

COUNCIL 28. 2. 2013

PLANNING COMMITTEE
30. 1. 2013

A meeting of the Planning Committee
was held in the No. 1 Committee Room
on Wednesday 30 January 2013 at 9.15am.

PRESENT: Councillor Sue Wells (Chairperson)
Councillors Peter Beck, Sally Buck, Jimmy Chen, Aaron Keown,
Glenn Livingstone and Claudia Reid.

APOLOGIES: Councillor Beck for lateness who arrived at 9.23am and was absent for items 5
and 9, and Councillor Livingstone for lateness who arrived at 10.45am and was
absent for items 1, 2, 5, 6, 7 and 9.

The Committee reports that:

PART A - MATTERS REQUIRING A COUNCIL DECISION

**1. PROPOSED PLAN CHANGE 71 – UPPER STYX FUTURE URBAN DEVELOPMENT AREA AND
OUTLINE DEVELOPMENT PLAN**

General Manager responsible:	General Manager Strategy and Planning, DDI 941-8281
Officer responsible:	City Planning Unit Manager
Author:	Christine Ralph and Paul Whyte (Beca) and Glenda Dixon, Senior Planner

PURPOSE OF REPORT

1. To seek the Council's approval to publicly notify Proposed Plan Change 71, Upper Styx Future Urban Development Area and Outline Development Plan, under Clause 5 of Schedule 1 to the Resource Management Act 1991. This plan change provides the framework for the progressive urbanisation of the Upper Styx area, predominantly for residential purposes. A copy of Plan Change 71 and the supporting Section 32 Assessment are provided as **Attachments 1 and 2** respectively.

EXECUTIVE SUMMARY

2. The Upper Styx area was defined in the Regional Policy Statement Proposed Change 1 (PC1) (Regional Council decisions 10 December 2009 version) as "CN3". PC 1 is still subject to appeals yet to be heard and determined by the Environment Court. In addition, the Land Use Recovery Plan (LURP) process is reviewing the need for and priority of residential and business areas for earthquake recovery purposes. The LURP is highly unlikely to remove any Greenfield areas from PC 1 and CN3 is needed particularly for urban residential development.
3. The area has been the subject of investigations and consultation for the purposes of preparing an Outline Development Plan (ODP) and associated Plan Change for urban purposes for the past ten months. Initially, because of Council resource constraints, the work for Plan Change 71 (the ODP Plan Change) was undertaken by a consortium known as Highsted Properties Ltd. In June 2012, the Council took over the responsibility for leading Plan Change 71. This has enabled Highsted Properties Ltd to concentrate on the development of their land and they have now lodged Private Plan Change 72, that seeks Living G Zoning over part of the ODP area, including provision for a neighbourhood scale retail centre and an extension to Tulett Park. There is an accompanying Master Plan in Plan Change 72 for the residential development of the land holdings that they own, which under Plan Change 71 must be in accordance with the ODP. The land area under Highsted control is approximately 25 per cent of the land area within

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CN3 (which covers a total area of approximately 156 hectares). A separate report and the plan change details are provided on Proposed Private Plan Change 72 – Rezoning from Rural 3 to Living G (Highsted) on this agenda for the 30 January 2013 meeting. It is intended that the two plan changes be notified at the same time, be processed concurrently and go to one hearing to consider both Plan Changes 71 and 72.

4. Plan Change 71 places a “Future Urban Development Area” (FUDA) notation on Planning Maps 17A and 24A, to indicate the extent of the CN3 Area (Upper Styx) that Proposed Change No. 1 to the Regional Policy Statement (RPS) has identified for Greenfields Residential purposes. The area will retain the existing zoning of Rural 3 and a small area of Cultural 3 zoning, but the FUDA notation gives a clear signal that this land is expected to be urbanised during the 2012-2041 period covered by the RPS.
5. Plan Change 71 also introduces an ODP into the City Plan for the CN3 Upper Styx area. This ODP (a requirement of PC 1) will guide future urban development for the area as and when it is rezoned for urban purposes. ODPs aim to ensure that land use change is supported by the provision of infrastructure and community services, that required housing densities are achieved overall, and that the principles of good urban planning and design are woven into new growth areas. They are essential for ensuring that the location, sequencing and funding of development and supporting infrastructure is co-ordinated, particularly where there are multiple landowners involved, as in this area. The ODP for CN3 will ensure connectivity in the design and location of networks such as principal transport linkages, stormwater systems, and open space, and that residential densities are met.
6. This ODP is to be supported by policies and rules to require that future zone changes from rural to residential and business, implement the principles of the Outline Development Plan and the provisions of PC 1 to the Regional Policy Statement. This includes, for example:
 - a requirement for a Master Plan showing the broad pattern of land use;
 - a requirement to specify location, size and function of all stormwater treatment and detention facilities (including retrofitting for the existing Bishopdale area) in accordance with the Styx River/Purakaunui Area Stormwater Management Plan August 2012;
 - a requirement to identify where ground treatment and building foundation design will be required for all land identified by geotechnical investigations as TC2 or TC3; and
 - a requirement to demonstrate how the proposed distribution of different residential densities generally achieves the minimum net density of 15 households per ha required by Proposed Change No. 1 to the Regional Policy Statement for Christchurch City’s Greenfield residential areas.
7. Plan Change 71 also introduces a rule (as a critical standard) protecting the implementation of the ODP while the land is still zoned for rural purposes. This rule specifies that no new building or structure shall be located within 20 metres of key elements shown on the ODP, in order that their future location is not compromised and that integrated development can be achieved across the CN3 area as a whole. In addition, any complying subdivision in the Future Urban Development Area will be assessed as a restricted discretionary activity.
8. The purpose of these additional rules is to avoid the possibility of the establishment of land use activities or subdivision patterns which might otherwise comply with the Plan rules, but which would compromise or preclude an effective and efficient pattern of urban subdivision and development in future decades.

FINANCIAL IMPLICATIONS

9. There is stormwater, sewer, water, roads and reserves infrastructure proposed to be vested in Council and these will be funded by the Council’s development contributions regime within the LTP 2013-2022. In addition it may be necessary for the Council to contribute some funding through the budgeted capital expenditure item in the Annual Plan for stormwater and treatment

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facilities for city growth (e.g. for the cost of retrofitting for enhancing Bishopdale stormwater management). Council engineers have been involved throughout the development of Plan Change 71 and have raised no concerns with the provision of infrastructure.

10. Should the Council resolve to notify the Plan Change there are legal processes which must be followed in accordance with Schedule 1 of the RMA. This is a standard process that all Plan Changes must follow and if the processes are correctly followed, no particular financial risks are foreseen.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

11. The recommendations and costs incurred align with the District Planning budget and work programme for 2012/13 as provided for under the 2009-2019 LTP budget.

LEGAL CONSIDERATIONS

12. There is a legal process set out in the RMA which must be followed. It includes public notification of the Plan Change followed by submissions, reporting, hearings, decisions and possible appeals. Provided the process is followed correctly there are no particular legal risks associated with this Plan Change.
13. Plan Change No. 1 to the RPS (decisions version dated 2009) is now back at the appeal stage, and appeals have been adjourned until a Land Use Recovery Plan is notified. This is expected to be around April 2013.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

14. The process of Council initiated plan changes is provided for under the LTP and Activity Management Plans. This proposed plan change is specifically identified as a project within the Council's District Planning Work Programme.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

15. Aligns with Activity Management Plan for 2009-2019 LTCCP – Activity 1.3 District Plan: Prioritised programme of plan changes is prepared and approved by the Council on an annual basis.

ALIGNMENT WITH STRATEGIES

16. The plan change aligns with: Greater Christchurch Urban Development Strategy (UDS) and Proposed Change No. 1 to the Regional Policy Statement (RPS).

Do the recommendations align with the Council's strategies?

17. As above.

CONSULTATION FULFILMENT

18. Consultation has been undertaken with the statutory stakeholders (including the Ministry Of Education, NZHPT, Environment Canterbury) and the Shirley/Papanui and Fendalton/Waimairi Community Boards as well as the general public through a newsletter and Information Evening (May 2012). Approximately 200 people attended the Information Evening and 63 formal responses were received. There is a reasonable level of comfort with the ODP. Not unexpectedly, approximately 20 per cent of the feedback forms also were concerned with the nature of high density housing. There is also concern from a few persons that the RPS PC1

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decisions version placed the revised 50 dBA Ldn airport noise contour across properties, resulting in the City Plan needing to show split zoning between rural and future residential. This matter and whether the revised 50 dBA line or the revised 55 dBA Ldn line should more appropriately form the boundary for future re-zonings is subject to Proposed Plan Change 74, which the Council has approved for public notification in March 2013.

