



**PUBLIC AGENDA**

**FOR THE MEETING OF**

**DISTRICT PLAN COMMITTEE**

**TO BE HELD AT THE**

**SELWYN DISTRICT COUNCIL OFFICES,**  
**COUNCIL CHAMBERS**

**ON WEDNESDAY 13 FEBRUARY 2019**

**COMMENCING AT 11:15AM**

## **Committee Members**

### Chair

Environmental Services Manager Tim Harris

### Selwyn District Council

Mayor Sam Broughton

Councillor Mark Alexander

Councillor Jeff Bland

Councillor Debra Hasson

Councillor Murray Lemon

Councillor Malcolm Lyall

Councillor Pat McEvedy

Councillor Grant Miller

Councillor John Morten

Councillor Bob Mugford

Councillor Nicole Reid

Councillor Craig Watson

Chief Executive David Ward

### Te Taumutu Rūnanga

Hirini Matunga

### Environment Canterbury

Councillor Peter Skelton

### Te Ngāi Tūāhuriri Rūnanga

Tania Wati

### Project Sponsor

Jesse Burgess  
Phone 347-2773

### Project Lead

Justine Ashley  
Phone 027 285 9458

## **Agenda Items**

Item	Page	Type of Briefing	Presenter(s)
<b>Standing Items</b>			
1. Apologies	4	Oral	The Chair
2. Declaration of Interest	4	Oral	
3. Deputations by Appointment	4	Oral	
4. Outstanding Issues Register	4	Written	
5. Confirmation of Minutes <ul style="list-style-type: none"><li>• 28 November 2018</li><li>• 5 December 2018</li><li>• 12 December 2018</li></ul>	5-18 19-29 30-36	Written	
<b>Specific Reports</b>			
6. Residential Areas in Key Activity Centres (KACs) <ul style="list-style-type: none"><li>• Post engagement report</li><li>• Updated Communications and Engagement Summary Plan</li></ul>	37-52	Written	Jessica Tuilaepa
7. Resolution to Exclude the Public	53	Written	The Chair

## **Standing Items**

### **1. APOLOGIES**

Nil.

### **2. DECLARATION OF INTEREST**

Nil.

### **3. DEPUTATIONS BY APPOINTMENT**

Nil.

### **4. OUTSTANDING ISSUES REGISTER**

Nil

### **5. CONFIRMATION OF MINUTES**

Minutes from the meeting of the District Plan Committee on 28 November 2018.

Minutes from the meeting of the District Plan Committee on 5 December 2018.

Minutes from the meeting of the District Plan Committee on 12 December 2018.



**District Plan Committee meeting  
Held on Wednesday 28 November 2018 at 9.00am  
at Selwyn District Council, Rolleston**

**Present:** Mayor S Broughton, Councillors M Alexander, M Lemon, P McEvedy, D Hasson, N Reid, B Mugford, G Miller, M Lyall, J Bland, C Watson, J Morten, P Skelton (Environment Canterbury), Mr D Ward (CEO SDC), & Mr Hirini Matunga (Te Taumutu Rūnanga).

**In attendance: Messrs** T Harris (Chair), J Burgess (Planning Manager), B Rhodes (Strategy & Policy Team Leader), S Hill (Business Relationship Manager), R Love (Strategy and Policy Planner), A Mactier (Strategy and Policy Planner), C Friedel (Planning Consultant), Mesdames J Ashley (District Plan Review Project Lead), R Carruthers (Strategy and Policy Planner), J Tuilaepa (Senior Strategy and Policy Planner), V Barker (Planning Consultant), K Johnston (Communications Consultant), R Phillipson (Student Planner) & N Brown (District Plan Administrator).

**Standing Items:**

**1. Apologies**

Ms T Wati (Te Ngāi Tūāhuriri Rūnanga)

**Moved – The Mayor / Seconded – Councillor Alexander**

*‘That the apologies received from the above Councillors be received for information.’*

**CARRIED**

**2. Declaration of Interest**

Councillor Miller declared a limited financial interest in a company potentially affected by the ‘Outstanding Natural Landscapes’ topic. Legal advice received from Adderley Head determined that he can retain voting rights for this topic and partake in discussions.

Councillor Lyall declared an interest in regards to the ‘Heritage’ topic.

The Chair summarised legal advice received in relation to declarations of interests. As long as the interest is declared, the Committee member is able to take part in discussions. A conflict may arise in the decision-making process and potentially when

Council approves the Plan. However, as long as there is a clear declaration of any potential conflict at this stage then this can be managed on a case by case basis. Mr Rogers from Adderley Head will provide a summary sheet and circulate this to the Committee to remind them of how to identify and address any conflicts of interest. The Chair welcomed comments from Committee members, no further discussion was held.

### 3. Deputations by Appointment

Nil.

### 4. Confirmation of Minutes

No minutes to confirm.

*Councillor Lyall out 9.05am*

*Councillor Lyall in 9.09am*

*Councillor Reid out 9.09am*

### 5. Outstanding Issues Register

Subject	Comments	Report Date / Action	Item Resolved or Outstanding
Community & Recreation Facilities	Clarification of Preferred Option for non-custodial community corrections facilities	28 November 2018	Outstanding
The preferred option report considered whether a more lenient status could be afforded to non-custodial community corrections facilities, which due to their nature require a community based location, as requested by the Department of Corrections. The Committee will be able to consider this matter further when draft provisions are developed.			
Earthworks	Clarification of how bunds are managed in the rural area, including the permitted activity threshold	28 November 2018	Outstanding
The creation of bunds to mitigate noise or visual effects are dealt with in the resource consent process. The bund will trigger the need for the resource consent or as part of a wider proposal. The Earthworks preferred option report recommends that the permitted volume limits are reduced.  Councillor Hasson asked whether amenity effects fall under landscape provision. Ms Ashley answered that the amenity effects of bunds are considered during the resource consent process.			
Earthworks	Clarification of Preferred Option relating to provisions recognising	28 November 2018	Outstanding

	the need to safeguard the mauri of soils		
<p>The preferred option recommends additions to the policy framework and assessment matters to recognise the need to safeguard the mauri of soils. This stems from both the Mahaanui Iwi Management Plan and the Regional Policy Statement.</p> <p><i>Councillor Reid in 9.10am</i></p> <p>Ms Ashley commented that the current District Plan does not acknowledge the cultural value of soils. Recommendation is for this to be addressed at a policy level so that when an earthworks consent is triggered, consideration is given to the cultural value of soils. A question was asked whether this would impact agricultural practices. Ms Ashley responded that it was unlikely, but depended on compliance with the permitted activity standards for earthworks.</p>			
Sites and Areas of Cultural Significance	Engagement with SDC Assets and all affected landowners	28 November 2018	Outstanding
<p>Ongoing liaison with Council assets team and stakeholders. The post engagement report would be shared with key stakeholders and landowners who provided feedback during the consultation period.</p> <p>1,425 landowners are affected by the draft provisions. Of those, 46 responded and provided feedback. Additional stakeholders were identified, including the Ellesmere Sustainable Agriculture Incorporated (who represent a number of parties).</p> <p>Ellesmere Sustainable Agriculture Inc. and Federated Farmers are working in partnership with Environment Canterbury as part of the Farm Environment Plan process and therefore seek to ensure the use of robust data (springs locations) and to avoid duplication with the District Plan. The Committee commended the work Environment Canterbury's Mananui Ramsden has completed to date to and wants to ensure stakeholder relationships are protected.</p> <p>Councillor Hasson queried land and water drainage. Ms Ashley responded that the Council Assets team are using consultant planner, Jane Whyte, to input into the District Plan Review process.</p>			

The Committee agreed that the outstanding issues register is a useful tool for reporting back on questions raised during the course of the meeting.

## **Specific Reports**

### **15. Post Engagement Report and updated Communications and Engagement Summary Plan for Noise and Vibration**

Ms Barker briefed the Committee on the post engagement report. The endorsed preferred option is that noise and vibration is managed by amended provisions to enable improved and continued management of noise and vibration. CIAL related

provisions will be further considered and amended as required in consultation with CIAL.

Stakeholder/landowner feedback included managing noise between zones with suggestions being setbacks, noise standards, and noise contours/buffers. General support to increase the night time noise limit in the Living Zone and decrease it in the Rural Zone (rural productive activities continue to be exempt). Horticulture NZ and Federated Farmers provided specific feedback about rules for bird-scaring devices and frost fans. CDHB are wanting an additional shoulder limit introduced between 7-10pm. CIAL are working on revised airport noise contours, which are anticipated to be available next year. Council are working closely with CIAL and will have the opportunity to review draft provisions once available.

Public feedback was mostly around specific one-off events and in regards to proximity to residences. Mixed feedback received about motor sports and exemptions and some wanted exemptions for rifle ranges. The majority considered there should be vibration limits for certain activities as vibration is intrusive. There is no change to endorsed preferred option.

The Committee asked about certainty and protection of existing activities, including gun clubs and raceways. The NZ Defence Force has also advised that they are considering advancing options to protect the West Melton rifle range from reverse sensitivity effects derived from noise-sensitive development in the vicinity. The site is currently designated. Ms Barker advised that long established activities without a resource consent should legally establish and protect their activity. Noise consultants are currently reviewing noise data to develop noise-specific rules.

Exemptions are supported for emergency services, special events, agriculture, and some also sought exemptions for noise-producing activities (i.e. rifle ranges and established motorsport facilities). Agriculture production will continue to be exempt from the rule. The definition of agricultural production will be carefully considered.

*Councillor Morten out 9.36am*

**Moved – Councillor Lyall / Seconded – Councillor Watson**

*“That the Committee notes the report.”*

*“That the Preferred Option previously endorsed by DPC progresses to the ‘Drafting and Section 32 Evaluation Phase.’*

*“That the Committee notes the updated summary plan.”*

**CARRIED**

## **6. Preferred Options Report and Communications and Engagement Summary Plan – Leeston Industrial Zoning**

Mr Rhodes introduced Ms White from Incite. Ms White provided an overview of the investigations undertaken to date to rezone additional land for industrial purposes in



Leeston. This is dependent on suitably located land being able to be feasibly developed for this purpose. The report recommends which site should be the subject of further detailed investigation and consultation.

A two-step process was taken. The Ellesmere Area Plan identified an area 'LEE 3' as the preferred strategic location for industrial land in Leeston, as well as identifying a further 'possible future area' for industrial development. Preliminary investigations have identified that both sites can be serviced and landowners are supportive of the LEE 3 area being rezoned. There is a reasonable expectation for the community that expansion may occur. However, the 'possible future area' is not considered suitable for rezoning due to its strategic importance for wastewater treatment plant purposes.

*Councillor Morten in 9.40am*

A question was asked whether additional industrial capacity needs to be provided given that the triangle area of LEE 3 is largely already developed. Ms White responded that it is about zoning the general area of LEE 3 so as to connect the two industrial areas. The actual size of the area to be rezoned will be determined after further growth and demand analysis and consideration of onsite servicing and stormwater treatment and disposal as part of stage 2. The Committee commended Ms White on the report and agreed with moving to stage 2.

A question was asked about the indicative size of land being rezoned. Mr Rhodes responded it was approx. 2.8 hectares. In speaking with landowners, they have aspirations to develop land further.

