

Ref: 1219

Selwyn District Council
PO Box 90
ROLLESTON 7643

Sent via email to: ben.baird@selwyn.govt.nz

Attn: Ben Baird

**PLANNING
SURVEYING
ENGINEERING**

**BASELINE GROUP
MARLBOROUGH**

T 03 578 7299
E info@blg.nz
A Level 1, 30 Maxwell Road
Blenheim

www.blg.nz

16 December 2019

Dear Ben,

PLAN CHANGE 61 – Request for Further Information

Thank you for your letter dated 6 September 2019 requesting further information for Plan Change 61 at the corner of Creyke Road and State Highway 73, Darfield. The information requested has been addressed as follows:

National Policy Statement on Urban Development Capacity

The National Policy Statement on Urban Development Capacity (NPS-UDC) is designed to focus local authorities to enable development to occur when there is demand for development in our fast growing cities. Importantly this policy directs local authorities to undertake assessments to determine if there are development pressures and to enable development where it is found that development pressures exist. The aim of the NPS-UDC is to enable growth and market driven development to meet the housing and business land necessary to provide for current and future needs. There is direction in the policy statement for local authorities to ensure that in high growth urban environments there is sufficient land with development capacity (i.e. infrastructure and zoning etc) for the short term, medium term and long term needs.

The NPS-UDC defines Urban Environments as “means an area of land containing, or intended to contain, a concentrated settlement of 10,000 people or more and any associated business land, irrespective of local authority or statistical boundaries.” The Malvern area plan identifies that Darfield is anticipated to grow to a population of 4,141 by 2031¹, which is significantly short of the 10,000 people or more anticipated as part of the urban environments within the NPS-UDC.

The NPS-UDC includes objectives and policies PA1 – PA4 that are applicable only to urban environments, and a range of other policies that are not limited to urban areas and relate to evidence and monitoring, responsive planning, minimum targets, future development strategy and coordinated planning evidence and decision making. By limiting Policies PA1 – PA4 to urban environments only, the NPS-UDC indicates an elevated level of importance for these spaces when making decisions that might affect the amount of housing and business land available. By making this distinction, the NPS-UDC also infers that such assessments are not required for townships and settlements that do not meet the threshold set by the urban environment definition.

¹ Malvern Area Plan page 21, adopted by SDC September 2016

The remaining policies in the NPS-UDC require local authorities to gather evidence on demand capacity of land on a regular basis, and to consider feasible development capacity (i.e., zoned land and infrastructure) when making planning decisions, to develop future strategies to ensure there is development capacity for the medium to long term (up to 30 years), and ensure that this work is coordinated with other authorities where required.

The NPS-UDC does not require Local Authorities to limit development where it is requested by landowners in those areas outside of urban environments. In fact, the NPS-UDC is silent on outcomes for planning decisions outside of urban environments. Therefore, the uptake of business land in Darfield, and the potential commercial viability of the proposed new business land with the proposal plan change area is not a matter than needs to be considered in the context of the Policy Statement.

The Malvern Area Plan was adopted in September 2016, prior to the NPS-UDC coming into effect on 1 December 2016. Nevertheless, the Malvern Area Plan outlines the existing development potential for Darfield and other townships in the Malvern Area in the manner anticipated by the NPS-UDC. A plan change process and subsequent subdivision consenting process and site development, including infrastructure development, is a long process that can take between two – five years to complete depending on the complexities of the development. Given this, business zoned land with short term development capacity (as defined in the NPS-UDC) will not be available within the site immediately, but rather will be available in the medium term. The Malvern Area Plan projections are already three years old. Given this, it is not likely that business zoned land will be available on the site until 6 – 8 years into the projections for the Malvern Area Plan (approximately 2022 at the earliest). While the Malvern Area Plan identifies industrial land as being adequate to supply Darfield out to 2031 without the need to provide additional land², the application site is also identified as an opportunity for growth for industrial business development³.

The site has been identified in a public strategy document as being an opportunity for Business 2 Zoned land. The effect of implementing the plan change will be a site that has development capacity⁴ with very little cost to Selwyn District Council. The risk of the business zoned land not being up-taken will be borne by the developer who holds land that is not sold. The requirement for an assessment as to the feasibility or commercial viability of developing the site in Darfield is not a matter for consideration under the RMA or under the NPS-UDC for areas outside of urban environments. Therefore, it is considered that no further assessment is required.

Landscaping

Can you confirm that the ongoing management of the landscaping will be the responsibility of the landowners?

The landscaping will be the responsibility of the landowners. Proposed plan change amendment 6 contained on pages 23 and 24 of the plan change application sets out the landscaping rule for the proposed Business 2 Zone. This rule includes a requirement to maintain the landscaping, replacing any dead and diseased plants. The landscaping is required to be installed prior to undertaking development of a principal building on the site. While this proposed rule does not explicitly say that the land owner shall be responsible for maintaining the landscaping, it is inferred through the application of the rule over the land, and the requirement of landowners to comply with the District Plan provisions.

Roading

1. *Can you provide further information outlining how the proposal:*

² Page 22 Industrial Land Capacity

³ Page 29 Discussion on Area Darfield Area 6 - DAR6

⁴ As defined in the NPS-UDC

a. considers roading and walkway connections to Ascot Park to the south. This includes the internal walkway connections depicted on the ODP aligning with Ascot Park subdivision. It is worth noting that the Ascot Park approved subdivision plan differs slightly from the ODP; and

The proposed ODP has been updated to provide a single road link with associated footpath that meets with the actual subdivision road layout of Ascot Park to the south of the application site.

b. could provide for pedestrian and cycling access through the north-west of the site to provide safer access to Darfield Township, avoiding the use of SH73.

NZTA have indicated they would oppose access to SH73 from the north-western corner of the application site. The proposed road layout within the residential component of the ODP includes a road and footpath connection that provides for future connections through adjoining land to Mathias Street should the neighbouring properties be developed in the future. The road layout is of sufficient width to enable appropriate footpath facilities to be designed as part of future subdivision of the site as shown on the attached updated roading cross sections. Development beyond the application site is not able to be considered as part of this plan change. Therefore, the proposal does not preclude future pedestrian and cycling access to Mathias Street through adjoining land.