19. Consultation has also been undertaken with residents of Regents Park and with the Papanui Club. Following the recent changes to the ODP as a result of the geotechnical survey information, consultation was also undertaken with those who may be affected by the indication of medium or higher density housing on their land in the ODP, or by the shifts in location of the blue stormwater network facilities.
20. Consultation with Ngai Tahu was begun in 2011, but while a Cultural Impact Assessment was requested through MKT and was to be commissioned by them, it has become evident that this will not be able to be provided in time for it to be included in Plan Change 71. General statements of significance have been provided and as an alternative to a full cultural impact assessment. MKT are approaching the relevant runanga, Te Ngai Tuahuriri and Te Runanga o Ngai Tahu directly to request any further information on heritage sites or known ancestral associations. Any further issues raised by tangata whenua can be addressed through the submissions process.

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Adopt Proposed Plan Change 71 Upper Styx Future Development Area and Outline Development Plan for public notification pursuant to Schedule 1 of the Resource Management Act 1991.
- (b) Adopt the related Section 32 Assessment for the purposes of public notification pursuant to Schedule 1 of the Resource Management Act 1991.

COMMITTEE RECOMMENDATION

That the Staff Recommendation be adopted.

BACKGROUND

Features of Proposal

21. The Canterbury Regional Council and Christchurch City, Selwyn and Waimakariri District Councils and NZTA adopted the Greater Christchurch Urban Development Strategy (UDS) in 2007. This strategy sets out the location and nature of urban development for the period up to 2041. Proposed Change 1 to the Regional Policy Statement (RPS) gives effect to the UDS and provides a statutory framework for managing growth across Greater Christchurch. PC1 defines urban limits for Christchurch City and surrounding townships and within the urban limits identifies areas for future residential and business growth. The land subject to this report is within an area identified in PC1 as a residential greenfield area, known as CN3.
22. Decisions were made on Proposed Change 1 (PC1) in December 2009 following submissions and hearings, which are currently subject to appeals in the Environment Court. It should be noted that the Proposed RPS to be made operative on 15 January 2013 does not include Proposed Change 1, which will only become operative upon the resolution of appeals.
23. The Environment Court issued its ninth decision (procedural) on the 19 December 2012 to adjourn proceedings on PC1 appeals until a proposed Land Use Recovery Plan (LURP) is

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notified (where issues cannot be isolated from matters to be covered by the LURP). The LURP is proposed following direction from the Minister of Earthquake Recovery and will consider the need for changes to planning documents to ensure there is a sufficient supply of land for housing and business over the next 10 to 15 years. The LURP will consider prioritising areas to support the recovery and rebuild, but is unlikely to remove areas previously identified for future residential and business growth including the Upper Styx greenfield area. Until such time that the draft LURP is produced, the decisions version of PC1 remains the relevant document in the planning of greenfield areas, which the Council must give effect to.

24. Plan Change 71 implements the decisions version of Proposed Change 1 to the RPS by providing for 1912 households in the Upper Styx area. PC1 requires the development of urban activities in the greenfield area to occur in accordance with an Outline Development Plan, which is to be included in the City Plan by way of a plan change. It must be demonstrated that the land is suitable for urban purposes before a plan change is approved. Particular issues requiring investigation with regard to this ODP have been as follows:

- Geotechnical – The Department of Building and Housing in November 2011 published Guidelines for geotechnical investigations and assessment of subdivisions in the Canterbury Region. These have recently been reissued in a slightly revised form. The Guidelines set out the requirements for geotechnical investigations for both Plan Change and Subdivision consent applications. It should be noted that the guidelines recommend at the subdivision stage, subdivision-wide ground remediation to bring liquefaction deformation performance characteristics up to the equivalent of TC1 and where not practical or economic, to TC2 compliant building platforms. The guidelines recommend that residential lots in new subdivisions be provided as either TC1 or TC2, and it is now Council policy to require this. The details of ground conditions and remediation work required are a matter for future rezoning Plan Changes and for subdivision. For Plan Change 71, which introduces the FUDA and the ODP, desk top studies and an initial stage of geotechnical investigation have concluded that there is most likely a patch work of Technical Category 2 (TC2) and 3 (TC3) land, as is found in the adjoining areas. In addition it is anticipated that there is a lateral spread risk on the margin of the Styx River and possibly around the larger stormwater facilities. The Plan Change rules require a precautionary set-back from waterways subject to further geotechnical surveys at the future Plan Changes or subdivision stage at which ground treatment and foundation design methods will have been determined.
- Land Contamination – Known contaminants in the area relate to past land use activities including fuel, chemical and liquid waste storage, pesticide and herbicides, scrap metal.
- It has been recommended that the five sites with “known” or “likely” categories of contaminants should undergo a full assessment prior to land development activity. Land parcels with “possibly” contaminated sites should also undergo further investigations to confirm the presence of absence of historically hazardous material. All of these actions may occur at later stages of development and do not limit the Council’s ability to proceed with notifying the Plan Change.
- Stormwater – the Council has completed the Styx River/Purakaunui Area Stormwater Management Plan August 2012 and has lodged a resource consent for the discharge of stormwater to the Styx River, with the Canterbury Regional Council. The management plan anticipates a fully integrated stormwater detention and treatment system prior to discharge. The ODP has been prepared in accordance with that management plan and includes additional detention and wetland areas to service the existing Bishopdale residential area to the south, in addition to the requirements of the CN3 area. There are four areas of stormwater facilities of varying sizes incorporating first flush detention areas and treatment wetlands, with most of the facilities other than the wetland north of Styx

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Mill Road being dry outside of rainfall events. Each facility has a margin for access for maintenance. They are connected by a system of swales or naturalised drains. This management system will mean that there are no adverse effects on the Styx Mill Conservation Reserve.

- Water – There is ample water supply for this new urban area and the trunk mains will simply require extension.
 - Sewer – The Wairakei Diversion Sewer programmed for construction in 2013 will create trunk capacity for the CN3 area, avoiding the need to direct sewage to the damaged Northern Relief Sewer. Existing local sewer mains in Main North Road, Claridges Road and Sawyers Arms Road all have capacity to accommodate wastewater from the anticipated households in the Upper Styx area.
 - Reserves – Key features are a proposed extension to the existing Tulett Park for active sports use and five proposed neighbourhood parks (3,000 to 4,000 square metres each) as well as the walking/ cycleway networks across the site.
 - Roading – The ODP shows the higher order minor arterial and collector roads which ensure access across the site in the east/ west and north/ south directions. There is also good access to existing bus routes, with provision for a future bus route down a proposed north south local road to the proposed retail centre. The internal key spine road from east to west is proposed to be constructed as a 16 metre carriageway with two traffic lanes and 4.5 metres of berm/parking/footpath on each side. Alternative road cross sections have been detailed for Highsted Road and the local roads. Roads serving higher density housing feature wider berms for parking and footpaths. Traffic modelling of the Upper Styx catchment has been undertaken and indicates that the surrounding road network is able to accommodate the development without any significant effects.
25. In addition archaeological, ecological, urban design, and retailing investigations have been completed to confirm the nature of urban development within the area. Archaeological research indicates the presence of several historical features including a 1905 house (M35/650) scheduled in the District Plan (but not an archaeological site under the NZHPT) and wooden boxed drains (to the north of Styx Road and the boxed drain between Gardiners Road and Highsted Road). It has been recommended that a short section of the existing drain system could be retained to demonstrate the original form of the drains, and to allow for the location of interpretative panels as a record of the form and location of the original waterways in the area. This is something that can be decided through the master planning for each respective future plan change and subdivision.
26. There are few ecological features in this modified rural area although the Styx Mill Conservation reserve lies to the north across Styx Mill Road, and there is scope to enhance the ecological values of the area through landscaping of open spaces and connecting blue and green linkages.
27. Policy 7 of the RPS concerns the achievement of urban design best practice, in keeping with the Urban Design Protocol to which the Council is a signatory. There are twelve matters to be provided for, many of which were taken into account in an urban design review and refinement of the layout originally proposed. Other aspects are matters that can be dealt with at the more detailed rezoning and Master Planning stage. There are two key aspects that require consideration here and they are the location of the neighbourhood commercial centre and the provision for a range of housing density across the site.
28. The neighbourhood centre is intended to provide 2,000 square metres gross floor area on a site of approximately 0.4 to 0.5 hectares land area located on Claridges Road. This location was selected for a number of reasons including:

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- It is served by an existing bus route;
 - It is opposite an already-existing community facility (Tulett Park) so the location would create a larger community node of activity;
 - This location is central to a much wider catchment area;
 - It will mean retail development occurs at first on the fringe of an existing area rather than in a more isolated, undeveloped location, and will have an existing catchment making it more economically viable at the outset; and
 - It has good access as it is naturally located near a convergence of the roads and pathways proposed by the outline development plan. This includes roads, bus routes and walking/ cycling paths.
29. Good urban design practice dictates that housing density should increase around community nodes. This means that a community will have a compact, walkable core with a cluster of amenities in close proximity to a greater number of houses, which is also well served by public transport. The RPS requirement is that residential subdivision and development should generally achieve a minimum net density of 15 houses or lots per hectare, provided through a range of housing typologies. This has a number of advantages:
- It allows people to remain in communities they like throughout their life, even if their housing needs or their personal circumstances change;
 - It creates visual interest through variety of architecture;
 - It creates a walkable community especially if amenities are located within walking distance; and
 - It creates a diverse, neighbourly community that is active across most times of the day. This has economic, social and safety benefits.

