

Selwyn District Plan, Private Plan Change 78 – Urban Estates Limited, Lincoln-Rolleston Road and Selwyn Road

Joint Officer Summary Statement, Selwyn District Council

Introduction

1. This joint officer summary statement has been prepared by the following experts who prepared the pre-circulated Section 42A report and supporting evidence on PC78.
2. The applicant and submitters have lodged statements of evidence following the circulation of the officer's evidence. The purpose of this joint officer statement is to summarise our position on the evidence received and to provide an update on our recommendations pending any further evidence that is presented at the hearing.

Summary of recommendations

3. We can confirm that Council's reporting officers continue to support the granting of the request for the reasons stated in the s42A report. The officer's evidence contained several recommendations, the majority of which have been accepted by the plan change proponent.
4. Tabled evidence from one submitter (S78-001 Rolleston 564 Ltd) that reiterates their position.
5. Table 1 below includes a summary of the officer recommendations detailed in the s42A report, the plan change proponent's position on each of these recommendations, and officer's conclusions on the matters raised.
6. The only items we require clarification on from the plan change proponent relate to reverse sensitivity effects and minor suggested changes to the ODP text.

Table 1 – PC78 Officer summary evidence statement

Notes:

¹ Refer to the s42A planning report - 9. Proposed Amendments to the District Plan, Pg.39 and 40.

² Agree = Officer's support the applicant's response.

³ Neutral = No further officer evidence is considered necessary.

⁴ Disagree/further comments required = Officer position confirmed.

Officer recommendations ¹	Plan change proponent's response	Officer position ^{2, 3 & 4}
i. The ODP and Policy B4.3.77 are amended to indicate the need for a 'frontage upgrade' along East Maddisons Road, which should be determined by the developer in collaboration with Council in accordance with the Engineering Code of Practice requirements.	The plan change proponent has amended the ODP to address this recommendation.	<div> <input type="checkbox"/> Agree <input type="checkbox"/> Neutral <input checked="" type="checkbox"/> Disagree/further comments </div> <div> Comments To ensure consistency with similar changes supported for PC75 and PC76, the reference on the ODP plan is no longer required, and recommend the text is amended to the following: "Urban Design ... Upgrades of Lincoln-Rolleston Road and Selwyn Road frontages incorporating direct access from properties from onto these roads are to be upgraded to an urban standard in accordance with the Engineering Code of Practice. Frontage upgrades are to be provided along Lincoln-Rolleston Road and Selwyn Road to encourage properties to front this road as well as to provide walking and cycling paths providing connections between Lincoln and Rolleston." </div>
ii. The ODP is amended to replace the references to 'roading collector' to 'primary route' and 'major intermediate' to 'secondary route' and they align with the roads to Acland Park to the west and the PC75 site to the north.	The plan change proponent has amended the ODP to address this recommendation.	<div> <input type="checkbox"/> Agree <input type="checkbox"/> Neutral <input checked="" type="checkbox"/> Disagree/further comments </div> <div> Comments- Ms. Wolfer, Urban Design To ensure consistency with other ODP's in Appendix E38 of the SDP, remove the references to "indicative primary route" and "indicative secondary route" from the ODP Legend. </div>
iii. The ODP is amended to replace the reference to the east to west aligned (CRETS) from 'roading collector' to 'primary route'.	The plan change proponent has amended the ODP to address this recommendation.	<div> <input type="checkbox"/> Agree <input type="checkbox"/> Neutral <input checked="" type="checkbox"/> Disagree/further comments </div> <div> No further comment. </div>