*Councillor Morten, Councillor Watson out 9.47am*

Mr Matunga commented on the need to protect the cultural values of wahi tapu and wāhi taonga, indigenous vegetation and landscapes, and waterways. Ms Ashley responded that the issues raised traverse across a range of workstreams and the project team is working on the integration of provisions that recognise and protect cultural values across all chapters.

*Councillor Watson in 9.51am*

The Committee discussed topic integration. Mr Burgess added that workshops scheduled in 2019 will cover the draft provisions and integration of the Plan. The Committee are cognisant of the fact further work on the integration of topics will occur.

*Councillor Morten in 9.54am*

*Mr Ward out 9.55am*

**Moved – Councillor Alexander / Seconded – Councillor Lyall**

*"That the Committee notes the report."*

*"That the Committee endorses the Preferred Option for 'Leeston Industrial Zoning' for further development and engagement."*

*“That the Committee notes the summary plan.”*

**CARRIED**

## **7. Preferred Options Report and Communications and Engagement Summary Plan – Supplementary Transport**

Mr Friedel spoke to his report. The purpose of the supplementary workstream is to review the remaining issues relating to the Transport Topic that have not already been covered by the initial assessment that targeted a number of priority issues, with the exception of car parking.

Amendments proposed are to reflect best practice engineering and up-to-date standards, which will be coordinated with the Engineering Code of Practice review. The review is dependent on national planning standards and NZTA standards.

Council are liaising with Environment Canterbury particularly in regards to the regional public transport plan.

The Committee discussed the classification of various collector roads and arterial routes. Mr Friedel responded that Council follow a scheduled process to update classifications and that Mr Mazey from Council could provide further comment if necessary.

The Committee agreed that updating the District Plan Planning Maps to illustrate the road classifications would be useful. Mr Friedel will provide further comment during the workshop in 2019.

**Moved** – Councillor Lyall / **Seconded** – Councillor Morten

*“That the Committee notes the report.”*

*“That the Preferred Options for District Wide – Supplementary Transport are endorsed for further development and engagement.”*

*“That the Committee notes the summary plan.”*

**CARRIED**

## **8. Post Engagement Report and updated Communications and Engagement Summary Plan for Transport**

Mr Friedel briefed the Committee on the Transport post engagement report.

There was overall positive support for the preferred options, which include the use of integrated transport assessments; integration of land use and transport (local road design); and provisions to encourage active travel modes (walking, cycling and public transport). Environment Canterbury also provided strong support for the preferred options.

Mr Matunga commented on the potential impact on waterways. This matter will be worked on in integration with other topics.

A question was asked about the consideration of footpath widths. Mr Friedel responded that design specifications will deal with this, and noted from a previous DPC meeting in August, the potential for flexibility of having a wider single footpath rather than mandatory double footpath. Further discussion on this area will take place in the workshop in 2019.

**Moved** – Councillor Lyall / **Seconded** – Councillor Miller

*“That the Committee notes the report.”*

*“That the Preferred Options previously endorsed by DPC progress to the ‘Drafting and Section 32 Evaluation Phase’*

*“That the Committee notes the updated summary plan.”*

**CARRIED**

## **9. Post Engagement Report and updated Communications and Engagement Summary Plan for Heritage Items and Protected Trees**

Mr Mactier spoke to his report. Feedback on this topic was received from the general public, affected landowners and key stakeholders (including Heritage New Zealand Pouhere Taonga, Canterbury District Health Board and Environment Canterbury). Feedback was generally positive, although some landowners have queried the rationale for listing heritage buildings on their properties.

Through recent engagement, the Hororata Hall was nominated. It was assessed and meets the criteria for listing but is subject to peer review. Trees in the Waihora domain have been reassessed and do not meet criteria to list, but will be protected by the reserve management plan.

A number of trees have been nominated including a tree in Tai Tapu, 8 Oak trees (planted for Prince Charles’ 40 birthday celebration), and trees by Terrace Station. A total of 19 challenged items will go through a peer review process. The cost of the peer review process will be met by Council.

The Committee discussed buildings/trees nominated on designated land, specifically Southbridge School and a Macrocarpa tree at Rolleston College. The designation would override Heritage provisions although it is still relevant to list items. The final list will be discussed in the workshop in March 2019.

Mr Matunga commented on removal of significant vegetation. This will be dealt with as part of the Ecosystems & Biodiversity topic and considered by the Biodiversity Working Group (which includes a Taumutu representative).

*Councillor Lyall out 10.24am*

**Moved** – Councillor Mugford/ **Seconded** – Councillor Morten

*“That the Committee notes the report.”*

*“That the Committee confirms that the Preferred Option(s), with minor changes, for the Heritage Items and Protected Trees topics progress to the ‘Drafting and Section 32 Evaluation Phase.’*

*“That the Committee notes the updated summary plan.”*

**CARRIED**

## **10. Post Engagement Report and updated Communications and Engagement Summary Plan for Outstanding Natural Landscapes**

Mr Mactier briefed the Committee on the post engagement findings. Feedback on this topic was received from the general public, affected landowners and key stakeholders (including Environment Canterbury, the Canterbury District Health Board, Waihora Ellesmere Trust and the Whitecliffs Township Committee). Feedback was generally positive, although some landowners are concerned about the rules constraining the use of private land. Following the drop-in sessions there were a number of subsequent site visits/meetings.

Minor changes to the endorsed preferred option as a result of consultation and site visits of affected properties, include:

- Some changes to boundaries of landscape areas.
- Rules to be refined by ensuring appropriate protection of landscape values without unnecessary constraint on appropriate land use, and by integrating with the rules coming out of the vegetation and ecosystem topic. For example, consider rules that allow higher levels of built development in the area where the property's homestead is based than in other parts of the property.

Density standards is subject to a different workstream, but based on the work carried out through the ONL topic. Recognition that the Port Hills is different to the High Country.

*Mr Ward in 10.34am*

The Committee discussed implications of Plan Change 6. Councillor Miller commented that a number of landowners around the base of the Port Hills are completely opposed. An ONL should not be considered as such, unless it is obviously so.

Councillor Miller seeks status quo, and queried why change is required. The proposed change is not well received nor what affected landowners want. The Chair responded that the direction Council is going is in line with the RMA obligations. Ms Ashley added that the original landscape assessment report did not give effect to the RPS. Councillor Miller suggested further engagement with landowners, and particular individuals affected is required. The Committee agreed with this approach.

The Mayor commented on Councillor Miller's stated conflict of interest and that he was uncomfortable if the view he supports only affects three parties. The Chair added that legal advice was taken on this issue and that Councillor Miller was permitted to provide feedback and continue to speak.

Councillor Watson requested the recommendation is amended.

*"That the Committee confirms that the Preferred Options, with minor changes, for the Landscapes topic progress to the 'Drafting and Section 32 Evaluation Phase, with the exception of the ONL and VAL associated with the Port Hills, which is to be subject to further engagement with affected landowners."*

*Councillor Lyall in 10.44am*

Mr Matunga commented that ONL areas are critical for Tangata Whenua. Landscapes are socially constructed and linked directly to whakapapa. Stakeholders view this differently. The fundamental question is how this nuance will be incorporated into the planning framework, so it is not ideologically driven.

Councillor Skelton noted that the identification of landscapes is subjective and one of the biggest areas of contention before the courts. It is critical to apply the decisions already available. The landscape architect uses their skills and expertise, along with case law to come to a conclusion about what is outstanding and what is not.

**Moved – Councillor Watson / Seconded – Councillor Miller**

*"That the Committee notes the report."*

*"That the Committee confirms that the Preferred Options, with minor changes, for the Landscapes topic progress to the 'Drafting and Section 32 Evaluation Phase, with the exception of the ONL and VAL associated with the Port Hills, which is to be subject to further engagement with affected landowners."*

*"That the Committee notes the updated summary plan."*

**CARRIED**

## **11. Post Engagement Report and updated Communications and Engagement Summary Plan for Rural Density, Character and Amenity**

Mr Love spoke to his report. Feedback received was both for and against the preferred options, with parties seeking both a reduction and increase in densities throughout the Rural Zone.

There was overwhelming support to protect the Rural Zone's primary production capability, which was suggested to be achieved through the raising of minimum lot densities, and tying development potential with the underlying soil quality. This sentiment is supported by the Canterbury Regional Policy Statement which states through its objectives and policies that rural production should be protected within the Rural Zone. Raising the minimum density of an area to reduce residential/subdivision development of an area is a way to achieve this. Residential encroachment is reduced

(subsequently lowering the risk of reverse sensitivity) and prevents the fragmentation of rural land into units which are uneconomic to produce from.

The Committee agreed that the desire to protect rural land for primary production has been taken into account in the preferred option. No change to the density for residential development in the Inner Plains is recommended as it is not considered that the intensification of specific areas would achieve the desired outcome.

Councillor Skelton noted that Environment Canterbury recently received a presentation from Lincoln University stating the shortage of productive farmland. There is a problem with commercial vegetable growers and inability to move from one area to another. A plan change is thus being prepared, and liaison between Council and Environment Canterbury was suggested.

**Moved – Mr Ward / Seconded – Councillor Lyall**

*“That the Committee notes the report.”*

*“That the Preferred Option previously endorsed by DPC progresses to the ‘Drafting and Section 32 Evaluation Phase.’*

*“That the Committee notes the updated summary plan.”*

**CARRIED**

## **12. Post Engagement Report and updated Communications and Engagement Summary Plan for Rural Business, Character and Amenity**

Mr Love spoke to his report. Feedback was consistent with the preferred approach, with a common theme being that the Rural Zone should be protected for primary production and those rural service businesses that have a need to be there.

No discussion was held.

**Moved – Councillor Mr Ward / Seconded – Councillor Morten**

*“That the Committee notes the report.”*

*“That the Preferred Option previously endorsed by DPC progresses to the ‘Drafting and Section 32 Evaluation Phase.’*

*“That the Committee notes the updated summary plan.”*

**CARRIED**

## **13. Post Engagement Report and updated Communications and Engagement Summary Plan for Intensive Farming, Mushroom Farming and Composting**

Mr Love briefed the Committee on the post engagement report findings. There was widespread feedback across many aspects of these activity types, including

definitions, jurisdictional control over odour and dust emissions, rule structures, and setbacks. This feedback was both supportive and against the preferred options.

A series of recommendations post engagement include:

- Creation of a split approach in managing the effects of dust and odour discharge by retaining provisions where an intensive farming activity occurs in close proximity to a sensitive activity;
- Introduction of a setback between intensive farming and sensitive activities and retain a reverse sensitivity buffer;
- Use the definitions provided by the draft National Planning Standards, unless new definitions are required to fill any gaps;
- That intensive farming should be a permitted activity, unless a standard is breached, then it should be a restricted discretionary activity; and
- That commercial compost manufacture and mushroom growing should be a discretionary activity.

The Committee discussed reverse sensitivity setbacks. Intensive Farming is a rural activity therefore some odour and dust is expected. Setbacks enable protection of other activities. In regards to free range poultry farming, reverse sensitivity setbacks will only apply where the activity is deemed to be intensive and there is a likelihood that dust and odour effects will occur. It is also likely that different setbacks for different livestock will apply. An air quality specialist will peer review the report in regards to setback distances.

A question was asked about the definition of 'intensive farming'. National Planning Standards will define this, with the overall approach adopted for intensive farming to be more enabling.