THE OBJECTIVES

30. To facilitate the progressive and coordinated urbanisation of rural land in the north-east of the City to provide housing for the future needs of the Christchurch community.

THE OPTIONS

31. The options are either:
- (a) Adopt this Plan Change for notification. The plan change implements an ODP and associated rules to manage future development of detailed Plan Changes in an effective and ordered manner; or
 - (b) Do nothing and process a number of private Plan Changes over the same area with no ODP and associated rules in place. This would mean development is not under-pinned with planned provision of Council infrastructure, particularly a roading layout and provision of public resources that enables a well-connected suburb with an appropriate reserve network. It would not have regard to Proposed Change 1 to the RPS.

THE PREFERRED OPTION

32. Adopt this Plan Change.

ASSESSMENT OF OPTIONS

33. See **attached** Section 32 report.

2. PROPOSED PRIVATE PLAN CHANGE 72 – REZONING OF LAND IN UPPER STYX AREA FROM RURAL 3 TO LIVING G (HIGHSTED)

General Manager responsible:	General Manager Strategy and Planning, DDI 941-8281
Officer responsible:	City Planning Unit Manager
Author:	Glenda Dixon, Senior Planner and Christine Ralph, (Technical Director Planning) Beca

PURPOSE OF REPORT

1. This report seeks the Council's approval to publicly notify Proposed Plan Change 72 – Rezoning of Land in Upper Styx area from Rural 3 to Living G (Highsted), under Clause 25 of Schedule 1 to the Resource Management Act 1991. A decision is also sought as to the status under which the plan change should be notified. Plan Change 72 is a private plan change which seeks to rezone 35 hectares within the approximately 156 hectares area covered by Plan Change 71 – Upper Styx Future Urban Development Area and Outline Development Plan, to Living G, as the first stage of the urbanisation of this area. Copies of the Plan Change and Section 32 assessment are provided in **Attachments 1 and 2**. This report on Private Plan Change 72 should be read in conjunction with the report on Plan Change 71 also included on the agenda for 30 January 2013.

EXECUTIVE SUMMARY

2. The purpose of Plan Change 72 is to facilitate urban development (primarily residential) on land at 100, 130/132 and 135 Claridges Road; 225 and 266 Highsted Road; 195 Cavendish Road and 129 and 163 Styx Mill Road, being the land owned by Highsted Properties Limited (the Applicant). The land is made up of four discrete blocks of land which collectively are to be known as “Highsted”. The land is within the Future Urban Development Area introduced by Plan Change 71, and is in accordance with Plan Change 71. Plan Change 72 includes a Master Plan for the land in question, setting out the broad pattern of land use and roading proposed. The land will be zoned Living G, providing for a range of housing options with a mix of densities specified. There is also provision for a small area of business land which will form a neighbourhood centre close to Tulett Park.
3. The parcels of land included in the plan change are those owned or controlled by the applicants, and reflect a strategy of ensuring that stormwater management is able to be dealt with and controlled through the first plan change for the area. The parcels of land within PC 72 can all be served by stormwater facilities within the land owned and controlled by Highsted Properties, along with the final polishing wetland which will be located on land in the Styx Mill Basin area.
4. Geotechnical assessment including fieldwork meeting geotechnical investigation density and depth guidelines sufficient for the subdivision phase, has already been undertaken for the Plan Change 72 area. As for the whole of the Plan Change 71 area, the Plan Change 72 area is a patchwork of nearly all Technical Category 2 (TC2) and Technical Category 3 (TC3) land (with a small area of Technical Category 1 (TC1) land), with the proportion of TC3 land being the greater proportion. This means nearly the whole plan change area will require ground strengthening. The actual methods used to strengthen ground will fall to be determined at the subdivision stage. The geotechnical work undertaken to date does not indicate that there is any land which should be considered as unfit for residential development. Elements of the stormwater system have already been redesigned and relocated to mitigate the risk of lateral spread, and Plan Change 72 also proposes to require a default 30 metre geotechnical setback for buildings and structures from the crest of slopes around stormwater facilities.
5. Plan Change 72 proposes similar rules to other Living G zones in the City, with some simplifications and deletions, and a few additions. There has been close collaboration between the private plan change applicant and the Council in developing the plan change provisions and ensuring that Plan Changes 71 and 72 align with each other. The plan change request has in

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effect been modified on several significant issues with the agreement of the applicant. To promote understanding of the context of Plan Change 72 it is recommended that it proceed to notification, jointly with Plan Change 71.

FINANCIAL IMPLICATIONS

6. Through this plan change, rezoning and subsequent subdivision, there are stormwater, sewer, water, roads and reserves infrastructure proposed to be vested in the Council and these will be largely funded by the Council's development contributions regime within the LTP 2013-2022. Where land for facilities (such as the wetland proposed for final polishing adjacent to the Styx Mill Reserve) is not available in the required time frame it may be necessary for the Council to contribute some funding through the budgeted capital expenditure item in the Annual Plan for stormwater and treatment facilities for city growth. The Council will also need to fund the retrofitting of stormwater facilities within this area for part of the Bishopdale area to the south.
7. Should the Council resolve to notify the plan change there are legal processes which must be followed in accordance with Schedule 1 of the Resource Management Act (RMA). This is a standard process that all plan changes must follow and if the processes are correctly followed, no particular financial risks are foreseen.
8. There would be costs arising at various stages of the plan change process relating to the preparation of officer reports and a hearing in response to submissions. The scale of costs would depend on the level of complexity of the submissions received. As this is a private plan change, these costs are largely recoverable from the applicant. Costs associated with responding to any Environment Court appeals received are not recoverable, except in instances where the Court may award costs.
9. Should the Council resolve to adopt the plan change as its own, it will need to absorb all the processing costs (up until the Appeals stage).

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

10. The recommendations and costs incurred align with the District Planning budget and work programme for 2012/13 as provided for under the 2009-2019 LTP budget.

LEGAL CONSIDERATIONS

11. There is a legal process set out in the RMA which must be followed. It includes public notification of the Plan Change followed by submissions, reporting, hearings, decisions and possible appeals.
12. Proposed Plan Change No. 1 to the RPS (decisions version dated 2009) has now been returned to the appeal stage, and appeals have been adjourned by the Environment Court pending the notification of a Land Use Recovery Plan. This is expected to be around April 2013. Appeals affecting the CN3 area seek use of the 55 dBA Ldn contour for airport noise rather than the 50 dBA line, reduction or removal of the RPS requirement for 15 households per hectare, and allowing all development to occur in the first phase of development. There are no appeals challenging the principle of the CN3 area being identified for greenfields residential development.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

13. The processing of private plan changes is provided for under the LTP and Activity Management Plans. Plan Change 72 is specifically identified as a project within the Council's District Planning Work Programme.

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ALIGNMENT WITH STRATEGIES

14. The plan change aligns with: Greater Christchurch Urban Development Strategy (UDS) and Proposed Change No. 1 to the Regional Policy Statement (RPS).

CONSULTATION FULFILMENT

15. The private plan change applicant, Highsted Properties Ltd , has undertaken consultation with all immediately neighbouring landowners, including as part of the process of obtaining access for geotechnical investigations. In addition, consultation with statutory agencies and landowner meetings and the public information evening for Plan Change 71 have all included discussion of the prospective Private Plan Change 72 for the central portion of the CN3 area.

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Accept the attached Section 32 assessment for public notification.
- (b) Accept Private Plan Change 72 – Rezoning of Land in the Upper Styx Area from Rural 3 to Living G (Highsted), pursuant to Schedule 1, Clause 25(2)(b) of the Resource Management Act 1991 for public notification, and notifies Plan Change 72 jointly with Plan Change 71.
- (c) Note that in accordance with Council policy, the costs of processing the private plan change are to be borne by the applicant.

COMMITTEE RECOMMENDATION

It is recommended that the Council:

- (a) Adopt the attached Section 32 assessment for public notification.
- (b) Adopt Private Plan Change 72 – Rezoning of Land in the Upper Styx Area from Rural 3 to Living G (Highsted), pursuant to Schedule 1, Clause 25(2)(a) of the Resource Management Act 1991 for public notification, and notifies Plan Change 72 jointly with Plan Change 71.
- (c) Should Council, in its consideration of the recommendation of the Committee to adopt the plan change, decline to do so, then the Committee recommends acceptance of the plan change by Council.

