

SUBMISSION ON PLAN CHANGE 9 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 Plan Change 9 in its entirety.

The reasons for our response are outlined below.

1. Background

Trust Property Location

The Denwood Trustees ('the Trust') owns 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) is zoned a mix of L1A3, L1, L1A2, L2 and LZ (Deferred) under PC7.

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

The Trust's 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 to the Canterbury Regional Policy Statement (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 land zoned 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 Trust is also a s274 party to the Selwyn Plantation Board appeal on Change 1, which challenges the upper limit of no more than 5% of all allocated households under Change 1 being rural residential; seeks an increased allocation of rural residential households to Selwyn District; and an amendment to the definition of Rural Residential Activities.

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 supported the provision in PC7 for the Lincoln B2 Zone being zoned Business 2, but opposed the Deferred status of the zoning. It sought that this be removed, and the land be zoned Business 2.

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

In terms of PC7, the Trust sought 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.

It is understood that the hearing of submissions on PC7 was to be held in early November 2010 but has now been delayed until early 2011 due to other Council work priorities arising from the recent Christchurch earthquake.

2. Suitability of Trust Land (70 ha) for Rural Residential Purposes

The Trust has well advanced plans for a rural residential development with a yield of approximately 112 lots, with an average size of 5000m² (see preliminary concept plan attached as Appendix B)¹. The Trust land is ideally located to become a peri-urban rural residential area, including for the following reasons:-

- It is within easy walking and cycling distance of Lincoln University and could develop an 'academic neighbourhood' character;

The location and site features offer significant opportunities for environmental enhancement and good connectivity, including by active transport modes.

- The location and site features offer significant opportunities for design solutions and mitigation measures which achieve rural residential character and preserve openness and a very high amenity development, consistent with the RR Report criteria. It is the logical rural residential development area for west Lincoln, given the existing landownership constraints to be northwest (crown research institutes and educational land ownership);
- It is well located in relation to the new retail development on Gerald Street (a New World supermarket) and the proposed neighbourhood centre on the opposite side of Springs Road;

¹ The ODP shows average 1 ha lots where what is now proposed is a similar layout but with average 5000m² lots.

- It would complement medium to conventional density residential areas planned for the opposite side of Springs Road;
- It is relatively close to the existing town centre, with opportunities for very attractive cycleway/walkway linkages via the Lincoln Land Development proposed subdivision (for 850 households) to the town centre.

3. Proposed Private Plan Change 9 (Skellerup block)

Selwyn Plantation Board seeks to rezone two former Selwyn Plantation Board forestry blocks on the west/south west boundary of Rolleston – PC 8 refers to the Holmes block (92 ha) and PC9 to the Skellerup block (72 ha).

The blocks are to be rezoned Living 3, a new living zone with an average lot size of 5000m² and minimum size of 4000m². The maximum number of rural residential lots for the Holmes Block is 125 and for the Skellerup block, 100. Both plan changes include a rule which states that within the Rural 3 zone west of Dunns Crossing Road there will be:-

- No more than 125 rural residential lots created by subdivision within the period ended 31 Dec 2016; and
- No more that a further 125 rural residential lots created by subdivision within the period 1 Jan 2017-31 Dec 2026

Development is to be subject to Outline Development Plans included as part of the PCs. A principal mechanism proposed to ensure the L3 zones have a rural character, is the incorporation of Countryside Areas within the subdivision and along the Dunns Crossing Road frontage. The Countryside Areas will be 50m wide and are to be used for rural productive purposes, compatible with adjoining rural residential activity (grazing/Lucerne cropping are suggested). They will be privately owned and probably managed by a body corporate.

In combination, PCs 8 & 9 take up a substantial amount (37.5%) of the total allocation of rural residential households under Change 1 to the RPS for the next 35 years, up until 2041 i.e. 225 of the 600 households; and 63% of the allocation for each of the 1st two planning periods i.e. 125 of the 200 households allocated for each of the periods 2007-2016 and 2017-2026.

PC9 alone takes up 16.7% of the total allocation of households under Change 1 (100 households). The PC8 and 9 rules do not allocate the number of households between the two plan change areas for the first and second planning periods, just stating a total allocation for both ie. the L3 zone west of Dunns Crossing Road.