The Committee discussed the management of odour and asked which agency is primarily responsible for this. The original approach was to devolve all control to Environment Canterbury. However, due to the location of the activities the primary responsibility for land use lies with the District Council, not Regional Council. The Chair commented on the close partnership of Environment Canterbury and Council staff.

**Moved – Councillor Mugford / Seconded – Councillor Bland**

*"That the Committee notes the report."*

*"That the preferred option previously endorsed by DPC be amended as follows:*

- *Create a split approach in managing the effects of dust and odour discharge by retaining provisions where an intensive farming activity occurs in close proximity to a sensitive activity;*
- *Introduce a setback between intensive farming and sensitive activities and retain a reverse sensitivity buffer;*
- *Use the definitions provided by the draft National Planning Standards, unless new definitions are required to fill any gaps;*
- *That intensive farming should be a permitted activity, unless a standard is breached, then it should be a restricted discretionary activity; and*
- *That commercial compost manufacture and mushroom growing should be a discretionary activity."*

*“That the updated preferred option described above be progressed to the Drafting and Section 32 Evaluation Phase.”*

*“That the Committee notes the updated summary plan.”*

**CARRIED**

#### **14. Post Engagement Report and updated Communications and Engagement Summary Plan for Quarrying**

Mr Love briefed the Committee on the post engagement report findings. There was overwhelming support from landowners and the public for the implementation of setbacks between quarrying activities and sensitive activities. There was a mix of thoughts about where a setback should originate. The majority wished to see the sensitive activity's property boundary used. Setbacks will be included in the Plan, and should be measured from the notional boundary of sensitive activities within the rural zone, and from a residential zone boundary.

Environment Canterbury supported the approach clarifying the extraction component of quarrying is a rural activity, and managing the effects of quarrying through a resource consent process. They were supportive of the approach to include setbacks within the Plan to signal appropriate and inappropriate locations for quarrying activities which will help support the Regional Council when assessing applications under the Canterbury Air Regional Plan, and also give effect to the reverse sensitivity policies of the Canterbury Regional Policy Statement.

The Committee queried setback distances. Feedback received was that setbacks are necessary and that people would like to know setback distances. An evidential basis to promote a setback is required. Definitive numbers will be available to be discussed in the workshops. A setback report is currently being developed but is yet to be peer reviewed. While unconfirmed, a setback distance of 200 metres may seem appropriate.

*Councillor McEvedy out 11.48am*

A question was raised whether a quarry is a rural or industrial activity. National Planning Standards will inform this. Under the RPS, quarrying is considered a rural activity. The District Plan Review is treating the extraction of the material as a rural activity and the processing of it as a rural industrial activity.

*Councillor McEvedy in 10.52am*

A comment was made on the pros and cons of quarry zones and whether the high quality gravel overlay should be used in a regulatory context in the absence of a quarry zone.

*Councillor Lemon out 11.53am*



Considering the queries raised regarding overlays, the Committee was asked for their views whether an overlay rather than reliance on rural zone provisions would be more appropriate. It was noted that any regulatory impact of a high quality gravel overlay has not been consulted on.

*Councillor Lemon in 11.55am*

Councillor Alexander discussed the cluster effect of quarries, and is supportive of the recommendation of setbacks and an overlay.

Councillor McEvedy commented it is difficult to make a decision without understanding the financial implications. No need for an overlay at the moment, but promoted discussion with quarries to better understand what that would mean and whether it would fit into the framework.

Councillor Watson agrees with setbacks but commented that an overlay would provide uncertainty. Councillors Miller, Lemon, Mugford, Bland, Morten, and Mr Ward also do not agree with an overlay. Quarries need to go through the RMA consenting process in any event.

The Mayor would prefer a quarry zone, but endorses the current recommendation/approach. The Chair summarised that an overlay would likely have less regulatory impact, whereas a zone would have considerable effect.

**Moved – Councillor Watson / Seconded – Councillor Alexander**

*“That the Committee notes the report.”*

*“That the preferred option previously endorsed by DPC be amended as follows:*

- *Approach ‘2’: that setbacks be taken from the notional boundary of sensitive activities within rural zones, and residential zone boundaries. The setback will act as an activity status escalator which will enable a dust assessment. Outside of a setback margin the Selwyn District Council will not have the discretion to assess dust.*
- *Approach ‘4’: remove this approach as it is superfluous to needs of the District Plan Review.*
- *Approach ‘5’: to use the definitions provided by the draft National Planning Standards where possible.*
- *Approach ‘7’: remove this approach as it is superfluous to the needs of the District Plan Review.*
- *Approach ‘8’: to allow for a split approach in managing the effects of dust discharges, between the Selwyn District Council and the Canterbury Regional Council.*

*“That the updated preferred option described above be progressed to the Drafting and Section 32 Evaluation Phase.”*

*“That the Committee notes the updated summary plan.”*

**CARRIED**

## **16. Post Engagement Report and updated Communications and Engagement Summary Plan for Geotech**

Ms Carruthers spoke to her report and stated that the Resource Management Act directs that geotechnical risks must be managed. Feedback supports the preferred options to managing geotech risks. Mitigation risk is supported provided there is an evidential base that is supported by the section 32 report.

No discussion was held.

**Moved – The Mayor / Seconded – Councillor Mr Ward**

*“That the Committee notes the report.”*

*“That the Preferred Option previously endorsed by DPC progresses to the ‘Drafting and Section 32 Evaluation Phase.’”*

*“That the Committee notes the updated summary plan.”*

**CARRIED**

## **17. Post Engagement Report and updated Communications and Engagement Summary Plan for Relocated Buildings**

Ms Carruthers briefed the Committee on the post engagement report for the ‘Relocated Buildings’ Topic. There was no targeted engagement, as no change is proposed from the existing approach, being a controlled activity status in rural and residential areas. However, the House Movers Section of the New Zealand Heavy Haulage Association provided feedback, with their preferred option being to make all relocated buildings permitted subject to standards. Their feedback however does not address any of the risks. The recommendation is to continue with the existing preferred option.

A question was asked about future liabilities of a relocated lead-painted house that could possibly contaminate the new site. Testing would likely be a condition of the resource consent. The Chair will discuss this with Council Building Manager.

**Moved – Mr Ward / Seconded – Councillor Lyall**

*“That the Committee notes the report.”*

*“That the Preferred Option previously endorsed by DPC progresses to the ‘Drafting and Section 32 Evaluation Phase.’”*

*“That the Committee notes the updated summary plan.”*

**CARRIED**



**District Plan Committee meeting  
Held on Wednesday 5 December 2018 at 1.00pm  
at Selwyn District Council, Rolleston**

**Present:** Mayor S Broughton, Councillors M Alexander, D Hasson, N Reid, B Mugford, G Miller, M Lyall, J Bland, C Watson, J Morten, Mr D Ward (CEO Selwyn District Council), Ms T Wati (Te Ngāi Tūāhuriri Rūnanga) & Mr H Matunga (Te Taumutu Rūnanga).

**In attendance:** Messrs T Harris (Chair), J Burgess (Planning Manager), B Rhodes (Strategy & Policy Team Leader), S Hill (Business Relationship Manager), R Love (Strategy and Policy Planner), A Mactier (Strategy and Policy Planner), B Baird (Strategy and Policy Planner), Mesdames J Ashley (District Plan Review Project Lead), J Lewes (Strategy and Policy Planner), J Tuilaepa (Senior Strategy and Policy Planner), V Barker (Planning Consultant), K Johnston (Communications Consultant), R Phillipson (Student Planner), G Wolfer (Senior Urban Designer), N Brown (District Plan Administrator).

*Meeting open 1.05pm*

**Standing Items:**

**1. Apologies**

Councillors M Lemon, P McEvedy, and P Skelton (Environment Canterbury)

**Moved – Councillor Watson / Seconded – Councillor Alexander**

*‘That the apologies received from the above Councillors be received for information.’*

**CARRIED**

**2. Declaration of Interest**

Councillor Hasson noted her son has a property in the flood plain zone. The Committee agreed it was not a conflict of interest.

**3. Deputations by Appointment**

Nil.

#### 4. Outstanding Issues Register

*Issues raised during 5 December 2018 meeting*

Subject	Comments	Report Date / Action	Item Resolved or Outstanding
Energy Generation	Clarification of consenting requirements for renewable energy utilities in Outstanding Natural Landscape areas	12 December 2018	Outstanding
Network Utilities	Clarification of Preferred Option in relation to applicability of recession plane requirements	12 December 2018	Outstanding

#### 5. Confirmation of Minutes

No minutes to confirm.

Committee members voiced concern about the volume of material on DPC agendas. The Chair outlined the District Plan review process and acknowledged the amount of reading over past few weeks. The Committee has the opportunity to ask for further information and to highlight any particular issues.

The current programme is to have a draft District Plan completed by June 2019, with notification in 2020. The Chair advised the Committee that while these timeframes had previously been agreed by the Committee, they could be extended if necessary.

Councillor Lyall reiterated that there is a lot of reading involved, and that it was noted from the previous District Plan Review process that the reading workload would be large and to expect this.

Councillor Alexander replied that he would be concerned if the June deadline is missed, and it may be more preferable to have the Plan complete in the June/September timeframe, ahead of potentially having new Councillors on the Committee.

#### 6. Preferred Option Report and Communications and Engagement Summary Plan - Energy Generation

The Chair introduced Ms Rachel Ducker from Harrison Grierson. Ms Ducker spoke to her report, which identified issues and options to address the location, scale and management of renewable Energy Generation activities within the Selwyn District.

It is a national and regional regulatory requirement to recognise and provide for renewable energy generation activities in the District Plan. Key proposed changes are to enable solar energy generation in residential zones, and solar and wind energy generation in business and rural zones where that energy serves the site; and to develop more permissive rules which would enable an increase in renewable energy

activities, including for community scale energy generation, and permitting activities with minor effects.

A resource consent would be required for commercial scale activities and renewable energy generation activities in sensitive locations in the District. Although minor repairs, maintenance and small upgrades to buildings at the Coleridge Power Station would be enabled as a permitted activity but retain a requirement for a discretionary activity resource consent for significant expansion to ensure effects on the environment are able to be managed.

Large scale wind farms are unlikely in Selwyn, but it is appropriate to provide for these in case commercial operators would like to do so in the future. Other locations in New Zealand may have more favourable wind conditions.

Received supportive feedback from Environment Canterbury but still waiting on feedback from Trustpower and Mahaanui Kurataiao Ltd.

Table in page 8 of the report summarised rules in the Operative District Plan. The table states that utilities for on-site use are currently permitted in various zones. Councillor Watson suggested that the new consent framework should allow for some off-site generation as a permitted activity (such as a residential dwelling with a solar panel selling solar back to the national grid) provided that generation is primarily for on-site use. Ms Ducker responded that this will be taken into account when drafting the rules. The Mayor added that he supports Councillor Watson's point, having recently visited China with different corridors of solar energy generation. The Plan should allow for a range of possibilities.

In response to a comment made on the noise of a wind turbine generator, it was stated they are subject to noise standards to manage any excessive noise.

Ms Ducker responded to Councillor Hasson's query about a restricted discretionary activity on the Port Hills, and that the ONL rules will need to be read in conjunction. Typically there are higher consent requirements for activities within an ONL. Clarification of consenting requirements for renewable energy utilities in Outstanding Natural Landscape areas was sought. This will be noted on the outstanding issues register.

