
Urban Development and Transport Committee

AGENDA

Notice of Meeting:

An ordinary meeting of the Urban Development and Transport Committee will be held on:

Date: Wednesday 12 February 2020
Time: 9.30am
Venue: Council Chambers, Civic Offices,
53 Hereford Street, Christchurch

Membership

Chairperson	Councillor Mike Davidson
Deputy Chairperson	Councillor Phil Mauger
Members	Mayor Lianne Dalziel
	Deputy Mayor Andrew Turner
	Councillor Jimmy Chen
	Councillor Catherine Chu
	Councillor Melanie Coker
	Councillor Pauline Cotter
	Councillor James Daniels
	Councillor Anne Galloway
	Councillor James Gough
	Councillor Yani Johanson
	Councillor Aaron Keown
	Councillor Sam MacDonald
	Councillor Jake McLellan
	Councillor Tim Scandrett
	Councillor Sara Templeton

7 February 2020

Principal Advisor

Brendan Anstiss
General Manager Strategy &
Transformation
Tel: 941 8472

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Committee and Hearings Advisor
941 6227
Samantha.kelly@ccc.govt.nz
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Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. If you require further information relating to any reports, please contact the person named on the report.

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**URBAN DEVELOPMENT AND TRANSPORT COMMITTEE OF THE WHOLE - TERMS OF REFERENCE / NGĀ
ĀRAHINA MAHINGA**

Chair	Councillor Davidson
Deputy Chair	Councillor Mauger
Membership	The Mayor and All Councillors
Quorum	Half of the members if the number of members (including vacancies) is even, or a majority of members if the number of members (including vacancies) is odd.
Meeting Cycle	Monthly
Reports To	Council

Delegations

The Council delegates to the Urban Development and Transport Committee authority to:

- Monitor and make decisions regarding the Council's Roads, footpaths and streetscapes in accordance with the Council's Long Term Plan.
- Monitor and make decisions on the Council's Transport functions including road operations, parking, public transport, cycle ways, harbours and marine structures in accordance with the Council's Long Term Plan.
- Make all decisions in connection with the Major Cycleway Routes programme, including final route selections and anything precedent to the exercise by the Council of its power to acquire any property, subject to:
 - The Committee and affected Community Boards being briefed prior to any public consultation commencing on any Major Cycleway Route project.
- Receive regular updates from the Greater Christchurch Partnership Committee, and the Greater Christchurch Joint Public Transport Committee
- Make decisions regarding the District Plan.

Bylaws

The Council delegates to the Committee authority to:

- Oversee the development of new bylaws within the Committee's terms of reference, up to and including adopting draft bylaws for consultation.
- Oversee the review of the following bylaws, up to and including adopting draft bylaws for consultation.
 - Cruising and Prohibited Times on Roads Bylaw 2014
 - Marine, River and Lake Facilities Bylaw 2017
 - Stock on Roads Bylaw 2017
 - Traffic and Parking Bylaw 2017

District Plan Appeals

The Committee is authorised to:

- Consider and resolve any consent orders requested in respect of any proceedings before the Environment Court regarding any appeal on the Christchurch District Plan.
- Authorise counsel and Council witnesses to call evidence in support of a compromise position or positions in the alternative for the purpose of endeavouring to agree with the parties in terms of a consent order in respect of any proceedings before the Environment Court arising out of the Council's decisions on the Christchurch District Plan.
- Authorise any one or more officers holding the positions listed below to participate in a mediation of any proceeding before the Environment Court arising out of the First Schedule to the Resource Management Act 1991.
 - This authority shall include the power to commit the Council to a binding agreement to resolve the proceeding, provided it does not require any Council expenditure not authorised by a Council delegation. Part D - Sub-Part 1 – Community Boards 159 Delegation Date Amended
 - Any authority given under this delegation shall be on such terms and conditions as the Committee considers appropriate.

Authorised positions:

- Head of Legal
 - Associate General Counsel
 - Corporate Counsel
 - Head of Planning and Strategic Transport
 - Team Leader City Planning
 - Principal Advisors, Planning
 - The exercise of such delegated powers shall be reported to the Council on a six-monthly basis
- Authorise any two or more officers who, for the time being, hold any of the following positions to jointly consider, and resolve by consent order, any appeal to the Environment Court against a decision of Council on submissions to the Christchurch District Plan, where the appeal relates to an alteration of minor effect or the correction of a minor error.

Authorised positions:

- Head of Legal
 - Associate General Counsel
 - Corporate Counsel
 - Head of Planning and Strategic Transport
 - Team Leader City Planning
 - Principal Advisors, Planning
- Make decisions, on behalf of the Council, in relation to any High Court proceedings arising out of decisions by the Environment Court on the Christchurch District Plan provided such decisions are consistent with professional advice.

Limitations

- This Committee does not have the authority to set project budgets, identify preferred suppliers or award contracts. These powers remain with the Finance and Performance Committee.
- The general delegations to this Committee exclude any specific decision-making powers that are delegated to a Community Board, another Committee of Council or Joint Committee. Delegations to staff are set out in the delegations register.
- The Council retains the authority to adopt policies, strategies and bylaws.

Chairperson may refer urgent matters to the Council

As may be necessary from time to time, the Committee Chairperson is authorised to refer urgent matters to the Council for decision, where this Committee would ordinarily have considered the matter. In order to exercise this authority:

- The Committee Advisor must inform the Chairperson in writing the reasons why the referral is necessary
- The Chairperson must then respond to the Committee Advisor in writing with their decision.
- If the Chairperson agrees to refer the report to the Council, the Council may then assume decision making authority for that specific report.

Part A	Matters Requiring a Council Decision
Part B	Reports for Information
Part C	Decisions Under Delegation

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Karakia Whakamutunga

Karakia Timatanga

1. Apologies / Ngā Whakapāha

At the close of the agenda no apologies had been received.

2. Declarations of Interest / Ngā Whakapuaki Aronga

Members are reminded of the need to be vigilant and to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

3. Confirmation of Previous Minutes / Te Whakaāe o te hui o mua

That the minutes of the Urban Development and Transport Committee meeting held on [Wednesday, 11 December 2019](#) be confirmed (refer page 13).

4. Public Forum / Te Huinga Whānui

A period of up to 30 minutes may be available for people to speak for up to five minutes on any issue that is not the subject of a separate hearings process.

5. Deputations by Appointment / Ngā Huinga Whakaritenga

There were no deputations by appointment at the time the agenda was prepared.

6. Petitions / Ngā Pākikitanga

- 6.1 Mr Philip Haythornthwaite will present a petition regarding a proposal to upgrade bus stop 53246 at 301 Tuam Street, outside Christchurch Community House between Barbadoes St and Fitzgerald Avenue.

Submission to the Christchurch City Council

Installation of New Bus Shelter On Tuam Street

**Proposal to upgrade Bus Stop 53246
at 301 Tuam Street outside Christchurch Community House
Between Barbadoes Street - Fitzgerald Avenue Intersection**

I WISH to be heard in support of this submission.

Submitter: Mr Philip Haythornthwaite
Address:

Pages: 1

Proposal: THAT The Linwood-Central-Heathcote Community Board agree to install a Bus Shelter outside the Christchurch Community House located at 301 Tuam Street, Bus Stop Number 53246 as supported by the Petition that is presented to this meeting by the Disabled Persons Assembly - Christchurch and Districts to improve the Bus Services used by Bus Passengers as part of the Route 80 Bus Service going from Lincoln to Christchurch to Parklands. (*Parklands to Christchurch to Lincoln does not use this bus stop as Tuam Street is a part of the One-Way System*).

Reasons in support of the above proposal:

A) LOCATION

The DPA - Christchurch and Districts (hereinafter DPACHCH) supported by the petition provided and by the Christchurch Community House desire that a Bus Shelter be installed at this bus stop as it is immediately outside the Christchurch Community House which has people going to and from it throughout the day. The buses are spaced at 30 minutes apart and if you get caught at any time in the wet then you are very wet indeed. Other than the Bus Interchange there are only two bus stops on Tuam Street between Colombo Street and Fitzgerald Avenue and this is the second of the two. There is also considerable movement of people with disabilities through this bus stop and we believe that this also adds to the justification for a Bus Shelter to be installed.

B) CONCLUSION

We therefore request that a Bus Shelter be installed and that the funding that was agreed to for the installation of the Bus Shelters on Worcester Street outside 314 Worcester Street at Aspire Canterbury which has never been used since approved in 2013 be used to cover the cost of the installation of the Bus Shelter at Christchurch Community House, 301 Tuam Street, Christchurch.