4. Principal Reasons for Opposition to Private Plan Change 9

- (i) The rezoning sought by PC 9 is contrary to the Resource Management Act 1991, in particular Part 2 Purpose and Principles and s31 1a) the integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.
- (ii) The rezoning is inconsistent with relevant statutory documents and other relevant matters, including the Canterbury Regional Policy Statement, Change 1 to the RPS, the Selwyn District Plan and Rolleston Structure Plan.

(iii) The s32 Assessment for PC9 is inaccurate, inadequate and incomplete.

(iv) Staging – PC9 seeks that 100 sections i.e. potentially all of the PC9 proposal be staged to proceed in the first planning period i.e. 2007-2016. The documentation supporting PC9, including the AEE, does not address how this might impact on the availability of infrastructure for new urban greenfield areas at Rolleston allocated under C1 and the Rolleston Structure Plan. Accordingly, the logical and orderly development of Rolleston township, in accordance with the Rolleston Structure Plan and C1, may potentially be compromised from a servicing perspective, if consent is granted to PC9. Such an outcome would be contrary to s7b) and s31 1a) of the Act, the efficient use and development, and integrated management, of natural and physical resources.

With respect to (1) - (iii) above, additional explanation is set out below.

5. Resource Management Act 1991, in particular Part 2 and s31 1a)

Sustainable Management

Separately and in combination, PC 8 and 9 will take a very significant portion of the allocation of rural residential households to Selwyn District under Change 1, especially for the initial planning periods (2007-2016 and 2017-2026) (see discussion above under '3. PC 9: Skellerup Block).

It is further not appropriate for such a large proportion of the allocation to be to one landowner, Selwyn Plantation Board. A desire to 'spread' greenfield development areas and staging amongst a range of landowners is stated in the Rolleston Structure Plan as necessary to "ensure that there are different land ownerships available in each stage so that there is competition and the avoidance of land banking".² Rural residential opportunities similarly need to 'spread' amongst landowners and different parts of the UDS area to fairly and appropriately enable peoples' needs for rural residential living to be met.

Effects on the Environment

PC9 will result in significant adverse effects on the environment, including but not limited to the matters discussed below.

Reverse Sensitivity:

The PC9 block is sited close to the existing Rolleston Pines Wastewater Treatment Plant (PWWTP), Resource Recovery Park (RRP) and Tegel poultry (TP) operation at Dunns Crossing Road. The AEE includes a technical assessment of potential odour effects associated with these existing operations, except for the PWWTP and RRP operations, which are considered to be sufficiently removed to not give rise to any reverse sensitivity concerns.

The technical assessment is qualitative, based on published buffer criteria, and a subsequent refinement of buffer distances using an odour dispersal modelling assessment approach. It is understood, from discussions with planning advisors to Tegel, that the odour dispersal model used was inappropriate given the local meteorological conditions, and that in any case, new Australian research indicates that any model is of limited application due to concerns with lack of recognition of air plume dispersal effects. These matters are to be addressed in the submission in opposition to PC9 by Tegel.

² Rolleston Structure Plan Section 5.3 page 47

The technical assessment recommends a 150m buffer setback from the Tegel site, which affects the northern 150m of the PC 9 block. A proposed rule (Rule 4.9.27) proposes a 150m setback for residential activities from the boundary with the Tegel poultry breeder farm. However, this is not shown on the PC9 Outline Development Plan.

From discussions with Tegel's planning advisors, the 150m buffer distance is considered to be inadequate, and should be extended to a minimum 300m buffer, and should also refer to all sensitive activities (as defined in the District Plan) and all types of poultry farms, not just breeder farms, to cover the eventuality of any future changes to the nature of the Tegel operation e.g. to a broiler operation.

The fact that the PC9 area includes a 150m buffer setback from TP (considered to be inadequate), emphasizes how proximate the area is to potential significant odour sources. A greater 'buffer' area is required to avoid actual or potential odour effects associated with TP and also potentially existing significant Council infrastructure assets which are vital to the ongoing functioning and planned future development of the District.

In this regard, it should be noted that case law has established that for existing activities, the Act does not require the activity to internalize all adverse effects within the site³. Therefore it is more critical that an adequate buffer area is provided.

