

## V1 PART A: REZONING REQUESTS – LINCOLN

### CONTENTS

1	Scope of Report.....	2
2	Our Approach.....	2
3	Hearing and Parties Heard.....	3
4	Schedule 1, clause 99(2)(b) Amendments .....	3
5	Schedule 1, clause 16(2) amendments .....	3
6	V1-0009 Lincoln University .....	3
7	V1-0023 Broadfield Estates Limited.....	4
8	V1-0055 AgResearch .....	4
9	V1-0060 Brent Macaulay & Becky Reid .....	6
10	V1-0068 Manmeet Singh .....	7
11	V1-0069 Stewart, Townsend and Fraser.....	10
12	V1-0094 Barry Moir.....	12
13	V1-0111 Foodstuffs.....	13
14	V1-0123 Jill Gordon and Ross Thomas.....	14
15	V1-0021 Lincoln Voice.....	15
16	Other matters .....	15
	Appendix 1: Recommended Amendments .....	16
	Amendments to the PDP Maps .....	16
	Amendments to the PDP Text .....	20
	Appendix 2: Evidence and Legal Submissions.....	28

## **1 Scope of Report**

- [1] This Recommendation Report prepared by the Independent Hearing Panel (IHP) relates to submissions and further submissions on the SDC's Intensification Planning Instrument (IPI) (which is otherwise known as Variation 1 to the PDP) seeking to rezone land in and around Lincoln.
- [2] The IHP members were:
- Andrew Willis
  - Raewyn Solomon
  - Rob van Voorthuysen (Chair)
- [3] The Section 42A Reports<sup>1</sup> were:
- Section 42A Report, Part A of Intensification Planning Instrument – Variation 1 to the Proposed District Plan, Report on submissions and further submissions, Lincoln Rezoning Requests, Vicki Barker, 4 May 2023
  - Section 42A Addendum Report, Part A of Intensification Planning Instrument - Variation 1 to the Proposed District Plan, Report on Foodstuffs Further Submission, Part A: Lincoln, Vicki Barker, 2 June 2023
- [4] Our recommended amendments to the IPI provisions are set out in Appendix 1.

## **2 Our Approach**

- [5] The Section 42A Report helpfully outlined relevant background information on a number of matters:
- Resource Management Act 1991;
  - Resource Management Act (Enabling Housing Supply and Other Matters) Amendment Act 2021 (RMA-EHS);
  - The Medium Density Residential Standards (MDRS) contained within in the PDP;
  - National Policy Statement on Urban Development (NPS-UD);
  - National Policy Statement on Highly Productive Land (NPS-HPL);
  - Location of rezoning requests;
  - Areas zoned new Medium Density Residential Zone (MRZ) by Variation 1;
  - Withdrawn submissions.
- [6] We adopt that background information without generally repeating it.
- [7] Ms Barker provided a description of each submitter's request. We adopt those descriptions without repeating them here. It is therefore imperative that readers of this Recommendation Report also read Ms Barker's Section 42A Report.
- [8] Further submitters are not generally referred to in this Recommendation Report, because further submissions are either accepted or rejected in conformance with our recommendations on the primary submissions to which they relate.

---

<sup>1</sup> No Section 42A Reply Reports were provided for the Variation 1 hearings.

### 3 Hearing and Parties Heard

- [9] The hearing was held on 7<sup>th</sup> June. The parties who wished to be heard and who appeared at the hearing were:

Sub #	Name
V1-0021	Lincoln Voice
V1-0055	AgResearch Limited
V1-0068	Manmeet Singh
V1-0069	Lynn & Malcolm Stewart, Lynn & Carol Townsend, Rick & Diane Fraser
V1-0094	Barry Moir
V1-0111	Foodstuffs South Island Limited
V1-0123	Jill Gordon & Ross Thomas

- [10] The witnesses and counsel we heard from are listed in Appendix 2. Copies of their legal submissions and evidence are held by the Council. We do not separately summarise that material here, but we refer to or quote from some of it in the remainder of this Recommendation Report. We record that we considered all submissions and further submissions, regardless of whether the submitter or further submitter appeared at the hearing and whether or not they were represented by counsel or expert witnesses.
- [11] Cross examination is allowed through the intensification streamlined planning process (ISPP)<sup>2</sup>. No cross-examination occurred.

### 4 Schedule 1, clause 99(2)(b) Amendments

- [12] Under clause 99(2)(b) of Schedule 1 of the RMA<sup>3</sup> the recommendations of the IHP must be related to a matter identified by the panel or any other person during the hearing, but are not limited to being within the scope of submissions. We make no such recommendations here.

### 5 Schedule 1, clause 16(2) amendments

- [13] Ms Barker recommended that utilise clause 16(2) of Schedule 1 to the RMA to make a consequential amendment to the DEV-LI6 – Lincoln 6 Development Area narrative text<sup>4</sup>. We do not need to do that because the PDP Hearing Panel for the Lincoln rezoning requests already recommended that amendment.

### 6 V1-0009 Lincoln University

- [14] For the following submissions we adopt Ms Barker's recommendations and reasons.

Sub #	Submitter	Submission Points
V1-0009	Lincoln University	001

- [15] Lincoln University sought to amend the planning maps so that the zone boundaries around the University carpark (Lot 4 DP 538546) match the cadastral boundaries to ensure that the entire car park is zoned KNOZ, and that 1395, 1393 and 1391 Springs Road are zoned MRZ (ILE). This is a technical mapping error rather than a zoning issue. We note that the Lincoln

<sup>2</sup> RMA s98(4).

<sup>3</sup> A new Part 6 was inserted into Schedule 1 of the RMA by Part 2 the RMA-EHS.

<sup>4</sup> In response to V1-0023 Broadfield Estates Limited

PDP Rezoning Hearing Panel considered the same matter and recommended that the corresponding submission (DPR-0205 Lincoln University) be accepted.

[16] We recommend that the SDC:

- (a) Amends the planning maps to zone 1391, 1393 and 1395 (Lots 1-3 DP 538546) MRZ, and the Lincoln University car park (Lot 4 DP 538546) KNOZ to ensure the intended zoning matches the cadastral boundaries.

## 7 V1-0023 Broadfield Estates Limited

[17] For the following submissions we adopt Ms Barker's recommendations and reasons.

Sub #	Submitter	Submission Points
V1-0023	Broadfield Estates Limited	001, 002

[18] Broadfield Estates Limited sought to rezone 12 Vernon Drive (Lot 1 DP 523433) from MRZ(ILE) to TCZ, with consequential amendments to exclude 12 Vernon Drive from DEV-LI6 and to include the site in KAC PREC5. The same request was considered by the Lincoln PDP Rezoning Hearing Panel<sup>5</sup> and that Panel recommended that the submission<sup>6</sup> on the PDP be accepted. We see no reason to differ from that Panel's assessment and conclusions.

[19] Broadfield Estates advised<sup>7</sup> that they would not be attending the hearing.

[20] We recommend that the SDC:

- (a) Amends the zoning of 12 Vernon Drive (Lot 1 DP 523433) from MRZ(ILE) to TCZ.

[21] We adopt the submitter's s32AA evaluation that accompanied the planning evidence provided by Clare Dale<sup>8</sup>.

## 8 V1-0055 AgResearch

[22] For the following submissions we generally adopt Ms Barker's recommendations and reasons.

Sub #	Submitter	Submission Points
V1-0055	AgResearch Limited	001, 012, 013, 014, 015, 016, 017, 018.