iv. The ODP maintains the east-west 'secondary route' that extends from Acland Park to the west through the PC78 site to Lincoln Rolleston Road to the east.	The plan change proponent has amended the ODP to address this recommendation.	<div> <input type="checkbox"/> Agree <input type="checkbox"/> Neutral <input checked="" type="checkbox"/> Disagree/further comments </div> <div> Comments- Ms. Wolfer, Urban Design To ensure consistency with other ODP's in Appendix E38 of the SDP, remove the references to "indicative primary route" and "indicative secondary route" from the ODP Legend. </div>
v. The ODP is amended to illustrate a 'double arrow' to reference future links.	The plan change proponent has amended the ODP to address this recommendation.	<div> <input type="checkbox"/> Agree <input type="checkbox"/> Neutral <input checked="" type="checkbox"/> Disagree/further comments </div> <div> Comments - Ms. Wolfer, Urban Design Request that the two "indicative through connections" to the adjoining land at the corner of Lincoln-Rolleston Road and Selwyn Road (Lot 3 DP 48064) are reinstated on the ODP as far as the PC78 site boundary (as a double arrow). Request that a reference to these connections is included in the ODP text - Movement Network. </div>
vi. The ODP is amended to illustrate the walking and cycling routes within the site, including the identified north-south and east-west cycle routes.	The plan change proponent has amended the ODP to address this recommendation.	<div> <input checked="" type="checkbox"/> Agree <input type="checkbox"/> Neutral <input type="checkbox"/> Disagree/further comments </div> <div> Comments The amended text has been reviewed and is supported for inclusion in the SDP. </div>
vii. The ODP is amended to make provision for a primary north-south orientated cycle route through the site from the PC75 site through to Selwyn Road.	The plan change proponent has amended the ODP to address this recommendation.	<div> <input type="checkbox"/> Agree <input checked="" type="checkbox"/> Neutral <input checked="" type="checkbox"/> Disagree/further comments </div> <div> Comments - Mr. Collins, transport Mr. Collins evidence incorrectly identified an indicative east/west cycle route on the southern "secondary road". As a result, the existing shared use path on Lady Isaac Drive was not identified, which represents an extension of the "primary road" shown in the ODP. There is benefit in realigning the cycle facilities to the primary route (in terms of catchments, public transport access, etc). </div>

		Mr. Collins recommends that the east/west cycle route should follow the “primary road” rather than the “secondary road”. This is a slightly shorter route so is likely to be more efficient and cost effective.
viii. The ODP removes the PC75 land and the property at the corner of Lincoln-Rolleston Road and Selwyn Road, which do not form part of the PC78 site.	The plan change proponent has amended the ODP to address this recommendation.	<input type="checkbox"/> Agree <input type="checkbox"/> Neutral <input checked="" type="checkbox"/> Disagree/further comments <hr/> Comments- Ms. Wolfer, Urban Design As identified in v. above, request that the two “indicative through connections” to the adjoining land at the corner of Lincoln-Rolleston Road and Selwyn Road are reinstated on the ODP as far as the PC78 site boundary.
ix. The plan change proponent should clarify and include a description in the ODP text demonstrating how the proposed reserve is linked with the surrounding green network, including a combined walking, and cycling network to key destinations, such as Te Rōhutu Whio Primary School.	The plan change proponent has amended the ODP to address this recommendation.	<input checked="" type="checkbox"/> Agree <input type="checkbox"/> Neutral <input type="checkbox"/> Disagree/further comments <hr/> No further comment.
x. The plan change proponent should confirm the catchments for the two reserves satisfy Council’s minimum guidelines (500m to 600m radius).	The plan change proponent has provided confirmation the 500m reserve catchments have been satisfied.	<input checked="" type="checkbox"/> Agree <input type="checkbox"/> Neutral <input type="checkbox"/> Disagree/further comments <hr/> No further comment.
xi. The plan change proponent should provide draft text changes to ensure that the ‘specific matters relevant’ to implement the ODP are listed under Policy B4.3.77 to inform the future subdivision and land development processes should PC78 be granted.	The plan change proponent has provided text for Policy B4.3.77.	<input checked="" type="checkbox"/> Agree <input type="checkbox"/> Neutral <input type="checkbox"/> Disagree/further comments <hr/> Comments This text has been reviewed and is appropriate for inclusion in the SDP.