2. Can you provide further information showing some indicative road and access cross-sections, which can help us understand the basis for the road layout and the level of service being provided to cater for the generated traffic.

The cross sections of the roading layouts in Appendix 12 of the application have been updated to show compliant roading layouts within the various areas indicated on the ODP. These are attached and demonstrate that sufficient width has been provided in the proposed roading layout to meet the requirements of the Selwyn District Plan, however final design of the roading layout is more appropriately accommodated at subdivision and development stage when the actual needs of the roading network are better understood.

3. Can you provide alternative road layout that takes into account the operative plan's restriction on cul-de-sacs of 150m in length, as outlined in appendix 1. This is to provide for safety in emergencies and better access through the development.

It is considered undesirable to encourage commercial scale vehicles (i.e. truck and trailer units) to utilise the primary residential road. Therefore, the amended ODP attached indicates an emergency lane that discourages regular use by vehicles through traffic calming devices such as chicanes but still provides alternative access to the Cul-de-sac during emergencies.

Appendix 1: Transport Notes

There are several points of note from the Transport review regarding the road layout.

- 1. The cul-de-sac at the end of the proposed road servicing the business road will need to be a minimum 30m head diameter.*
- 2. The business road is an overly long no exit road. Having that degree of traffic generation only accessible to the wider roading network at one point is inadvisable, providing no resilience if an access is blocked (e.g. in an emergency).*
- 3. The length of the cul-de-sac's are restricted to 150m in length.*
- 4. The road for the living zone seems overly narrow. The provisions would require it to be formed and vested as a minimum 6m wide carriageway.*

5. *The road for the living zone, whilst indicating continuing through to the adjacent site, should provide for a turn-around space until that road is continued.*

In considering these points it should be noted there is sufficient space to accommodate a 30 m diameter turning head within the proposed cul-de-sac as shown on the attached amended plans, and the final details of the roading layout are more appropriately dealt with as part of any future subdivision. An alternative emergency access has been provided on the ODP however, it is not desirable to have commercial vehicles entering or exiting past residential dwellings where possible.

A resource consent to enable a longer cul-de-sac will be required at the time of subdivision should the emergency access not be included.

The Living zone road can meet current roading standards for a living zone, and the width of the carriageway would need to be determined as part of the subdivision consent application. The amended roading cross sections attached show that compliance with current roading standards including a 6m wide carriageway can be achieved within the legal road widths provided. The proposal includes an overall through road to land to the west. Any temporary turning head on this road will need to be managed through the subdivision stage, rather than indicated on an ODP.

Notes regarding the State Highway Adjustment:

1. *The adjustment of Creyke Rd to SH73 does not assess the potential impact on access to the North. The current design of the intersection provides for north-south connection. By realigning it, this creates a stagger arrangement that has not been assessed or accounted for, or its appropriateness and how any effects could be mitigated.*

Initial verbal consultation with NZTA indicated that they were satisfied with staggered alignment.

2. *It is preferred that upgrades to the intersection be done in a single well planned process to avoid ongoing disruptions to local and State Highway traffic.*

The proposed plan change includes a trigger mechanism (proposed amendment 5 and 8) that requires the State Highway/Creyke Road intersection upgrade to occur when a certain level of development on the site is proposed. This will have to occur in conjunction with NZTA and will need to be well planned and undertaken as a single process. Nothing in the proposed plan change will preclude this from occurring, however development of the site beyond the trigger levels will not be able to occur unless the necessary upgrades are under taken, or a separate resource consent is approved to demonstrate that traffic effects on the intersection are no more than minor.

3. *An assessment of lowering the speed limits to provide compliance against NZTA's Speed Limit Guidelines Rules is required. It is understood that lowering the speed is a logical step, the assessment will provide justification.*

The setting of speed limits is outside the RMA processes. Council/NZTA may choose to alter speed limits as the need arises but this is not a matter the applicant can control or manage. Therefore, any reference to speed assessments are for context only.

4. *The section of Creyke Rd adjoining the site does not need to be classified as a collector road. The status of the road does not preclude Council requiring a wider seal from SH73 and that new intersection being provided to a standard to include a right hand turn bay and other elements established through consent conditions.*

Council may choose when, or if, it alters the classification of Creyke Road. The proposal merely makes a note of a classification change and is not proposing any such change as this sits outside of the RMA plan change process for the application site.

Outline Development Plan (ODP)

The context map is required to show how it fits with the surrounding development and township. It should show:

- 1. The site is situated next to a consented subdivision, including Ascot Park and 339 Creyke Rd.*
- 2. The industrial areas over SH73. Please overlay the 300m buffer from the intensive farm to the north.*
- 3. Access to reserves and commercial areas.*
- 4. How it fits within the Darfield Township.*

The ODP and ascot park development have been overlaid onto the Darfield Context plan from the Malvern Area Plan for Darfield to show the context of the development in the surrounding existing environment. This shows the existing zoning, road layout and connections, reserve areas and commercial business areas.

A separate plan showing the theoretical intensive farm 300 m buffer is also attached. While a 300 m buffer has been applied from the intensive farming activity to show the context for this, it is noted that this farming activity occurs within the business zone and as such is not technically subject to a 300 m setback provision. Intensive farming activities are not anticipated or contemplated within urban areas within the Townships volume of the District Plan and the 300 m buffer is a rule applied within the rural zone under the District Plan. Nevertheless, the attached ODP indicates where this 300 m setback would apply if applicable and shows that any proposed residential zone would site outside this buffer zone.

This context maps shows the existing and proposed ascot park reserve areas within Darfield. The context map provides an overview of how the development fits with the wider Darfield. It is intended that the proposal will include Business 2 Zoned land on the opposite side of SH73 from the existing area providing a large industrial zone area contained cohesively at the eastern end of the township. This is sufficiently close enough to enable walking and cycling opportunities for people to work in these areas, but appropriate separation distance to avoid adverse reverse sensitivity effects with surrounding residential activities. This site might provide for activities such as a supermarket or large format retail activities that service the wider rural community, where space for car parking is necessary and cannot be accommodated elsewhere in Darfield's Central Business Zoned land.