Also of concern, is the potential for PC9 to restrict the future operations and potential expansion of the PWWTP, RRP and TP. With respect to PWWTP and RRP, significant population growth is planned for the eastern Selwyn District over the next 35 years +, so future expansion of facilities is a very realistic possibility. The technical assessments consider the potential effects of extending the PWWTP but not the composting or RRP facilities. With regard to the PWWTP expansion to a potential Population Equivalent of 80 000, the assessment is qualitative even though the Golder technical assessment acknowledges that *"for a WWTP of this size, a more detailed and refined odour assessment would usually be carried out ...and would often necessitate odour dispersion modelling."*⁴

With respect to TP, it is understood that change within the existing site from a breeder to a boiler operation is a realistic possibility. Broiler operations would involve increasing the stocking density approximately four fold, with consequential significant greater potential for odour effects.

In summary, the PC9 area is significantly impacted by actual and potential reverse sensitivity effects associated with the existing and potentially expanded TP and potentially PWWTP and RRP operations. It is not an appropriate location for rural residential activity, particularly when there are other alternative locations at Rolleston and in other parts of the District which are not subject to such constraints, and which in terms of achieving overall sustainable management outcomes, are much more appropriate and desirable for rural residential activity, including the Trust's land at Springs Road, Lincoln.

Integration with Rolleston Township/ 'Urban' Design:

PC 8 and PC9 in combination, and separately, propose significant areas of rural residential activity beyond the proposed western urban boundary of Rolleston under C1 and the Rolleston Structure Plan.

³ *Winstone Aggregates Ltd v Matamato-Piako District Council*, W055/44

⁴ Rolleston Odour Assessment, Golder Associates Report December 2008 Section 6.2.1 page 9

If rezoned for rural residential purposes, this would also result in an intervening area of land currently held in a number of relatively small titles, some with existing dwellings, and a similar size to each of the PC8 and 9 blocks, and the Tegel block, being left 'sandwiched' between and separating the two proposed rural residential blocks (as marked on the plan attached as Appendix x).

The above intervening land would be a logical area for future extension of rural residential zoning, given that its proximity to existing odorous activities (PWWTP, RRP, TP) would not be a constraint, if the same approach to buffer distances/managing reverse sensitivity issues was taken as is proposed by the proponents of PC8 and 9. In fact, rural residential zoning of this intervening area would arguably be more justifiable in terms of sustainable management outcomes given the existing character of small lots and limited existing economic primary productive use. In comparison, the Holmes (PC8) and Skellerup (PC9) are comparatively large, regular in shape and in single ownership, so could support a range of economic productive uses.

Such pressure for further future rural residential rezoning (say another 125+ rural residential lots) would further comprise the Council's ability to ensure the sustainable provision of rural residential opportunities in UDS part of the District, by way of PC17.

Further pressure for further additional rural residential rezoning may arise if the area south of the PC 9 Skellerup block as far as Selwyn Road was sought to be included, to join with the southern boundary of the Rolleston Urban Limit to the immediate east, as proposed by C1 to the RPS, PC7 and the Rolleston Structure Plan.

The boundaries of PC8 and 9 are clearly entirely related to land ownership considerations rather than based on logical and defensible zone boundaries consistent with the sustainable management outcomes required under the Act. They are 'cadastral' and not "*discernible logical boundaries determined by strong natural or physical features*", one of the locational requirements for preferred rural residential areas in the Council's RR Background Report.

At Rolleston, the logical area for future rural residential activity is the 'infill' area adjoining the north east boundary under C1 and the Rolleston Structure (as marked on the plan attached as Appendix x). This area is contained by proposed Avenue Planting which extends to the most important 'gateway' into Rolleston Township, located at the SH1 entrance for residents and visitors from Christchurch City. Only a small portion of this area is inside the revised Christchurch International Airport noise contours. The location is close to the existing Rolleston town centre, and associated urban services, and the proposed District Park, and can be easily developed for rural residential activity in a manner which maximizes connectivity by a variety of transport modes.