[23] AgResearch sought to rezone around 4.7ha of an 8.6ha site at 1365 Springs Road from KNOZ to MRZ, and to retain some balance KNOZ with the introduction of a 'Living Precinct', or alternatively to rezone the balance KNOZ land NCZ.<sup>9</sup> An ODP map and accompanying ODP narrative was sought to be included as a new DEV-LIC – Lincoln C Development Area.

[24] To implement the 'Living Precinct', AgResearch sought associated amendments to the KNOZ provisions, including:

- amending the Overview to reference the proposed 'Living Precinct' and the purpose of the precinct;

<sup>5</sup> For that hearing the submitter's transport, economics and planning submitter evidence was provided and the transport and economics evidence was peer reviewed.

<sup>6</sup> DPR-0056.001 and 002

<sup>7</sup> By way of email dated 8 May 2023 from planner Clare Dale to the Hearings Administrator.

<sup>8</sup> Statement of Evidence of Clare Dale (Planning) 12 Vernon Drive, Lincoln – TCZ, 4 August 2022, paragraphs 47 to 62.

<sup>9</sup> 43 further submission points were received on the AgResearch request and all but one was in support.

- inserting a new Objective and Policy applicable to the proposed Living Precinct;
- amending KNOZ-R7 to permit residential activity within the Living Precinct and residential activity located outside the Living Precinct for living accommodation for students and staff or for security purposes only;
- amending KNOZ-R13 to not permit<sup>10</sup> any primary production activity located in the Living Precinct, if the permitted activity rule is not met; and
- amending KNOZ-REQ4 to remove the 10m road setback and 10m boundary setback from any RESZ or GRUZ within the proposed Living Precinct.

[25] We record that AgResearch also appeared at the Variation 1 Residential Hearing 01, Subdivision Hearing 03 and Transport Hearing 04 in support of their request.

[26] AgResearch provided expert evidence on urban design, landscape and visual impact; civil works and servicing infrastructure; transportation; economics; soil contamination and geotechnical matters. That evidence was peer reviewed by SDC.

[27] Ms Barker assessed the request against the Intensification Framework (based on the proposed rezoning from KNOZ to MRZ and KNOZ with a 'Living Precinct') and against the Business Framework (based on rezoning from KNOZ to NCZ) as contained in the Rezoning Framework Section 42A Report. Her overall conclusions were:

- the location is likely to be suitable for MRZ, subject to demonstration of how traffic effects can be appropriately managed. The MRZ rezoning would enable housing in an existing urban location directly adjacent to existing residential activity. The site is well connected and promotes good accessibility to employment, social facilities and recreational spaces;
- based on the peer review advice of Mr Foy and Ms Wolfer, the lack of evidence to support NCZ, and inconsistencies with the Business Rezoning Framework, rezoning the KNOZ balance land to NCZ was inappropriate;
- the proposed 'Living Precinct' over the KNOZ was not supported due to potential amenity and outlook issues identified by peer reviewer Ms Wolfer. Instead 'other' residential development (i.e. non student related) could be pursued by way of a discretionary activity resource consent application which would provide an opportunity for consideration of urban design matters and presented a simpler solution which still met the AgResearch objectives and the relevant objectives and policies of the PDP.

[28] As indicated in Appendix 2 of this Recommendation Report, AgResearch provided additional evidence in response to the Section 42A Report and the SDC peer reviews in conformance with our Minute 1.

[29] We are satisfied that the requested amendment of existing KNOZ zoned land to MRZ is consistent with the RMA-EHS.

[30] To address the concerns of the traffic experts, Jason Jones (planner for AgResearch) recommended a new provision within MRZ-REQ12 Development Areas that would limit the redevelopment of the Campus site to 100 residential units until such time as the intersection

---

<sup>10</sup> Defaulting to NC (non-complying) activity status.

of Vernon Drive and Gerald Street was signalised. Any exceedance of the 100-unit threshold prior to the intersection upgrade would be assessed as an RDIS activity, with the exercise of discretion being limited to the safe and efficient operation of that intersection.

- [31] Ms Barker was in general agreement with Mr Jones' recommended approach as are we. She provided us with wording<sup>11</sup> for a new provision in SUB-MAT13 relating to the intersection upgrade. We find that approach (we have amended her recommended text) to be sufficient<sup>12</sup> and we consider that it does not fall foul of the NPS-EHS requirement that subdivision within the MRZ should always be a controlled activity, because the required intersection upgrade does not affect the MDRS standards in Schedule 3A set out in the Act.
- [32] We do not consider that an additional pedestrian and cycleway route is required to extend westwards from the east-west road that is shown joining Kakahi Street. This route (referred to as 'Route 1') was recommended by SDC urban design peer reviewer Ms Wolfer. We consider that AgResearch's proposed pedestrian and cycleway routes to the north<sup>13</sup> and south of the development area are sufficiently close together such that walking and cycling will not be disincentivised in the absence of an additional 'Route 1'.
- [33] Having carefully reviewed the evidence and legal submissions, we are not persuaded that there is a sufficient nexus between the requested KNOZ 'Living Precinct' and the provisions of the RMA-EHS which relate to giving effect to Policy 3 of the NPS-UD, the imposition of the MDRS, or changes to PDP provisions that are consequential on the introduction of the MDRS or NPS-UD Policy 3. Relevantly, the KNOZ provisions were not amended by Variation 1. We decline to recommend that introduction of the KNOZ 'Living Precinct'.
- [34] We recommend that the SDC:
- (a) rezones the site MRZ and retains the balance land as KNOZ as shown on the ODP, with no 'Living Precinct' over the KNOZ and no amendments to the PDP KNOZ provisions;
  - (b) inserts a new DEV-LIC – Lincoln C Development Area and includes the amended ODP map that was attached to the AgResearch legal submissions of 9 June 2023 along with the ODP narrative included in Appendix 1 to this Report; and
  - (c) inserts the new SUB-MAT13 provision as set out in Appendix 1 to this Report.
- [35] We adopt the section 32AA assessment set out in paragraphs 9.41 to 9.50 of Ms Barker's 4 May 2023 Section 42A Report.

## 9 V1-0060 Brent Macaulay & Becky Reid

- [36] For the following submissions we adopt Ms Barker' recommendations and reasons.

Sub #	Submitter	Submission Points
V1-0060	Brent Macaulay and Becky Reid	001

<sup>11</sup> Officer's Response to Directions from the Hearings Panel, 15 June 2023.

<sup>12</sup> Ms Barker also recommended a landuse rule linked to the number of building consents issued for the development.

<sup>13</sup> Providing access to a proposed expansion of the Lincoln New World supermarket carpark for which Foodstuffs have sought consent for from SDC.

- [37] Brent Macaulay and Becky Reid sought to rezone around 37 ha of land<sup>14</sup> located at 401, 407, 447, 467 and 487 Tancreds Road from GRUZ to MRZ.
- [38] Brent Macaulay and Becky Reid also submitted on the PDP (DPR-0176 Brent Macaulay & Becky Reid) with the same request<sup>15</sup>. The PDP Lincoln Rezoning Hearing Panel recommended rejecting their submission because the submitters did not provide evidence in support of their request, their land was not within the UGO, and under Policy 5 of the NPS-HPL the urban rezoning of that land must be avoided because none of the exemptions in NPS-HPL clause 3.6(1) were shown to apply. We see no reason to differ from the PDP Panel's findings.
- [39] We agree that it is appropriate to reject this submission.