Air Quality Review

As per our peer review of the air quality report. Can you please respond to the following questions:

- 1. Please consider revising the contaminant emission rates using the process specific emission factors, advise how they compare to the emission rates used in the modelling supplied, and assess how the differences would affect the modelling results.*
Some emissions weren't included in the assessment. The assessment covered fuel combustion from the kilns but no other potential emissions from the brick material itself. Contaminant emission rates have been calculated based on fuel consumption rates, using emission factors for coal and oil. Emissions of metals have also been estimated based on the assumed concentrations of metals in the recycled oil. We note that there are emission factors specific to brick drying (see Australian Government NPI Emissions Estimations Technique Manual for Bricks, Ceramics and Clay Product Manufacture and USEPA AP-42, Section 11.3 – Bricks and Clay Related Processes). The emission factors include emissions from the drying of brick material itself as well as the products of fuel combustion used to provide heat to the kilns. These contaminants include metals, fluoride, and VOCs not emitted from fuel combustion itself, so are additional.
- 2. Please assess the potential effects of fugitive dust from material storage piles, crushing, grinding and screening operations, and any existing and proposed mitigation measures.*
No assessment of dust caused from manufacturing and where it may drift. We note that there are a number of potential sources of dust from the manufacture of bricks, which are not discussed in the air quality report.

3. *Please provide a discussion of likely background concentrations and an assessment of cumulative results with the kiln discharges.*
Modelling did not include any general background contaminants. Background concentrations of air contaminants have not been included in the assessment for determining cumulative effects of the kiln discharges with background concentrations. Section 5 of the air quality report states that there is no publicly available ambient air quality monitoring data for the Darfield area. The MfE Good Practice Guide for Assessing Discharges to Air from Industry (2016) provides guidance on deriving background contaminant concentrations in the absence of monitoring data.
4. *Please provide a discussion of any potential odour effects from the operation of the kilns and combustion appliances at the site.*
There is no discussion of odour effects from the brick manufacture.

This information will be provided in due course. Due to workloads it is not currently available until early 2020.

Provisions

The approach to provisions may need to change to align better with the proposed district plan, with standards linked more to the ODP, though this can be later through the process.

It is not clear what changes Council is seeking through this point. No District Plan has been proposed at the time of writing either the Plan Change application or this response to the request for further information. Although the applicant is aware Council is preparing a District Plan Change this is yet to be notified and so not actual changes can be provided at this time. However, the applicant is willing to accommodate any proposed district plan provisions as required to achieve the purpose of this proposed plan change.

As not all of the information requested under the plan change has been provided within this response we understand that this Plan Change will remain on hold until the information is provided. Please feel free to contact us to discuss, or seek clarification, on matters other than air quality matters.

If you have any questions, please feel free to contact the writer on 03 578 7299 or via email anna@blg.nz

Yours faithfully,

Baseline Group



Anna Bensemann

Senior Planner



KEY

- Plan Change Boundary
- Proposed Business Zone
- Proposed Residential Subdivision Area at Average 1950m²
- Proposed Planting Strategy Area
- Berm
- Indicative Street Trees
- Indicative Street Lights

| Darfield Plan Change | | |
|-----------------------------|----------|-----------------------|
| Scale 1:500 @A1, 1:1000 @A3 | | |
| Date 5 Mar 2019 | | |
| Design EL | | |
| Drawn EL | | |
| Review AB & MV | | |
| A | 18/05/19 | |
| B | 05/08/19 | |
| C | 09/10/19 | Road layout amendment |
| Rev. | Date | Amendment |
| Revision | | C |
| Sheet | | 1 |

Note











1) There shall be no more than 35 residential allotments created in the Living 1 zoned area, and these shall have a minimum average allotment area of 1,950m².

2) For residential sites fronting Creyke Road fencing is to be generally consistent along the length of the frontage and to be of open rural style, such as post and rail or post and wire.

3) There shall be no direct access from the Business 2 zone to Creyke Road or State Highway 73.



Legend

-  Proposed 10m wide landscape strip
-  Proposed 10m wide landscape restricted area (Planting under 1m height)
-  Emergency Road Access with chicane or similar traffic calming device
-  Existing shelter belt to be removed before site construction start
-  Existing shelter belt
-  Existing trees to be removed
-  Existing low level area (See site image 1)
-  Visual analysis (Attached with view point plan)
-  Street elevations (Attached with street elevation plan)
-  Planting elevations (Attached with planting elevation plan)