Rural Character and Amenity/Countryside Areas

PC 9 (and 8) propose 50m wide Countryside Areas (CAs) both internally and along the Dunns Crossing Road frontage of the PC8 (and 9) areas. Their purpose is "*to provide a visual link to the surrounding rural landscape. These corridors bisect the residential activity and are to be managed in productive rural use.*"⁵

⁵ Amendment 33, PC 8 request

Rural activities such as horse grazing and cropping are permitted activities in the CAs subject to being in accordance with a 'Countryside Area Management Plan' required to be approved at the time of the first subdivision involving a CM. PC8 (and PC9) are not specific as to the proposed ownership and management of the CMs, other than to state that they will not be Council owned and may be managed by a body corporate.

The proposed CAs are basically long 'corridors' of intended productive rural activity sited largely within the PC8 (and PC9) areas. As a consequence, there will be extensive boundaries with adjoining rural residential lots. There is no supporting technical report from an agricultural expert confirming whether such a proposed design is feasible and 'workable' i.e. the size and configuration of the CAs are adequate to be useable for productive purposes, and such use will not result in on-going reverse sensitivity effects between rural productive activity and rural residential activity.

It would appear that the CAs are a 'device' that is being proposed to create a 'rural character' to future subdivision enabled by the proposed rural residential zoning. Given the concerns above regarding the practicality and potential reverse sensitivity effects of the proposed CAs, it is far from certain that the high amenity/ rural character outcomes claimed for PC8 (and 9) will be achieved in reality.

Alternative sites/methods

Section 22 of Schedule 2 of the Act requires that where environmental effects are anticipated by a private plan change request, the request shall describe those effects, taking into account the provisions of Schedule 4, in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change, policy statement, or plan. Schedule 4 of the Act requires that where it is likely that an activity will result in any significant adverse effect on the environment, the AEE (assessment of effects on the environment) shall include a description of any possible alternative locations or methods for undertaking the activity.

The AEE included with PC9 does not include an assessment of alternative locations or methods for enabling rural residential activity to occur in the Selwyn District, including assessment of the Trust's land at Lincoln as an alternative location, other than a very limited and ' cursory' assessment of alternative locations at Rolleston, Lincoln and Prebbleton as part of the s32 Assessment. However, this is inadequate and inaccurate, including in its assessment of the Trust's land (see further discussion below under 7. Section 32 Assessment

6. Relevant Statutory Documents, including Objectives and Policies

Selwyn District Plan

PC 8 (and 9) is not in accordance with a number of District Plan objectives and policies, including but not necessarily limited to the following:-

Township Volume:

Objective B3.4.3

"Reverse sensitivity" effects between activities are avoided

Policy B3.4.38

Avoid rezoning land for new residential development adjoining or near to existing activities which are likely to be incompatible with residential activities, unless any potential 'reverse sensitivity' effects will be avoided, remedied or mitigated.

Objective B4.1.1

A range of living environments is provided for in townships, while maintaining the overall 'spacious' character of Living zones.

By taking up a significant proportion of the total allocation of rural residential development allotments to the District under C1, PC 9 (and 8) will limit the ability to provide a range of living environments, including rural residential living environments from being able to develop around other District townships, including Lincoln, especially in the short-medium term.

Policy B4.1.3

To allow, where appropriate, the development of low density living environments in locations in and around the edge of townships where they will achieve the following:

- A compact township shape;*
- Consistent with preferred growth options for townships;*
- Maintains the distinction between rural areas and townships;*
- Maintains a separation between townships and Christchurch City boundary;*
- Avoid the coalescence of townships with each other;*

- Reduce the exposure to reverse sensitivity effects;
- Maintain the sustainability of the land, soil and water resource;
- Efficient and cost-effective operation and provision of infrastructure.

Rural Volume:

Objective B3.4.2

A variety of activities are provided for in the rural area, while maintaining rural character and avoiding reverse sensitivity effects.

Policy B3.4.19

Protect existing lawfully established activities in the Rural zone from potential for reverse sensitivity effects with other activities which propose to establish in close proximity.

Objective B4.1.1

The provision of a variety of residential section sizes in the rural area, while maintaining a low overall residential density.

Objective B4.1.2

Residential density is low enough to maintain the character of the rural area and to avoid adverse effects on natural and physical resources or reverse sensitivity effects.

