If the DSI identifies contamination that exceeds the soil contaminant standards for residential use, then a Remedial Action Plan will be required, remedial works will be required to be undertaken as per the plan, and a Site Validation Report will be required to be submitted to council confirming that the site is suitable for residential use.

21. *Please update the ODP/Explanatory text to refer to the risk areas and the matters required to be fulfilled as part of any subsequent consent application to subdivide the property.*

Infrastructure

The Infrastructure Assessment provided with the application was reviewed by Council's Asset Manager – Water Services.

Water

Council's current consent capacity to abstract water may limit the ability to service the development. On that basis:

22. *Please provide the peak water demand generated by this proposed development in litres per second (l/s) and the basis for calculating this.*
23. *Please comment on the feasibility of being able to transfer consented water allocation as per Section 6.3, Option 3.*
24. *Should a new bore and treatment plan be required as per Section 6.3 Option 3 please confirm that a utility lot can and will be provided within the proposed plan change area. This should also be referred to on the updated ODP/Explanatory Text.*

Wastewater

Council staff have stated that Option one for the wastewater – LPSS with storage and IOTA controllers for each lot – is not acceptable to the Council as it has too much risk. The Council does not have such a system employed anywhere else in the District.

25. *Please provide the peak discharge flow rate of wastewater generated from this site in l/s and the basis for calculating this.*
26. *Please provide an estimate of the wastewater storage volume required for Section 5.3, Option 2 (SDC vested pump station with storage – pumping outside peak times) and a comment on the feasibility of this option.*
27. *Please comment on the feasibility for this proposed plan change area to be serviced by a pressure main pumping directly to the Rossington Drive wastewater pump station.*

Water Race

The Council Officers have clarified that the application refers to 80% support of ratepayers being required to shut down the water race. This is not entirely correct, 80% support of those landowners directly affected, i.e., the properties through which the water race flows is required. The existing water races within the site should be identified on the ODP.

28. *Please show the locations of the existing water races within the site on the ODP.*

Reserves

The plan change request have been reviewed by Council's Manager – Open Space and Property.

The Council Officers are of the view that the Urban design statement supports the approach to greenspace and this is sufficient to support the rationale for the proposed green space provision. They have also checked the locality and distribution of proposed open spaces, which generally comply with Council's criteria. There is ample open space of larger size in Preston Downs. Council Open Space staff support the continuation of the main green spine and to co-locate smaller neighbourhood park space with stormwater basins to make efficient use of what green space is already provided. Beyond the matter raised in 13 above regarding the green dot shown on the ODP, no further information is required.

Process from here

Once the Council has received a response to the above requests, it may be necessary to ask for further clarification of the extent to which this response addresses the above. Whilst you may decline to provide the above information (Clause 23(6)), you need to be aware that the Council may reject the request on this basis.

Once the Council is satisfied that it has adequate information, a report will be finalised to consider and make a recommendation on how to deal with your request.

Please do not hesitate to contact me on (03) 964 4635 or nick@planzconsultants.co.nz if you have any questions.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'N Boyes'.

Nick Boyes

Consultant Planner

On behalf of the **SELWYN DISTRICT COUNCIL**