Site Image 1
Existing low level area

Darfield Plan Change

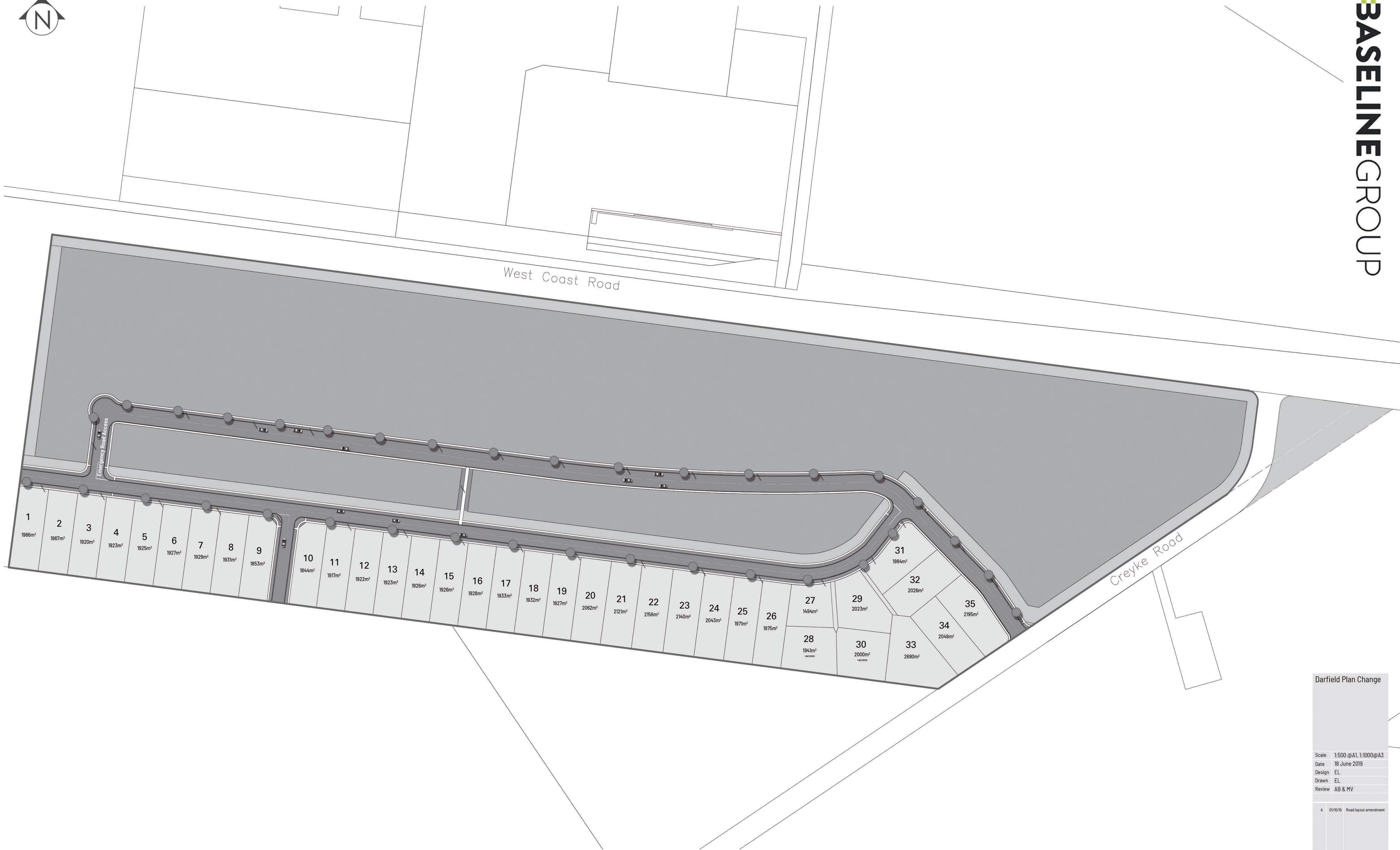
Scale 1:500 @A1, 1:1000 @A3
Date 28 Feb 2019
Design EL
Drawn EL
Review AB & MV

A 18/06/19 Note adding
B 01/10/19 Road layout amendment
C 10/12/19 chicane or similar traffic calming device added

Rev. Date Amendment

Revision C

Sheet 2



Darfield Plan Change

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| Scale | 1:500 @A1, 1:1000@A3 |
| Date | 18 June 2019 |
| Design | EL |
| Drawn | EL |
| Review | AB & MV |

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| A | 01/10/19 | Road layout amendment |
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| Rev. | Date | Amendment |
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| Revision | A |
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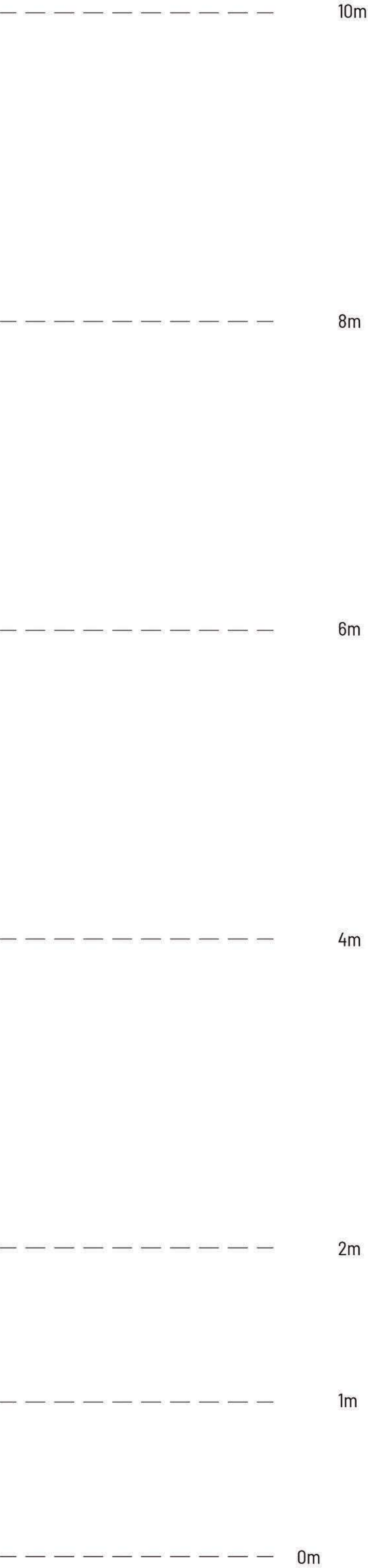
Planting Elevation A-A
Proposed planting presented as natural grows height in elevation, approximate will take 15-35 years grow to the natural height

| Darfield Plan Change | | |
|----------------------|--------------------|-----------|
| Scale | 1: 25@A1, 1: 50@A3 | |
| Date | 5 Mar 2019 | |
| Design | EL | |
| Drawn | EL | |
| Review | MV | |
| A | 18/06/19 | |
| Rev. | Date | Amendment |
| Revision | A | |
| Sheet | 4 | |



6m wide proposed planting combination for amenity, biodiversity, noise barrier and long term screening

Existing pine shelter belt. To be removed once reached maximum life span



Planting Elevation A1-A1

Proposed planting presented as natural grows height in elevation, approximate will take 15-25 years grow to the natural height

| Darfield Plan Change | | |
|----------------------|--------------------|-----------|
| Scale | 1: 25@A1, 1: 50@A3 | |
| Date | 05 Mar 2019 | |
| Design | EL | |
| Drawn | EL | |
| Review | AB & MV | |
| A | 18/06/19 | |
| Rev. | Date | Amendment |
| Revision | A | |
| Sheet | 5 | |



10m wide planting under 1m to meet the planting restriction on the intersection corner. NZ native tussock and groundcover combination

Planting Elevation A2-A2
Intersection planting height restriction zone

Proposed planting presented as mature growth height in elevation, approximate will take 2-10 years grow to the mature height