Policy B4.1.8

Ensure any allotment created is of sufficient size and shape for its intended use, including the avoidance of reverse sensitivity effects on existing lawful uses and has provision for a complying access to an adjacent road.

Change 1 to the Canterbury Regional Policy Statement (C1)

PC 9 (and 8) will give rise to significant reverse sensitivity effects with adjacent rural activities, including strategic infrastructure and existing intensive farming operations, one of the circumstances to be avoided under Policy 14 Rural Residential. The supporting documentation does not establish that the proposal, which is adjacent to the an existing urban area, will be able to be integrated into or consolidated with the existing settlement, including in terms of servicing, another of the criteria for rural residential development under Policy 14.

7. Section 32 Assessment

Section 32 of the Act requires an assessment of whether the PC8 proposed objectives are the most appropriate to achieve the purpose of the Act, and whether, having regard to the their efficiency and effectiveness, the policies, rules or other methods are the most appropriate for achieving the objectives. The assessment requires an assessment of alternative options for achieving the objectives.

Purpose of Act/Objectives and Policies

In the case of PC9, one new objective is proposed:-

Objective B4.3.7

Ensure any rural residential development occurs outside the urban limits identified in the Regional Policy Statement and such development occurs in general accordance with an operative Outline Development Plan, supports the timely, efficient and integrated provision of infrastructure and provides for the long-term maintenance of rural residential character.

An amendment to Policy B4.3.1 is also proposed which refers to new rural residential development, as well as residential and business development, as being in accordance with an ODP incorporated into the District Plan.

The above amendment are considered to be in accordance with the purpose of the Act, other than that it is somewhat premature to refer to the RPS urban limits when they are still subject to substantive appeals and potential amendment through Court processes.

The s32 Assessment also assesses the proposal against the existing operative District Plan objectives and policies.

PC9 is considered to be inconsistent with a number of the relevant RPS and District Plan objectives and policies (see discussion above under '6. Relevant Statutory Matters') so cannot be said to be the most appropriate method for achieving those objectives and policies.

Alternatives

The assessment of alternative methods for achieving the District Plan objectives and policies is inadequate, inaccurate and incomplete.

The only options considered are the status quo i.e do nothing, and retain current rural zoning (Option 1); PC9 i.e. rezone as a new Living 3 zone, with development to be in accordance with an ODP (Option 2); and a different (unspecified) suite of changes to the District Plan (Option 3).

Option 1:

The assessment of the benefits and costs associated with Option 1 (do nothing) are inaccurate and incomplete.

Benefits of Option 1 would be:-

- Avoid potential reverse sensitivity effects with existing and potentially expanded neighbouring land uses with noxious elements, including the PWWTP, RRP and TP.
- Retain opportunity for rural residential development in the District, especially in the short-medium term, in more sustainable locations, including the Trust's land at Lincoln. This opportunity is largely foregone if PC 8 & 9 success because of the very limited allocation of rural residential opportunities to the District over the next 35 years under C1.
- The stated 'costs' of Option 1 would not arise, because the 71 submissions on the Council's recent background Rural Residential Report, including the submission by the Trust, clearly establish that there are other sustainable locations for rural residential activity in the District. The Trust intends to proceed with its own private plan change request for rural residential zoning in the immediate future.
- Continued fragmentation of larger more economic farming units due to pressure to create 4 ha blocks to meet the unmet demand for rural residential lots – there are other sustainable locations for rural residential development in the District that will meet that demand, subject to the allocation constraints imposed by C1 which also apply to PC9, including the Trust Lincoln land.

- Create pressure on the development of isolated sites for rural residential purposes – the 71 submissions on the RR Report, including the Trust submission, clearly illustrate that there are other rural residential rezoning proposals close to existing townships which are not isolated and meet many of the RR Report preferred criteria for rural residential development;
- Reduced future land use opportunities – no further explanation of this ‘benefit’ is given, and it is unclear what is meant. The PC9 block is large enough for economic rural use;
- Piecemeal development due to multiple ownership of land – again no further explanation is given. Presumably this is a reference to the possible rural residential locations in multiple land ownership. Multiple land ownership is not necessarily a constraint to future development, with the Council acting as facilitator of development. In any case, the Trust land is in one ownership so is not subject to this possible constraint. The location of the Urban Limit under C1 has not been influenced by the need to avoid areas in multiple land ownership. Logical defensible boundaries in sustainable locations is a far more significant consideration under the Act.