There was a discussion on how a cultural assessment is triggered. The consent framework is to enable minor activities to be undertaken without resource consent, but this will depend on the significance of the location/area. Discretionary activities will still require a full assessment of adverse effects.

Further investigation into electricity corridors to be undertaken.

**Moved** – Councillor Lyall / **Seconded** – Councillor Alexander

*"That the Committee notes the report."*

*"That the Preferred Options for 'Energy Generation' be endorsed for further development and engagement, including Section 32 Evaluation and Plan Drafting."*

*“That the Committee notes the summary plan.”*

**CARRIED**

## **7. Update on Preferred Option and Communications and Engagement Summary Plan for Network Utilities**

Ms Rykers spoke to her report and provided an update on the topic of network utilities, noting the overlap between the Network Utilities and Transport Topics. The Network Utility Chapter of the District Plan will address those matters related to the road as an asset and its use for network utilities within the road corridor.

Ms Rykers summarized the feedback received from a number of stakeholders.

The Committee then discussed a number of recommendations made in the report, including:

### Environmental Sensitivities

A balance is needed in regards to environmental sensitivities. Network utilities are to maintain sensitive areas including riparian margins and cultural landscapes. Key discussions have been held with network companies around activity statuses and whether they should be discretionary or non-complying.

### Transpower's Model Provisions

Recommended to use Transpower's Model Provisions as the basis for transmission line rules in the Proposed District Plan. Drafting should consider the feedback on wording provided by Federated Farmers and Horticulture New Zealand.

### Legal Opinions required

#### *1. Provision for Telecommunications facilities NESTF and PDP*

It was discussed that a legal opinion on whether the Proposed District Plan can, and should, duplicate provisions from the National Environmental Standards for Telecommunication Facilities Regulations 2016 having regard to the s44A of the Resource Management Act and the matters raised by the telecommunications companies. Ms Rykers asked the Committee whether there was support for ongoing dialogue with parties to reach consensus, although this may be difficult to achieve by the June deadline.

#### *2. Need for Sub-Transmission Electricity Distribution Protection Corridors (Interpretation of the New Zealand Code of Practice for Electrical Safe Distances (NZECP34))*

The Committee discussed concerns about private property rights. Ms Rykers agreed that it was a main concern, as protection corridors can fall on private property.

Council received a memo in mid-October 2018 from Orion in regards to transmission lines (owned by Transpower) that are entitled to have a protection corridor, with Orion seeking the same level of protection and control for their

lines. Federated Farmers and Horticulture NZ strongly oppose protection corridors where this crosses private property.

Further assessment of the proposed rules for electricity protection corridors for sub-transmission lines in relation to agricultural and horticultural activities is required, together with an assessment of the sub-transmission lines as Strategic Infrastructure (as defined in the CRPS), and determining how many properties are impacted.

#### Recession Planes

Reference was made to recommendations in the Boffa Miskell report regarding recession planes. A question was asked about removing requirements around recession planes for utility buildings versus utility structures. Ms Rykers responded that clarification in relation to applicability of recession plane requirements will be provided and added to outstanding issues register.

*Councillor Watson out 1.39pm*

#### Next steps

Draft provisions will be provided to network utility providers to provide feedback before a final draft is considered at a Council workshop in late March 2019. Draft provisions will be developed in consultation with Mahaanui Kurataiao Ltd.

Following further consideration of the additional assessment on the proposed protection corridors, further engagement with landowners (where electricity distribution lines traverse private property) will be considered.

Mr Matunga commented on where there are policy overlaps (for example, with Sites of Cultural Significance), clarity and clear policy is also required.

*Councillor Watson in 1.43pm*

**Moved – Councillor Miller / Seconded – The Mayor**

*“That the Committee notes the report.”*

*“That the Committee endorses the Preferred Option for ‘Network Utilities’ for further development and engagement.*

*“That the Committee notes the updated summary plan.”*

**CARRIED**

## **8. Post Engagement Report and updated Communications and Engagement Summary Plan for Alpine Villages**

Ms Lewes spoke to her report. Feedback received from the community committees and landowners indicated general support for preferred approaches, but sought minor amendments to reflect existing conditions.

The first amendment raised is the recommendation that there is no requirement for 40 degree pitch in Arthurs Pass, as it is out of character with the built form in that village and not required by the building code.

*Councillor Watson out 1.45pm*

The second amendment raised is the realignment of the Zone boundary between Living 1A and Business 1A land in Castle Hill to reflect the underlying subdivision, approved by resource consent.

Ms Lewes concluded with the recommendation that those two minor amendments be made to the preferred options previously endorsed by the Committee.

No discussion was held by the Committee.

**Moved – Mr Ward / Seconded – Councillor Mugford**

*“That the Committee notes the report.”*

*“That the preferred options previously endorsed by DPC be amended as follows:*

- *That the requirement for a 40° roof pitch in Arthur’s Pass not be carried forward into the Proposed District Plan;*
- *That the alignment of the zone boundary between Living 1A and Business 1A land in Castle Hill be amended to reflect the underlying subdivision, approved by resource consent.”*

*“That the updated Preferred Options described above progresses to the ‘Drafting and Section 32 Evaluation Phase.”*

*“That the Committee notes the updated summary plan.”*

**CARRIED**

## **9. Post Engagement Report and updated Communications and Engagement Summary Plan for Vegetation Planting**

Mr Love spoke to his report. The majority of feedback received was supportive of the preferred option.

With the presence of the National Environmental Standards for Plantation Forestry (NES-PF) some changes to the Operative District Plan are mandatory.

Most vegetation activities will have a permitted, restricted discretionary, non-complying hierarchy depending on the type of planting, the location of planting, and conditional matters. Amenity plantings and shelterbelts would generally be permitted unless located in an Outstanding Natural Landscape (ONL), then depending on the characteristics of the activity would either be restricted discretionary or non-complying. Regarding planting within a Visual Amenity Landscape (VAL), this would be permitted, but subject to conditions.



Other plantations would generally be permitted unless located in an ONL or VAL, then depending on the characteristics of the activity (e.g. orchards, and vineyards may be less restricted than woodlots) would either be restricted discretionary or non-complying in an ONL. Activities within a VAL would be controlled. Generally if the plantings are native then the activity would be permitted.

No discussion was held by the Committee.

**Moved** – Councillor Bland / **Seconded** – Councillor Hasson

*“That the Committee notes the report.”*

*“That the preferred option previously endorsed by DPC progresses to the ‘Drafting and Section 32 Evaluation Phase’.”*

*“That the Committee notes the updated summary plan.”*

**CARRIED**

#### **10. Post Engagement Report and updated Communications and Engagement Summary Plan for Managing Wildfire Risk**

Mr Love spoke to his report. Feedback received was generally supportive of the proposed provisions.

Recommended option post engagement includes feedback received from Fire and Emergency New Zealand (FENZ) requesting accessway protection setbacks (to ensure egress routes are clear); and separately, to enable pasture improvement & agricultural production on Port Hills.

Mr Love spoke to his presentation and showed the Committee examples of where resource consent could be required for plantings that failed to maintain a safe egress to an existing dwelling (including shelter belts), and situations where a setback could be required.

*Mr Ward out 1.52pm*  
*Councillor Watson in 1.52pm*

A question was asked about the management of natural hazard risk outweighing privacy. Mr Love responded that the resource consent would address the type of shelter belt permitted for fire resistance. Existing shelter belts on roadsides are not affected.

*Councillor Morten out 1.53pm*

A discussion was held regarding compliance and pragmatism of the provisions. There was a concern that additional rules may unreasonably impinge on people’s ability to develop their land. The proposed provisions will restrict neighbouring properties from creating a wildfire risk on someone else, leaving individuals to manage their own

wildfire risk. The Chair added that Council will support this with an education campaign.

*Mr Ward in 2.04pm*

**Moved – The Mayor / Seconded – Councillor Lyall**

*“That the Committee notes the report.”*

*“That the preferred options previously endorsed by DPC be amended to include the potential for an accessway setback to be developed, and to consider enabling improved pasture within the Port Hills Outstanding Natural Landscape.”*

*“That the updated Preferred Options described above progresses to the ‘Drafting and Section 32 Evaluation Phase.’*

*“That the Committee notes the updated summary plan.”*

**CARRIED**

## **11. Post Engagement Report and updated Communications and Engagement Summary Plan for Water**

Mr Mactier spoke to his report. General support for the preferred options from stakeholders and the public. Federated Farmers provided general support for the preferred approach, but were undecided on whether additional rules to manage drains and reclamations in accordance with the National Water Conservation Order for Te Waihora are required, noting that the Water Conservation Order is the responsibility of Environment Canterbury, who would have provisions to manage these concerns

Public feedback predominantly indicated a desire for Council to manage land use activities particularly agriculture/dairying to stop any further degradation of the region’s springs, streams, rivers, lakes and underground water. It was noted that it may be better dealt with in a regional plan.

No discussion was held by the Committee.

**Moved – Mr Ward / Seconded – Councillor Lyall**

*“That the Committee notes the report.”*

*“That the preferred option previously endorsed by DPC be progressed to the Drafting and Section 32 Evaluation Phase.”*

*“That the Committee notes the updated summary plan.”*

**CARRIED**

## 12. Preferred Option Report and Communications and Engagement Summary Plan – Stopbanks and defences against water

Ms Carruthers spoke to her report and briefed the Committee on the range of options to manage the continued maintenance of existing, and establishment of new, stopbanks and related defences against water in Selwyn District.

The preferred option recommends to comprehensively update the provisions to give effect to higher order documents and improve consistency with regional and Christchurch City Plan provisions (however provisions need to ensure appropriateness to Selwyn District).

*Councillor Bland out 2.10pm*

A question was asked in relation to where stopbanks are required and how crossovers are managed (pg. 265). The proposed provisions are not radically different, but provide for ongoing maintenance.

*Councillor Bland in 2.12pm*

**Moved – Councillor Watson / Seconded – Mr Ward**

*“That the Committee notes the report.”*

*“That the Committee endorses the Preferred Option for ‘Stopbanks and defences against water’ for further development and engagement.”*

*“That the Committee notes the summary plan.”*

**CARRIED**

## 13. Preferred Option Report and Communications and Engagement Summary Plan for Coastal Hazards

Ms Carruthers spoke to her report and provided an update on the coastal hazard work that has been undertaken by Environment Canterbury since the release of the Department of Conservation and Ministry for the Environment guidance notes.

Most activities are managed through the Regional Plan, however, the Regional Policy Statement now says that Districts in the greater Christchurch area need to manage coastal hazards through their District Plan.

A copy of the screening assessment was circulated in the Agenda, to better understand where Selwyn’s coastal hazards are. Ms Carruthers spoke to her presentation.

The presentation showed coastal erosion and inundation areas. Environment Canterbury consider the model they used is not appropriate to use at Rakaia Huts due to the interaction of the river, hāpua/lagoon and the coast, therefore processes in this location are different and require more work. A question was asked about implications

for homeowners. In areas subject to coastal inundation, the RPS requirement is to severely limit development of high value items in that area (i.e. houses). RPS requirements in areas that are already zoned for residential development are less restrictive. Targeted consultation is the next stage.

A question was asked whether climate change was taken into effect. Ms Wati commented that this has been well mapped by NIWA, Ngai Tahu and Environment Canterbury, and offered to share this information. Ms Carruthers responded that sea level rise was taken into consideration of those areas but that access to information to date has been restricted.