## 10 V1-0068 Manmeet Singh

- [40] For the following submissions we depart somewhat from Ms Barker's recommendations and reasons.

Sub #	Submitter	Submission Points
V1-0068	Manmeet Singh	001, 002, 004, 005

- [41] Manmeet Singh sought to rezone 17.26ha of land at 7, 9, 11, 13, 17, 21, 27 and 33 Allendale Lane<sup>16</sup> from GRUZ to MRZ, insert a new ODP map with an accompanying narrative, and make consequential amendments to remove the Urban Growth and Specific Control Area Rural Density (SCA-RD1) Overlays from the land.
- [42] A key starting point for our consideration is that the land is one of three areas on the periphery of Lincoln that are included in the UGO in both the PDP as notified and Variation 1. SDC has clearly identified this land as being suitable for future residential development.
- [43] Ms Barker assessed the proposal against the Greenfield Framework as contained in the Rezoning Framework Section 42A Report. She recommended rezoning the land MRZ and removing the Urban Growth and Specific Control Area Rural Density (SCA-RD1) Overlays. However, Ms Barker recommended the imposition of a 150m odour setback from the edge of the SDC wastewater pond, along with some amendments to the ODP. For the submitter, Ivan Thomson (planner) advised<sup>17</sup> *"I consider Ms Barker's report has provided a fair assessment of the issues and I concur with her recommendation to rezone the Site to MRZ and insert a new ODP to guide the design and layout of future subdivision and development."*
- [44] Mr Thomson advised the ODP attached to his evidence included two of the three amendments to the ODP recommended by Ms Barker<sup>18</sup>, but not the 150m odour setback. Mr Thomson also stated that SDC urban design peer reviewer Hugh Nicholson now agreed that a mid-site bridge across the Liffey Stream might have practical difficulties and the proposed shared cycle/pedestrian crossing as depicted in the ODP<sup>19</sup> was sufficient. At the hearing we asked Ms Barker if that was correct and she advised that it was. However, in a post-hearing

<sup>14</sup> Lots 3-4 DP 26021, Lot 3 DP 33959, and Lots 1-2 DP 323286.

<sup>15</sup> The submitters did not request to be heard at the PDP rezoning hearing.

<sup>16</sup> Lots 1-6 DP 371976 and Lots 120-121 DP 329124.

<sup>17</sup> EIC Thomson, paragraph 40.

<sup>18</sup> On page 49 of her Section 42A Report.

<sup>19</sup> Appendix 1 to the evidence of Ivan Thomson.

Memorandum<sup>20</sup>, Ms Barker recommended that an additional ‘mid-block’ pedestrian and cycle bridge be imposed. Apparently, SDC would consider part-funding that bridge. We do not consider it necessary to include that ‘mid-block’ crossing in the ODP, as that can be a matter for discussion between the developer and SDC at a later stage.

[45] We are not the first Panel to consider this matter. The rezoning of the subject land was also considered by the PDP Lincoln Rezoning Hearing Panel. At that hearing the submitters sought to re-zone the site from GRUZ to GRZ. On the basis of the evidence presented to that rezoning hearing that Panel found:

- *As the land is within the UGO, the NPS-HPL does not apply to it<sup>21</sup>;*
- *The revised ODP plan and ODP narrative attached to the rebuttal evidence of Ivan Thompson are generally suitable for inclusion in the PDP, subject only to an appropriate odour buffer from the SDC wastewater pond. We note that revised ODP has taken into account the connectivity issues raised in the SDC’s peer reviews;*
- *Having considered the evidence, we find that a 100m buffer zone would be sufficient, noting that to be consistent with the buffer zone imposed through PC69. Accordingly, we recommend that the subject site is rezoned to enable residential development. The precise nature of the residential zoning was subject to the IHP’s consideration of submissions on Variation 1.*

[46] On the evidence presented to us we see no need to depart from the findings of the PDP Hearing Panel outlined above. In that regard, for this IPI Hearing 08 Ms Nieuwenhuijsen<sup>22</sup> adopted a conservative approach and recommended<sup>23</sup> a 100m odour setback from the edge of the SDC wastewater pond without a no complaints covenant<sup>24</sup>.

[47] Regarding the design of road access to the proposed residential zone by way of the existing 18m long and 10m wide Allendale Lane cul-de-sac, Mr Rossiter<sup>25</sup> considered that there were a number of design options available for that narrow section of road that promoted low vehicle speeds, consistent with the safe system methodology. His preference was for a single 4m wide traffic lane bounded on one side by a 2m footpath and on the other by 2m footpath fringed on either side by a 1m berm.

[48] In her post-hearing Memorandum, based on a peer review by Mr Collins, Ms Barker expressed concern with the Allendale Lane cul-de-sac, and with a one-lane option in particular. Reflecting on her concerns (and those of Mr Collins) we find that the ODP should require a two-lane option for Allendale Lane. Mr Rossiter provided two options with two lanes and we consider either of them would suffice for such a short length of road. We are satisfied that the precise configuration of that very short length of access road can be resolved at the time of subdivision and consider that it should not be seen as an opportunity to impede the development of the area. Having said that, we acknowledge Mr Thomson’s evidence that in the longer term, the Allendale Lane access will be supplemented by a planned road provided

<sup>20</sup> Officer’s Response to Directions from the Hearings Panel, 15 June 2023.

<sup>21</sup> In accordance with clause 3.5(7)(b)(i) in the NPS-HPL.

<sup>22</sup> The submitter’s odour expert.

<sup>23</sup> EIC Nieuwenhuijsen, paragraph 12.

<sup>24</sup> In PC69 a 100m odour setback was imposed with a ‘no complaints’ covenant required for properties located between the 100m and 150m from the SDC wastewater pond.

<sup>25</sup> The submitter’s transport expert.



for in the 'PC 69' ODP, as well as a proposed shared path across the Liffey Stream that will join into Liffey Springs Drive.

- [49] With our approval, Ms Everleigh provided a Memorandum<sup>26</sup> responding to Ms Barker's post-hearing Memorandum. Ms Everleigh's response helpfully included a further statement from Mr Rossiter<sup>27</sup>. As we have already found a two lane road to be appropriate for upgrading the short stretch of Allendale Lane, we do not need to concern ourselves with the differing assumptions about delays to traffic that would result from a one lane road.
- [50] Ms Everleigh proposed amendments to TRAN-R2 and TRAN-REQ18 intended to avoid the situation whereby, notwithstanding our support for the submitter's rezoning request, residential development might subsequently be prevented by a decision of SDC to decline resource consent for the upgrading of Allendale Lane. We would be dismayed if that actually occurred and so, while we do not support the amendments to TRAN-R2 and TRAN-REQ18 suggested by Ms Everleigh, we have amended the ODP to specifically acknowledge non-compliance with TRAN-TABLE8<sup>28</sup>.
- [51] In her post-hearing Memorandum, Ms Barker made a number of recommendations for the ODP<sup>29</sup> narrative. We have considered her recommendations, along with those provided by Ms Everleigh in her 29 June 2023 Memorandum, and in response we have made some amendments to the ODP prepared by Mr Thomson.
- [52] We find that the land in question should be zoned MRZ and be included in a new DEV-LIA – Lincoln A Development Area.
- [53] Regarding the appropriate minimum density of development that should be specified in the ODP narrative, Mr Thomson considered that if we imposed a 100m odour setback for permitted residential activities, the site could yield in excess of 150 dwellings. He thought that intensity of development would have potential adverse traffic effects on the amenity of residents in the developed area of Allendale Lane. Mr Thomson was of the view that a minimum development density of 12 hh/ha, providing for around 130 household units, would make an efficient use of the site, minimise effects of additional traffic on the existing neighbourhood and help manage the risk of reverse sensitivity effects.
- [54] We note that UG-P13.4 (as recommended by the PDP Urban Growth Hearing Panel) is for a minimum net density of 15 hh/ha unless there are demonstrated constraints, in which case a minimum net density of no less than 12 hh/ha is met. In this particular case we are satisfied that the odour setback, the proposed stormwater management area in the south of the site and the access constraints on Allendale Lane constitute 'demonstrated constraints', such that a minimum net density of 12 hh/ha is appropriate.
- [55] Mr Thomson suggested that some allowance should be made for limited residential development within the 100m odour setback subject to appropriate Matters of Discretion. He recommended the inclusion of a new RDIS rule (to be inserted in MRZ-REQ12 and relating to

---

<sup>26</sup> Memorandum of Counsel regarding Planning Officer response, 29 June 2023.