----- 10m

----- 8m

----- 6m

----- 4m

----- 2m

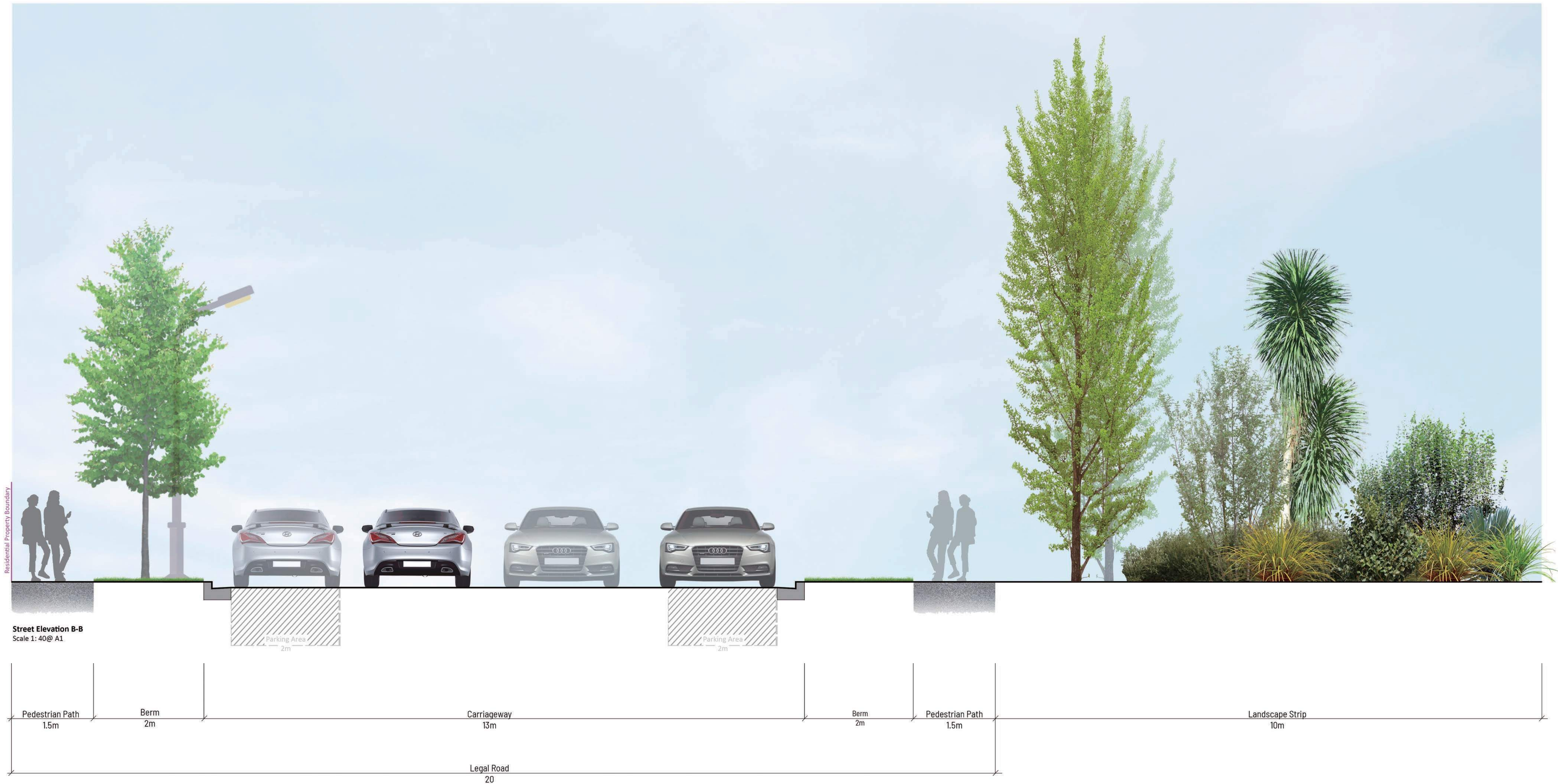
----- 1m

----- 0m

Darfield Plan Change

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| Scale | 1: 25@A1, 1: 50@A3 |
| Date | 5 Mar 2019 |
| Design | EL |
| Drawn | EL |
| Review | AB & MV |

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| A | 18/06/19 | |
| Rev. | Date | Amendment |
| Revision | A | |
| Sheet | 6 | |