.....
Philip Haythornthwaite
President
DPA-Christchurch And Districts



Disabled Persons Assembly NZ

The President
DPA-Christchurch and Districts
Room 23
Christchurch Community House
301 Tuam Street
CHRISTCHURCH

30TH September 2019

Support DPACHCH

Petition

**To Install A Bus Shelter
Outside
Christchurch Community House**

Sign Here Today

Support DPACHCH

Petition

Note: Print Scaling 100%

PETITION BASE FORM

Submitted By: Disabled Persons Assembly - CHCH

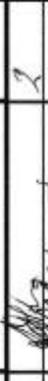
Contact: Philip Haythornthwaite

PETITION TO REQUEST THAT A BUS SHELTER BE INSTALLED OUTSIDE

CHRISTCHURCH COMMUNITY HOUSE - 301 TUAM STREET - BUS STOP 53246

NAME OF PETITIONER	ADDRESS OF PETITIONER	PHONE NO	NAME OF ORGANISATION	SIGNATURE OF PETITIONER	NUMBER
Philip Haythornthwaite			Abraham-Lincoln		1
STEWART HAIG				S.W. HAIG	1
JAMIE REEFMAN				J. Reefman (PH)	1
ADRIENE KEIR				Adriene Keir	1
Sissi ZHONG			Prisoners Aid	Sissi Zhong	1
Yaye Bailey			DSN	Yaye Bailey	1
Ingrid Robertson			DPA	Ingrid Robertson	1
Penny Arthur			Tenants Protection	Penny Arthur	1
Gary White			St James Trust	Gary White	1
John Peet			NWO	John Peet	1
Murree Hughes			Caranz	Murree Hughes	1
Hampden Kaur			Shakti Women Ref.	Hampden Kaur	1
John Paul King				John Paul King	1
Cornel Dries			S. Sewn	Cornel Dries	1
Keth Tera			Seth	Keth Tera	1
Chare-Lee			SIME	Chare-Lee	1
David C. Stewart			PF	David C. Stewart	1
JAMES SKINNER			PF	James Skinner	1
Satima-Liam			Shakti	Satima-Liam	1
Tama Puhiko			Restorative Justice	Tama Puhiko	1

Note: Print Scaling 100%
 PETITION BASE FORM Submitted By: Disabled Persons Assembly - CHCH Contact: Phillip Haythornthwaite
 PETITION TO REQUEST THAT A BUS SHELTER BE INSTALLED OUTSIDE
 CHRISTCHURCH COMMUNITY HOUSE - 301 TUAM STREET - BUS STOP 53246

NAME OF PETITIONER	ADDRESS OF PETITIONER	PHONE NO	NAME OF ORGANISATION	SIGNATURE OF PETITIONER	NUMBER
Sharon King					2
Robyn Johnston			Transition Navigators		1
Ananda Bell			233	A. J. Bell	1
Lestey Bell			277	L. J. Bell	1
Kate Faithful				Kate Faithful	1
Angela grossel				A. J. Grossel	1
Pam headon				Pam Headon	1
Mf Garden				M. Garden	1
Trish Jack				T. Jack	1
B J WINTERS				B. Winters	2
Maureen Healy			D.P.A	Maureen Healy	1
Katharine MacKenzie				K. MacKenzie	1
Olivia Greer				O. Greer	1
Sue Currie				S. Currie	3
Colleen Rees				C. Rees	2
Yuni Johanson				Y. Johanson	3
Nigel McCall			173	N. McCall	1
Ann Bealings				A. Bealings	1
CHRISTOPHER BURLER				C. Burler	1
John Patteson				J. Patteson	1

Urban Development and Transport Committee OPEN MINUTES

Date: Wednesday 11 December 2019
Time: 9.33am
Venue: Council Chambers, Civic Offices,
53 Hereford Street, Christchurch

Present

Chairperson	Councillor Mike Davidson
Deputy Chairperson	Councillor Phil Mauger
Members	Mayor Lianne Dalziel
	Deputy Mayor Andrew Turner
	Councillor Jimmy Chen
	Councillor Melanie Coker
	Councillor Pauline Cotter
	Councillor James Daniels
	Councillor Anne Galloway
	Councillor James Gough
	Councillor Yani Johanson
	Councillor Aaron Keown
	Councillor Sam MacDonald
	Councillor Jake McLellan
	Councillor Tim Scandrett
	Councillor Sara Templeton

11 December 2019

Principal Advisor

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Unconfirmed

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- Part A** Matters Requiring a Council Decision
Part B Reports for Information
Part C Decisions Under Delegation
-

Karakia Timatanga: Delivered by Councillor Galloway.

The agenda was dealt with in the following order.

1. Apologies / Ngā Whakapāha

Part C

Committee Resolved UDATC/2019/00001

That the apologies from Councillor Chu for absence and the Mayor for partial absence be accepted.

Councillor Cotter/Councillor Templeton

Carried

2. Declarations of Interest / Ngā Whakapuaki Aronga

Part B

There were no declarations of interest recorded.

3. Public Forum / Te Huinga Whānui

Part B

There were no public forum presentations.

4. Deputations by Appointment / Ngā Huinga Whakaritenga

Part B

4.1 David Lynch

David Lynch, local resident, addressed the Committee regarding item 10 – Pre-notification engagement on home share accommodation regulatory options.

4.2 Mark Gerrard, local resident, addressed the Committee regarding item 10 - Pre-notification engagement on home share accommodation regulatory options.

4.3 Bob Pringle, local motel operator, addressed the Committee regarding item 10 – Pre-notification engagement on home share accommodation regulatory options.

4.4 Peter Morrison, Hospitality New Zealand Canterbury Branch President, and Amy McLellan-Minty addressed the Committee regarding item 10 - Pre-notification engagement on home share accommodation regulatory options.

5. Presentation of Petitions / Ngā Pākikitanga

Part B

There was no presentation of petitions.

Mayor Dalziel left the meeting at 10:08 a.m. during consideration of item 10.

10. Pre-notification engagement on home share accommodation regulatory options

Committee Comment

The Committee made the following changes to the staff recommendations:

- Extending the engagement period in clause 1. so it now concludes on 2 March 2020
- Amending clause 3. to authorise the Chair and Deputy Mayor to approve amendments to the draft discussion document by 20 December 2019.

Staff Recommendations / Ngā Tūtohu

That the Urban Development and Transport Committee:

1. Direct staff to undertake engagement including an opportunity for public comments for a period between 16 January 2020 and 17 February 2020 on options for changes to the District Plan to better manage the growth of home share accommodation in Christchurch District.
2. Direct staff to report back to the Urban Development and Transport Committee after the engagement period on the outcomes and provide recommendations including a preferred option, which may include a District Plan change to be notified.
3. Receive and provide comment on the attached discussion paper including draft options for pre-notification engagement and indicative timeframes for the plan change. Further amendments may be made to the draft discussion document in Appendix B for clarity, brevity, or in response to further comments.

Committee Resolved UDATC/2019/00002

Part C

That the Urban Development and Transport Committee:

1. Direct staff to undertake engagement including an opportunity for public comments for a period between 16 January 2020 and 2 March 2020 on options for changes to the District Plan to better manage the growth of home share accommodation in Christchurch District.
2. Direct staff to report back to the Urban Development and Transport Committee after the engagement period on the outcomes and provide recommendations including a preferred option, which may include a District Plan change to be notified.
3. Authorise the Committee Chair and Deputy Mayor to approve amendments to the draft discussion document in Appendix B for clarity, brevity, or in response to further comments from the Committee, by 20 December 2019.

Councillor Coker/Councillor Gough

Carried

Councillor Johanson and Councillor Galloway left the meeting at 10:54 a.m. and returned to the meeting at 10:56 a.m.

9. Programme of Plan Changes to the District Plan

Staff Recommendations / Ngā Tūtohu

That the Urban Development and Transport Committee:

1. Receive the report.

Committee Resolved UDATC/2019/00003

Part C

That the Urban Development and Transport Committee:

1. Receive the report.
2. Request staff to organise a workshop with Councillors early in the new year on potential changes to the District Plan in order to inform prioritisation of the work programme.
3. Request staff to report back to the Committee following the workshop for a decision on the prioritised District Plan changes work programme.

Councillor Davidson/Councillor Scandrett

Carried

7. Resolution of parking payment methods

Committee Resolved UDATC/2019/00004

Original Staff Recommendation Accepted Without Change

Part C

That the Urban Development and Transport Committee:

1. Revokes all previously approved methods of payment for parking.
2. Resolves under Clause 8 (1)(e)(ii) of the Christchurch City Council Traffic and Parking Bylaw 2017 the following payment methods for paid parking places: cash, debit card, credit card, Text-to-park, prepaid parking coupons and use of a Parking App.

Councillor Davidson/Councillor MacDonald

Carried

Councillor Johanson requested that his vote against the resolutions be recorded.

The meeting adjourned at 11.17 a.m. and reconvened at 11.33 a.m.

Councillor Johanson and Councillor Daniels were not present when the meeting reconvened.

Mayor Dalziel returned to the meeting at 11.33 a.m.

8. MCR Heathcote Expressway - Section 1B - Charles St to Tannery - No Stopping Restriction

Committee Resolved UDATC/2019/00005

Original Staff Recommendation Accepted Without Change

Part C

That the Urban Development and Transport Committee:

1. Make the following resolution relying on its powers under clause 7 of the Christchurch City Council Traffic and Parking Bylaw 2017, that stopping of vehicles be prohibited at any time on the west side of Cumnor Terrace, commencing at its intersections with Sheldon Street and extending in a southerly direction for a distance of 16 metres as indicated on the attached drawing.
2. Revoke any previous resolutions pertaining to traffic controls made pursuant to any bylaw to the extent that they are in conflict with the traffic controls described in this report.
3. Approve that these resolutions take effect when there is evidence that the restrictions described in the staff report are in place.