<sup>27</sup> Stantec, Memo, 28 June 2023.

<sup>28</sup> Counsel referred to TRAN-TABLE7 but the numbering has changed a result of the recommendations of the TRAN Panel.

<sup>29</sup> Relating to wording clarifications, Allendale Lane, a mid-site pedestrian link to Jimmy Adams Terrace; and geotechnical, land contamination, wastewater, potable water and stormwater matters.

DEV-LIXX) that had ‘the consideration of reverse sensitivity effects’ as the only matter of discretion. We asked him what sort of ‘limited residential development’ he had in mind. He advised it included ‘minor activities’ such as minor residential units or visitor accommodation. We do not consider those to be ‘minor activities’. We decline to recommend the new RDIS rule suggested by Mr Thomson. That will mean that any residential activities within the 100m odour setback will require a DIS consent which we do not find to be unduly onerous.

[56] Having considered the evidence and the above matters we recommend that the submission of Manmeet Singh is accepted in part.

[57] We recommend that the SDC:

- (a) rezones the area MRZ with a minimum density of 12 hh/ha;
- (b) removes the Urban Growth Overlay and Specific Control Area Rural Density (SCA-RD1) Overlay from the site;
- (c) inserts a new DEV-LIA – Lincoln A Development Area along with the ODP spatial plan that was Appendix 1 to the 19 May 2023 evidence of Ivan Thomson;
- (d) includes in DEV-LIA a 100m odour setback from the edge of the treatment pond within [SDC-66 ESSS \(S\) Allendale Ln](#);
- (e) refers to the DEV-LIA odour setback in MRZ-REQ12; and
- (f) inserts the ODP narrative as set out in Appendix 1 to this Recommendation Report.

[58] We adopt the section 32AA assessment set out in paragraphs 11.43 to 11.49 of the Section 42A Report.

## 11 V1-0069 Stewart, Townsend and Fraser

[59] For the following submissions we adopt Ms Barker’ recommendations and reasons.

Sub #	Submitter	Submission Points
V1-0069	Lynn & Malcolm Stewart, Lynn & Carol Townsend, Rick & Diane Fraser	001, 002, 004, 005

[60] In their submission on Variation 1, Stewart, Townsend and Fraser (STF) sought to rezone 19.8ha of land from GRUZ to MRZ. They also sought the insertion of an ODP and associated narrative, and that the SCA-RD1 Overlay be uplifted. The land is outside the UGO and comprises LUC Class 1 and 3 so it is subject to the NPS-HPL.

[61] The same submitters lodged a rezoning submission on the PDP over the same land. However, in that hearing the submitters presented two options:

- Option A sought to rezone 1137, 1153, 1/1153 and 2/1153 Springs Road from GRUZ to GIZ west of the high voltage transmission lines (19.8 ha), and from GRUZ to GRZ east of the transmission lines (15.75ha), and to also include four lots fronting Tancred's Road;
- Option B sought GIZ over most of the block and the submitters provided an amended ODP showing that proposal over a reduced area of around 27ha.

[62] For this Variation 1 Hearing we needed to consider the ‘Option A’ land east of the high voltage transmission lines being potentially zoned MRZ. That land was not zoned MRZ by Variation 1.

[63] The STF submission on Variation 1 was opposed by AgResearch, PGG Wrightson Seeds Limited, RM and KR Templeton and Jill Gordon & Ross Thomas. Notably, Ms Gordon and Mr Thomas own 1137 Springs Road and that lot is located in a central part of STF's rezoning request. Ms Gordon and Mr Thomas oppose the STF submission<sup>30</sup> and at the hearing Ms Gordon presented compelling evidence on how the proposal would adversely affect their property and why it should therefore be declined.

[64] AgResearch also opposed the STF submission and Tony Hickman<sup>31</sup> stated:

*The rural research activities undertaken by AgResearch on the research farm are of regional and national significance. If the land owned by Stewart and Others were to be rezoned, use of the research farm would be significantly constrained. AgResearch would need to apply for resource consents to reduce the setback distance to that land by less than 1000m, and I expect that any such application(s) would be notified to the owners and occupiers of the land zoned MDRZ. Based on our experience elsewhere, residential development in close proximity to research farms creates reverse sensitivity effects and constrains activities on those farms.*

[65] The New Zealand Institute for Plant and Food Research Limited (Plant & Food) also opposed the STF submission. P&F have a number of research facilities at Lincoln, including the Smith's Block site, which immediately adjoins the land proposed to be rezoned by STF. Plant & Food considered that the requested rezoning increased the risk of reverse sensitivity effects between established research/rural production activities (bird scaring devices, spraying, heavy machinery etc.) and their proximity to sensitive activities (e.g. residential)<sup>32</sup>.

[66] We note that AgResearch and Plant & Food both also opposed the STF rezoning submission on the PDP. The Hearing Panel considering rezoning requests for the PDP in Lincoln found that there were "... potentially significant adverse reverse sensitivity effects on adjoining land owned by Plant and Food and AgResearch. Those effects could inappropriately compromise those agencies' nationally significant research activities." That was one of the reasons why that PDP Hearing Panel recommending rejecting the STF rezoning request.

[67] For this Hearing, counsel for AgResearch observed<sup>33</sup> that STF had not provided new evidence to support MRZ zoning, but instead had lodged and relied on their evidence for the PDP. That evidence does not address the MDRS.

[68] PGG Wrightson Seeds Limited also opposed the STF submission and legal submissions setting out the reasons for that opposition were provided. Counsel advised that PGG leased land (known as the Kimihia Research Centre) along Tancred's Road in close proximity to the STF site. PGG were similarly concerned about reverse sensitivity effects as the activities they undertook included, amongst other things, the generation of noise and odour which were not compatible with residential development.<sup>34</sup>

[69] Having considered the evidence, we find:

---

<sup>30</sup> Their reasons for opposition were summarised in paragraph 12.35 of the Section 42A Report.

<sup>31</sup> Paragraph 3.10. Mr Hickman is the Director of Finance and Business Performance at AgResearch Limited.

<sup>32</sup> EIC Brosnahan, paragraph 12.

<sup>33</sup> Paragraph 5.7.

<sup>34</sup> Legal submissions, paragraphs 2 and 3.