When put to the meeting clauses (a) and (b) were declared **carried**. Clause (c) was then put to the meeting was also declared **carried**.

Councillor Buck requested her abstention from clauses (a) and (b) be recorded.

BACKGROUND (THE ISSUES)

16. The Council's Plan Change 71 introduces a Future Urban Development Area notation over the whole Upper Styx CN3 area. It also introduces an Outline Development Plan into the City Plan for the Upper Styx area. This ODP, which is a requirement of Proposed Change No. 1 to the Regional Policy Statement will guide future urban development for the area as and when it is rezoned for urban purposes. The ODP is supported by policies and rules that require that future zone changes from rural to residential and business, implement the principles of the Outline Development Plan and the provisions of Proposed Plan Change No. 1 to the Regional Policy Statement.

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17. Plan Change No. 72 is the first of these rezoning plan changes within the CN3 area. In accordance with Plan Change 71, Private Plan Change 72 – Highsted includes an accompanying Master Plan for the development of the land holdings that Highsted Properties own or holds options over. The land area covered by this plan change is approximately 25 per cent of the land area within CN3 (which covers a total area of approximately 156 hectares).
18. The land concerned is generally located within the southwest, through the lower-lying centre of the Upper Styx ODP area, and in the northeast, reflecting the proponent's strategy of ensuring that stormwater management is able to be dealt with and controlled through the first plan change for the area. This is an area with naturally high groundwater draining to the Styx River and with several small watercourses running through the site. The Council has recently applied for a comprehensive stormwater discharge consent from the Regional Council for the Styx catchment, and has proposed a system of first flush basins and wetlands to ensure that the high water quality of the Styx River can be maintained during and after the development of this land. The parcels of land within PC 72, if it is developed ahead of the rest of the wider block, can all be served by stormwater facilities within the land owned and controlled by Highsted Properties, along with the final polishing wetland which will be located on land in the Styx Mill Basin area.
19. Since the Canterbury earthquakes, geotechnical assessment of land proposed for development has become a significant issue in greenfields areas around the City. Since November 2011 the Department of Building and Housing, now part of the Ministry of Business, Innovation and Employment, has required deep investigations at plan change and subdivision stages to characterise the ground and assess the potential for liquefaction. Deep investigations to meet investigation density guidelines sufficient for the subdivision phase (i.e. more sites per hectare than for the rest of the Plan Change 71 area) have already been undertaken for the Plan Change 72 area. As for the whole of the Plan Change 71 area, the Plan Change 72 area is a patchwork of nearly all TC2 and TC3 land (with a small area of TC1 land). The proportion of TC3 land is greater, due to the fact that PC 72 includes the most low-lying areas next to watercourses. This means nearly the whole plan change area will require remediation work, with the geotechnical report identifying likely ground strengthening methods which could be used such as:
 - (a) excavation of material to two metres depth, possible dewatering and backfilling;
 - (b) excavation and replacement with soil mixed with a small percentage of cement, and compaction; and/or in-situ stabilisation with cement and surface compaction;
 - (c) specific foundation design will also be required in most cases.
20. The actual methods used to strengthen ground will fall to be determined at the subdivision stage. The geotechnical work undertaken to date does not indicate that there is any land which should be considered as unfit for residential development. However it is important that the results of geotechnical assessment are considered early in the land use decision-making process. For this plan change the identification of significant areas of TC2 and TC3 land meant that there was an opportunity to revise the first draft of the Outline Development Plan under PC 71 and the Master Plan under PC 72, to redesign the stormwater system to remove an initially proposed wetpond and to make some of the detention basins shallower and therefore larger than they otherwise would have been, to mitigate the risk of lateral spread. The stormwater facility in the East Highsted block was also moved onto poorer quality land to free up more of the better land for housing, thereby potentially decreasing development costs.
21. Plan Change 72 also proposes to require a default 30 metre geotechnical setback for buildings and structures from the crest of slopes around stormwater facilities, and this is shown on the Master Plan. It is likely that these setbacks would be reduced on a restricted discretionary resource consent application, if it can be shown that specific geotechnical assessment, detailed

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design of stormwater facilities or ground strengthening mean that these setbacks can be safely reduced. A consequence of this, is that until the subdivision stage there will be a degree of uncertainty about the amount of space which will be taken up by open space corridors around the stormwater facilities, and how much of this land will be held by the Council or private land owners.

22. Plan Change 72 proposes similar rules to other Living G zones in the City. The eight other existing and proposed Living G zones all have slightly different provisions to each other and to the main Living G zone. The existing approach of having standalone and tailored provisions for each Living G “sub-zone” has been followed for Plan Change 72 to ensure that it can be administered in the same manner as the other Living G “sub-zones”. The approach of having separate Living G “sub-zones” does contain a degree of duplication and some complexity. Streamlining of these Living G provisions will be part of the District Plan review commencing in 2014. As the first step in the streamlining process, the Living G (Highsted) policy and rule provisions have been simplified, including the following:
- (a) Streamlining and shortening of any complex and repetitive policy provisions.
 - (b) Removal of overlaps in the residential density bands and more precise average net densities for the bands, to allow easier calculation of yields (these density provisions have also been included in PC 71 so as to apply to the whole CN3 area). Provision has been made for residual lots which can be further subdivided in the future to achieve density requirements.
 - (c) Deletion of the rule requiring each household unit to be on its own separate site, to better provide for the possibility of comprehensive housing developments on large sites.
 - (d) Removal of the recession plane requirement for the higher density residential band, in favour of reliance on urban design assessment.
 - (e) A simplification of some of the rules about separation between buildings.
 - (f) Decreases in coverage and increases in outdoor open space required, to promote two storey development on smaller sites.
 - (g) An explicit rule for the retention of an existing large rural-residential lot. This issue is likely to arise again in future re-zonings for the rest of the CN3 area, but there is a need to ensure that the density requirements of the RPS are not undermined.
23. The standard RFI process has in this instance been undertaken ahead of lodgement of the formal request for a private plan change, with close collaboration between the private plan change proponent and the Council in developing the plan change provisions and ensuring that Plan Changes 71 and 72 align with each other. The plan change request has in effect been modified on several significant issues with the agreement of the applicant. In addition, because of the close relationship between the two plan changes, much of the background documentation for Plan Change 72 derives from, and is a subset and elaboration on that provided for Plan Change 71.
24. Private Plan Change 72 was formally lodged on 21 December 2012. It is now considered that there is adequate information for understanding the effects on the environment of Plan Change 72, the ways in which adverse effects are likely to be mitigated, and the benefits and costs of possible alternatives to the request. The Plan Change can therefore proceed to notification. To promote understanding of the context for Plan Change 72, it is intended that both Plan Change 71 and Plan Change 72 will be notified at the same time, follow the same procedural process and go to a hearing for both Plan Changes 71 and 72.

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25. As a private plan change it is recommended the Council accepts the request for the reasons set out below.

Resource Management Act Requirements and Options

26. Under the Resource Management Act 1991 (the RMA) the applicant is entitled to request a change to the City Plan. The Council must now decide which of the options under Clauses 24 and 25 of Schedule 1 to the Resource Management Act 1991 to employ.
27. The implications of the options under clauses 24 and 25 of Schedule 1 of the Act are discussed below.

Option 1 – Resolve to reject Private Plan Change 72 (Clause 25 (4))

28. There are very limited grounds in the Act for rejecting an application. A plan change can be rejected if:
- (a) It is frivolous or vexatious;
 - (b) The substance of the change has been dealt with by the Council or the Environment Court in the last two years;
 - (c) The change is not in accordance with sound resource management practice;
 - (d) The change would make the District Plan inconsistent with Part 5 of the Act (other policy statements or plans, such as Regional Policy Statement or Plan, iwi management plans); or
 - (e) The District Plan has not been operative for more than two years.
29. None of these grounds apply here. The applicant has invested significant time and financial resources in preparing the plan change and has made a case for the plan change that warrants consideration. It is substantially in accord with the Proposed Change 1 to the Regional Policy Statement and is considered to be in accord with Plan Change 71.

Option 2 - Resolve to deal with Private Plan Change 72 as if it were an application for resource consent (Clause 25(3))

30. Under this option the Plan Change would be converted to a resource consent application and be processed by the Council as such. The applicant bears all of the associated costs. A resource consent could provide for the establishment of the proposed land uses and the subdivision of the land as a non-complying activity, but it would be inappropriate to deal with a proposal of this magnitude as a resource consent. In this case a change of zoning with associated policy and rule changes more closely reflects the future use of the site, and will assist the Council in meeting its obligations to achieve integrated management of effects of activities as required by section 31 of the Act, and to have regard to the provisions of PC1. It also gives certainty to adjacent land owners. It should be noted that the possibility of non-complying activity resource consents for the development of other smaller blocks remains, and some of the wording of PC 71 policies has been amended to address this possibility.