Councillor Keown/Councillor Gough

Carried

Councillor Johanson returned to the meeting at 11.34 a.m.

Councillor Daniels returned to the meeting at 11.36 a.m.

11. Transport Report to Urban Development and Transport Committee

Committee Resolved UDATC/2019/00006

Original Staff Recommendation Accepted Without Change

Part B

That the Urban Development and Transport Committee:

1. Receive the report.

Councillor Davidson/Councillor Cotter

Carried

Report from Infrastructure, Transport and Environment Committee - 12 June 2019

6. Gloucester Street Enliven Places Project, Transitional Streetscape Amenity and Pedestrian Improvements.

Committee Comment

The Committee did not accept the recommendation and decided to decline the Enliven Places project, but requested staff to install temporary bike parking outside the Isaac Theatre Royal.

Infrastructure, Transport and Environment Committee Recommendation

That the Council:

1. Approves the proposed Enliven Places temporary pedestrian amenity improvement project on Gloucester Street between Colombo and Manchester streets as outlined on Attachment A.

Committee Resolved UDATC/2019/00007

That the Urban Development and Transport Committee:

1. Does not approve the proposed Enliven Places temporary pedestrian amenity improvement project on Gloucester Street between Colombo and Manchester streets

*The division for resolution 1. was declared **carried** by 11 votes to 5 votes the voting being as follows:*

For: *Councillor Davidson, Councillor Mauger, Mayor Dalziel, Deputy Mayor Turner, Councillor Chen, Councillor Johanson, Councillor Keown, Councillor MacDonald, Councillor McLellan, Councillor Scandrett and Councillor Templeton*

Against: *Councillor Coker, Councillor Cotter, Councillor Daniels, Councillor Galloway and Councillor Gough*

2. Request that the transport unit install temporary bike parking, east of the mobility park outside the Isaac Theatre Royal, as part of the Cycle facilities and connection improvements project (ID# 52228).

Councillor Davidson/Mayor

Carried

Karakia Whakamutunga: Delivered by Councillor Templeton

Meeting concluded at 12.59pm.

CONFIRMED THIS 12TH DAY OF FEBRUARY 2020

**COUNCILLOR MIKE DAVIDSON
CHAIRPERSON**

Unconfirmed

7. Alpine Pacific Touring Route - Memorandum of Understanding

Reference / Te Tohutoro: 19/1454850

Presenter(s) / Te kaupāhō: Michael Ferigo - Sustainable Transport Planner

1. Purpose of Report / Te Pūtake Pūrongo

- 1.1 The Alpine Pacific Triangle touring route established by Hurunui Tourism in 1999 is changing the route and branding, however to extend and upgrade the signage it first needs the expressed support of all the territorial authorities to gain NZTA approval. As such it has provided a Memorandum of Understanding (MOU) for the Councils express support in the form of the Mayors signing.

2. Executive Summary / Te Whakarāpopoto Matua

- 2.1 The NZTA approved, 450km route, previously known as the Alpine Pacific Triangle, has been lengthened and renamed the Alpine Pacific Touring Route (APT).
- 2.2 As the route has been extended to begin in Christchurch, for signage changes to proceed the expressed support is needed from each council – Christchurch, Waimakariri, Hurunui and Kaikoura. To enable this a MOU has been provided (Attachment A).
- 2.3 The MOU states that the APT is funded by contributions from participating tourism organisations and operators and there are no cost implications for the Christchurch City Council in signing the MOU.

3. Staff Recommendations / Ngā Tūtohu

That the Urban Development and Transport Committee:

1. Resolve to express support for the new Alpine Pacific Touring Route and signage upgrade.
2. Resolve to provide the Alpine Pacific Touring Route with the Memorandum of Understanding, signed on behalf of the Council by the Mayor.

4. Context/Background / Te Horopaki

Background

- 4.1 Hurunui Tourism's Alpine Pacific Triangle touring route is an initiative to encourage international visitors to travel around the Waipara wine region, Hanmer Springs and Kaikoura.
- 4.2 The NZTA approved route, previously known as the Alpine Pacific Triangle, has been lengthened and renamed the Alpine Pacific Touring Route (APT).
- 4.3 The 450 kilometre APT now runs between Christchurch, Kaikoura, Hanmer and Waipara.
- 4.4 Three Regional Tourism Organisations and four major operators are now funding and driving this initiative. These being; Hurunui Tourism, Destination Kaikoura, ChristchurchNZ, Hanmer Springs Thermal Pools and Spa, Whale Watch Kaikoura, Encounter Kaikoura and Christchurch International Airport (CIAL).
- 4.5 As the route has been extended to begin in Christchurch it means for signage changes to proceed the expressed support is needed from each council – Christchurch, Waimakariri, Hurunui and Kaikoura. To enable this a MOU has been provided (Attachment A).

- 4.6 Advice received is that all the other council's mayors have signed the MOU.
- 4.7 The MOU states that the APT is funded by contributions from participating tourism organisations and operators and there are no cost implications for the Christchurch City Council in signing the MOU.

Issue or Opportunity / Ngā take, Ngā Whaihua rānei

- 4.8 The APT is a collective initiative of Regional Tourism Organisations - including ChristchurchNZ - and major tourist operators that meet quarterly to continue to drive and implement the marketing plan.
- 4.9 The APT also has support from a number of smaller tourist operators including HE Tangata and Christchurch Attractions in Christchurch.
- 4.10 The extension of signage will involve strategic signage on the NZTA transport network and the CIAL owned land. The upgrade of signage will include a changed logo to better represent the new APT route.
- 4.11 Both international and domestic tourist will benefit from strategically located and more accurate signage if they are following the trail, as will local residents with improved predictability of fellow drivers.

Strategic Alignment / Te Rautaki Tīaroaro

- 4.12 This supports the Council's direction for visitor experiences to the City and better traffic management.
- 4.13 This report does not support the [Council's Long Term Plan \(2018 - 2028\)](#).

Decision Making Authority / Te Mana Whakatau

- 4.14 The New Zealand Transport Agency manages signage on its State Highway Network.

Previous Decisions / Ngā Whakatau o mua

- 4.15 N/a

Assessment of Significance and Engagement / Te Aromatawai Whakahirahira

- 4.16 The decision in this report is of low significance in relation to the Christchurch City Council's Significance and Engagement Policy.
- 4.17 The level of significance was determined by a brief staff assessment.

5. Options Analysis / Ngā Kōwhiringa Tātari

Options Considered / Ngā Kōwhiringa Whaiwhakaaro

- 5.1 The following reasonably practicable options were considered and are assessed in this report:
- Express support
 - Do not express support
- 5.2 The following options were considered but ruled out:
- No other options were considered.

Options Descriptions / Ngā Kōwhiringa

5.3 Preferred Option: Express support

- 5.3.1 **Option Description:** The Council resolves to express support the APT signage on NZTA's State Highway within the Council boundaries.

5.3.2 **Option Advantages**

- Enables improvements to the tourist experiences in the region.
- Supports local tourist operators and promoters involved in the APT.
- Improves the readability of the transport network for visitors.
- No cost to Council.

5.3.3 **Option Disadvantages**

- Nil

5.4 Do not express support

5.5 **Option Description:** The Council resolves not to support the APT

5.5.1 **Option Advantages**

- Nil

5.5.2 **Option Disadvantages**

- Council is seen as not supporting improvements and promotion of tourist opportunities in the region.

6. Community Views and Preferences / Ngā mariu ā-Hāpori

6.1 The community views and preferences have not been sought in light of the assessed low significance level.

7. Legal Implications / Ngā Hīraunga ā-Ture

7.1 There is not a legal context, issue or implication relevant to this decision.

7.2 This report has not been reviewed and approved by the Legal Services Unit.

8. Risks / Ngā tūraru

8.1 Nil

9. Next Steps / Ngā mahinga ā-muri

9.1 Provide a signed MOU to the Alpine Pacific Touring Route.

10. Options Matrix / Te Poukapa

Issue Specific Criteria					
Criteria		Option 1 – Support APT	Option 2 – Not support APT		
Financial Implications	Cost to Implement	Nil	Nil		
	Maintenance/Ongoing	Nil	Nil		
	Funding Source	N/a	N/a		
	Impact on Rates	Nil	Nil		

Attachments / Ngā Tāpirihanga

No.	Title	Page
A ↓	Alpine Pacific Touring Trail & CCC Memorandum of Understanding	25

Confirmation of Statutory Compliance / Te Whakatūrutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories / Ngā Kaiwaitohu

Author	Michael Ferigo - Transport Planner Sustainable Transport
Approved By	Lynette Ellis - Manager Planning and Delivery Transport David Adamson - General Manager City Services



Memorandum of Understanding

BACKGROUND

In 1999, Hurunui Tourism established the Alpine Pacific Triangle touring route as an initiative to encourage international visitors to travel from the Waipara wine region (ex SH1) to Hanmer Springs (SH7) and out to the coastal town of Kaikoura along the inland route 70 road.