Darfield Plan Change

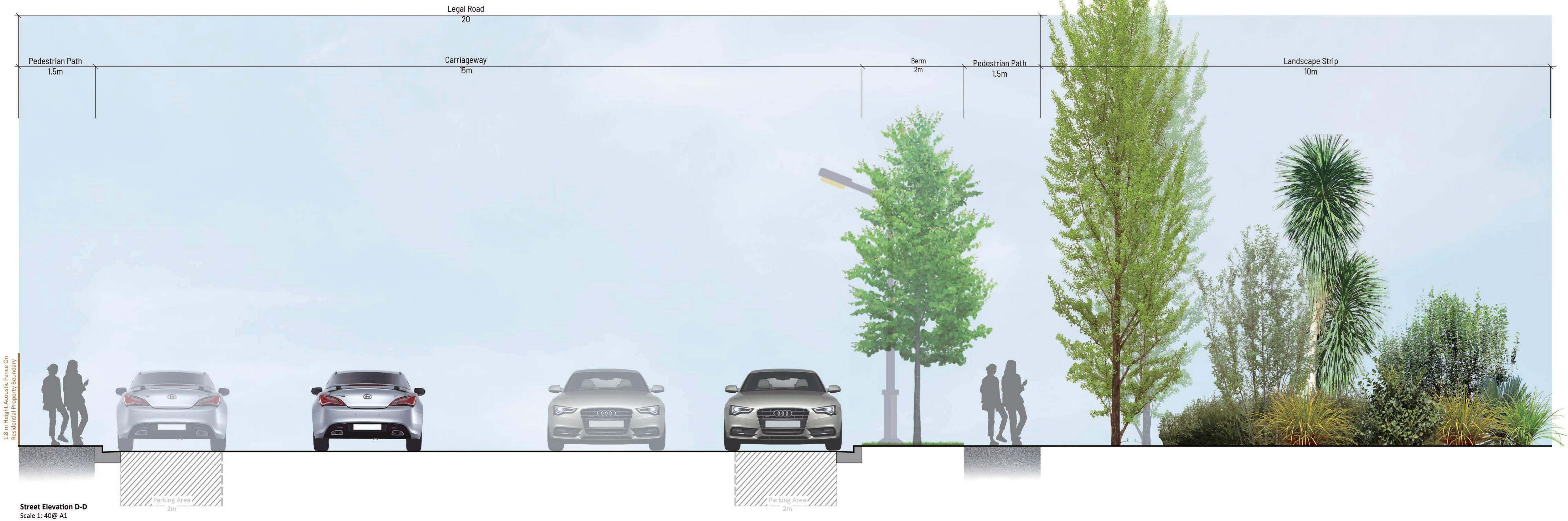
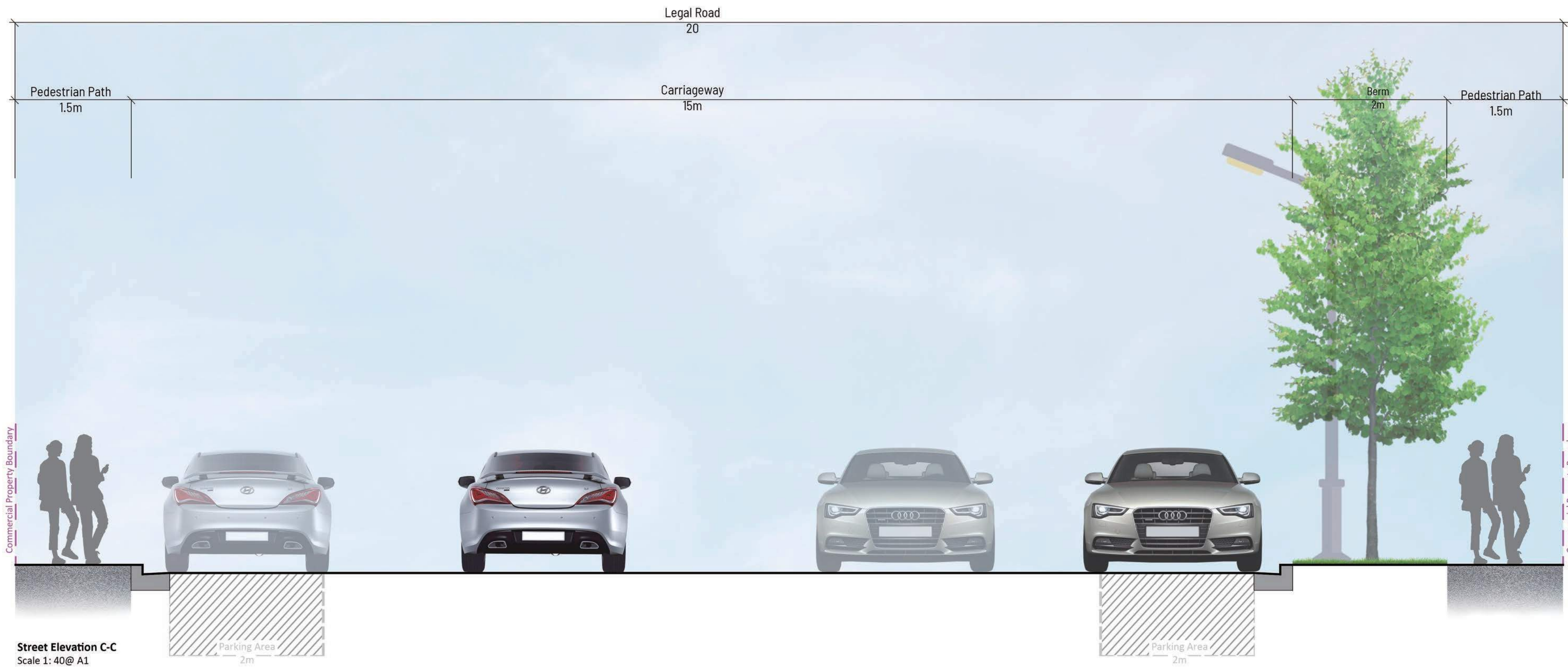
Scale 1:40 @A1
Date 5 Mar 2019
Design EL
Drawn EL
Review AB & MV

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|---|----------|-----------------------|
| A | 18/06/19 | |
| B | 01/10/19 | Road layout amendment |

| Rev. | Date | Amendment |
|------|------|-----------|
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| Revision | B |
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| Sheet | 7 |
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Darfield Plan Change