Option 3 - Resolve to adopt Private Plan Change 72 and publicly notify it as if it were the Council's own plan change (Clause 25 (2)(a))

31. Under this option PC 72 would become a Council plan change. It would be notified, heard and decided in the same way as a plan change prepared by the Council, that is, the Council bears all of the associated costs. Adopting the plan change would mean that:

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- (a) The Council would be indicating that the plan change has merit and that it generally supports the proposal; and
 - (b) The Council would bear the costs of managing and processing the plan change.
32. Adoption of a private plan change application would generally only occur where there is a wider public good flowing from the plan change. There may be an argument that adopting this Plan Change would help to give effect to PC1, under which the land is identified for this purpose. However there may be some aspects the Council would not choose to support. The applicant has not requested the Council to adopt the Change.

Option 4 - Resolve to accept Private Plan Change 72 and the Section 32 Assessment for public notification (Clause 25 (2) (b))

33. Under this option Private Plan Change 72 would be notified in its current form. Accepting the Plan Change means:
- (a) The applicant determines the nature of the plan change that is notified except where it has agreed to modifications;
 - (b) The Council remains neutral as to its position on the proposal but is satisfied that the change includes sufficient information to be publicly notified; and
 - (c) The applicant bears the cost of the complete plan change process up until the point of any appeals.
34. Any concerns the Council may have regarding the Plan Change, can be raised by a Council submission if considered warranted, or covered through the officer's Section 42A Report, subject to scope offered by submissions.

The Preferred Option

35. The recommendation based on the analysis of the options is to accept private Plan Change 72 – Rezoning of Land in the Upper Styx area from Rural 3 to Living G (Highsted), for notification under Clause 25 (2) (b).

ASSESSMENT OF OPTIONS

Refer to Section 32 report attached to the Plan Change.

The meeting adjourned at 10.25am and resumed at 10.40am.

3. CHRISTCHURCH CITY COUNCIL SUBMISSION TO WAIMAKARIRI DISTRICT COUNCIL ON PRIVATE PLAN CHANGE REQUEST 20 TO THE WAIMAKARIRI DISTRICT PLAN (CLAMPETT INVESTMENTS)

General Manager responsible:	General Manager Strategy and Planning, DDI 941-8281
Officer responsible:	City Planning Unit Manager
Author:	Mark Stevenson, Senior Planner

PURPOSE OF REPORT

1. The purpose of this report is to seek retrospective approval of a submission made to Waimakariri District Council on Private Plan Change request 20 to the Waimakariri District Plan

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(Clampett Investments Limited). Should the Council decide not to approve the submission, it will be withdrawn.

EXECUTIVE SUMMARY

2. On 10 November 2012, Waimakariri District Council notified Private Plan Change Request 20 to the Waimakariri District Plan. The proposed plan change seeks to rezone an area of approximately eight hectares in Kaiapoi from Rural to Business 5. The subject land is located in an area generally defined by State Highway 1, Smith Street and the Kaiapoi River. The area is identified as a greenfield business area, Kaiapoi Central (annotated as WK7), in Proposed Change 1 to the Regional Policy Statement (Refer to **Attachment 2**).
3. A submission was lodged with Waimakariri District Council during the period for submissions on Plan Change 20 that ended on the 7 December 2012 (**Attachment 1**). Retrospective approval is sought as the last Planning Committee meeting of 2012 was 20 November prior to the submission being prepared. Due to the limited timeframe for lodging a submission, it was determined that a submission be lodged, which could subsequently be withdrawn if it was not approved. The reasons for the submission are summarised below.
4. The proposed plan change is intended to provide for '*a range of trade supplier retail and large floorplate office activities*'. The proposed provisions would enable the development of large floorplate office activities across the entire site, which could have a potential adverse effect on the recovery of the Central City, contrary to the Recovery Strategy and Christchurch Central Recovery Plan.
5. A change to a District Plan is to be in accordance with the provisions of Part 2 (Purpose and Principles) of the Resource Management Act. Under the Act, any adverse effects of activities proposed by the private plan change must be avoided, remedied or mitigated. These effects include 'cross boundary' effects.
6. The proposed private plan change could have an adverse effect on the function, vitality and amenity of the central city and suburban centres in Christchurch by attracting investment to an 'out of centre' location, reducing demand for office floorspace in the Central City and suburban centres. The plan change as notified is therefore considered to be an impediment to achieving the objectives and policies in the City Plan.
7. For the reasons described, the submission seeks the approval of the private plan change with amendments including restrictions on the total quantum of office floorspace provided for and the timing of its development.
8. The proposed submission by the Council is consistent with the Environment Court decision [2012 NZEnvC 92], *Kiwi Property Holdings Ltd and others v Christchurch City Council*, which relates to appeals on Christchurch City Council's decision on Plan Change 22 (Styx Centre) to the Christchurch City Council District Plan. That decision included a new provision limiting the development of offices at the Styx site from 1 February 2012 for three years to support the recovery of the Central City.
9. Waimakariri District Council have also raised concerns with the proposed rules that enable full development of the subject site for offices. Its location on the edge of Kaiapoi could adversely affect the role and function of Kaiapoi town centre as a Key Activity Centre in Proposed Change 1 to the RPS. A submission has therefore been lodged by WDC on the private plan change.

FINANCIAL IMPLICATIONS

10. Pursuing the submission will impose a financial cost on the Council in terms of staff time to prepare for and present the submission at a hearing on the proposed plan change. This may necessitate the preparation of a report for the hearing. Expert advice and/or legal advice may also be required in preparation for and the presentation of evidence at the hearing.

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Do the Recommendations of this Report Align with LTCCP budgets?

11. The recommendations and costs incurred align with the District Planning budget and work programme as provided for under the 2009-2019 LTCCP budget.

LEGAL CONSIDERATIONS

12. Section 74(2)(c) of the Resource Management Act is relevant and states that a Territorial Authority, when preparing or changing its District Plan, shall have regard to "*The extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.*" The consistency of the proposed private plan change with the policy framework including the City Plan is considered in the latter part of this report.
13. The Act also stipulates a statutory process to be followed in respect of any plan change. Schedule 1 of the Act sets out requirements for public notification and making submissions, Clause 6 stating that "*any other person may make a submission* (in addition to the Local Authority where the plan change is in its own area)". In accordance with Clause 6 of Schedule 1 to the Act, the Council has the ability to make a submission on the proposed plan change and to seek a decision(s).

ALIGNMENT WITH LTP AND ACTIVITY MANAGEMENT PLANS

14. This work falls within the City and Community Long-Term Policy and Planning Activity Management Plan while also being relevant to the District Planning Activity Management Plan. The relevant performance standard is for 'development of policy and plans to implement the Council's components of the Greater Christchurch Urban Development Strategy (UDS) Action Plan' (1.0.2). A focus of this work is 'Central City Revitalisation' and 'Intensification and centres planning'.
15. Reflecting the LTCCP, an action in the UDS Action Plan (Updated 2010) is to "*Develop an office distribution plan that supports the Central City and provides direction to the location of all types of office activity and works to retain and attract business*". The submission as lodged on the private plan change gives effect to these standards by supporting the Central City and direction in policy documents on the location of office activity.

ALIGNMENT WITH STRATEGIES

16. The submission aligns with plans and strategies including the Urban Development Strategy, Proposed Change 1 to the Regional Policy Statement and Christchurch City Council City Plan as described below.

CONSULTATION FULFILMENT

17. The proposed plan change was notified on 10 November 2012 for 20 working days, the period for submissions ending on the 5 December. There will also be the opportunity to lodge further submissions on submissions to the proposed private plan change.

STAFF RECOMMENDATION

That the Council:

- (a) Approve the submission on proposed plan change 20 to the Waimakariri District Council District Plan (Attachment 1 of the report).
- (b) Approve the preparation for and presentation of evidence at a hearing on proposed plan change 20 to the Waimakariri District Council District Plan, if appropriate.

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COMMITTEE RECOMMENDATION

That the Staff Recommendation be adopted.