- the site is outside the Lincoln UGO and it is therefore unanticipated by the PDP;
- the proposal would not assist with maintaining a consolidated and compact urban form for Lincoln;
- there is no evidential basis to support the need for additional residential development to assist with meeting short to medium term housing demand;
- the site cannot be described as being ‘well-connected’ along transport corridors and is therefore inconsistent with NPS-UD clause 3.8(2)(b);
- the site is outside of the SDC’s infrastructure service area and new SDC planned infrastructure for wastewater is not proposed until 2053;
- importantly, under Policy 5 of the NPS-HPL the urban rezoning of the land must be avoided because in our view none of the exemptions in NPS-HPL clause 3.6(1) have been shown to apply<sup>35</sup>;
- the proposed rezoning would likely lead to an increased incidence of crashes at the Springs/Tancreds and Springs/Boundary intersections if the current intersection forms are retained and those intersections would need to be upgraded to roundabouts<sup>36</sup>. However, third party land owner approval would be required to construct a roundabout at the Springs/Boundary intersection;
- one of the owners of a significant portion of the land within the rezoning request opposes the STF submission and seeks to retain the existing GRUZ zoning;
- residential development of the land will have potentially significant reverse sensitivity effects on the Plant & Food ‘Smiths Block’ immediately adjacent to STF’s southern site boundary, the AgResearch land on the opposite side of Springs Road and the PGG Wrightson Kimihia Research Centre; and
- Transpower<sup>37</sup> oppose any rezoning from GRUZ within the National Grid Yard that traverses the site.

[70] For the above reasons we agree that is appropriate to reject the STF submission.

## 12 V1-0094 Barry Moir

[71] For the following submission we come to the same ultimate conclusion as Ms Barker regarding the retention of the current zoning on Mr Moir’s land, but for different reasons as we discuss below.

Sub #	Submitter	Submission Points
V1-0094	Barry Moir	001

[72] Barry Moir sought to rezone 51.79ha of land from GRUZ to MRZ and he referred to his PDP rezoning submission (DPR-0150). In the PDP Hearing for Lincoln rezoning requests Mr Moir

<sup>35</sup> We were not persuaded by the evidence of Mr Mthamo that wetness and stoniness of the land should somehow exempt it from consideration under the NPS-HPL. Nor were we persuaded that ‘soil moisture deficits’ was an exempting factor.

<sup>36</sup> We consider it would be inappropriate and disruptive to the flow of traffic to upgrade intersections to signalised intersections.

<sup>37</sup> Ms Barker advised that the National Grid is not currently a qualifying matter and should we support the rezoning, the National Grid would need to be included as such in HPW30 of the PDP to avoid residential rezoning affecting the operation of that important infrastructure

advised that he was ultimately seeking options for his land given the increasing difficulty he faced in farming it.

- [73] The PDP Hearing Panel found that the need for additional urban zoned land in the vicinity of Mr Moir’s property had not been justified by any expert evidence. That is still the case. However, the PDP Hearing Panel recommended that any portion of the site that was currently SCA-RD2 should be amended to SCA-RD1. That would give Mr Moir the option of applying to subdivide the property down to 4ha lots and required no change to the notified GRUZ over the land. At this Hearing we asked Mr Moir if he was still satisfied with that proposition and he stated that he was.
- [74] The PDP Hearing Panel also concluded that under the NPS-HPL, ‘urban rezoning’ meant changing from a general rural or rural production zone to an urban zone. A residential density control did not fall within the definition of ‘urban’ under the NPS-HPL and so there was no need to assess the NPS-HPL. We have no reason to come to a contrary conclusion on that matter.
- [75] In light of the above discussion, we see no need to amend the outcome recommended by the PDP Hearing Panel. Consequently, and for that reason, we recommend that submission V1-0094 should be rejected.

### **13 V1-0111 Foodstuffs**

- [76] Foodstuffs was a further submitter (FS001) to the submission of AgResearch V1-0055.001.
- [77] As set out in the evidence of Rebecca Parish, Foodstuffs sought to rezone land<sup>38</sup> to the immediate west of their Lincoln New World site<sup>39</sup> to TCZ<sup>40</sup> to facilitate an expansion of the existing supermarket. That land is owned by AgResearch and contains a large building occupied by Keraplast Manufacturing. Ms Parish advised that Foodstuffs had lodged a resource consent application<sup>41</sup> with SDC for the supermarket expansion. As stated by Foodstuffs’ counsel<sup>42</sup> *“In essence, what is being sought is an extension of the existing TCZ to reflect the intended use.”* Foodstuffs did not seek any review or amendment of the TCZ provisions<sup>43</sup>. AgResearch support the Foodstuffs request for a TCZ on the site and they have agreed to sell that land to Foodstuffs<sup>44</sup>.
- [78] However, the site in question did not form part of the AgResearch submission. That is evident from the ‘Proposed ODP’ that formed part of the AgResearch’s original submission<sup>45</sup> and the diagram titled ‘Proposed District Plan – Modified’ that was included in the ‘Urban Design, Landscape and Visual Impact Assessment’<sup>46</sup> that accompanied that submission. As further

---

<sup>38</sup> The land is around 6,000m<sup>2</sup> in area and is part of a wider 3.2609ha site at 95A Gerald Street (Lot 3 DP 374333) owned by AgResearch.

<sup>39</sup> 77 Gerald Street, Lincoln.

<sup>40</sup> And a corresponding extension of PREC 5 – Lincoln Fringe. EIC Mark Allen, paragraph 12.

<sup>41</sup> RC235267 lodged on 19 May 2023.

<sup>42</sup> Legal submissions, paragraph 3.

<sup>43</sup> EIC Tony Milne, paragraph 16.

<sup>44</sup> EIC Parish, paragraph 9(a).

<sup>45</sup> V1-0055 AgResearch <http://teamspace/sites/consultation/PartA/Shared%20Documents/V1-0055%20AgResearch%20Limited.pdf> p. 16

<sup>46</sup> V1-0055 AgResearch <http://teamspace/sites/consultation/PartA/Shared%20Documents/V1-0055%20AgResearch%20Limited.pdf> p.32

submissions can only oppose or support original submissions, this raises an obvious issue of ‘scope’.

- [79] Regarding the issue of ‘scope’, clause 99(2)(b) of Schedule 1 of the RMA<sup>47</sup> enables us to make recommendations to the SDC that are related to a matter identified by ourselves or any other person during the hearing, that are not within the scope of submissions. Counsel for Foodstuffs submitted<sup>48</sup> that clause 99(2)(b) was being relied on here by Foodstuffs.
- [80] Relevantly, the IHP asked for and received a legal opinion from SDC’s solicitor (Kate Rogers<sup>49</sup>) relating to an ‘out of scope’ Foodstuffs proposal in Rolleston. We find that the legal principles identified by Ms Rogers in that situation apply equally to the Foodstuffs’ rezoning request in Lincoln. The relevant principles insofar as they apply to the Lincoln site are:
- The rezoning of the site to TCZ, as sought by Foodstuffs, is not ‘on’ the IPI;
  - Accordingly, there is no scope for us to recommend that rezoning to the SDC. This is primarily due to the residential focus of Variation 1, which only proposed very limited commercial rezoning in Prebbleton and Rolleston<sup>50</sup>. There was no commercial rezoning proposed in Lincoln;
  - A person reviewing Variation 1 would not have appreciated that commercial rezoning of the site was a potential outcome; and
  - This scope issue cannot be overcome by clause 99 of the First Schedule to the RMA because this is an issue of the scope of the Variation and whether the Foodstuffs’ further submission is ‘on’ the Variation (or IPI), not the scope of the further submission itself.
- [81] On balance, and in recognition of the need for us to take a principled and consistent approach to matters of ‘scope’, we find that the Foodstuffs’ further submission is ‘out of scope’. We observe that to be a somewhat unfortunate outcome, as the rezoning of the site to TCZ would otherwise be appropriate on its merits. Having said that, we note that in answer to our questions during the hearing, Ms Booker<sup>51</sup> advised that the outcome of this hearing regarding Foodstuffs’ requested TCZ rezoning would have no impact on their consent application for the expanded supermarket site.
- [82] We recommend that the further submission of Foodstuffs (V1-0111.FS001) is rejected.