Option 2:

The stated costs and benefits of Option 2 are likewise incorrect. In terms of benefits:-

- Satisfy market demand – a more accurate statement is that PC 9 (and 8) would take up a significant portion of the rural residential allocation to SDC under C1, in two neighbouring locations at south west Rolleston. Development of the Trust land for rural residential purposes would satisfy market demand at Lincoln for rural residential development, an opportunity which would be foregone/curtailed if PC 8 & 9 took up a significant portion of the rural residential allocation especially in the short-medium term.
- Evidence by Ron Skews, valuer, for the C1 hearings on behalf of the Trust was that there is no land available at Lincoln for rural residential lots in the 3000-5000m² size range, the most popular rural residential sized lots (or for larger sized rural residential lots).
- Provision of a range of residential living options, meeting a diverse range of household needs, lower infrastructure costs and much improved urban design controls resulting in a high quality development and preservation and maintenance of the transition between rural and urban development.

Taking up a significant portion of the rural residential allocation to SDC under C1 in one location adjoining one township will not provide for a range of residential living options, meeting a diverse range of household needs. It will limit the rural residential living opportunity, especially in the first two planning periods, to largely just one township, denying a full range of residential living opportunities to other townships, including Lincoln.

Infrastructure costs will not be lower in the PC9 (and PC8) location than at other urban periphery locations around other townships.

Urban design controls, including in relation to the urban/rural boundary can equally apply to other rural residential rezoning proposals. The Trust proposes an ODP and design

elements for its Lincoln site which will ensure a very high quality development, including in relation to the urban/rural boundary, and which builds on the site's existing environmental features (waterway enhancement, rural outlook, connectivity linkages to Lincoln Land Development urban development on the opposite side of Springs Road etc.).

- Facilitate rural residential opportunities consistent with District Plan objectives, provisions of C1 and the RR Report.
- The rezoning is not fully consistent with any of the above. In terms of the RR Report, it does not avoid, remedy or mitigate significant reverse sensitivity effects with adjacent established rural activities including intensive farming activities; does not have discernibly logical boundaries determined by strong natural or physical features; and does not limit the number of households within single locations to avoid the collective visual effects of intensified land use.

The costs of Option 2 are 'understated' or not stated. There will be environmental costs related to reverse sensitivity effects, and in particular with existing intensive farming operations and limitations on the future development and expansion of important Council strategic assets (PWWTP and RRP). There will be significant social costs to the wider District as a result of limiting the greatest portion of rural residential living opportunities to one location adjoining just one township.

Option 3:

There is no real analysis of Option 3 as the alternative 'suite of controls' is not specified.

Alternative Options:

The s32 Assessment includes a section 'Possible Locations for Rural Residential Development', limited to 2 ½ pages. It considers only locations adjoining the District's larger townships of Rolleston, Lincoln and Prebbleton.

The assessment concludes that there are limited opportunities at Lincoln and Prebbleton to accommodate rural residential growth, and the PC 8 (and 9) locations meet the C1 criteria. The analysis under 6 Statutory Documents, establishes that PC 8 (and 9) are not entirely consistent with C1.

The analysis of possible locations for rural residential development is inadequate to form the basis for the above conclusions. A conclusion regarding whether or not PC 9 (and 8) are the most appropriate method for providing for sustainable rural residential living opportunities in the District, particularly given the very limited total allocation under C1, must consider alternative locations and the effects of precluding those, given that the PC 8 & 9 proposals will result in actual or potential significant adverse environment effects (including but not limited to reverse sensitivity effects)..

The analysis mentions the area south of the University (the Trust land) as potentially providing some opportunity for rural residential development. Possible constraints are stated as including proximity to the proposed B2 zone and University activities giving rise to potential reverse sensitivity effects and distance to town centre facilities and schools (but acknowledging the proximity to the Gerald Street supermarket and other Ngai Tahu/Lincoln University facilities). All these issues has been thoroughly investigated by the Trust's resource planning advisors and do not constrain rural residential development of the Trust's land.

8. Relief Sought

The Trust seeks that Plan Change 9 is declined in its entirety.