*Councillor Lyall out 2.20pm*

The Committee agreed that further modelling is to be undertaken at Rakaia Huts to take account of the interaction between the coast, the hāpua/lagoon and the river in the identification of high hazard and hazard areas. Environment Canterbury staff have recommended providers to complete this discrete piece of work.

**Moved – Councillor Alexander / Seconded – The Mayor**

*“That the Committee notes the report.”*

*“That the Committee endorses the Preferred Options for ‘Coastal Hazards’ for further development and engagement, Section 32 evaluation and drafting phases.”*

*“That the Committee notes the summary plan.”*

**CARRIED**

#### **14. RESOLUTION TO EXCLUDE THE PUBLIC**

##### **Recommended:**

1. *‘That the public be excluded from the following proceedings of this meeting. The general subject matter to be considered while the public is excluded, the reason of passing this resolution in relation to the matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:*

General subject of each matter to be considered		Reasons for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
7.	Flooding <ul style="list-style-type: none"> <li>• Preferred Option Report</li> <li>• Communications and Engagement Summary Plan</li> </ul>	<i>Good reason to withhold exists under Section 7</i>	<i>Section 48(1)(a)</i>

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

10 & 12	Maintain the effective conduct of public affairs through: (i) the free and frank expression of opinions by or between or to members or offices or employees of any local authority, or any persons to whom section (5) applies, in the course of their duty; (ii) The protection of such members, officers, employees and persons from improper pressure or harassment.	Section 7(2)(f)
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2. *That appropriate officers remain to provide advice to the Committee.*

*Meeting Concluded at: 2.30pm*



**District Plan Committee meeting  
Held on Wednesday 12 December 2018 at 9.00am  
at Selwyn District Council,  
Rolleston**

**Present:** Mayor S Broughton, Councillors M Alexander, M Lemon, D Hasson, B Mugford, P McEvedy, G Miller, M Lyall, C Watson, J Morten, Mr D Ward (CEO Selwyn District Council), & Mr H Matunga (Te Taumutu Rūnanga).

**In attendance:** Messrs T Harris (Chair), J Burgess (Planning Manager), B Rhodes (Strategy & Policy Team Leader), S Hill (Business Relationship Manager), R Love (Strategy and Policy Planner), Mesdames J Ashley (District Plan Review Project Lead), J Lewes (Strategy and Policy Planner), J Tuilaepa (Senior Strategy and Policy Planner), R Phillipson (Student Planner), N Brown (District Plan Administrator).

**Standing Items:**

**1. Apologies**

Councillors N Reid, J Bland, P Skelton (Environment Canterbury), and Ms T Wati (Te Ngāi Tūāhuriri Rūnanga).

**Moved – Councillor Morten / Seconded – Councillor Mr Ward**

*‘That the apologies received from the above Councillors be received for information.’*

**CARRIED**

**2. Declaration of Interest**

Nil.

**3. Deputations by Appointment**

Nil.

**4. Outstanding Issues Register**

*Issues raised during 5 December 2018 meeting*

Subject	Comments	Report Date / Action	Item Resolved or Outstanding
Energy Generation	Clarification of consenting requirements for renewable energy utilities in Outstanding Natural Landscape areas	12 December 2018	Resolved
<p><u>Energy Generation</u></p> <p>Councillor Hasson sought clarification regarding renewable energy generation in Outstanding Natural Landscape (ONL) areas. Ms Ashley clarified that the existing District Plan framework provides for new and alterations to utility buildings as a permitted activity in ONL areas, but subject to permitted activity standards. If those conditions are breached, it defaults to a restricted discretionary activity, or a non-compliant activity (depending on where it is located). Similar provisions for utility structures (also permitted) i.e. poles, masts etc.</p> <p>Through the consideration of the planning framework for utilities in ONL, these matters will need to be carefully integrated. It is anticipated that minor repairs, maintenance and new smaller scale building and infrastructure may still be permitted but those performance standards will need to be reviewed. Likely that larger scale buildings or activities are likely to be discretionary or non-complying.</p> <p><i>Councillor Hasson in 9.03am</i></p>			
Network Utilities	Clarification of Preferred Option in relation to applicability of recession plane requirements	12 December 2018	Resolved
<p><u>Network Utilities</u></p> <p>Councillor Alexander sought clarification on the applicability of recession plane requirements in the preferred option report. Ms Ashley responded that there is an error on page 4 of the Preferred Options report. The report will be amended to clarify that compliance with recession planes will be required for utility buildings, but not for utility structures, such as masts, poles, and towers.</p>			

## 5. Confirmation of Minutes

Councillor Lemon requested an amendment of the record of his statement in the minutes from the DPC meeting on 21 November 2018. The intent of his comment was to state that we do not want to replicate the good work already done by Mananui Ramsden as part of ground truthing sites and areas of cultural significance for the Selwyn Waihora Zone Committee ZIP and Farm Environment Plans. Rather than agreeing it's been ground truthed (as recorded in the minutes), it is an acknowledgement of the considerable work already done by Mananui Ramsden.

**Moved** – Councillor Lyall / **Seconded** – Councillor Watson

*‘That the Committee accepts the minutes of the 21 November 2018 as amended as being true and correct’.*

**CARRIED**

## **6. Preferred Option Report and Communications and Engagement Summary Plan for Rolleston & Lincoln Key Activity Centre Transitional Precincts**

Ms Tuilaepa briefed the Committee on the Preferred Options Report, which considers the zoning options for the existing residential areas in Rolleston and Lincoln’s Key Activity Centres.

Ms Tuilaepa presented the Precinct Plans for Rolleston and Lincoln (both located in Appendix 29 of the Operative Selwyn District Plan).

The Committee discussed the Transitional Living Precincts (Precinct 5), located within the heart of both Key Activity Centres (KACs). Both are still technically zoned residential, so therefore are restricted in terms of what development can occur. Although Precinct 5 is already located within the KAC’s of Rolleston and Lincoln, Council must consider the possibility of rezoning properties within Precinct 5 from residential to commercial to meet future business demand and/or community expectations.

The Council report considered how to treat the Residential areas and recommended that status quo should be maintained. The Committee discussed their differing views on this.

### **Rolleston**

#### *Markham Way*

Option 1c to apply the Transitional Living Policy Overlay over Markham Way, Peel Close, Wilbur Close and Landor Common was discussed.

A question was asked whether Precinct 5 should be extended over houses backing onto Rolleston Reserve as an alternative option, as there was a concern that Precinct 5 will be fully developed by the time the Plan Review is complete. Council staff responded that growth projections do not justify extending this area. The potential Markham Way extension also offers more road frontage (2 areas).

Given the level of development that has already occurred, it was suggested that Precinct 5 become Town Centre Zone with the rest of Markham Way to be subject to the transitional overlay. Intensification of living areas close to town centre is needed.

Council Staff added that a review of the Rolleston Master Plan is on the work programme, and Markham Way has always been indicated it would be part of the Town Centre.

The Committee would like Council Staff to be mindful of transitional living and to consult with the local community regarding this option. There is a residential



workstream looking at medium density zoning around KAC. A zone boundary workshop will occur in early February 2019.

The Committee agreed that the preferred direction is to endorse Option 1c, which is to consult on a potential extension of the transitional living overlay over Markham Way, Peel Close, Wilbur Close and Landor Common, with the underlying zoning to remain Residential; and Option 2b, which is to consult on the possibility of incorporating the properties located in the current transitional overlay area to be rezoned Town Centre Zone.

### **Lincoln**

A question was asked about the Lincoln Town Centre and why there are transitional areas (signalling this as retail precinct on Gerald Street). Ms Tuilaepa responded that the transitional precinct is not in demand, with only 6 out of 23 properties used for commercial purposes which shows where anticipated growth will go.

The Committee discussed vacant land and sites. Transitional precinct is driven by LURP and is seemingly unattractive to develop a transitional area due to parking ratios. It was commented that it is not enabling, nor is there help from developers to overcome this.

There was a discussion that Precinct 5 would strengthen the Town Centre Zone, as it attempts to connect the University to the town centre. Support from the Committee to strengthen the town centre but would like to see car parking taken into account. Council staff commented it is difficult to happen without a parking strategy. The Lincoln town centre plan and depth of space will be reviewed concurrently.

The boulevard corridor was discussed, a walkable/cycle way through the Lincoln town.

As a result of the discussions during this committee meeting, the recommendations made in the Preferred Option Report were subject to amendments, which were subsequently endorsed.

The amendments to the recommended preferred option are as follows:

*“Option 1c: Apply Transitional Living Precinct Policy overlay to Markham Way, Peel Close, Wilbur Close and Landon Common Properties within the Rolleston KAC”*

*“Option 2b: Rezone to Town Centre the existing Transitional Living Precincts in both Rolleston and Lincoln KACs”*

**Moved – The Mayor / Seconded – Councillor Watson**

*“That the Committee notes the report.”*

*“That the Committee endorses the amended Preferred Options for ‘Rolleston & Lincoln KAC Transitional Precincts’ for further development and engagement,”*

*“That the Committee notes the summary plan.”*

**CARRIED**

## **7. Preferred Option Report and Communications and Engagement Summary Plan for District Wide Urban Growth, Versatile Soils, Deferred Living**

Ms Lewes briefed the Committee on the Preferred Options Report, which provides a summary of three baseline reports (District Wide Urban Growth, Versatile Soils, and Deferred Living) and identifies the issues and options for broadly addressing the management of urban growth within the District.

Deferred zoning is used for land that is considered suitable for residential development, however Council has identified certain infrastructure issues that need to be resolved before the land can be developed. The provisions of the Rural Zone apply until those issues are resolved.

### **Deferred Zones**

Council staff recommended the following:

#### *Darfield and Leeston*

Removing the deferred status, so current residential deferred zones become residential, as the necessary work to resolve identified infrastructure issues in Darfield and Leeston is already in place or will be by the time the Proposed Plan is notified. This includes the provision of a reticulated, potable water supply in Darfield and resolution of flooding issues in Leeston.

A question was asked about the cost implication, staff responded that there will be some costs involved in lifting the deferrals in these areas, but these are unlikely to be significant.

#### *Dunsandel*

Removing the deferred zoning to revert the deferred areas to a Rural Zone, considering that there is sufficient existing land supply for projected demand and the costs of providing the necessary infrastructure to support additional zoned areas in this town are likely to be significant and have not been foreshadowed in the Long Term Plan. This includes the disposal of sewage and provision of a potable water supply. Council's Long Term Plan is not considering funding for a further bore.

Initial contact has been made with landowners. The responses received indicated that they have no potential development plans.

#### *Rolleston*

Removing the deferred status over the remaining area in Rolleston which is owned by the Council and is designated as part of the Foster Recreation Park. This designation overrides any underlying zoning.

*Councillor Watson out 9.50am*

### **Versatile Soils**

Versatile soils are not to be elevated/valued above other resources, as stated through higher order documents. There was a request to include a definition in the proposed

National Planning Standards, but a policy decision was taken by the Ministry for the Environment not to include one at this time. The reason for this was that it considered that there was significant local variation that was important to take into account when defining versatile soils, and it could not be based solely on the Land Use Capability system.

### **Urban Growth**

There are a number of policies for each town that seek to provide growth in a way that achieves an integrated land use approach.

Recommendation that objectives and policies which seek to encourage compact and consolidated urban growth are carried through in favour of specific provisions that explicitly seek to protect versatile soils.