The NZTA-approved route, previously known as the Alpine Pacific Triangle, has been lengthened and renamed the Alpine Pacific Touring Route (APT).

The 450 kilometre APT now runs between Christchurch, Kaikoura and Hanmer Springs, heading through what's known as 'the coolest little wine region in the country' the Waipara Valley in North Canterbury.

Three Regional Tourism Organisations (RTOs) and four major operators are now funding and driving this initiative. These being:

- Hurunui Tourism (HT)
- Destination Kaikoura (DK)
- ChristchurchNZ (CNZ)
- Hanmer Springs Thermal Pools & Spa (HSTPS)
- Whale Watch Kaikoura (WWK)
- Encounter Kaikoura (EK)
- Christchurch International Airport (CIAL)

Representatives from each are invited to quarterly committee meetings to continue to drive and implement the marketing plan.

There is also support from a number of small operators, including He Tangata and Christchurch Attractions in Christchurch.

The actual route can be seen on the website, <https://www.alpinepacific.nz/>. The website is also a key channel for marketing the route.

SIGNAGE

One of the key areas of focus for the committee this year is to begin changing the signage around the APT. There are a number of large NZTA-approved signs around the APT, as well as a lot of smaller signs that incorporate the triangle logo.

Our focus is on the larger ones, at most of it is out of date and/or worn (as seen in examples below).

 [alpinepacificnz](#)

www.alpinepacific.nz

 [alpinepacifictouringroute](#)



The process for updating the signage is to get new designs done and then seek approval from NZTA. However, NZTA won't approve any signage unless all territorial authorities have expressed their support of the touring route.

As the touring route was changed to begin in Christchurch, it means for the signage to proceed we need expressed support from each council – Christchurch, Waimakariri, Hurunui and Kaikoura. To enable this, we created a Memorandum of Understanding (MOU) for mayors from those territorial authorities to sign. The mayors of Waimakariri, Hurunui and Kaikoura signed the MOU in 2017.

To progress this project we need the support of Christchurch City Council, and signature of the mayor of Christchurch.

COSTS

The APT is funded by the contributions from participating tourism organisations and operators. There is no cost implication for Christchurch City Council in signing this MOU.

Christchurch City Council – Mayors signature _____

Dated _____

 alpinepacificnz

www.alpinepacific.nz

 alpinepacifictouringroute

8. Plan Change 1 to the Christchurch District Plan - Final approval

Reference / Te Tohutoro: 19/1457424

Presenter(s) / Te kaupāhō: Marie Pollisco, Policy Planner, Mark Stevenson Team Leader City Planning

1. Purpose of Report / Te Pūtake Pūrongo

- 1.1 This report seeks Council approval to make operative the changes to the Christchurch District Plan introduced by its decision on Plan Change 1.

2. Executive Summary / Te Whakarāpopoto Matua

- 2.1 Plan Change 1 is a Council initiated plan change, which relates to the Risk Management Areas surrounding two fuel terminals in Woolston, identified on Planning Map 47A of the Christchurch District Plan and the policies and rules applying to those areas, which include restrictions on sensitive and other activities.
- 2.2 The recommendation that the Council adopt the plan change was accepted at the Council meeting on 31 October 2019. The plan change as approved by Council is attached to this report (**Attachment 1**). As no party has given notice of appeal, the Council can now take the necessary steps to make the changes introduced by Plan Change 1 operative.

3. Staff Recommendations / Ngā Tūtohu

Recommend that the Urban Development and Transport Committee:

1. [Approve, pursuant to clause 17\(2\) of Schedule 1 to the Resource Management Act 1991, the changes to the District Plan introduced by its decision on Plan Change 1 Woolston Risk Management Area.](#)
2. [Authorise the General Manager, Strategy and Transformation to determine the date on which the changes introduced by Plan Change 1 become operative.](#)

4. Context/Background / Te Horopaki

Issue or Opportunity / Ngā take, Ngā Whaihua rānei

- 4.1 Plan change 1 (PC1) relates to the Risk Management Areas identified on Planning Map 47A of the Christchurch District Plan and the policies and rules applying to those areas, which include restrictions for sensitive and other activities. The Risk Management Areas surround two bulk fuel storage terminals located in Woolston, which are both identified in the District Plan as 'Strategic Infrastructure'. The terminal located at 79 Chapmans Road (Woolston Oil Terminal) is owned by Mobil Oil New Zealand and used by Mobil, BP Oil and Z Energy (the Oil Companies). The other site located at 50 Chapmans Road (Liquigas Terminal) is owned by Liquigas Limited (Liquigas).
- 4.2 While agreeing that risk management areas were appropriate, the Independent Hearings Panel (IHP), who determined the content of the District Plan, was not satisfied that they should be included on a permanent basis. This had regard to the Quantitative Risk Assessment (QRA) for the Liquigas Terminal being seven years old and prepared prior to the Canterbury Earthquake Sequence; and there not being a QRA prepared for the Woolston Oil Terminal. The IHP thus included an expiry date of 31 March 2019 for the non-complying activity rule for

sensitive activities in the risk management area, and an advice note indicating that the extent of the risk management areas may be subject to a future plan change to have effect by that date, and which would need to be based on a QRA.

- 4.3 Following the IHP decision, both terminal operators completed their new QRAs in 2018. The QRAs confirmed that ongoing intervention through the District Plan is necessary to manage the risks associated with activities locating in close proximity to the bulk fuel terminals.
- 4.4 A plan change was necessary before Rule 4.1.4.1.5 NC2 expired on 31 March 2019. However, an Order-in-Council under the Greater Christchurch Regeneration Act prevented the Council from notifying a plan change under Schedule 1 of the Resource Management Act until March 2019.
- 4.5 In accordance with Council Resolution CNCL/2019/00053 dated 14 March 2019, proposed Plan Change 1 was publicly notified on 20 March 2019 immediately after the Order-in-Council was revoked and, at the same time, the Council made an application to the Environment Court for part of the proposed plan change to have immediate legal effect so as to avoid a gap in the provisions of the District Plan. The Environment Court issued its decision on 29 March 2019 giving immediate legal effect to proposed Rule 4.1.4.1.5 NC2 and the associated changes to Planning Map 47A.
- 4.6 The Council received five submissions requesting 21 separate decisions on the notified plan change. These attracted 38 further submissions from six submitters, opposing or supporting the decisions requested in the submissions.
- 4.7 A report prepared by Council's planning officer recommended to a Commissioner that the relief sought by submitters generally be accepted or accepted in part, while a number of points originally sought in submissions were withdrawn. Commissioner Dawson considered the submissions and recommendations of planning staff, and recommended that the plan change be adopted.
- 4.8 The recommendation that the Council adopt the plan change was accepted at the Council meeting on 31 October 2019.

Strategic Alignment / Te Rautaki Tīaroaro

- 4.9 This report supports the following activity in Council's Long Term Plan 2018 – 2028 – Service Plan for Strategic Planning and Policy:
 - 4.9.1 Activity: Strategic Planning and Policy
 - 4.9.2 Level of Service: 9.5.1.1 Guidance on where and how the city grows through the District Plan. - Maintain operative District Plan
- 4.10 The target under this Level of Service is to “Maintain operative District Plan”, which this plan change supports by amending the provisions.

Decision Making Authority / Te Mana Whakatau

- 4.11 The Urban Development and Transport Committee is delegated to make decisions regarding the District Plan.

Previous Decisions / Ngā Whakatau o mua

- 4.12 The Council adopted the recommendations of Commissioner Dawson that Plan Change 1 as amended be approved at its meeting on 31st October 2019.

Assessment of Significance and Engagement / Te Aromatawai Whakahirahira

- 4.13 The decision in this report is of medium significance in relation to the Christchurch City Council's Significance and Engagement Policy.

- 4.14 The level of significance reflects the limited number of properties affected within the proposed Woolston Risk Management Area. Any disruption however to the petroleum and liquefied petroleum gas (LPG) supply chains would have a major impact on the availability of fuel supplies across the city and beyond, and therefore on people's ability to meet their social and economic needs. The level of impact on those people affected is expected to be of low probability but potentially high impact.

5. Community Views and Preferences / Ngā mariu ā-Hāpori

- 5.1 Approval of changes to the District Plan under clause 17 of Schedule 1 to the Resource Management Act 1991 is a procedural step that does not require consultation.

6. Legal Implications / Ngā Hīraunga ā-Ture

- 6.1 This report has been reviewed and approved by the Legal Services Unit
- 6.2 The recommendation in this report is for the Council to take the procedural step to make operative the changes introduced by its decision on Plan Change 1. The Resource Management Act 1991 requires that, following the end of the appeal period and the resolution of any appeals, the Council must formally approve the changes to the plan under clause 17 of Schedule 1 before the plan change becomes operative on a date that is nominated in a public notice. The plan change has reached the stage where it can be made operative.
- 6.3 There is no legal risk in proceeding with this decision in the absence of any appeals.