Scale 1:40 @A1
Date 5 Mar 2019
Design EL
Drawn EL
Review AB & MV

A 18/06/18
B 01/10/19 Road layout amendment

Rev. Date Amendment

Revision B

Sheet 8



Existing Visual Point 1

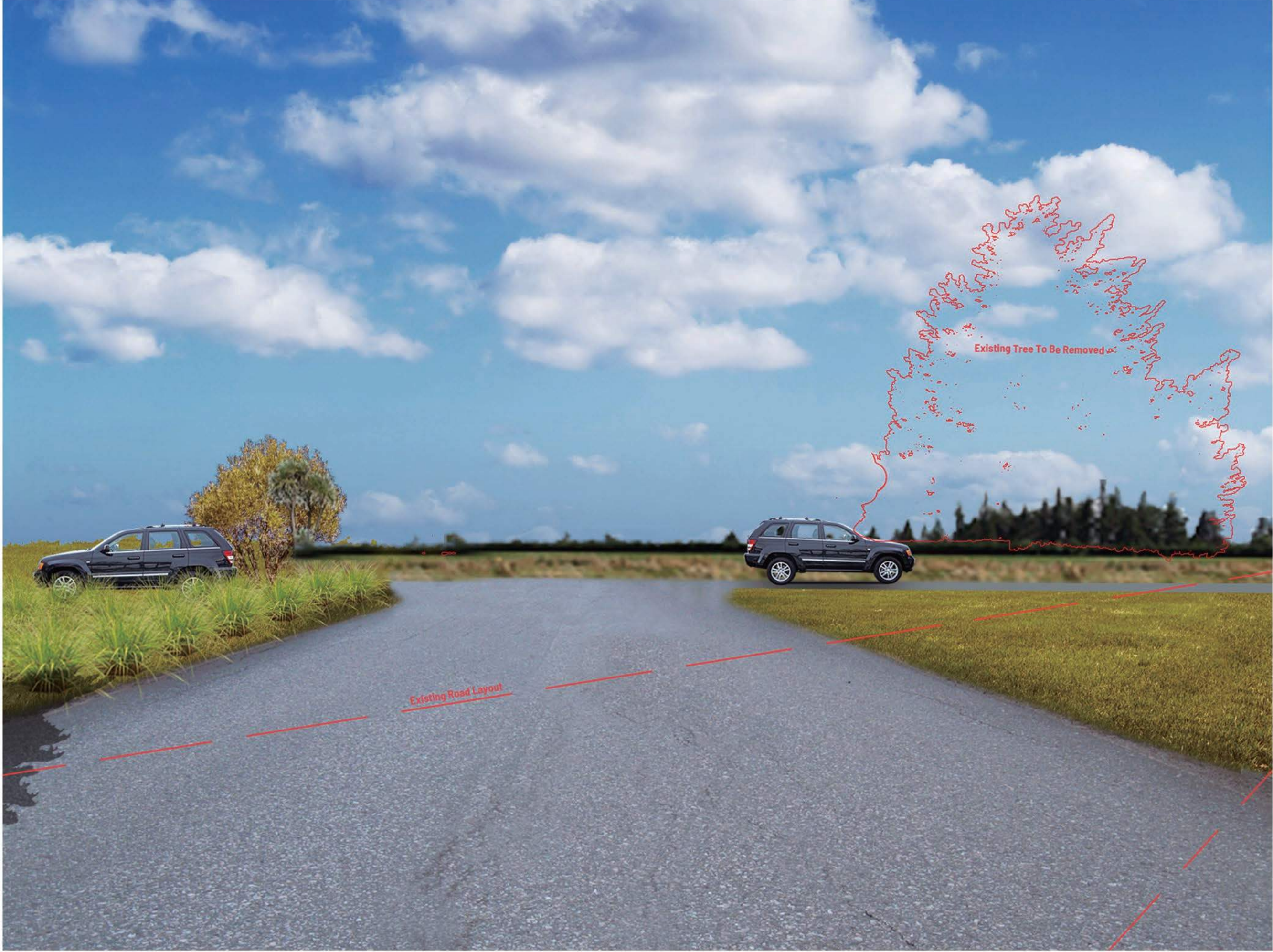


Proposed Visual Point 1

| Darfield Plan Change | | |
|----------------------|--------------|-----------|
| Scale | Not to Scale | |
| Date | 5 Mar 2019 | |
| Design | EL | |
| Drawn | EL | |
| Review | AB & MV | |
| A | 18/06/19 | |
| Rev. | Date | Amendment |
| Revision | A | |
| Sheet | 9 | |



Existing Visual Point 2



Proposed Visual Point 2

| Darfield Plan Change | | |
|----------------------|--------------|-----------|
| Scale | Not to Scale | |
| Date | 5 Mar 2019 | |
| Design | EL | |
| Drawn | EL | |
| Review | AB & MV | |
| A | 18/06/19 | |
| Rev. | Date | Amendment |
| Revision | A | |
| Sheet | 10 | |



Existing Visual Point 4



Proposed Visual Point 4

| Darfield Plan Change | | |
|----------------------|--------------|-----------|
| Scale | Not to Scale | |
| Date | 28 Feb 2019 | |
| Design | EL | |
| Drawn | EL | |
| Review | AB & MV | |
| A | 18/06/19 | |
| Rev. | Date | Amendment |
| Revision | A | |
| Sheet | 12 | |