9. Conflict of Interest

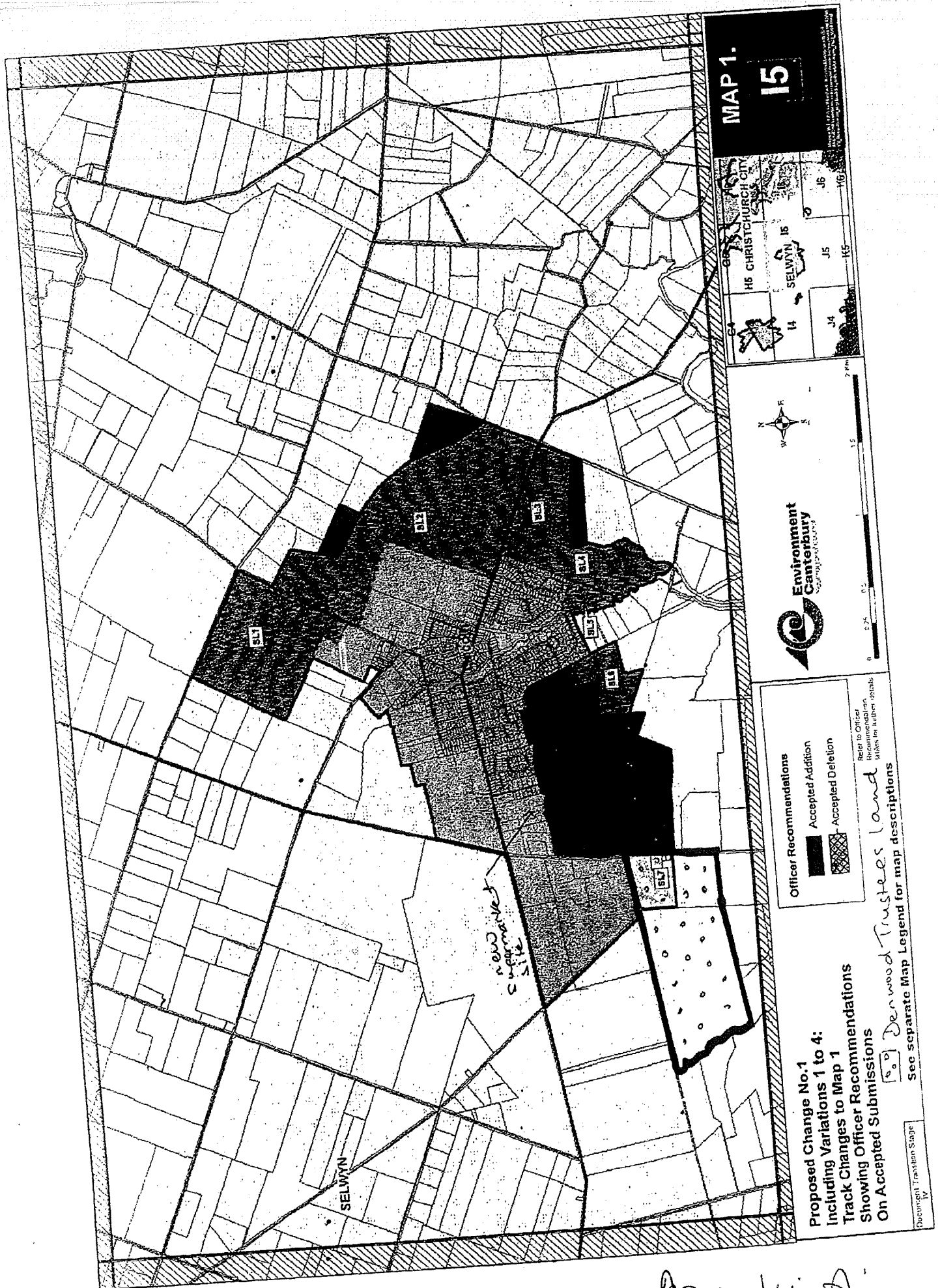
The Council should appoint independent commissioners to hear submissions and further submissions on PC9 because the Selwyn District Council is a significant (majority) shareholder in Selwyn Plantation Board.

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.