7. Next Steps / Ngā mahinga ā-muri

- 7.1 Once the resolution is made by the Council, public notice must be given that the change will become operative on a date specified in the notice. This date must be at least 5 working days after the notice is published.

Attachments / Ngā Tāpirihanga

No.	Title	Page
A ↓	Council Decision PC1 - Plan Change as amended by Commissioners Recommendation.pdf	31

Confirmation of Statutory Compliance / Te Whakatūturutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories / Ngā Kaiwaitohu

Authors	Marie Pollisco - Policy Planner Mark Stevenson - Team Leader - City Planning
Approved By	Brent Pizzey - Associate General Counsel David Griffiths - Head of Planning & Strategic Transport Brendan Anstiss - General Manager Strategy and Transformation

	<p>Resource Management Act 1991 Christchurch District Plan Plan Change as amended by Council Decision</p>	<p style="font-size: 48pt; text-align: center;">1</p>						
<p style="text-align: center;">WOOLSTON RISK MANAGEMENT AREA</p> <p>Explanation</p> <p>The purpose of the proposed plan change is to provide updated District Plan provisions that continue to:</p> <ul style="list-style-type: none"> (a) manage low probability but potentially high impact risks which would arise from the location of sensitive activities, including preschools, in close proximity to the two bulk fuel storage terminals; (b) enable the ongoing efficient use of the two bulk fuel storage terminals and prevent reverse sensitivity effects from arising; and (c) require other new discretionary or non-complying activities seeking to establish in the area to consider the issue of risk and ensure they meet relevant risk acceptance criteria appropriate to the nature of the proposed activities when applying for resource consent but without the need to undertake individual Quantitative Risk Assessments (QRAs). <p>The bulk fuel terminals located at 50 and 79 Chapmans Road in Woolston (Terminals) comprise important infrastructure in the fuel supply chain for the Canterbury region and Christchurch City. The operators of the Terminals are also identified as “lifeline utilities” under the Civil Defence and Emergency Management Act 2002, i.e., entities that produce, supply, or distribute manufactured gas or natural gas. Lifeline utilities must be able to function to the fullest possible extent during and after an emergency. Any disruption to the petroleum and/or LPG supply chains would have a major impact on the availability of fuel supplies and therefore on people’s ability to meet their social and economic needs. It is important that the Terminal operators are not unduly constrained in the way they use their land resource in order to operate successfully and remain viable.</p> <p>The District Plan currently classifies “sensitive activities”¹ as non-complying within a specified area around the bulk fuel terminals (Rule 4.1.4.1.5 NC2). This rule expires on 31 March 2019 (the “sunset clause”), the intent being that by this date, the relevant Terminal operators would have completed the Quantitative Risk Assessments (QRAs) required by the Independent Hearings Panel on the Christchurch Replacement District Plan and formulate an appropriate plan change based on the outcome of the QRAs for these sites.</p> <p style="text-align: right;"><i>... continued on next page</i></p>								
<table border="0" style="width: 100%;"> <tr> <td>Date Publicly Notified: 20 March 2019</td> <td>Date Operative:</td> </tr> <tr> <td>Council Decision: 31 October 2019</td> <td>File No: PL/DP/1</td> </tr> <tr> <td>Plan Details: Planning Map 47A</td> <td>TRIM No: FOLDER19/119</td> </tr> </table>			Date Publicly Notified: 20 March 2019	Date Operative:	Council Decision: 31 October 2019	File No: PL/DP/1	Plan Details: Planning Map 47A	TRIM No: FOLDER19/119
Date Publicly Notified: 20 March 2019	Date Operative:							
Council Decision: 31 October 2019	File No: PL/DP/1							
Plan Details: Planning Map 47A	TRIM No: FOLDER19/119							

¹ Sensitive activities are defined in the District Plan as including residential activities, care facilities, education activities and preschools, and health care facilities.

The plan change is based on the findings of the QRAs for both sites. The plan change will update the boundary of the Risk Management Areas, remove the sunset clause as no longer being necessary, and make several consequential amendments to provisions relating to the establishment of new risk-sensitive land uses within the new Woolston Risk Management Area, which might constrain or compromise the ability of the terminals to continue to provide for petroleum and LPG demands, i.e. generating “reverse sensitivity” effects.

The following changes to the District Plan are proposed:

- Amendments to the geographic extent of the existing Risk Management Areas by combining the individual fatality risk contours for sensitive activities identified in the respective QRAs, to create a new single risk management area, shown as a change to Planning Map 47A.
- Renaming “Risk Management Area” to “Woolston Risk Management Area” for greater clarity, and removing the “sunset clause” from the advice notes in Policy 4.1.2.2.2, Rule 4.1.4.1.5 NC2, and in the Planning Map Legend.
- Updating Policy 16.2.1.4(b) and its advice note to reflect the new QRAs that have been produced and are available to inform resource consent proposals for discretionary and non-complying activities.
- In Chapter 16 Industrial, changing the status of preschool activities in the part of the proposed Woolston Risk Management Area (WRMA) that overlays the Industrial General (IG) Zone, from permitted to non-complying, consistent with the policy and rule for sensitive activities in Chapter 4 Hazardous Substances and Contaminated Land.

DISTRICT PLAN AMENDMENTS

Note: For the purposes of this plan change:

Any text proposed to be added by the plan change is shown as **bold underlined** and text to be deleted as ~~**bold strikethrough**~~.

Text in green are defined terms to be linked to their respective definition in Definitions Chapter.

Text in blue are cross references to be linked to external and/or other provision within the Plan.

Text recommended to be added by the Commissioner to the notified plan change is shown as **bold with double underline** and text recommended to be deleted by the Commissioner from the notified plan change is shown as ~~**bold with double underline**~~.

Amend the District Plan as follows:

Chapter 4 Hazardous substances and contaminated land, 4.1 Hazardous substances, 4.1.2 Objectives and Policies

4.1.2.2.2 Policy - Woolston Risk Management Areas

- a. Avoid **sensitive activities** locating within **the Woolston** Risk Management Areas where these have the potential to be exposed to unacceptable risk and/or may otherwise constrain the development, operation, upgrading or maintenance of bulk fuel and gas terminals.

Advice note:

- 1. The **Woolston** Risk Management Areas ~~are is~~ shown on **Planning Map 47A**. ~~The geographic extent of these areas may be subject to a future plan change to have effect by 31st March 2019 and any such plan change would need to be based on the findings of a Quantitative Risk Assessment.~~

Chapter 4 Hazardous substances and contaminated land, 4.1 Hazardous substances, 4.1.4 Rules – Hazardous substances

4.1.4.1.5 Non-complying activities

Activity	
NC2	<ul style="list-style-type: none"> a. Any sensitive activity located within a the Woolston Risk Management Area. This rule shall cease to have effect by 31 March 2019. <p>Advice note:</p> <ul style="list-style-type: none"> 1. The Woolston Risk Management Areas are is shown on Planning Map 47A. The geographic extent of these areas may be subject to a future plan change to have effect by 31st March 2019 and any such plan change would need to be based on the findings of a Quantitative Risk Assessment.

Chapter 16 Industrial, 16.2 Objectives and Policies

16.2.1.4 Policy – Activities in industrial zones

- a. ...
- b. Avoid any activity in industrial zones with the potential to hinder or constrain the establishment or ongoing operation or development of industrial activities and **strategic infrastructure, or with the potential to be being exposed to unacceptable risk**. This includes but is not limited to avoiding:
 - i. **sensitive activities** located within the 50dB Ldn Air Noise Contour, the Lyttelton Port Influences Overlay Area, **the Woolston Risk Management Area** and in proximity to the **National Grid**;
 - ii. **non-sensitive** discretionary or non-complying activities **specified by Rule 16.4.1.4 D1, Rule 16.5.1.4, and Rule 16.5.1.5 NC1** in **the Woolston Risk Management Area close proximity to bulk fuel storage facilities** unless a **quantitative risk assessment establishes that** the proposed activity in its location meets risk acceptability criteria appropriate to the applicable land use.
- c. ...
- d. ...