<p>xii. The ODP and Policy B4.3.77 include a 'reverse sensitivity treatment' to identify the need for methods to be developed to manage any potentially adverse reverse sensitivity effects associated with the horticultural operation on the land at the corner of Lincoln-Rolleston Road and Selwyn Road.</p>	<p>The plan change proponent opposes the inclusion of a reference to a 'reverse sensitivity treatment' on the ODP. The reasons for this position are detailed in the evidence statement of Ms. Harte.</p>	<div data-bbox="1018 159 1476 309"> <input type="checkbox"/> Agree <input type="checkbox"/> Neutral <input checked="" type="checkbox"/> Disagree/further comments </div> <div data-bbox="1018 309 1476 1272"> <p>Comments</p> <p>The market garden operation is different to the other rural lifestyle activities that are the predominant land use in the peri-urban area of Rolleston.</p> <p>Officers generally agree with the applicant that the risk of adverse reverse sensitivity effects is low (when compared to other intensive rural production activities or strategic infrastructure). As a result, any treatments should be limited to close board fencing, landscaping, or similar responses (as opposed to a buffer of lower density allotments along the boundary, setback or realignment of the road). A further option for consideration during the subdivision process is for consent notices, a note on the properties Land Information Memorandum (LIM) and/or covenants to highlight the potential effects from the adjoining land use to future landowners.</p> <p>Officers reiterate that there are no general matters of discretion in the SDP for managing 'reverse sensitivity effects' of this nature at the time of subdivision. As a consequence, a general reference to the potential for 'reverse sensitivity' effects in the ODP is considered appropriate.</p> </div>
<p>xiii. A consequential change is made to Policy B4.3.9 to reference the PC78 site as one of 14 Living Z areas.</p>	<p>The plan change proponent identifies that the sequential numbering is not known at this stage.</p>	<div data-bbox="1018 1272 1476 1451"> <input checked="" type="checkbox"/> Agree <input type="checkbox"/> Neutral <input type="checkbox"/> Disagree/further comments </div> <div data-bbox="1018 1451 1476 2002"> <p>Comments</p> <p>Officers agree that this is a consequential change.</p> </div>

Submitter's evidence

Selwyn 564 Ltd (S78-001)	<p>Requests that a condition is included on any decision requiring a developer agreement to be applied at the time of subdivision to coordinate infrastructure.</p> <p>A less preferred position is that a reference is developer agreements is detailed in the recommendation.</p>	<div><input type="checkbox"/> Agree</div> <div><input type="checkbox"/> Neutral</div> <div><input checked="" type="checkbox"/> Disagree/further comments</div> <hr/> <div>Comments</div> <p>The correct reference to the matters of discretion relating to point strips in Mr Friedel's evidence in chief para. 7.43 & 7.45) is 12.1.4.25 in C12 LZ Subdivision.</p> <p>However, the Council Point Strip policy attached to Mr. Schulz's evidence states that: <i>"Point Strips are not to be used within Outline Development Plan (ODP) areas as all landowners within the ODP area are deemed to have already agreed to provide coordinated and connected developments through that type of land rezoning and spatial planning processes"</i> (Pg.2. Approving the Creation of Point Strips). There are exemptions made to this policy, which should be applied for through the subdivision process in accordance with the policy.</p> <p>Council's Asset Manager - Transportation, has confirmed that the inclusion of a condition is considered inappropriate as it may circumvent Council's policy and standard subdivision process. Mr. Friedel is also unaware of where a zoning would include conditions and a rule to enable the submitter's relief is opposed for the reasons outlined above. Third party legal agreements are the most appropriate method for establishing equitable sharing of infrastructure costs.</p>
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Other matters:

Urban design evidence - Request to reference the water race on the ODP.	<p>The plan change proponent does not support this recommendation. The reasons for this position are detailed in the evidence statement of Mr. Compton-Moen.</p>	<div><input type="checkbox"/> Agree</div> <div><input checked="" type="checkbox"/> Neutral</div> <div><input type="checkbox"/> Disagree/further comments</div> <hr/> <div>Comments - Ms Wolfer - Urban Design</div> <p>Officers consider there is sufficient evidence available to enable the Commissioner to reach a position on this aspect of PC78.</p> <p>Ms. Wolfer reiterates her preference for a notation to the water race to be included in the ODP text.</p>
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Conclusion

7. As identified above and in the s42A report, we consider that PC78 satisfies the relevant statutory tests and confirm that it is appropriate to grant the rezoning request with the modifications that are detailed in Table 1, which in summary are:
 - i. Confirmation of the approach for managing potential reverse sensitivity effects.
 - ii. Minor amendments to the ODP.
8. We reserve the right to amend this summary statement in response to any evidence or matters raised at the hearing.

Craig Friedel, Consultant Planner

Mat Collins, Consultant Transport Engineer

Gabi Wolfer, SDC Senior Urban Designer/Town Planner

Murray England, SDC Asset Manager Water Services

2 November 2021