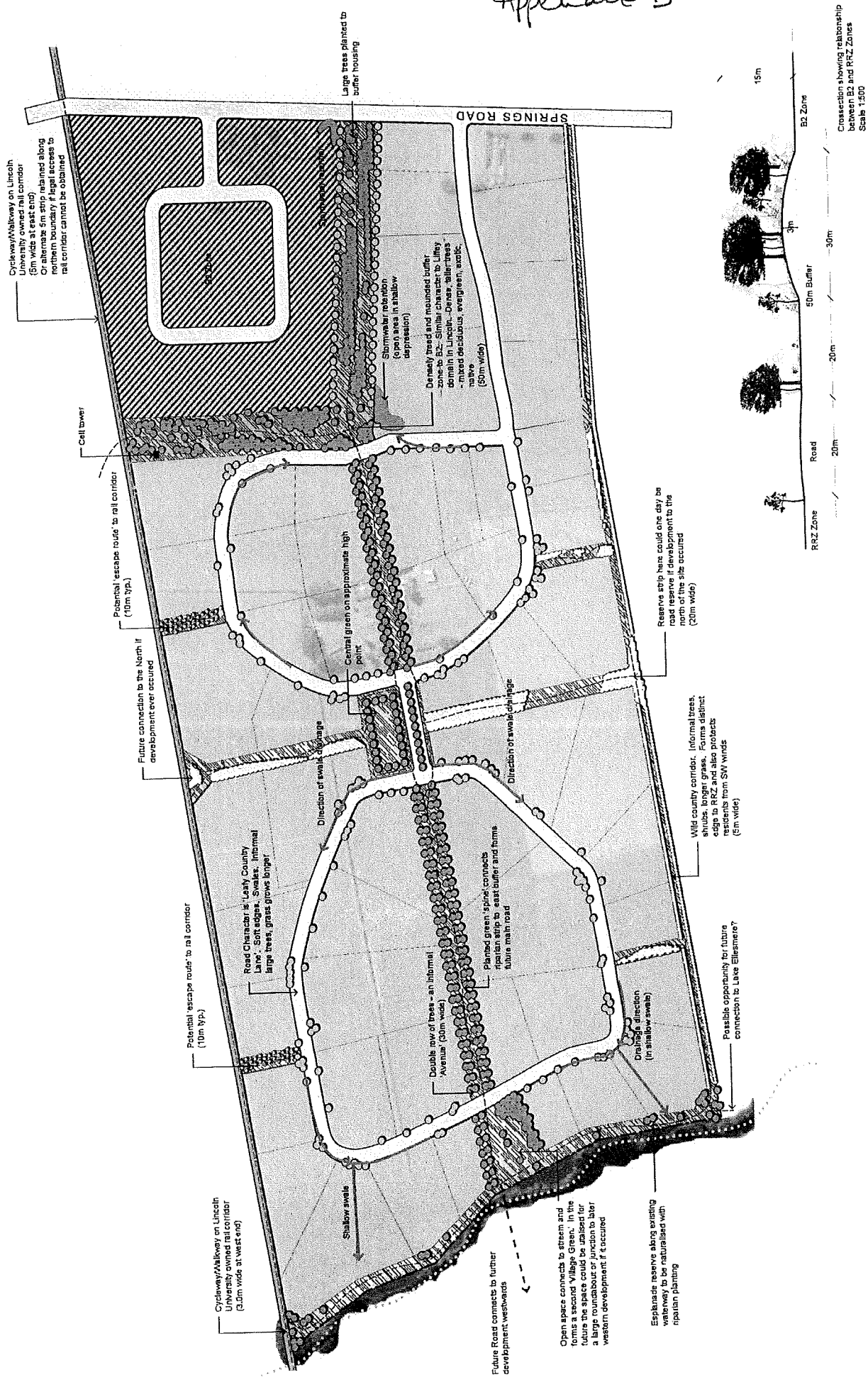
Signed Alia AAO Date: 20th September 2010

for Denwood Trusts Ltd



Appendix A

Appendix B



preliminary Outline Development Plan Lincoln RRZ Zone

Denwood Trustees block, Springs Road, Lincoln

prepared by Erica Gilchrist for Jeremy Head Landscape Architect Ltd.

scale 1:3000 @ A2 February 14, 2010