Advice note for Clause b.ii-iii:

- ~~1. The Woolston Risk Management Area is shown on [Planning Map 47A](#). As at June 2015, bulk fuel storage facilities in industrial zones are limited to the LPG and oil depots in Chapmans Road, Woolston.~~
- ~~2. The quantitative risk assessment shall consider the vulnerability of activities to hazardous events from a bulk fuel storage facility, such as fires and vapour cloud explosions, and the ability of the proposed activity to enact timely and effective emergency action and evacuation. This will require consideration of factors including:
 - a. Site and building occupancy, and the ability to easily evacuate;
 - b. Building type and siting; and
 - c. The effects of structures and landscaping on the propagation of vapour cloud explosions.~~
- ~~3.2. The identification of appropriate Appropriate risk acceptability criteria and guidance on preparing a quantitative risk assessment shall refer to guidance include those were developed in accordance with the Planning NSW Hazardous Industry Planning Advisory Papers No. 3 and 4 Risk Criteria for Land Use Safety Planning 2011. Those criteria were used in determining the geographic extent of the Woolston Risk Management Area. or similar guidance suitable to the content of the site and activity that the risk assessment is for. Early consultation with the companies responsible for the LPG and oil depots is encouraged for any proposed activity within the Woolston Risk Management Area 300 metres of the depots, as the companies will be able to assist with the identification of appropriate risk issues relating to any proposed development. acceptability criteria and the extent to which a quantitative risk assessment is necessary.~~
3. Council holds and will make freely available to the public, the Quantitative Risk Assessments (QRAs) prepared by the LPG and oil depot companies for the Woolston Risk Management Area. The titles of these documents are:
 - a. The Woolston LPG Depot Quantitative Risk Assessment May 2018 (WorleyParsons);
 - b. The Mobil Woolston Terminal Quantitative Risk Assessment for Determination of Planning Overlay 22 June 2018 (Sherpa Consulting);

- c. The Technical Note Christchurch District Plan – Risk Overlay for Discussion 21 September 2018 (Sherpa Consulting); and
 - d. The Joint Response to Aurecon Peer Review of Woolston QRAs for input to CDP risk overlay 20 June 2019.
4. The QRAs include individual risk contours and identify the types of activities that would not meet the acceptability criteria if located inside a particular risk contour. The more vulnerable the activity the greater the distance from the depot the activity has to be before meeting the acceptability criteria. Early consultation with the companies responsible for the LPG and oil depots is encouraged for any proposed activity within the Woolston Risk Management Area 300 metres of the depots, as the companies will be able to assist with the identification of appropriate risk issues relating to any proposed development. ~~For the avoidance of doubt, the relevant discretionary and non-complying activities are only those the subject of Rule 16.4.1.4 D1, Rule 16.5.1.4, and Rule 16.5.1.5 NC1.~~
5. For the avoidance of doubt, Policy 16.2.1.4(b)(ii) does not apply to retail and office activities (whether permitted or restricted discretionary) that are ancillary to an activity that is otherwise permitted in the zone.

Chapter 16 Industrial, 16.4 Rules – Industrial General Zone

16.4.1.1 Permitted activities

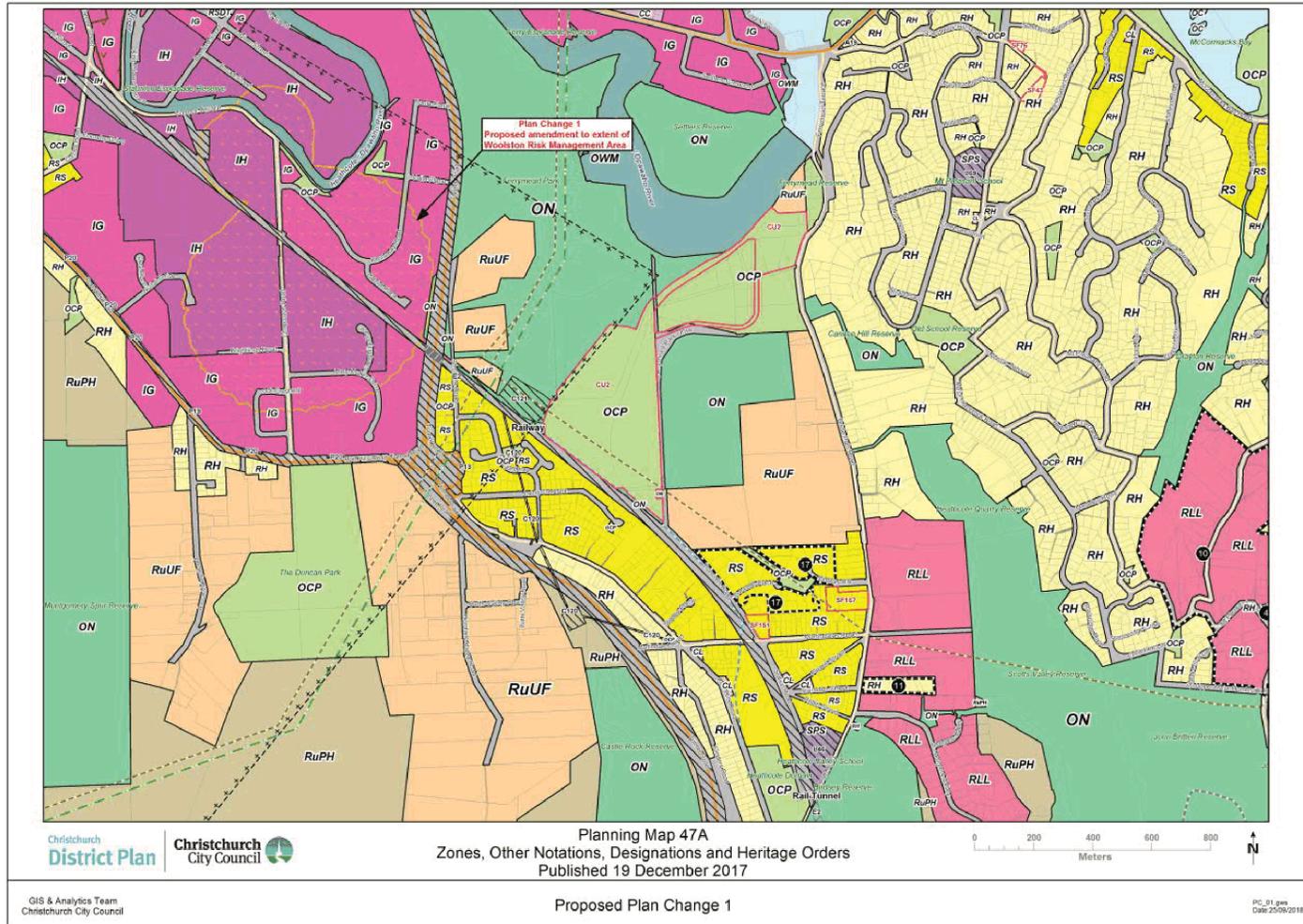
Activity		Activity specific standards
P18	<p>Preschool</p> <p>a. outside the 50 dB L_{dn} Air Noise Contour;</p> <p>b. in Lyttelton, outside the Lyttelton Port Influences Overlay Area as defined on the planning maps;</p> <p>c. <u>outside the Woolston Risk Management Area as defined on the planning maps</u></p>	<p>a. Any preschool activity shall be:</p> <p>i. located more than 100 metres from the boundary of an Industrial Heavy Zone; and</p> <p>ii. any habitable space must be designed and constructed to achieve an external to internal noise reduction of not less than 25 dB $D_{tr,2m,nT,w}+C_{tr}$; and;</p> <p>iii. any bedroom or sleeping area must be designed and constructed to achieve an external to internal noise reduction of not less than 30 dB $D_{tr,2m,nT,w}+C_{tr}$.</p>