*Councillor Watson in 9.52am*

### **Moved – The Mayor / Seconded – Mr Ward**

*“That the Committee notes the report.”*

*“That the Committee endorses the Preferred Options for ‘District Wide Urban Growth, Versatile Soils, Deferred Living’ for further development and engagement, Section 32 evaluation and drafting phases.”*

*“That the Committee notes the summary plan.”*

**CARRIED**

## **8. Post Engagement Report addressing Requests for Rezoning of Land for Urban Development**

Numerous unsolicited requests were received to rezone land, in order to increase the urban development potential of such land, both within the Greater Christchurch Area and the Ellesmere and Malvern Wards. Council report acknowledges where the requests were received from and distinguished between residential and business.

The Committee agreed, and a comment made that a map would be useful to show where rezoning requests have come from. Ms Lewes responded a map could be provided.

The Committee agreed that there is little mandate to rezone land within the Greater Christchurch Area given the strong direction of Chapter 6 of the Regional Policy Statement and that any rezoning of land in this area needs to be considered through the National Policy Statement for Urban Development Capacity workstream.

The Committee agreed that Council will not proactively rezone any ‘greenfield’ areas within the Ellesmere and Malvern Wards – with the exception of industrial land in Leeston, which is also subject to a separate workstream. Rezoning requests will therefore be left to landowners by way of submissions on the Proposed District Plan.

Ms Lewes concluded with the recommendation to the Committee that the previously endorsed recommendations remain unchanged.

**Moved – Councillor Watson / Seconded – Councillor Alexander**

*“That the Committee notes the report.”*

*“That the preferred approach to rezoning land for urban development, both within the Greater Christchurch area and the Ellesmere and Malvern Wards, previously endorsed by the Committee remain unchanged.”*

**CARRIED**

UNCONFIRMED

## **Specific Reports**

### **6. Post Engagement Report and updated Communications and Engagement Summary Plan for Residential Areas in Key Activity Centres**

Author:	Jessica Tuilaepa, Strategy & Policy Planner
Contact:	(03) 347 2974

#### **Purpose**

To brief the Committee on the post engagement report for the 'Business' Topic, which summarises and analyses the feedback received from recent consultation and engagement undertaken relating to

- existing residential properties with the Transitional Living Precincts within Rolleston and Lincoln's KACs being rezoned to Town Centre Zone; and
- existing residential properties located on Markham Way, Peel Close, Wilbur Close and Landor Common become part of the Transitional Living Policy Overlay area.

The attached Communications and Engagement Summary Plan has been updated to outline the proposed communication and engagement activities from the time of initial public consultation through to the formal notification of the Proposed District Plan.

#### **Recommendation**

***“That the:***

- a) Committee notes the report.***
- b) Committee confirms which Options are to be progressed to the ‘Section 32 and Drafting’ Phase for Residential Areas in Key Activity Centres.***
- c) Committee’s Preferred Options be progressed to the ‘Drafting and Section 32 Evaluation Phase***
- d) Committee notes the updated summary plan”.***

#### **Attachments**

‘Post Engagement Report for Residential Areas in Key Activity Centres’

‘Residential Areas in KACs – communications and engagement summary plan (post engagement report)’

# POST ENGAGEMENT PREFERRED OPTION UPDATE REPORT TO DISTRICT PLAN COMMITTEE

<b>DATE:</b>	<b>12 February 2019</b>
<b>TOPIC NAME:</b>	<b>Business</b>
<b>SCOPE DESCRIPTION:</b>	<b>Residential Areas in KACs</b>
<b>TOPIC LEAD:</b>	<b>Jessica Tuilaepa</b>
<b>PREPARED BY:</b>	<b>Jessica Tuilaepa (Senior Strategy and Policy Planner)</b>

## EXECUTIVE SUMMARY

<i>Summary of Preferred Options Endorsed by DPC for Further Engagement:</i>	<p><i>That consultation and engagement be undertaken relating to:</i></p> <ul style="list-style-type: none"> <li><i>existing residential properties located on Markham Way, Peel Close, Wilbur Close and Landor Common becoming part of the Transitional Living Policy Overlay area (Option 1c); and</i></li> <li><i>existing residential properties with the Transitional Living Precincts within Rolleston and Lincoln's KACs being rezoned to Town Centre Zone (Option 2b).</i></li> </ul>
<i>Summary of Feedback Received:</i>	<ul style="list-style-type: none"> <li><i>Feedback received in relation to Option 1C was mainly in opposition. In addition to phone calls and emails, a 62 signature petition was received. Residents main concerns were the affect a rule change could have on the amenity and character of the area.</i></li> <li><i>A low amount of feedback was received for in relation to Option 2b, with none in support. For those parties opposed, their main concerns related to there not being a shortage of commercial land in Rolleston and the potential impact the rezoning could have on land values and rates.</i></li> </ul>
<i>Recommended Option Post Engagement:</i>	<p><i>That the preferred approach to how Residential Areas in KACs are addressed be decided by DPC.</i></p> <p><i>That the Committee's Preferred Options be progressed to the 'Drafting and Section 32 Evaluation Phase'</i></p>
<i>DPC Decision:</i>	



## 1.0 Introduction

- 1.1 The District Plan Review affords Council the opportunity to consider rezoning the existing residential land within the existing Rolleston and Lincoln Key Activity Centres (KAC) to meet future business demand following the recent increase in population and business growth of the Selwyn District.
- 1.2 Over the last five years the growth of Rolleston and Lincoln have accelerated considerably, at least in part, because it has become the recipient of the movement of populations from those parts of Christchurch affected by earthquake damage. In anticipation of and response to the growth in population, Council produced Town Centre Master Plans for both Townships, which envisage Key Activity Centres (KAC) incorporating the existing Business 1 zoned land and expanding significantly into existing residential areas.
- 1.3 A report was taken to Council recommending that land currently zoned Residential with the KACs of Rolleston and Lincoln remain unchanged and their future zoning be considered as part of a Town Centre Master Planning review exercise following the confirmation of the Future Development Strategy (FDS), or 'Our Space', being developed as part of Council's response to the National Policy Statement on Urban Development Capacity (NPS-UDC). A decision was made by the DPC that the future of these areas should be considered now as part of the District Plan Review Process.
- 1.4 Prior to Christmas a consultation exercise was undertaken to gather residents feedback in relation to Options 1c and 2b (**Appendix 1.**) Letters were sent to the land owners in both Lincoln and Rolleston's Precinct 5 asking for their feedback about potentially having their properties rezoned to become 'Town Centre Zone' (Option 2B). A similar letter was sent to the landowners (and occupiers) of Markham Way, Peel Close, Wilbur Close and Landor Common asking for their feedback regarding a potential rule change if their properties were to become part of the existing 'Transitional Living Precinct Overlay' (Option 1C). Throughout the 6 week consultation period (18<sup>th</sup> December 2018 – 30<sup>th</sup> January 2019) Council staff received a number of phone calls and emails requesting additional information to make a more informed decision. A petition was also received at Council in relation to Option 1c which most residents have signed to demonstrate their opposition to the proposal.
- 1.5 The purpose of this report is to consider the responses received in relation to rule changes and rezoning in these Residential Areas (within KACs) and receive direction as to how to proceed.

## 2.0 Strategic Context

### National Policy Statement on Urban Development Capacity

- 2.1 At the national level, the NPS-UDC directs local councils to provide enough land which can be developed for business and housing to meet community needs. At a regional level, the Canterbury Regional Policy Statement (CRPS) has to give effect to the national policy statement and in doing so, determine the extent of urban land required. The current settlement pattern in the CRPS was

established after the Canterbury earthquakes of 2010-2011 and was not scheduled to be comprehensively reviewed until 2022, as part of the wider review of the CRPS.

- 2.2 However, in response to the requirements of the NPS-UDC, the Greater Christchurch partnership, which Selwyn District Council is part of, together with other local councils, government agencies and iwi, has recently released for public consultation a draft FDS *Our Space 2018-2048, Greater Christchurch Settlement Pattern Update*, which sets actions to address the residential and business capacity needs of the Greater Christchurch portion of the Selwyn district for the next 30 years. Public consultation on this document closed on 30 November 2018, with a hearing anticipated to occur in the coming months.
- 2.3 While Council's response to the NPS-UDC is the subject of a separate workstream, the outcomes of this work will have an impact on the future urban growth of the Greater Christchurch part of the District.

#### Rolleston Structure Plan and Rolleston Town Centre Master Plan

- 2.4 In order to plan for growth and guide future initiatives for Rolleston, the Council developed the Rolleston Structure Plan (adopted in September 2009). As part of this, a series of options to improve the existing town centre were developed. A preferred town centre location was outlined and a master planning exercise was undertaken. The Rolleston Town Centre Masterplan presents a future vision and provides direction for the transformation of the centre over time.
- 2.5 The Rolleston Town Centre Master Plan envisaged that in the first five years (2014-2018) that commercial developments would start to occur on Kidman Street, which has occurred with establishments like McDonalds and KFC; that Rolleston Primary School playground would be relocated to allow for Moore Street extension (this is still in the planning process) and that transitional redevelopment of residential properties to retail/commercial would occur along Tennyson Street.
- 2.6 The Master Plan, much like the Structure Plan, made no attempt to rezone the existing residential area in the middle of the KAC to commercial, however, the Master Plan notes, that if or when demand requires, retail and commercial services may spread into the residential area by 2031.

#### Lincoln Town Centre Plan

- 2.7 The Lincoln Town Centre Plan was developed as a framework for future development opportunities in the Lincoln Town Centre. It was initially based on the outcomes of the Lincoln Opportunity Study, which drew on 82 responses to a questionnaire sent to all Lincoln households in July 2011. The Lincoln Town Centre Plan was designed to work alongside the Selwyn District Plan and sets a vision for how the town centre may develop as time progresses.



## LURP Action 27

- 2.8 The Land Use Recovery Plan (LURP), which took effect in 2013, was released to assist with the rebuild of earthquake damaged communities in Canterbury. In the Rolleston and Lincoln context, Action 27 directed the Council to change or vary the objectives, policies and methods of its District Plan to the extent necessary to provide for:
- (ii) zoning that defines the extent of the Key Activity Centre
  - (iii) implementation of the Rolleston Town Centre Masterplan
- 2.9 In response the Council defined the KAC with a Business 1 Zoning in both Rolleston and Lincoln, with the exception of:
- the Living 1 Zone being proposed for Rolleston Reserve;
  - some properties west and east of Tennyson Street (Precinct 5 Rolleston);
  - the Markham Way residential enclave and;
  - The residential properties along Gerald Street (Precinct 5 Lincoln)

## 3.0 Overview of Preferred Options Endorsed by DPC

To date, DPC have endorsed several preferred options across different business topics which, to some degree, relate to the zoning of land. These are summarised below.