BACKGROUND AND DISCUSSION

18. On 10 November 2012, Waimakariri District Council notified Private Plan Change Request 20 to the Waimakariri District Plan. The proposed plan change seeks to rezone an area of approximately eight hectares in Kaiapoi from Rural to Business 5. The subject land is located in an area generally defined by State Highway 1, Smith Street and the Kaiapoi River. The area is identified as a greenfield business area, Kaiapoi Central (annotated as WK7), in Proposed Change 1 to the Regional Policy Statement.
19. The purpose of the zone is proposed to be for “*trade supplier and large floor plate office business activities in the Kaiapoi Business 5 zone...*” (Policy 16.1.1.7). In limiting the scope of these activities, the following rules are proposed –

Rule 31.20.1.8

Any retail activity in the Kaiapoi Business 5 Zone shall be limited to the following:

- a. trade suppliers;*
- b. large floor plate office activities;*
- c. food and beverage outlets, where the total net floor area for food and beverage outlets in the Zone does not exceed 2,000m²;*
- d. the display and sale of goods produced and/or processed on the site, including ancillary products and goods, not exceeding 20% of the net floor area of the sum of all buildings on any site.*

Rule 31.20.1.9

Any office in the Kaiapoi Business 5 Zone shall be limited to:

- a. singular or agglomerated office activities, with no single tenancy having a net floor area less than 120m²; or*
- b. office activities associated with and ancillary to any permitted activity located on the site and not exceeding 5% of the net floor area of the sum of all buildings on the site.*

20. Rule 31.20.1.9 would enable the development of the entire Business 5 zone, being eight hectares, for large floor plate offices with the only restriction being that any single tenancy must have a minimum net floor area of 120 square metres or greater.

Effect of the proposed private plan change on recovery of the Central City

21. The potential development of the entire site for offices could have an adverse effect on the recovery of the Central City, inconsistent with the Recovery Strategy and Christchurch Central Recovery Plan. This is on the basis that the central city provides for large floor plate office space, similar to that proposed by the private plan change as notified, and the proposed plan change could attract demand away from the Central City at a critical time in its recovery.
22. The issue of office development having an adverse effect on recovery of the Central City was considered in the Environment Court decision [2012 NZEnvC 92], *Kiwi Property Holdings Ltd and others v Christchurch City Council*, which relates to appeals on Christchurch City Council's decision on Plan Change 22 (Styx Centre) to the Christchurch City Council District Plan.
23. Prior to the February 2011 earthquake, the proposed zoning of the Styx centre (Plan Change 22) allowed the development of offices without restrictions. In response to the earthquakes and effects on the Central City, a number of parties including Christchurch City Council agreed to a new provision limiting the development of offices at the Styx site from 1 February 2012 for three

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years 'to reduce the likelihood of large tenants who were formally in the CBD relocating to the Styx centre while the CBD is not open or fully functioning'. The Court's decision states that "*the purpose of the provision is to retain or encourage the location of primary business activities within the CBD until February 2015*".

24. The proposed rezoning of land at Kaiapoi, while further to the north than the Styx centre, may impact on the demand for new office floorspace in the Central City. On this basis and to ensure consistency with the planning provisions for the Styx centre, it is appropriate that restrictions are put in place on the total quantum of office floorspace provided for and the timing of its development. This is reflected in the relief sought in the submission.

Effect of the proposed private plan change on the function, vitality and amenity of the Central City and suburban centres

25. The proposed plan change could impact on the function, vitality and amenity of the Central City and suburban centres in the north of Christchurch by attracting investment to an 'out of centre' location, reducing demand for office floorspace in the Central City and suburban centres.
26. The provision of office floorspace provides for employment, which makes the central city and suburban centres attractive for other activities serving businesses and employees, e.g. retail uses. These activities attract people, which contributes to the vitality and amenity of these areas and supports the well-being of people and communities.
27. The Central City and a number of suburban centres including Shirley, Papanui and Belfast are identified in Proposed Change 1 to the Regional Policy Statement as Key Activity Centres (KACs). KACs are intended as 'key centres of business and service activity', Policy 5 seeking to ensure that commercial activity outside of Key Activity Centres does not adversely affect their function, vitality or amenity. This is reinforced in the City Plan.
28. The City Plan promotes the Central City as a focal point for commercial and employment activities amongst other uses. As a major employment centre, it is intended that the Central City provides for large floor plate office space. The City Plan also encourages the consolidation of commercial activities in existing commercial centres to meet community's social and economic needs. The proposed plan change does not support the consolidation of offices in existing centres and may adversely affect their function as the focal points of investment and business.
29. Having regard to the points above, it is considered appropriate that the Council gives retrospective approval of the submission made on proposed plan change 20 to the Waimakariri District Plan. The alternatives are set out below.
30. Retrospective approval is sought as the last Planning Committee meeting of 2012 was the 20th November prior to the submission being prepared. Due to the limited timeframe for lodging a submission, it was determined that a submission be lodged, which could subsequently be withdrawn if it was not approved.

THE OPTIONS

31. **Option 1:** Do nothing (withdraw submission)

This option is not recommended. There are matters of concern that should be raised in the submission as lodged. A submission on the proposed plan change is the only stage in the statutory process that enables the Council to raise its own concerns and have them addressed.

32. **Option 2:** Approve the submission as lodged, which seeks approval of the plan change with amendments to address the points made in the submission.

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This option is recommended. There are matters of concern that can be resolved through the plan change process.

THE PREFERRED OPTION

The preferred option is Option 2 for the reasons described above.

4. PREPARATION OF OUTLINE DEVELOPMENT PLANS FOR GREENFIELD BUSINESS AREAS – CB1 BELFAST / CB2 HORNBY / CB7 HORNBY WEST

General Manager responsible:	General Manager Strategy and Planning, DDI 941-8281
Officer responsible:	City Planning Unit Manager
Author:	Mark Stevenson, Senior Planner

PURPOSE OF REPORT

1. The purpose of this report is to recommend that the Council leads the preparation of two Outline Development Plans (ODPs) for greenfield business areas in the south west and north of Christchurch, identified in Proposed Change 1 (PC1) to the Regional Policy Statement. The areas are described in PC1 as CB1 Belfast, comprising 98 hectares, and CB2 Hornby and CB7 Hornby West, comprising 171 hectares. **Attachment 1** defines these areas in the context of Christchurch City, and **Attachments 2 and 3** show the boundaries of the greenfield areas that ODPs are proposed for.

EXECUTIVE SUMMARY

2. Since the release of decisions on Proposed Change 1 (PC1) to the Regional Policy Statement (RPS) in late 2009, there have been a number of privately initiated plan change requests seeking to rezone land within greenfield areas identified to accommodate future residential and business growth. The rezoning of parts of a greenfield area has the potential to compromise an integrated approach to planning and development of the whole of a greenfield area without a clear direction for how development and infrastructure is to occur.
3. An Outline Development Plan is a means of ensuring a comprehensive approach to the planning and development of land uses and network infrastructure within each greenfield area including roading, areas for stormwater management and open space amongst other matters.
4. Officers are proposing that the Council take a proactive role by leading the preparation of ODPs for greenfield business areas identified in PC1 as CB1 Belfast (refer to **Attachment 2**), and CB2 (Hornby) and CB7 (Hornby West) (refer to **Attachment 3**). Landowners within each of these greenfield areas are proposing to lodge requests for private plan changes to rezone their properties and without an ODP in place, there is potential for an ad-hoc approach to the planning and development of these areas.
5. The CB1 area in Belfast comprises 98 hectares between Main North Road and the proposed Northern Arterial motorway, north of the existing residential and industrial areas of Belfast, which is currently zoned for rural activities (Rural 3 in the City Plan). A private plan change request has been lodged in draft form with the Council for rezoning approximately 14 hectares of land, fronting Main North Road and it is expected that the plan change request will be formally lodged in late January 2013.
6. The two business greenfield areas in the South West, CB2 (Hornby) and CB7 (Hornby West) comprise 111 hectares and 60 hectares respectively (Total of 176 hectares). As they are contiguous, it is proposed that a single ODP be prepared covering both greenfield areas. The

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area is bound by Marshs Road, Shands Road, Main South Road and the existing Hornby industrial area and is directly adjacent to the proposed Christchurch Southern Motorway Extension CSM2. Similarly, a landowner within the greenfield area is proposing to lodge a request for rezoning their land in the near future.