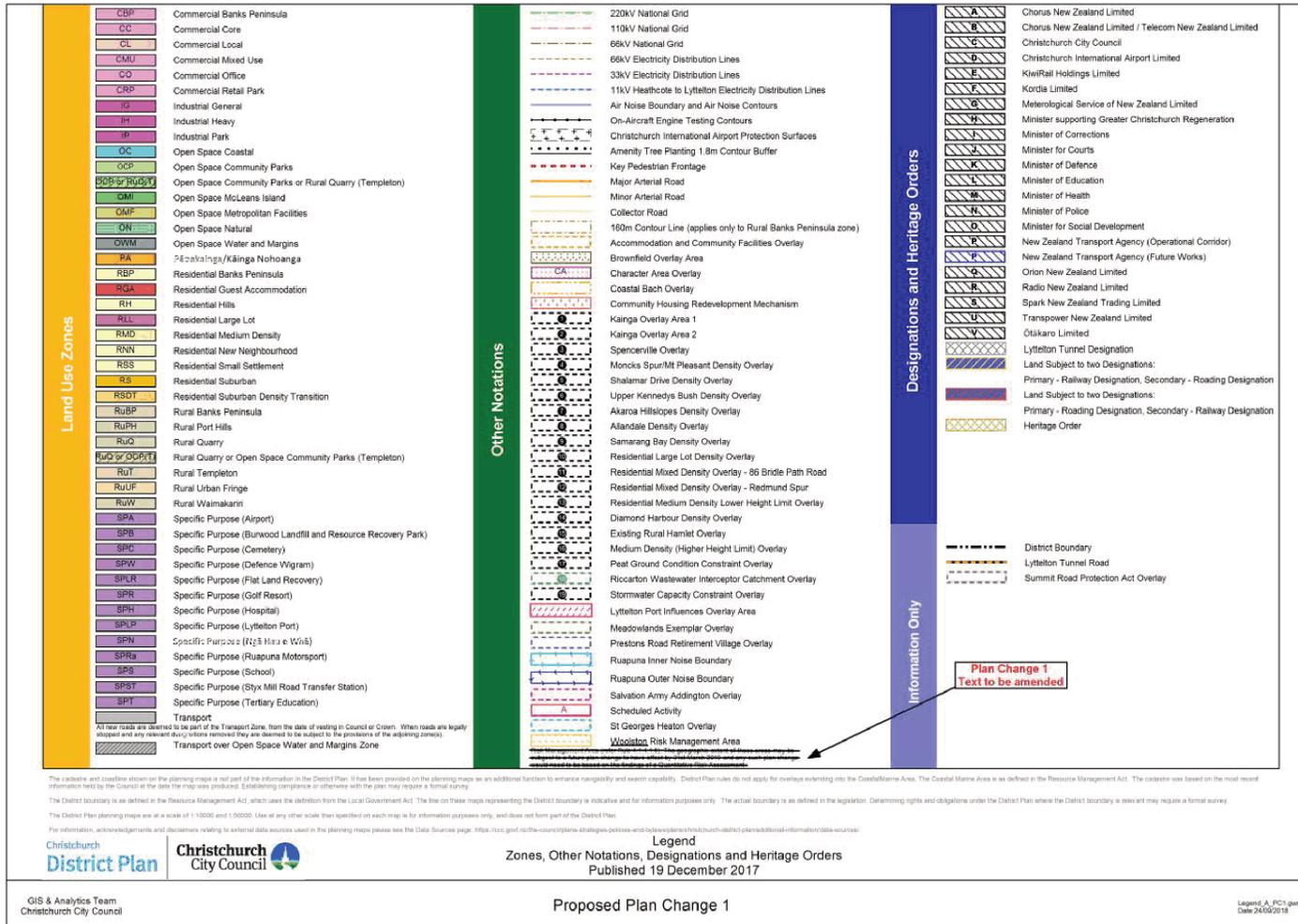
16.4.1.5 Non-complying activities

	Activity
NC2	<p>Sensitive activity within the 50 dB L_{dn} Air Noise Contour, <u>the Woolston Risk Management Area</u> or within the Lyttelton Port Influences Overlay Area as defined on the planning maps.</p>

Amend Planning Map 47A by removing the existing Risk Management Areas and replacing it with the new Woolston Risk Management Area, as shown on the attachment.

Amend Planning Map Legend by renaming “Risk Management Areas” to “Woolston Risk Management Area” and removing the text under “Risk Management Areas”, as shown on the attachment.





9. Proposed Plan Change on Ferrymead Transmission Line

Reference / Te Tohutoro: 20/6694

Presenter(s) / Te kaipāhō: Mark Stevenson – Team Leader City Planning
Kenton Baxter – Assistant Policy Planner

1. Purpose of Report / Te Pūtake Pūrongo

- 1.1 The purpose of this report is to seek approval for limited notification of Proposed Plan Change 3 to the Christchurch District Plan, which amends the rules for the Commercial Core zone to include National Grid transmission line setback rules. The effect of the rules is that sensitive activities (Residential, education, health facilities) are restricted in close proximity of the lines along with restricting fences and building in close proximity of National Grid support structures e.g. Towers.

2. Executive Summary / Te Whakarāpopoto Matua

- 2.1 The Commercial Core zone at Ferrymead is the only one within the Christchurch District Plan that does not have a setback prescribed from the National Grid transmission lines and associated rules, which were unintentionally omitted during the District Plan Review.
- 2.2 This plan change has been proposed in order to protect Transpower's ability to operate, maintain, upgrade, and develop the lines if necessary. It will also enable reverse sensitivity effects and effects on people's health and safety associated with activities in close proximity of the transmission lines to be managed appropriately.
- 2.3 This proposed change will also give effect to the National Policy Statement on Electricity Transmission, which directs Councils to provide transmission line setbacks for the National Grid lines. The proposed rules will also ensure consistency within the District Plan.
- 2.4 Council staff have proposed that the plan change is limited notified (rather than fully notified) to the owners of the affected properties and statutory bodies, enabling submissions to be made under Schedule 1 of the Resource Management Act. A standard plan change process is proposed which enables engagement with all of those who are directly affected.

3. Staff Recommendations / Ngā Tūtohu

That the Urban Development and Transport Committee:

1. Approves the limited notification of Proposed Plan Change 3 to directly affected persons, including the owners of those properties within 12 metres of the centre-line of the transmission lines in the Commercial Core zone at Ferrymead, and statutory bodies pursuant to Clauses 5 and 5A of Schedule 1 to the Resource Management Act 1991.
2. Approves that staff are delegated to make minor amendments to the plan change and section 32 report up to notification to address any matters arising.

4. Context/Background / Te Horopaki

Issue or Opportunity / Ngā take, Ngā Whaihua rānei

- 4.1 The District Plan was subject to a review from 2013 to 2017. Since then, a number of necessary changes have been identified by Council staff.

- 4.2 Rules for an area either side of the transmission lines¹, forming part of the National Grid (Referred to hereafter as ‘transmission line setback rules’), were unintentionally omitted during the District Plan review for the Commercial Core zone. Transmission line setback rules are included in all other zones within the Christchurch District that have National Grid transmission lines traversing them. Without the transmission line setback rules, sensitive activities could establish without the need for a resource consent within the setback area. This may result in adverse outcomes or effects described on the next page.
- 4.3 The current framework for the Commercial Core zone does not reflect the direction in the National Policy Statement on Electricity Transmission 2008². In particular, policy 11 of that National Policy Statement states “*Local authorities must consult with the operator of the National Grid (Transpower), to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent.*” Also, the Canterbury Regional Policy Statement is not given effect to, especially objective 6.2.1 which states “*Recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that: ... (9) integrates strategic and other infrastructure and services with land use development*” and (10) *achieves development that does not adversely affect the efficient operation, use, development, appropriate upgrade, and future planning of strategic infrastructure... (Strategic infrastructure includes the National Grid transmission lines)*”.
- 4.4 The current gap in the Commercial Core zone rules relating to transmission line setbacks also contradicts the objectives and policies of the District Plan. The main objective that has not been given effect to in the provisions for the Commercial Core zone is Objective 3.3.12 relating to infrastructure, which states
- a. *“The social, economic, environmental and cultural benefits of infrastructure, including strategic infrastructure, are recognised and provided for, and its safe, efficient and effective development, upgrade, maintenance and operation is enabled; and*
 - b. *Strategic infrastructure, including its role and function, is protected from incompatible development and activities by avoiding adverse effects from them, including reverse sensitivity effects. This includes:*
 - ii. *managing activities to avoid adverse effects on the National Grid, including by identifying a buffer corridor within which buildings, excavations sensitive activities will generally not be provided for; and*
 - ...
 - c. *The adverse effects of infrastructure on the surrounding environment are managed, having regard to the economic benefits and technical and operational needs of infrastructure”.*

Background

- 4.5 During the District Plan review, Transpower sought that sensitive activities within a specified distance of the National Grid transmission lines be classed as Non-complying³, to give effect to direction in the National Policy Statement on Electricity Transmission and Regional Policy Statement. The Independent Hearings Panel agreed with what was sought, which resulted in

¹ Means the facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the national grid; and includes transmission line support structures, telecommunication cables, and telecommunication devices.

² A National Policy Statement is provided by central government for matters of national significance, which are relevant to achieving the sustainable management purpose of the Resource Management Act. They guide subsequent decision-making under the Resource Management Act at the national, regional and district levels as regional policy statement, regional plans and district plans are all required to give effect to all National Policy Statements.

³ Non-complying activities are those activities not anticipated by the District Plan and which are subject to meeting a higher threshold than other activities in applications for resource consent.

protection corridors/ setback rules for the National Grid transmission lines being included throughout the District Plan in the zones that were intersected by the lines.

- 4.6 The new Commercial Core zone in Ferrymead was overlooked at the time, therefore there are no rules relating to setbacks from the National Grid transmission lines that traverse this zone. Insertion of these rules was previously proposed during 2016 when the Council and Transpower requested this change as a minor correction. The Independent Hearings Panel however did not consider this proposal to be a minor correction and therefore it was rejected.

Proposed change

- 4.7 The proposed change amends the provisions for the Commercial Core zone by adding rules relating to the National Grid transmission lines. The changes are summarised as follows:
- Sensitive activities⁴ are Non-complying within 12 metres of the centre line of the transmission line.
 - Buildings are non-complying within 12 metres of the foundation of a transmission support structure⁵.
 - Fences are non-complying within 5 metres of a transmission line support structure.
- 4.8 The effect of those proposed changes is more restrictive for the affected property owners. However, without the amendment, there is a risk that sensitive activities may be established in close proximity of the National Grid transmission lines. This could cause adverse effects including reverse sensitivity effects i.e. complaints from those occupying the land close to the lines due to concern regarding noise, radio and television interference, and perceived effects of electric and magnetic fields from the lines. The proposed changes will also help to ensure Transpower is able to access the lines in order to maintain, upgrade and operate the lines effectively.
- 4.9 The proposed changes will also ensure that effect is given to the National Policy Statement on Electricity Transmission and Regional Policy Statement, and is consistent with the objectives and other parts of the Christchurch District Plan.
- 4.10 The affected properties have been identified in the Commercial Core zone that are within 12m of the centreline of the National Grid Transmission line. There are 7 affected properties, 6 of which are used for commercial activities including a superfood and juice bar, bank, flight centre, lawyers and vacant building. The 7th is a Trade Supplier, Mitre 10 Mega, which also has a yard for trade supplies.