Existing Visual Point 3







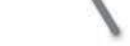


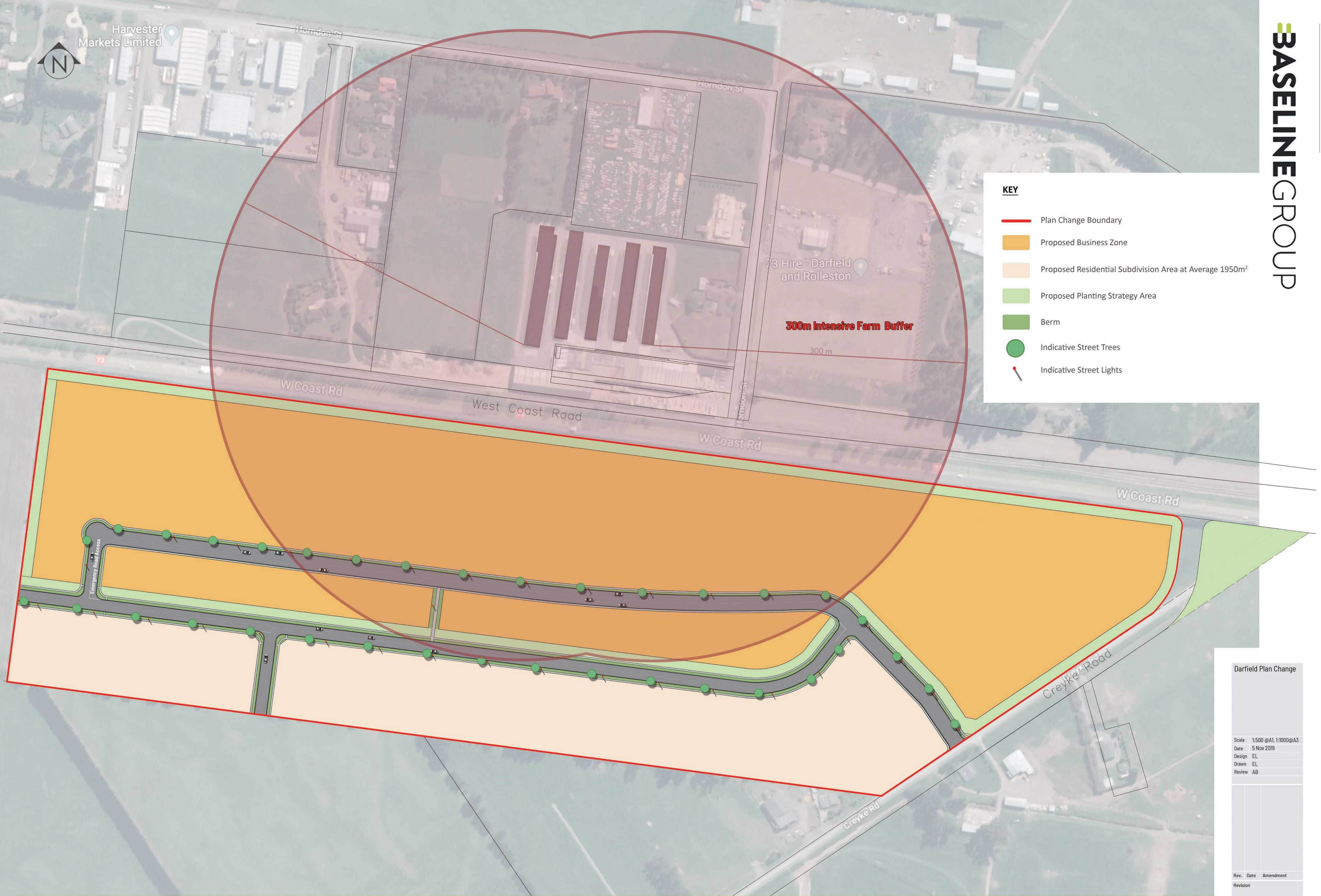
Proposed Visual Point 3

| Darfield Plan Change | | |
|----------------------|--------------|-----------|
| Scale | Not to Scale | |
| Date | 28 Feb 2019 | |
| Design | EL | |
| Drawn | EL | |
| Review | AB & MV | |
| A | 18/06/19 | |
| Rev. | Date | Amendment |
| Revision | A | |
| Sheet | 11 | |



KEY

-  Plan Change Boundary
-  Proposed Business Zone
-  Proposed Residential Subdivision Area at Average 1950m²
-  Proposed Planting Strategy Area
-  Berm
-  Indicative Street Trees
-  Indicative Street Lights



Darfield Plan Change

Scale 1:500 @A1, 1:1000@A3
Date 5 Nov 2019
Design EL
Drawn EL
Review AB

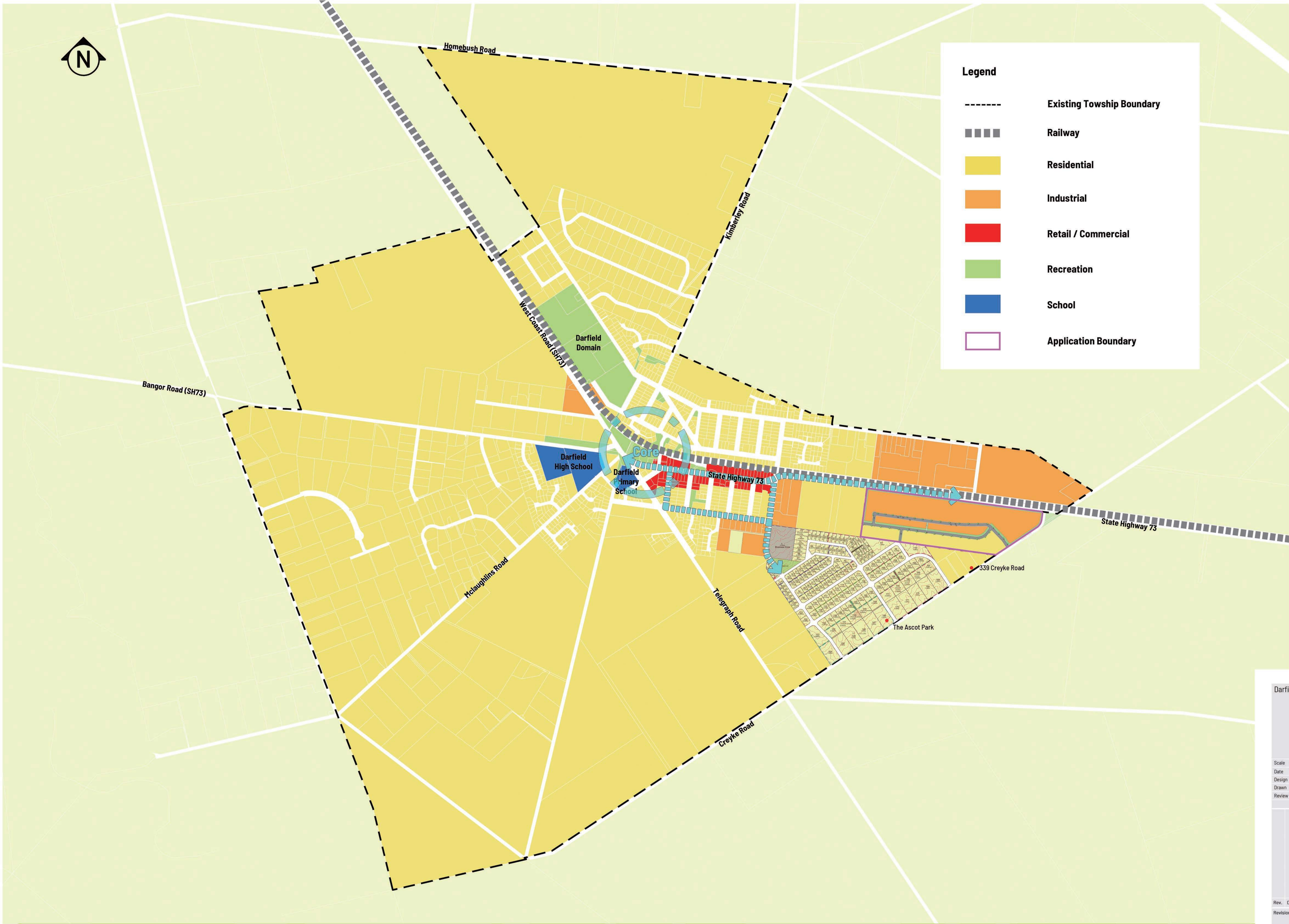
| Rev. | Date | Amendment |
|----------|------|-----------|
| Revision | | |

Sheet 1



Legend

- Existing Township Boundary
- ||||| Railway
- Residential
- Industrial
- Retail / Commercial
- Recreation
- School
- Application Boundary



Darfield

Scale 1:10000 @A1
Date 05 Nov 2019
Design
Drawn EL
Review AB

| Rev. | Date | Amendment |
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