7. Policy 8 of PC1 requires the development of urban activities within greenfield areas to occur in accordance with an Outline Development Plan, which the Council is required to give effect to. A single ODP is to be prepared for the whole of a greenfield area unless there is an Area Plan, in which case an ODP can be prepared for a part of the greenfield area. Policy 8 prescribes a number of elements that should be included on an ODP. However, the level of detail included on an ODP is typically less for business areas than residential areas.
8. While the greenfield area in Belfast (CB1) is covered by the Belfast Area Plan and one of the greenfield areas in Hornby, CB2 is covered by the South West Area Plan, ODPs are considered necessary for the whole of the greenfield areas in the South West and in Belfast. The Area Plans provide an area wide strategy for managing growth and infrastructure within Belfast and the South West by identifying future networks for transport, stormwater, servicing, open space, ecological and other matters. However, it is important to ensure these are refined at a greenfield area level to provide certainty for landowners and the Council on the locations of future networks. Through the ODP process, there is also the opportunity to update the previous work undertaken for the South West and Belfast Area Plans to reflect the post earthquake environment. Furthermore, a part of the area that an ODP is proposed for in the South West is not covered by the South West Area Plan and there is therefore no strategic direction for future development of the area as a whole.
9. An ODP is included in the District Plan by way of plan change and any subsequent plan changes for rezoning land and/or development within greenfield areas is to be in accordance with the ODP. Given the timing of private plan changes for rezoning parts of each greenfield area, it is proposed that the plan changes for including ODPs in the District Plan are processed concurrently with the private plan changes where feasible. This will enable integration between the areas identified for rezoning and the balance of each greenfield area.
10. The Council has previously approved the preparation of ODPs for two residential greenfield areas, known as Upper Styx (CN3) and Sparks Road (CSW3) (Council decision 24 May 2012), which staff are progressing in liaison with landowners. This will ensure forthcoming private plan changes within each area are integrated with the wider greenfield area, and in this respect the same approach is proposed for the greenfield areas that are the subject of this report.
11. The preparation of an ODP for greenfield areas has a number of benefits for the Council and landowners including the following:
 - An ODP for the greenfield business areas in Belfast and the South West gives effect to PC1 to the RPS (Decisions version), which requires development within greenfield areas to occur in accordance with an ODP. While Proposed Change 1 and Chapter 12A of the RPS are subject to appeals, there is a requirement for development in greenfield areas to occur in accordance with an ODP in either document. An ODP can contribute towards the more efficient use of funding and the provision of services by providing a clear strategy for where and when infrastructure is required within greenfield areas;
 - An ODP provides certainty to inform the Council's planning and gives landowners the confidence they require ahead of proceeding with development. This will assist with the economic recovery of the City and wider region by speeding up the consenting process and providing certainty to developers;
 - In each of the areas, there are multiple landowners each with their own commercial or strategic interests. The Council can independently and objectively determine the best planning outcomes to be achieved through the ODPs reflecting its functions under Section 31 of the Resource Management Act for the 'integrated management of the effects of the use, development and protection of land';

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- The Council is in the best position to plan and co-ordinate the delivery of infrastructure having regard to its role in planning and managing infrastructure. The Council can enable delivery of infrastructure to implement the ODP through its Long Term Plan and Annual Plan processes;
- For landowners, an ODP provides a potentially more expedient plan change process when the rezoning of their land is sought. This is on the basis that issues are dealt with at the ODP stage and can better facilitate the availability of land for accommodating future business growth.

12. Having regard to the points above, it is recommended that the Council gives approval to the development of an ODP for the whole of each greenfield area and the preparation of plan changes to include each ODP into the City Plan.

FINANCIAL IMPLICATIONS

13. The 2012/13 Annual Plan (District Plan Activity) provides for the preparation of Council led plan changes and processing of private plan change requests. While the private plan changes expected for land within each of the business greenfield areas were included within the District Planning work programme for the 2012/13 year, the Council led plan changes involving two ODPs for the South West and Belfast industrial areas were not. However, as explained in the report, there are considered to be significant benefits in the Council taking the lead in preparing the ODPs, therefore ensuring a comprehensive and integrated approach to the planning and development of land uses and infrastructure in each area. It should also be noted that the ODPs for business areas are not as detailed as for residential greenfield areas and the costs are therefore likely to be less than ODPs being prepared for residential greenfield areas.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

14. The recommendations and costs incurred align with the District Planning budget and work programme as provided for under the 2009-19 LTCCP budget.

LEGAL CONSIDERATIONS

Have you considered the legal implications of the issue under consideration?

15. Policy 8 of PC1 requires the development of urban activities within greenfield areas to occur in accordance with an ODP. To give effect to PC1, the Council has a responsibility to take the lead in preparing an ODP for each greenfield area to ensure a comprehensive approach to future planning and development in the area.
16. Proposed Change 1 (PC1), as decided by the Canterbury Regional Council in December 2009, is currently subject to appeals following a process of submissions and hearings. The Environment Court issued its ninth decision (procedural) on 19 December 2012 to adjourn proceedings on PC1 appeals until a proposed Land Use Recovery Plan (LURP) is notified (where appeals cannot be isolated from matters to be covered by the LURP).
17. The LURP is proposed following direction from the Minister of Earthquake Recovery and will consider the need for changes to planning documents to ensure there is a sufficient supply of land for housing and business over the next 10 to 15 years. The LURP will consider prioritising areas to support the recovery and rebuild. However, it is highly unlikely that the existing greenfield areas identified for future residential and business growth in PC1, including those areas subject to this report, will be withdrawn.
18. Until such time that the draft LURP is produced, the decisions version of PC1 remains the relevant document in the planning of greenfield areas, which the Council must give effect to.

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19. The ODPs are to be included in the City Plan by way of plan changes. There is a statutory process set out under Schedule 1 of the Act, which must be followed for plan changes.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

20. The Long Term Plan framework provides for an ongoing programme of preparing, maintaining and reviewing the City Plan as a Level of Service. The preparation of plan changes for including ODPs in the City Plan ensures that the City Plan provide an up to date framework for managing future growth in the City.
21. In addition, one of the measures of success is the development of policy and plans to implement the Council's components of the Greater Christchurch Urban Development Strategy action plan. The recommendations give effect to the UDS by providing for a co-ordinated approach to development in greenfield areas.

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

22. The recommendations of this report are consistent with the Greater Christchurch Urban Development Strategy (UDS), the Regional Policy Statement (including PC1), and the City Plan. In particular, the preparation of ODPs for the South West and Belfast greenfield areas gives effect to PC1 by providing a comprehensive plan for planning and the development of land uses and infrastructure.

CONSULTATION FULFILMENT

23. In preparation of the Outline Development Plan, consultation will be undertaken with landowners within each greenfield area as well as the relevant Community Boards, and other affected parties including the New Zealand Transport Agency, Kiwi Rail, UDS partners, and infrastructure providers.
24. Upon notification of the plan change to include the ODP in the City Plan, submissions will be invited, followed by hearings, thereby enabling interested and affected parties to comment formally, and be heard if they wish, on the change and ODP.

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Initiate a Plan change to insert an Outline Development Plan (ODP) in the City Plan for the area of land identified as CB1 Belfast in PC1. Preparation of the ODP will be undertaken in collaboration with landowners and their representatives.
- (b) Initiate a Plan change to insert an Outline Development Plan (ODP) in the City Plan for the area of land identified as CB2 (Hornby) and CB7 (Hornby West) in PC1. Preparation of the ODP will be undertaken in collaboration with landowners and their representatives.
- (c) Request that the draft Plan Changes be prepared and reported back to the Council for adoption prior to public notification.

COMMITTEE RECOMMENDATION

That the Staff Recommendation be adopted.

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Councillor Wells was absent for voting on this item.

BACKGROUND

25. Proposed Change 1 (PC1) of the Regional Policy Statement requires the development of urban activities within greenfield areas to occur in accordance with an Outline Development Plan (ODP), which the Council is required to give effect to (Policy 8). An ODP is a means of ensuring a comprehensive approach to the planning and development of land uses and infrastructure within each greenfield area. It provides a clear direction for how an area should develop by identifying the location for future land uses, and how infrastructure will support the proposed land use pattern. It can also set out the appropriate staging of development and timing for delivery of infrastructure.
26. It is proposed that the Council takes a proactive role by leading the preparation of ODPs for greenfield business areas, identified in PC1 as CB1 Belfast (Refer to **Attachment 2**), and CB2 (Hornby) and CB7 (Hornby West) (Refer to **Attachment 3**). Landowners within these greenfield areas are proposing to lodge requests for plan changes to rezone their properties and without an ODP in place, there is potential for an ad-hoc approach to the planning and development of these areas. There have already been two private plan changes approved in the Hornby area and there is likely to be on-going pressure for the Council to notify further privately requested plan changes. These are likely to have potentially significant cumulative adverse effects on the environment, and more particularly on stormwater and transport infrastructure unless there is a development framework in place for this important growth area.
27. Policy 8 of PC1 requires a single ODP is to be prepared for the whole of a greenfield area unless there is an Area Plan, in which case an ODP can be prepared for a part of the greenfield area. The CB1 area in Belfast is covered by the Belfast Area Plan (adopted by the Council in 2010) and the CB2 Hornby area is covered by the South West Area Plan (adopted by the Council in 2009).
28. The Area Plans provide an area wide strategy for managing growth and infrastructure within Belfast and the South West by identifying future networks for transport, stormwater, servicing, open space, ecological and other matters. However, it is important to ensure these are refined at a greenfield area level to provide certainty for landowners and the Council on the locations of future networks. Through the ODP process, there is also the opportunity to update the previous work undertaken for the South West and Belfast Area Plans to reflect the post earthquake environment. Furthermore, a part of the area that an ODP is proposed for in the South West is not covered by the South West Area Plan and there is therefore no strategic direction for future development of the area as a whole.
29. The CB1 area in Belfast comprises 98 hectares between Main North Road and the proposed Northern Arterial motorway, north of the existing residential and industrial areas of Belfast, which is currently zoned for rural activities (Rural 3 in the City Plan). A private plan change request has been lodged in draft form with the Council for rezoning approximately 14 hectares of land, fronting Main North Road and it is expected that the plan change request will be formally lodged in late January.
30. The two greenfield areas in the South West, CB2 (Hornby) and CB7 (Hornby West) comprise 111 hectares and 60 hectares respectively (total of 176 hectares). As they are contiguous, it is proposed that a single ODP be prepared covering both greenfield areas. The area is bound by Marshs Road, Shands Road, Main South Road and the existing Hornby industrial area and is directly adjacent to the proposed Christchurch Southern Motorway Extension CSM2. Similarly, a landowner within the greenfield area is proposing to lodge a request for rezoning their land in the near future.
31. An ODP is included in the District Plan by way of a plan change and any subsequent plan changes for rezoning land and/or development within the greenfield area is to be in accordance with the ODP.