#### **14 V1-0123 Jill Gordon and Ross Thomas**

- [83] Jill Gordon and Ross Thomas were further submitters who sought that the request of Stewart, Townsend and Fraser (V1-0069) to rezone the land parcels from GRUZ to MRZ be rejected. The submitters own 1137 Springs Road, whose lot is part of the proposed rezoning proposal. As we have noted earlier<sup>52</sup>, Ms Gordon provided compelling evidence in support of her opposition to the Stewart, Townsend and Fraser rezoning request. We take no issue with any of the matters she raised.

<sup>47</sup> A new Part 6 was inserted into Schedule 1 of the RMA by Part 2 the RMA-EHS.

<sup>48</sup> Paragraph 10.

<sup>49</sup> Scope to recommend rezoning of 157 Levi Road, Rolleston, 12 June 2023.

<sup>50</sup> The Prebbleton Local Centre Zone (LCZ) was proposed to be rezoned to Town Centre Zone (TCZ) and new Neighbourhood Centre Zones (NCZ), recognising consented and/or developed areas, were provided for in Rolleston.

<sup>51</sup> Counsel for Foodstuffs

<sup>52</sup> Section 11 of this Report.

- [84] We have recommended the rejection of V1-0069 and so accordingly the further submissions<sup>53</sup> of Jill Gordon and Ross Thomas are accepted in full.

## **15 V1-0021 Lincoln Voice**

- [85] Lincoln Voice was a submitter on Part A of Variation 1 (submissions V1-0021.001 and 002). They opposed the change from GRUZ to MRZ within the PC69 area and sought the deletion of DEV-LI8 – Lincoln 8 Development Area. Those submission points were included in the Section 42A Report for IPI Hearing 01 Residential. Lincoln Voice was also a further submitter on provisions canvassed in the hearings for District Wide, Area Specific and Qualifying Matters (Hearing 05), General (Hearing 02), Subdivision (Hearing 03), Transport (Hearing 04) and Commercial and Mixed Use Zones (Hearing 06). However, we agreed to a request from Lincoln Voice that their relief be presented at this Lincoln Hearing (IPI Hearing 08).
- [86] An unsigned 'Statement' dated 18 May 2023 from Lincoln Voice was pre-circulated and Denise Carrick appeared before the Panel, to speak to the 'Statement'. The 'Statement' helpfully articulated<sup>54</sup> that *"The central focus of Lincoln Voice's appeal is that PC69 is located on highly productive land, and should therefore be subject to evaluation under the NPS-HPL."*
- [87] Part A of Variation 1 amended the zoning of the land within the boundary of PC69 to MRZ (without immediate legal effect) and included it in a new Development Area titled DEV-LI8. Consequently, based on officer advice, under NPS-HPL clause 3.5(7)(b)(ii) that land is not subject to the NPS-HPL because it is land that is *"subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle"*.
- [88] As the Lincoln Voice 'Statement' couches the relief they seek solely in reliance on the effect of the urbanisation of the LUC 1, 2 and 3 soils located within the land covered by PC69 (fundamentally relying on the provisions of the NPS-HPL), we accept Ms Barker's opinion that their submission should be rejected.
- [89] We note that Lincoln Voice opposed procedural decisions taken by the SDC, including the inclusion of the PC69 land in Part A of Variation 1 as MRZ and SDC's decision to vary the PC69 zoning from Living Z to Living MD1 in Part B of Variation 1. It is not within our jurisdiction to review or question those SDC decisions. We understand that should Lincoln Voice wish to contest those SDC decisions then it can seek a judicial review of them through the High Court.

## **16 Other matters**

- [90] No other matters were brought to our attention.

---

<sup>53</sup> V1-0123 FS001, FS002, FS004 and FS005.


<sup>54</sup> Paragraph 2.

Appendix 1: Recommended Amendments

**Note to readers:** Only provisions that have recommended amendments are included below. All other provisions remain as notified. Text proposed in Variation 1 is in blue font. Amendments recommended by the Section 42A Report author that have been adopted by the Hearing Panel are shown in strike out and underlining. Further or different amendments recommended by the Hearing Panel are shown in strike out, underlining and red font.

Amendments to the PDP Maps

The following spatial amendments are recommended to PDP Planning Maps:


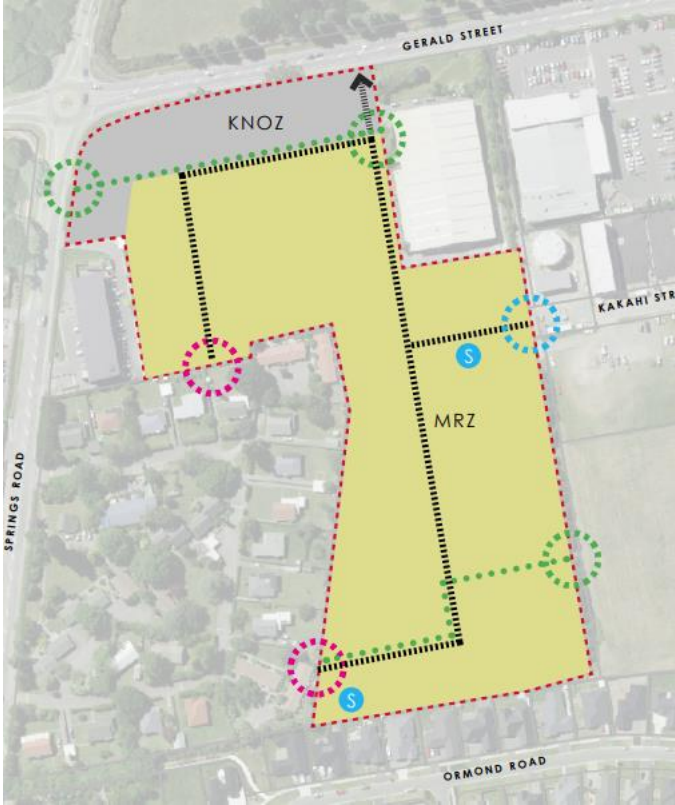
Map Layer	Description of recommended amendment
Zones	<div><ul style="list-style-type: none"><li>Amend following the cadastral boundaries and fully include<sup>55</sup>:<ul style="list-style-type: none"><li>1391, 1393 and 1395 Springs Road within the MRZ</li><li>Lot 4 DP 538546 within the KNOZ</li></ul></li></ul></div> <div></div>

<sup>55</sup> V1-0009.001 Lincoln University



Map Layer	Description of recommended amendment
	<div data-bbox="416 233 1043 296"><ul style="list-style-type: none"><li>• Amend the following property from MRZ(ILE) to TCZ<sup>56</sup>:<ul style="list-style-type: none"><li>- Lot 1 DP 523433 (12 Vernon Drive)</li></ul></li></ul></div> <div data-bbox="454 327 1713 1193"></div>