### Business

#### **BS202 – Business Zone Framework ([Business Zone Framework \[PDF, 503 KB\]](#))**

Council has opted to proceed with a business zone framework that aligns both with the Township Network developed in Selwyn 2031 and the proposed National Planning Standards, which provide a suite of zones for Councils to choose from when developing their District Plan. The zones are likely to include:

- Town Centre Zone (applying to Rolleston, Lincoln, Darfield and Leeston B1/KAC zones)
- Local Commercial Zone (applying to other towns with an existing B1/B1A/B1B zone)
- Neighbourhood Commercial Zone (applying to existing neighbourhood centres e.g. South Point Faringdon)
- Industrial Zone(s) (*Option available to have Light Industrial, Industrial and Heavy Industrial Zones*) (replacing the current B2, B2A and B2B zones across the District)
- Special Purpose Port Zone (applying to Midland and Metroport in the current B2A zone Rolleston)
- Special Purpose Research, Education and Technology Zone (replacing Lincoln's B3 zone)
- Special Purpose Large Format Retail Zone (*to be used in the event the National Planning Standards do not provide a Large Format Retail Zone*).

## 4.0 Summary of Feedback Received

4.1 During the public consultation period, Council staff received phone calls, emails and a petition signed by 62 people, with most people in opposition of the proposal as it relates to the potential extension of the Transitional Living Precinct. The feedback received is summarised below.

### *Option 1C: Residential zone with Transitional Living Overlay.*

#### Rolleston

In Rolleston, the majority of feedback was in the form of a petition, which was signed by 62 parties. Some of those parties also request additional information on the proposal before provided additional feedback. The method by which parties provided feedback is recorded below.

Landowner	Address	Feedback Provided	Position	Method
Jason & Jennifer Hardy	2 Landor Common	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Email, Phone & Petition
Dekui Jia	14 Peel Close	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Email & Petition
Linda & Jim Kendall	18 Markham Way	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Email & Petition
Lyn & Murray Dunlop	21 Markham Way	Concerned about the type of activities that could occur if area was subject to overlay. Wish to remain residential. Opposed to Inclusion in overlay area.	Oppose	Email & Petition
Joe & Leanne Taipari	6 Markham Way	Asked impact rule change would have on rates and property valuation and what was to happen to Markham Reserve. Wish to remain residential. Opposed to Inclusion in overlay area.	Oppose	Email & Petition
Justin McErlane	26A Markham Way	Does not support any change in zoning. Unhappy about Markham Way extension. Wish to remain residential. Opposed to inclusion on overlay area	Opposed	Email & Petition
Helen Hayes	12 Peel Close	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Email & Petition
N & V Bool	28 Markham Way	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Email & Petition
Ryan Roche & Jacinda McCarthy	10 Peel Close	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Email & Petition
Troy McGillicuddy	Unspecified	Owns, but rents property, had questions about rating value and what types of business could establish under overlay rules.	Unclear	Phone
Lloyd Bathurst	14 Wilbur Close	Supportive of inclusion in transitional precinct as this is logical position for future commercial growth. Overlay provides some protection for residents.	Support	Email
Dan Colegate	Unspecified	Disappointed zone change may happen. Asked what effect rule change would	Oppose	Email

		have on the Reserve, what timeframes change might occur within.		
Ron Clark	Unspecified	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Email
Rebecca Moreton	5 Markham Way	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Courtney & Craig Oliver	25 Markham Way	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Sarah & Daniel Ingram	23 Markham Way	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Bryan McCormack	6 Peel Close	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Alex Mundy	6a Peel Close	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Geof Pannett	8 Peel Close	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Rowan Traue	10 Markham Way	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Bryan McQueen	7 Wilbur Close	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Linda Mclvor	16 Wilbur Close	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Bernard Kilbride	9 Markham Way	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Belinda & Brent Margetts	11 Markham Way	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Marama Lynch	17 Markham Way	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Ronald Harding	13 Markham Way	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Eddie Keelan	8 Markham Way	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
R & T Liddicoat	4 Landor Common	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Greg Skuloney	5 Landor Common	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
R Barnes	6 Landor Common	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Chris & Jo Jones	9 Wilbur Close	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
J & L Mann	20 Markham Way	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Shelley Dickson	22 Markham Way	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Annabelle & James Reid	26 Markham Way	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
S Wootton	8 Landor Common	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Neville Hunter	20 Wilbur Close	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Ron Koole	20a Wilbur Close	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
D & H Miller	18 Wilbur Close	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
C Gouws	12 Wilbur Close	Wish to remain residential.	Oppose	Petition

		Opposed to inclusion on overlay area		
Maggie Clark	8 Wilbur Close	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Michelle Leath	6 Wilbur Close	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Julie Westland	12 Markham Way	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Barry Munro	15 Markham Way	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Sharon & Ken Scott	3 Peel Close	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Fiona Liley & Michael Bamber	5 Peel Close	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
K & R Adams	7 Peel Close	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Jenny Ranson	9 Peel Close	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Leah Munro	7 Landor Common	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition
Shavaun Masterton	24 Markham Way	Wish to remain residential. Opposed to inclusion on overlay area	Oppose	Petition

*\*petition was also signed by B McKeage of 41 Duncans Road, unsure if they own/reside property in the area.*

**Figure 1: Visual representation of location of those in Opposition (o) and Support (s) to Option 1c. (c) denotes property owned by Council.**





- 4.2 The major theme of the feedback received was that residents wish to remain residentially zoned, which would be the case if the area was to be included in the 'Transitional Living Precinct', and that the character and amenity of the area be retained. It should be noted that given the majority of this feedback was in the form of a petition, we are unable to gauge the level of understanding each signatory has of the proposal (Option 1c).
- 4.3 A recently granted resource consent is for a retail and hospitality development (RC185298) on the corner of Tennyson Street and Markham Way (land currently within the Transitional Living Precinct). The consent sought the removal of three existing dwellings, to be replaced with a two-storey commercial development. The application defaulted to 'Non-complying' because of the breach of site coverage (had the development remained within the 40% residential limit the application would have been discretionary), site coverage breach aside, the proposal would have required a resource consent due to the overall scale of the development. The application proceeded to a hearing and several submissions were received in opposition from the landowners within the Markham Way residential enclave. Concerns were raised over car parking, traffic generation, noise, lighting and the potential detrimental effects on the residential amenity of the area.
- 4.4 This consented development could have had an impact on resident's views with regard to Option 1c, as this may be the type of development they anticipate could easily occur in the transitional area. It is important to note that this type of development was not entirely anticipated and its location directly across the road from Rolleston Reserve and the fact it presently adjoins the existing B1 zone played an integral part in the consent being granted following a hearing.
- 4.5 Developments, such as the one discussed above, are not anticipated in the "transitional living precinct" as of right. The relaxation of the rules has been done in a manner that is anticipated to still protect the existing resident's amenity. Any business wishing to establish in this, or any other residential area within the District is expected to comply with rules relating to noise, lighting, signage, hours of operation and even the types of activities are managed. Where a resource consent is applied for and granted conditions are placed on the consent to help mitigate potential impacts on the surrounding area. In the case of the development on the corner of Markham Way and Tennyson Street, the Commissioner granted consent subject to specific conditions to address the concerns of the submitters. Conditions related to: the maximum of number of tenancies; limitations on the types of tenancies; restricted hours of operation; noise restrictions and other conditions relating to landscaping, urban design, lighting, waste and traffic. The consent was granted because of the sites proximity to the town centre and the Master Plan indicates that this type of development would eventually occur in this area. However, the conditions imposed aimed to better protect the residential character and amenity of the area in recognition that the underlying zoning is still residential, albeit with a transitional precinct overlay.
- 4.6 Another common theme of the feedback related to the concerns from residents related to the impact the proposed rule changes would have on their rates. Review of rating database shows there is no noticeable variation in rates between properties in the transitional living precinct and those residential properties within the KACs. Only when a property has been fully developed into

a commercial use (which impacts on its value) has the rates increased and then the increase was marginal.

## Option 2B: Rezone to Town Centre Zone

### Rolleston

Landowner	Address	Feedback Provided	Position	Method
Lloyd Bathurst	14 Wilbur Close	Does not support the rezoning of Precinct 5 to Town Centre Zone, no shortage of commercial land and potential negative effects on adjoining land owners.	Oppose	Email
Unidentified	5A Moore Street	Concern over impact on rates	Unclear	Phone

### Lincoln

Landowner	Address	Feedback Provided	Position	Method
Roy & Margaret Cole	33 Gerald Street	Wish to remain residential. Concerned about property values and increase in rates as a result of the changes.	Oppose	Email

- 4.7 As mentioned in the Preferred Option report, there are currently 18 properties located in Precinct 5 at Rolleston and 23 in Lincoln. Feedback was received from 1 of these property owners. Additional feedback was received from a residential landowner within the KAC, who demonstrated concern over increasing the amount of commercial land in the KAC when there was no shortage in supply in Rolleston within the next 10 years.
- 4.8 The table below outlines the available land supply in each KAC and the demand that is projected from the Selwyn Capacity for Growth Model. It's important to note that the available capacity includes both vacant land areas and those areas that have land available for potential for develop, or rather ability to be used more efficiently in line with the Selwyn District Plan provisions.

Township	Capacity (ha)	Demand to 2028 (ha)	Total Capacity remaining at 2028
<b>Rolleston B1</b> (Incl Vacant Potential)	18	7	11
<b>Lincoln B1</b> (Incl Vacant Potential)	4	4	0

Table: B1 land availability in Rolleston and Lincoln

- 4.9 Rolleston has capacity for commercial development in its current zoned land beyond 2028, even if vacant potential land is not considered. The fact that Rolleston's KAC capacity is sufficient aligns with the Activity Centre Network that promotes Rolleston as the District Centre, capable of absorbing short falls in other areas.
- 4.10 Lincoln township has sufficient B1 capacity until 2028 but it runs out at that point. Again it's important to note that most of that capacity is reliant on the vacant potential areas. If they do not come on board then Lincoln's remaining capacity (vacant land) will run out well before 2028.
- 4.11 The Town Centre Master Plans anticipated that the residential areas within the centres these areas would eventually be absorbed into the adjoining Town Centres (Business 1 zones). The Transitional Living Precinct Overlay was developed as a way to enable these areas to develop over time, anticipating that when the time presented itself they would eventually be rezoned. Precinct 5 in Lincoln presently contains a dentist, optometrist, lawyer and other commercial service activities in converted dwellings. In Rolleston, Precinct 5 contains a dentist, preschool and a two-storey commercial building is presently under construction, it's anticipated future use will be a mixture of food and beverage, retail and commercial service activities. This could be done now as part of the DPR, or potentially as part of the Town Centre Master Plan review which will begin following the adoption of the Future Development Strategy for Greater Christchurch. A benefit of determining the future zoning outside of the DPR is the process will likely provide more opportunity for landowner involvement.
- 4.12 Concerns from residents related to the impact the proposed rule changes would have on their rates. As discussed above a review of the rating database appears to show there is no noticeable variation in rates between properties in the transitional living precinct and those other properties within the KACs. Only when a property has been fully developed into a commercial use (which impacts on its value) has the rates increased and then the increase was marginal.

## 5.0 Conclusion

- 5.1 Feedback received from landowners in relation to Option 1c shows the residents are not supportive of the proposal. Less feedback was provided in relation to Option 2b, this perhaps indicates that landowners in the area are less resistant to the proposed change.
- 5.2 If the decision is to retain status quo as the DPR progresses, there are other avenues by which the future of these residential areas within KACs could be determined. The review of the Rolleston and Lincoln Town Centre Masterplans will ensure that whatever the future zone is, the activities anticipated in these areas are complimentary to the surrounding land use. However the views of these affected may remain the same regardless of the process and level of engagement that may be utilised.