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32. The level of detail included on an ODP varies, depending on the uses proposed and the context. For the business areas that ODPs are proposed for, the level of detail included on an ODP is less than for residential areas. Policy 8 prescribes a number of elements that should be included on an ODP including the following:
- principal through roads and connections with the surrounding road network and relevant infrastructure and services
 - parks and any other land for recreation
 - any land to be set aside for business activities
 - land required for stormwater treatment, retention and drainage paths
 - land reserved or otherwise set aside from development for environmental or landscape protection or enhancement
 - land reserved or otherwise set aside from development for any other reason, and the reasons for its protection and development; and
 - pedestrian walkways, cycleways, bus routes both within and adjoining the area to be developed.
33. The term ODP is used in this report to mean both the diagrammatic or pictorial element of the framework for managing future development, and the supporting analysis and documentation behind it. This may include rules for development of the area, and will include information on network infrastructure availability and projected future capital works.
34. ODP's will have statutory weight in the City Plan through rules requiring that subdivision and development be in accordance with the ODP. There may also need to be rules to ensure integrated networks across the area as a whole, for example, roading connections between one area and another. Variations from the ODP may occur at the consenting stage for subdivision and/or development, which may necessitate a resource consent. Each application would be assessed on its merits at the time.

Current issues

35. Since the release of decisions on Proposed Change 1 (PC1) to the Regional Policy Statement (RPS) in late 2009, there have been a number of privately initiated plan changes seeking to rezone land within greenfield areas identified to accommodate future residential and business growth. This has been exacerbated since the earthquakes with increased pressure to ensure an adequate supply of zoned land to accommodate demand in the short to medium term. While the focus has been on planning of new areas for housing, there are indications of the demand for greenfield business land arising in part from the relocation of businesses from damaged areas in the eastern suburbs.
36. The demand for land has been reflected in approaches from landowners, seeking to rezone their properties within greenfield business areas, namely CB1 Belfast and CB2 Hornby. The rezoning of parts of a greenfield area has the potential to compromise an integrated approach to the planning and development of the whole of a greenfield area without a clear direction for how development and infrastructure delivery is to occur. An ad-hoc approach to development can lead to inefficiencies in the provision of infrastructure and development costs for the Council and landowners.
37. The Council has a responsibility to ensure an ODP is in place at an early stage in the process to give effect to PC1 and ensure that private plan changes do not compromise the achievement of an integrated approach to planning and development in the interim.
38. A further issue is the absence of a strategic direction in the South West Area Plan for a part of the greenfield business area that an ODP is proposed for. The CB7 Hornby West greenfield area is not identified in the South West Area Plan (adopted June 2009) on the basis that

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decisions on Proposed Change 1 had not been made at that time, and the notified version of Proposed Change 1 (2007) did not identify CB7. The importance of an ODP for this area is therefore fundamental to its integration with the surrounding area.

Basis for Council leading the preparation of ODPs

39. The preparation of an ODP for greenfield areas has a number of benefits for the Council and landowners including the following:
- An ODP for the greenfield business areas in Belfast and the South West gives effect to PC1 to the RPS (Decisions version), which requires development within greenfield areas to occur in accordance with an ODP. While Proposed Change 1 and Chapter 12A of the RPS are subject to appeals, there is a requirement for development in greenfield areas to occur in accordance with an ODP in either document.
 - An ODP can contribute towards the more efficient use of funding and the provision of services and infrastructure by providing a clear strategy for where and when infrastructure is required within greenfield areas.
 - An ODP provides certainty to inform Council's planning and gives landowners the confidence they require ahead of proceeding with development. This will assist with the economic recovery of the City and wider region by speeding up the consenting process and providing certainty to developers.
 - In each of the areas, there are multiple landowners each with their own commercial or strategic interests. The Council can independently and objectively determine the best
 - planning outcomes to be achieved through the ODPs, reflecting its functions under Section 31 of the Resource Management Act for the 'integrated management of the effects of the use, development and protection of land'.
 - The Council is in the best position to plan and co-ordinate the delivery of infrastructure having regard to its role in planning and managing strategic infrastructure. It can enable the delivery of infrastructure to implement the ODP through its Long Term Plan and Annual Plan processes.
 - For landowners, an ODP provides a potentially more expedient plan change process when the rezoning of their land is sought. This is on the basis that issues are dealt with at the ODP stage and can better facilitate the availability of land for accommodating future business growth.
40. The recommendation for Council to lead the preparation of ODPs for the Belfast and South West greenfield areas is consistent with a previous decision of the Council (Council decision 24 May 2012) for the preparation of ODPs for two greenfield areas, known as Upper Styx (CN3) and Sparks Road (CSW3). Staff are progressing ODPs for each of these greenfield areas in liaison with landowners. This will ensure forthcoming private plan changes within each area are integrated with the wider greenfield area, and in this respect the same approach is proposed for the greenfield areas that are the subject of this report.
41. The Council could go further than preparing plan changes to include ODPs in the City Plan by rezoning the subject land as part of the same process. This would avoid the need for landowners and developers to seek the rezoning of their land at a later stage and ensures there is sufficient provision of zoned land to accommodate future business growth, supporting the recovery of the City. However, a plan change to rezone the land requires more detailed investigations than an ODP and associated costs, which could otherwise be met by landowners.
42. While greenfield areas are identified in PC1, which signals their future use for residential or business purposes, landowners may not be supportive of their land being rezoned now. By leaving it to landowners and developers to seek the rezoning of their land at a future date, it also potentially avoids the need for funding and delivery of infrastructure in the short to medium term that may otherwise be expected.

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Process Going Forward

43. The proposed ODPs for the South West and Belfast greenfield business areas will be prepared subject to the Council's approval. To inform the preparation of ODPs for each area, investigations have commenced including reports on geotechnical, transport, stormwater, and servicing issues. These investigations will identify opportunities and constraints to development and inform the ODPs for each area.
44. In conjunction with investigations, consultation is proposed with directly affected parties including landowners within each ODP area and other stakeholders including NZTA and Kiwi Rail. The feedback received through this process will inform the preparation of an ODP.
45. Upon development of an ODP and plan change to include the ODP into the District Plan, approval will be sought from the Planning Committee and the Council to formally notify the plan changes. It is proposed that the Council led plan change for CB1 Belfast is notified together with the private plan change for rezoning approximately 14 hectares within the CB1 area. This will avoid duplication of processes and enable submitters to understand the broader context of the ODP in parallel with considering the private plan change request. To ensure the issues associated with each plan change are considered together, it is also proposed that the same decision-maker is used.
46. Upon inclusion in the District Plan, future plan change requests from landowners will need to be consistent with the ODP, therefore supporting objectives in PC1 and the District Plan of an integrated approach to development in greenfield areas.

PART B - REPORTS FOR INFORMATION

5. DEPUTATIONS BY APPOINTMENT

Nil.

6. CANTERBURY EARTHQUAKES ROYAL COMMISSION OF INQUIRY – RECOMMENDATIONS FOR CHRISTCHURCH CITY COUNCIL

The Committee **decided** to receive this report.

7. CONSENTING REBUILD MONTHLY REPORT

The Committee **decided** to receive this report.

8. CENTRAL CITY RECOVERY QUARTERLY REPORT – OCTOBER TO DECEMBER 2012

STAFF RECOMMENDATION

It is recommended that the Planning Committee receive this report for information.

COMMITTEE DECISION

The Committee **decided** to:

- (a) Receive this report for information.

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- (b) Invite the Papa o Ōtākaro (Avon River Precinct) project team to attend a meeting with all Councillors to discuss the project.

PART C – DELEGATED DECISIONS

9. APOLOGIES

It was **resolved** that apologies for lateness from Councillors Peter Beck and Glenn Livingstone be accepted.

The meeting concluded at 11.13am.

CONSIDERED THIS 28TH DAY OF FEBRUARY 2013

MAYOR