<sup>56</sup> V1-0023.001 and 002 Broadfields Estates Limited

Map Layer	Description of recommended amendment
	<ul style="list-style-type: none"> <li>Amend all of Lot 2 DP 522514 and that part of Lot 3 DP 374333 shown outlined below to a combination of MRZ and KNOZ, consistent with the ODP attached to the AgResearch supplementary legal submission of 9 June 2023.<sup>57</sup></li> </ul> <div style="display: flex; justify-content: space-around; align-items: center;">   </div>

<sup>57</sup> V1-0055.001 AgResearch



Map Layer	Description of recommended amendment
	<div data-bbox="416 233 1384 293"><ul style="list-style-type: none"><li>Amend the PDP Planning Maps to rezone the following properties from GRUZ to MRZ:<ul style="list-style-type: none"><li>Lots 1-6 DP 371976 and Lots 120 and 121 DP 329124<sup>58</sup></li></ul></li></ul></div> <div data-bbox="454 327 1411 1299"></div>

<sup>58</sup> V1-0068.001 Manmeet Singh

Map Layer	Description of recommended amendment
<b>Rural Density Overlay</b>	<ul style="list-style-type: none"> <li>Remove the Rural Density Overlay from: <ul style="list-style-type: none"> <li>Lots 1-6 DP 371976 and Lots 120 and 121 DP 329124<sup>59</sup></li> </ul> </li> </ul>
<b>Urban Growth Overlay</b>	<ul style="list-style-type: none"> <li>Remove the Urban Growth Overlay from: <ul style="list-style-type: none"> <li>Lots 1-6 DP 371976 and Lots 120 and 121 DP 329124<sup>60</sup></li> </ul> </li> </ul>
<b>Development Areas Overlay</b>	<ul style="list-style-type: none"> <li>Insert a new Development Area for <ul style="list-style-type: none"> <li>Lots 1-6 DP 371976 and Lots 120 and 121 DP 329124<sup>61</sup>, being identified as <b>DEV-LIA</b></li> <li>Lot 2 DP 522514 and part of Lot 3 DP 374333<sup>62</sup>, being identified as <b>DEV-LIC</b></li> </ul> </li> </ul>

#### Amendments to the PDP Text

#### SUB – Subdivision

#### SUB-Rule Requirements

<b>SUB-MAT13 Conditions Precedent</b>	
<b>DEV-LIC<sup>63</sup></b>	<p>A. <u>Whether the subdivision would create residential sites with an individual or combined development capacity exceeding 100 residential units prior to the upgrading of the Gerald Street/Vernon Drive intersection to include traffic signalisation.</u></p> <p>B. <u>If the intersection upgrade is not operational, and the subdivision would create residential sites with an individual or combined development capacity exceeding 100 residential units, how the safe and efficient operation of the intersection is to be achieved.</u></p>

<sup>59</sup> V1-0068.001 Manmeet Singh

<sup>60</sup> V1-0068.001 Manmeet Singh

<sup>61</sup> V1-0068.001 Manmeet Singh

<sup>62</sup> DPR-0352.001 Next Level Developments

<sup>63</sup> V1-0055.001 AgResearch

Part 3 – Area Specific Matters

Residential Zones

MRZ – Medium Density Residential Zone

MRZ-Rule Requirements

MRZ-REQ12 Development Areas		
DEV-LI8 <del>DEV-LIA</del> <sup>64</sup>	4. <del>Within DEV-LI8, any</del> <sup>65</sup> Any residential unit or other principal building shall be set back a minimum of: a. 100m from the edge of the treatment pond within SDC-66 ESSS (S) Allendale Ln; <del>b. 50m from the GIZ zone.</del> <sup>66</sup>	

<sup>64</sup> Cl10(2) following V1-0068 to rezone land in proximity to SDC-66  
<sup>65</sup> Cl16(2) for consistency with drafting protocol  
<sup>66</sup> Cl10(2) following DPR-0352.001 to rezone GIZ to residential

## Development Areas

### LI-Lincoln

#### DEV-LIA – Lincoln A Development Area<sup>67</sup>

##### Description of Amendments

1. Insert a new ODP as follows, with consequential amendments, as outlined below:
  - a. Redraw for consistency with PDP symbology and update legend accordingly.



LEGEND	
<span style="color: red;">---</span>	OUTLINE DEVELOPMENT PLAN AREA
<span style="color: grey;">---</span>	INDICATIVE LOCAL ROAD
<span style="background-color: yellow;"> </span>	MEDIUM DENSITY ZONE
<span style="color: orange;">---</span>	SHARED PEDESTRIAN/CYCLE LANE
<span style="color: green;">---</span>	ESPLANADE RESERVE AREA
<span style="background-color: blue;"> </span>	STORMWATER MANAGEMENT AREA (INDICATIVE ONLY)

<sup>67</sup> V1-0068.001 Manmeet Singh

## Description of Amendments

2. Insert a new ODP narrative, as follows:

### **Context**

The development area is located at the edge of the urban area at south Lincoln and is in close proximity to community services (including a primary school) and the main commercial area of Lincoln. The development area has a generally flat topography. The eastern boundary adjoins the Liffey Stream which has an established vegetated riparian margin. The SDC sewage wastewater pump station and ponds (SDC-65 ESSS (S) Allendale Ln) borders the development area to the west

### **Land Use**

The development area shall achieve a minimum net density of 12 households per hectare. The Medium Density Residential zone (MRZ) enables a broad range of site sizes and housing typologies that can be tailored to the development area. There are no significant features within the development area other than existing residential units with well planted curtilage. An odour set back of 100 metres from the edge of the SDC wastewater storage ponds enables larger sections fronting on to Allendale Lane.

A Preliminary Site Investigation (PSI) has been undertaken which has identified several localised HAIL activities (burn pits and a soil bund). Further investigation will be required upon subdivision. Geotechnical investigations will be required at the time of subdivision to better identify geotechnical constraints, particularly in the southern part of the development area which may be vulnerable to liquefaction.

### **Access and Transport**

Provision is made for a connection to the road network proposed for the DEV-LI8 land to the south and to Moirs Lane to provide integration with the wider road network. Prior to a connection with the DEV-LI8 road network being established, all vehicle access will need to be via Allendale Lane. That 18m long cul-de-sac must be reformed as a Local road with two lanes, each at least 2.9m wide, with no parking lanes, but with pedestrian provision on one side. It is accepted that TRAN-TABLE8 legal, carriageway and traffic lane widths will not be met for this short length of new Local road. As part of the vesting of the extension of Allendale Lane, the developer must reform the existing cul-de-sac head to provide a consistent and legible street environment.

The road network has been structured as a series of short local roads so that the majority of sites have direct access to a local road rather than a Right of Way. A proposed cycleway/walkway is provided for to provide a link via a shared cycle / pedestrian path and bridge to the eastern side of Liffey Stream. This will connect to the existing walkway that starts at Jimmy Adams Terrace and provides direct access to Ararira Springs Primary School, and a walking / cycle route to the town centre with potential to connect with the Little River Rail Trail. It is anticipated that the bridge will be funded partly through development contributions. The shared path will also skirt the north perimeter of the stormwater area to facilitate a connection to the DEV-LI8 area and Moirs Lane.

### **Open Space, Recreation, and Community Facilities**

The proposed development will provide opportunities to enhance the western riparian margin of the Liffey Stream through an esplanade reserve. The main function of the esplanade reserve is most likely to be for conservation purposes in the short to medium term. There are further opportunities for the pedestrian and cycle links to the south of the development area through the DEV-LI8 area. The landscape treatment along boundary with the Lincoln Wastewater Treatment facility's storage ponds will consist of specimens that will provide a visual buffer.