## 6.0 Recommendation/Direction Sought

1. The Project Team recommends that the feedback received during the consultation process, discussed above, be noted and incorporated into other related work streams, as appropriate.
2. The Project Team seeks a decision from the DPC re Option 1c given the strong opposition from the land owners/occupiers of Markham Way, Peel Close, Wilbur Close and Landor Common. If the decision is to retain the status quo (as requested by residents), there would be another opportunity to consider the future of this area as part of the upcoming review of the Rolleston Town Centre Master Plan.
3. Having received little feedback on Option 2b and taking into consideration that there is not currently a shortage of commercial land available in either township that the 'Transitional Living Precinct Overlay' is currently enabling land development, and given the costs/time involved with the rezoning itself, the Project Team seeks direction from the DPC as how to proceed in the case of the Transitional Precincts. If the direction was to maintain status quo (Option 2a), there is the additional option of further relaxing the provisions for properties located within the Transitional Living Precincts, which enables their ongoing development, whilst aligning with the SCGM.



## Appendix 1 – Summary of endorsed preferred options

### Option 1C – Extend Transitional Living Policy Overlay

This approach would extend the Transitional Living policy overlay (planning map notation) over the subject area, whilst retaining a Residential/ Living 1 zone. This approach is currently applied to Precinct 5 of the KAC's in Lincoln and Rolleston which are still zoned Living 1 but some of the rules have been relaxed to encourage business development.

#### ***Effectiveness in Addressing the Issue:***

This approach is neither consistent nor inconsistent with the SCGM as the land would continue to be zoned residentially and would have no impact on Rolleston's business land capacity. The Rolleston Town Centre Master Plan recognised the ongoing residential zoning of this residential enclave with retail activities filtering into the area in 15+ years, by applying the Transitional Zoning other commercial activities could filter into the area earlier. This approach has already been undertaken in the Town Centre (Precinct 5), whereby rules have been relaxed to allow some types of commercial development to occur. However, given the location of Precinct 5 on Rolleston's future 'High Street', instead of development occurring within the existing residential dwellings, land owners are opting to completely redevelop sites which results in a more complex process than the transitional precinct current allows.

With this option, amenity is managed to a degree, specifically on adjoining residential properties through retention of those rules relating to built-form and nuisance, but relaxing provisions relating to business activities and scale. This approach still allows landowners to determine the future use of the site and if a house is to be removed and replaced with a commercial building it would be a controlled activity. The use of any site would also be restricted by the permitted activity standards.

#### ***Risk:***

Further to the above if any proactive zoning is promoted by Council then this is likely to generate submissions on the notified District Plan from other landowners not identified as having preferred sites for the policy overlay to apply. The evaluation of these alternative submission sites (which are inevitable and which may also be potentially suitable for development) comes with substantial further costs in reviewing technical assessments and reporting on submissions. It is recognised that evaluating and responding to submissions will also be required in Options 1A and 1C. However in Option 1A Council will not have already undertaken the cost and time of promoting new business sites, as well as assessing others.

#### ***Budget and Time Implications:***

If Council decides to proceed with the overlay approach consideration will then be required around whether it continues to fund the progression of the proposal and defend its inclusion in the Proposed District Plan through the submission, hearing and appeal stages of the DPR.

As well taking on the evaluation costs and the costs of progressing through the DPR process Council will also be financing the development/upgrade of servicing infrastructure, if required.

## Option 2B – Rezoning to Town Centre

This approach involves Council undertaking the work to potentially rezone sites currently located in the Transitional Living Precincts in Rolleston and Lincoln to Town Centre and to notify this rezoning proposal through the DPR process.

### ***Effectiveness in Addressing the Issue:***

Option 2B is somewhat inconsistent with the SGCM figures as discussed in Section 2.0. in relation to Rolleston, however, there is a potential future shortfall in Lincoln by 2028. Although the Transitional Precinct is a logical location to rezone to meet business capacity, additional work is required to determine suitable sites. This work should be undertaken as part of a strategic planning process, whereby the existing Town Centre Master Plans for both Rolleston and Lincoln are reviewed to ensure that the zone expansions occur in the right places (as briefly mentioned in Option 2A).

### ***Risk:***

As discussed in Option 1B, Section 32 requires significant information, in addition to taking on the evaluation costs and the costs of progressing through the DPR process Council will also be financing the development/upgrade of servicing infrastructure. Council may also find themselves at the receiving end of submissions on the notified District Plan from other landowners not identified as having preferred sites for rezoning. The evaluation of these alternative submission sites (which are inevitable and which may also be potentially suitable for development) comes with substantial further costs in reviewing technical assessments and reporting on submissions.

### ***Budget or Time Implications:***

As noted previously, given the evaluative nature of the s32 process that is required to determine the costs and benefits (and overall merit) of a rezoning proposal there is a risk that even after completing the site specific investigations, the s32 evaluations may not support rezoning (e.g. the costs outweigh the benefits). If Council decides to proceed with zoning, after identifying potential sites, consideration will then be required around whether it continues to fund the progression of any rezoning proposal and defend its inclusion in the notified plan through the submission, hearing and appeal stages of the DPR.

# BS202 Existing residential areas in Rolleston and Lincoln’s key activity centres – communications and engagement summary plan (post engagement report)

## Key messages

(as of 4 February 2019)

### Background

- As part of the Selwyn District Plan Review, the Council has been reviewing how the existing residential properties in the key activity centres (KACs) of Lincoln and Rolleston are managed. In addition to the ‘transitional living precincts’ consideration has also been given to the future of the existing residential enclave of properties within Rolleston KAC which is not presently subject to a transitional overlay.
- Selwyn 2031 provides strategic direction for planning and management of these town centres’ growth and outlines opportunities and constraints for business development.
- Business development, to varying degrees, is anticipated in the following two residential zoned areas within the Rolleston KAC (otherwise zoned business):
  - Rolleston Living 1 properties along the eastern side of Tennyson Street between the Business 1 Zone and the Moore Street intersection. This area is currently part of a Transitional Living Precinct Overlay (precinct 5); and
  - Living 1 zoned properties on Markham Way, Peel Close, Wilbur Close and Landor Common. These properties are surrounded by either commercial zoned land or precinct 5.
- In regards to Lincoln town centre, future business expansion is expected along Gerald Street which is currently residential zoned with a Transitional Living Precinct Overlay.
- Following the Council’s District Plan Committee’s endorsement of the preferred options, the Council consulted on the draft changes related to this topic with landowners during December 2018 and January 2019.

### The current District Plan

- The Transitional Living Precinct contains 18 sites in Rolleston and 23 in Lincoln. To date, 7 out of 18 properties in Rolleston (including the commercial development currently under construction, a preschool and a dental clinic) and 6 out of 23 sites in Lincoln are already being used for commercial purposes.
- A property identified in the current District Plan as a part of the Transitional Living Precinct Overlay is zoned residential, but because it’s in the town centre next to business-zoned land, rules managing the scale of activities on such a property are more relaxed. In other words, the current District Plan enables commercial services, small format retail and office activities to establish more easily on such a property even though it’s zoned residential.

### About endorsed preferred option

- For 18 properties in Rolleston’s Transitional Living Precinct and 23 properties in Lincoln’s Transitional Living Precinct, the District Plan Committee endorsed for further development and engagement on a proposal that these properties are to be rezoned commercial (Town Centre Zone) in the new District Plan. The Committee agreed that this approach better reflects activities which are currently occurring within the Precinct and aligns with Rolleston and Lincoln Town Centre Master Plans, which anticipated development of the sites into commercial use.
- Properties on Markham Way, Peel Close, Wilbur Close and Landor Common are to stay zoned residential but become part of a transitional precinct overlay.

### Recommended changes following consultation on endorsed preferred option

- Considering the feedback which in particular opposed the rezoning of Rolleston residential properties to commercial, the decision on any changes to the originally endorsed preferred option is left to the District Plan Committee.

## Audiences<sup>1</sup>

Internal	Partners	Key stakeholders <sup>2</sup>	Landowners /occupiers <sup>3</sup>	General public
DPC	ECan	N/A	Precinct 5 landowners	Selwyn ratepayers
Council’s Assets Team	Te Ngāi Tuāhuriri Rūnanga (represented by Mahaanui Kurataiao)		Landowners of properties on Markham Way, Peel Close, Wilbur Close and Landor Common	News media
Council’s Property and Commercial team	Te Taumutu Rūnanga (represented by Mahaanui Kurataiao)			Wider public

<b>Legend</b>	<i>High level of interest/ High level of influence  (“Manage closely”)</i>	<i>High level of interest/ Low level of influence  (“Keep informed”)</i>	<i>Low level of interest/ high level of influence  (“Keep satisfied”)</i>	<i>Low level of interest/ Low level of influence  (“Watch only”)</i>

<sup>1</sup> “...Differing levels and forms of engagement may be required during the varying phases of consideration and decision-making on an issue, and for different community groups or stakeholders. The Council will review the appropriateness and effectiveness of the engagement strategy and methods as the process proceeds.” [Significance and Engagement Policy: Adopted 26 November 2014; p.6]

<sup>2</sup> Key stakeholders “...will advocate for or against decisions that will need to be made...” and “For the District Plan Review, stakeholders include any party that can influence decisions or be influenced by decisions made on policies or rules.” (DPR Engagement Framework)

<sup>3</sup> Landowners are “the individuals and businesses that could be affected by the proposed changes in the District Plan.” (District Plan Review Community Engagement Implementation Plan; p.6)

Engagement<sup>4</sup> until early 2020  
(from the time initial consultation period finishes and Proposed District Plan gets notified)

Review phases	Internal	ECan	Rūnanga	Landowners/occupiers	General public
Preferred option consultation					
Post engagement report update					
Draft provisions consultation					
Proposed District Plan formal public consultation					

2018 – 2020 communications and engagement approach

Audiences	Dec 2018 & Jan 2019 (post PO report’s endorsement by DPC and until initial public consultation period finishes)	Feb-March 2019 (engagement following endorsement of post engagement report )	January – May 2019 (engagement on detailed draft provisions)	Early 2020 (Proposed District Plan gets notified for formal public consultation)
ECan	Direct contact via email, phone and face to face meetings	Direct contact via email, phone and face to face meetings	Direct contact via email, phone and face to face meetings	
Rūnanga	Direct contact via email, phone and face to face meetings	Direct contact via email, phone and face to face meetings	Direct contact via email, phone and face to face meetings	
Key stakeholders				
Landowners/occupiers	Direct contact via email, phone and letter	Direct contact via email/letter		
General public				
DPC			DPC workshop	

<sup>4</sup> Engagement on these provisions will be done jointly with residential zones related provisions.

## 7. RESOLUTION TO EXCLUDE THE PUBLIC

### Recommended:

1. *'That the public be excluded from the following proceedings of this meeting. The general subject matter to be considered while the public is excluded, the reason of passing this resolution in relation to the matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:*

General subject of each matter to be considered		Reasons for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
1.	Confirmation of 5 December 2018 publically excluded minutes	<i>Good reason to withhold exists under Section 7</i>	<i>Section 48(1)(a)</i>

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

10 & 12	Maintain the effective conduct of public affairs through: (i) the free and frank expression of opinions by or between or to members or offices or employees of any local authority, or any persons to whom section (5) applies, in the course of their duty; (ii) The protection of such members, officers, employees and persons from improper pressure or harassment.	Section 7(2)(f)
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2. *That appropriate officers remain to provide advice to the Committee.*