## Description of Amendments

**Servicing**

Operational phase stormwater may be authorised by Selwyn District Council's global operational-phase stormwater discharge consent CRC184822 as the land falls within the consent catchment. Alternatively, an area-specific discharge consent can be obtained from Environment Canterbury. Soakage of stormwater to ground is not feasible in this area

The development area has a total catchment area of 17.3 hectares (split across east and west sub-catchments) with poorly-drained soils and an estimated time of concentration of 30 – 60 minutes. The area would be serviced by a single stormwater management area with a single cell first flush basin and wetland to capture and treat the runoff generated by the first 20 mm of rainfall. Stormwater greater than the first flush event would spill into a detention basin before discharging to surface water. This option requires a stormwater management area for the first flush basin, wetland, and detention basin of around 16,500 m<sup>2</sup> including a maintenance strip around the edge. Further groundwater information may allow for deeper basins and reduced land extent requirements.

Flood management is required to ensure that floodwaters in the 0.5% annual exceedance probability (AEP) (200-year average recurrence interval) and the 0.2% AEP (500-year average recurrence interval) flood events are safely managed away from people and property. Both events include the effects of climate change.

The proposed wastewater servicing for the development area is for all sites to gravitate to a new pump station at the south end of the area and thereafter to the Lincoln wastewater pump station and ponds in Allendale Lane. This will be subject to an SDC Engineering Approval process. The area is outside the Lincoln wastewater service area and capacity within the network to fully service the development area is not currently available. However, upgrades are proposed by SDC to meet growth and additional capacity can be made available to service the area.

Water supply servicing is proposed to be via an existing 150mm water main either at Te Raki Drive, Southfield Drive, or via Liffey Springs / Jimmy Adams Terrace via a possible bridge.



DEV-LIC – Lincoln C Development Area<sup>68</sup>

## Description of Amendments

1. Insert a new ODP as follows, with consequential amendments, as outlined below:
  - a. Redraw for consistency with PDP symbology and update legend accordingly.



<sup>68</sup> V1-0055.001 AgResearch

## Description of Amendments

2. Insert a new ODP narrative, as follows:

**Context**

Located adjacent to the Lincoln Town Centre and a short walk to Lincoln University, this development area will provide for a mix of medium- and high-density housing alongside compatible activities within the Knowledge Zone. The development area has been planned as a single entity, but with the opportunity to be separated into individual blocks for future sale and development. The outline development plan sets out the overall development principles for the area, providing a blueprint for finer-grained design outcomes at the site level.

**Land Use**

This development area represents a unique opportunity for a comprehensive brownfield development in the heart of Lincoln. Historical uses dedicated to research and education will gradually make way for medium- and high-density residential activities. A strip of land adjacent to Springs Road and Gerald Street will be retained in Knowledge Zone to provide for a broader mix of future uses on this prominent corner site.

The area has the potential to achieve a density of 25 households per hectare or greater. A mixture of housing typologies will be provided for, and may include standalone residential units, townhouses, terraces, duplexes, mews and apartments. Development intensity is generally anticipated to be highest toward the northern portion of the area, transitioning to a lower scale and intensity adjacent to the existing residential area to the south.

**Access and Transport**

The overall movement network has been designed to integrate with existing networks, and provide legible, convenient, attractive and safe connections for a variety of transport modes. The network is able to interface well with the roading improvement measures in the immediate vicinity set out in the Council's 2021-2031 Long Term Plan. A new primary north-south road will provide for good vehicle, cycle and pedestrian circulation within the development area. Lanes and rights of way will be used to provide for access from the primary road. The primary road will gain access to the surrounding network via a new connection point at Kakahi Street. The future use of the existing access point onto Gerald Street will be determined at subdivision stage to allow consideration of wider network changes and upgrades. The intent is to continue to enable direct pedestrian, cycle and vehicle access to Gerald Street, provided that anticipated traffic flows can be accommodated within the network in a safe, efficient manner. To assist with achieving these outcomes the new north-south primary road will actively seek to reduce traffic speeds.

Potential future roading connections will be provided to the neighbouring suburban enclave to the west off The Crescent. Should that enclave be redeveloped in the future, these connections will enable enhanced permeability for pedestrians, cyclists and vehicles from Vernon Drive through the development area to Springs Road. High quality cycling and pedestrian routes will link the area to Springs Road, to the residential area to the west, and to the residential area and township to the east. Where these routes are within the primary roading network, the routes will support vehicle access, walking and cycling.

**Open Space, Recreation, and Community Facilities**

Given the development area's location and size, no new public open space or recreation facilities have been identified in the outline development plan. All new activities within the development area will be within a 5-minute walk to the reserve area in DEV-LI6, and within a 10-minute walk to DEV-LI1, with its extensive network of reserves and off-road walking and cycling opportunities.

#### Description of Amendments

The development area is directly adjacent to the Lincoln Town Centre, and within 1km of a range of major recreational and community facilities, including the Lincoln Domain, Lincoln Event Centre, and Lincoln Library & Service Centre.

Opportunities for additional community facilities may be realised within the part of the development area retained in Knowledge Zone, where such activities are permitted.

#### **Servicing**

New stormwater management facilities will be established adjacent to the proposed roading connection with Kakahi Street and near to the neighbouring properties off Ormond Road. The design and sizing of the facilities will be determined at subdivision stage to provide a level of attenuation and treatment that corresponds with the intensity of development proposed. The appropriateness of overland flow paths and additional stormwater management options used as part of an overall treatment train approach will also be assessed at the time of subdivision. Existing open drains within and adjacent to the area's eastern boundary will be piped within new appropriately sized underground reticulation, with Council access for maintenance purposes being retained.

Wastewater flows within the development area will either be collected via local gravity network or low-pressure sewer systems with individual pressure sewer pump kits, and discharged to a new on-site main wastewater pump station. The pump station will convey flows to an adjacent sewer rising main flowing directly to The Pines Wastewater Treatment Plant.

Water supply, electricity and telecommunication connections will be established to existing local networks.

## Appendix 2: Evidence and Legal Submissions

### Appearances

Sub #	Submitter	Author	Role
V1-0021	Lincoln Voice	Denise Carrick	Self
V1-0055	AgResearch Limited	Monique Thomas Andy Carr David Compton-Moen Jason Jones	Counsel Transport Urban design Planning
V1-0068	Manmeet Singh	Sarah Eveleigh Ivan Thomson Cathy Nieuwenhuijsen Chris Rossiter	Counsel Planning Odour Transport
V1-0069	Lynn & Malcolm Stewart, Lynn & Carol Townsend, Rick & Diane Fraser	Lynn Townsend	Self
V1-0094	Barry Moir	Barry Moir	Self
V1-0111	Foodstuffs	Alex Booker Rebecca Parish Mark Allan Tony Milne Dave Compton-Moen	Counsel Company Planning Landscape Urban Design
V1-0123	Jill Gordon & Ross Thomas	Jill Gordon	Self
V1-0133 FS	PGG Wrightson Seeds Limited	Lucy Forrester	Counsel

### Tabled Evidence

Sub #	Submitter	Author	Role
V1-0120	New Zealand Institute for Plant and Food Research Limited (Plant & Food)	Ryan Brosnahan Dr Trish Fraser	Planning Representative