Strategic Alignment / Te Rautaki Tīaroaro

- 4.11 This report supports the following activity in [Council's Long Term Plan \(2018 - 2028\)](#) – Service Plan for Strategic Planning and Policy::
- 4.11.1 Activity: Strategic Planning and Policy
- Level of Service: 9.5.1.1 Guidance on where and how the city grows through the District Plan. - Maintain operative District Plan
- 4.11.2 The target under this Level of service is to “Maintain operative District Plan”, which this plan change supports by amending the provisions.

⁴ Sensitive activity means residential activities, care facilities, education activities and preschools, guest accommodation, health care facilities including accommodation for overnight care, hospitals and custodial and/or supervised living accommodation where the residents are detained on site

⁵ Support structure means a utility pole or tower that supports conductors as part of an electricity distribution line or transmission line, which forms part of the electricity distribution network or National Grid.

Decision Making Authority / Te Mana Whakatau

- 4.12 The Urban Development and Transport Committee is delegated to make decisions regarding the District Plan.

Previous Decisions / Ngā Whakatau o mua

- 4.13 N/A

Assessment of Significance and Engagement / Te Aromatawai Whakahirahira

- 4.14 The decision in this report is of moderate significance in relation to the Christchurch City Council's Significance and Engagement Policy.
- 4.15 The decision impacts discrete areas and is likely to only be of interest to affected property owners, Transpower and Orion.
- 4.16 The rules have been absent since the establishment of these transmission lines without many/any adverse effects. However, choosing not to impose transmission line setback rules creates a risk of activities being established that would not be appropriate within the setback area. This could be difficult to reverse once established.
- 4.17 There is minimal cost to the Council, ratepayers and the wider community, and the changes will not impact on the Council's capacity to carry out its role and functions.
- 4.18 There has been engagement with strategic partners and property owners directly affected by the change, which has included letters being sent to inform them of the process and the proposed changes to the Commercial Core zone rules.
- 4.19 Further opportunities exist for property owners to provide feedback through the submissions process, once the plan change has been notified.

5. Options Analysis / Ngā Kōwhiringa Tātari

Options Considered / Ngā Kōwhiringa Whaiwhakaaro

- 5.1 The following reasonably practicable options for the proposed plan change were considered and are assessed in this report:
- Insert setbacks rules for the National Grid transmission line within the provisions for Commercial Core zone
 - Status quo of no rules for the National Grid transmission line setback
- 5.2 The following reasonably practicable options on notification of the proposed plan change options were considered and are assessed in this report:
- Full notification of the proposed plan change on the Ferrymead Transmission Line corridor
 - Limited notification of the proposed plan change on the Ferrymead Transmission Line corridor

Options Descriptions / Ngā Kōwhiringa

- 5.3 **Preferred Option:** Insert setbacks rules for the National Grid transmission line within the Commercial Core zone
- 5.3.1 **Option Description:** This option would involve adding rules for the Commercial Core zone that would restrict sensitive activities within close proximity of the transmission lines.
- 5.3.2 **Option Advantages**

- These rules would align and be consistent with other zones in the Christchurch District plan and give effect to the National Policy Statement on Electricity Transmission and Regional Policy Statement.
- Decreased risk to health and safety because activities near the National Grid transmission lines are managed appropriately, by requiring a resource consent for sensitive activities. This enables an assessment of the potential effects.
- Helps to reduce costs for inspection, operation, maintenance, replacement and upgrading of the National Grid
- Reduced electricity supply outages required for access
- Avoids the establishment of sensitive activities and associated adverse effects on these activities and the National Grid transmission lines
- Council demonstrates a commitment to ensuring the District Plan is consistent and is committed to protecting the National Grid
- Raises awareness of potential adverse effects for certain activities in close proximity of the National Grid transmission lines

5.3.3 Option Disadvantages

- Economic costs to land owners as they lose some flexibility of land use because of the restrictions on certain activities
- Property owner's wellbeing may be affected as this proposed rule will make it more restrictive for certain activities on their properties

5.4 Option 1: Status quo

5.4.1 **Option Description:** The status quo would retain the existing provisions for the Commercial Core zone and not seek any amendments/additions relating to the National Grid transmission lines. This option would not restrict property owners from establishing sensitive activities within close proximity of the National Grid transmission line under the District Plan.

5.4.2 Option Advantages

- No costs to Council from plan changes
- No additional compliance costs for property owners
- Wellbeing of property owners and the community will not be affected in the absence of changes to the rules
- Property owners will have certainty regarding what can be done on their properties

5.4.3 Option Disadvantages

- Commercial Core zone rules are inconsistent with all other Christchurch District Plan zones
- Commercial Core zone rules do not give effect to the National Policy Statement on Electricity Transmission or Regional Policy Statement
- Risk of sensitive activities establishing near the National Grid transmission lines and being negatively affected
- Limitations on access to transmission lines can cause delays to upgrades, maintenance and transmission capacity improvements, which can have cost implications for electricity consumers elsewhere on the network

- Increased costs for Transpower as described above are eventually passed on to electricity consumers
- Reverse sensitivity effects in the form of complaints may result in additional costs to investigate
- Adverse impacts on awareness of hazards associated with National Grid transmission lines if there are no rules relating to them in this zone

Analysis Criteria / Ngā Paearu Wetekina

5.5 The options were evaluated against the following criteria for analysis:

- Certainty for development and future use (plus issues of fairness, equity, health and wellbeing)
- Alignment with Council plans and policies
- Alignment with higher order documents and directions
- Financial and economic considerations for property owners and Council

Options Considerations / Te Whaiwhakaarotanga

5.6 Comparing the two options it becomes apparent that significant differences exist between the status quo and inserting setbacks rules for the National Grid transmission line within the Commercial Core zone for the following criteria:

- Alignment with Council plans and policies
- Alignment with higher order documents

5.7 In summary, it can be concluded that the status quo is not as effective and efficient as the preferred option of inserting transmission line setbacks rules for the Commercial Core zone.

Options Descriptions – Notification

5.8 **Preferred Option:** Limited notification of the proposed plan change

5.8.1 **Option Description:** Limited notification would involve notification of the proposed plan change to those property owners and stakeholders directly affected and whose properties/interests are subject to a change in the Commercial Core zone.

Statutory bodies defined in the Resource Management Act would also be notified, including the Ministry for the Environment, Department for Prime Minister and Cabinet, Environment Canterbury and Te Rūnanga O Ngāi Tahu.

5.8.2 **Option Advantages**

- Enables those directly affected to make a submission
- Reduced likelihood of delays to the process due to fewer persons having the opportunity to make submissions and participate in a hearing

5.8.3 **Option Disadvantages**

- May be perceived as not being an open process

5.9 **Option 2:** Full notification of the proposed plan change

5.9.1 **Option Description:** Full notification would involve notification of the proposed plan change to the wider community by public notice, enabling anyone to make a submission. Statutory bodies defined in the Resource Management Act would also be notified, including the Ministry for the Environment, Department for Prime Minister and Cabinet, Environment Canterbury and Te Runanga O Ngai Tahu.

5.9.2 **Option Advantages**

- Enables anyone to make a submission.

5.9.3 **Option Disadvantages**

- Higher likelihood of delays to the process due to people not directly affected choosing to make submissions and participating in a hearing

6. Community Views and Preferences / Ngā mariu ā-Hāpori

- 6.1 Transpower requested that Council make this proposed change. It is in their interests to have transmission line setback rules as it will ensure they are able to access the lines in order to maintain, upgrade and operate the lines effectively. Feedback was received from Transpower on this process and the proposed rules.
- 6.2 The Council has informed affected property owners of the process and have invited feedback on the proposed changes. Letters were sent to 7 property owners and Orion on the 20th November 2019. This was followed up with letters to the property owner's address on the 6th of January 2020. Only one enquiry was received from a property owner seeking to understand the changes.
- 6.3 Feedback has also been sought from Mahaanui Kurataiao on behalf of Rūnanga who are not concerned by the plan change, and staff are awaiting feedback from Statutory bodies.
- 6.4 Further opportunities exist for property owners to provide feedback through the submissions process, upon the plan change being notified.

7. Legal Implications / Ngā Hīraunga ā-Ture

- 7.1 The process for the proposed plan change is defined under schedule 1 of the Resource Management Act, and the recommendation for approval to limited notify directly affected persons and statutory bodies is consistent with Clause 5 and 5A.
- 7.2 The risks involved in these processes are outlined in Risks and Mitigations below.
- 7.3 This report has been reviewed and approved by the Legal Services Unit and the legal considerations are set out throughout this report.

8. Risks / Ngā tūraru

- 8.1 A risk is that there has been no responses from property owners with one exception, so there is the potential for concerns to be raised that Council is unaware of.
- 8.2 There is a risk of delays in the plan change process, which will be influenced by the submissions received on the plan change and any appeals on the decision. However, Council staff are committed to the change as a priority in order to minimise the risk of a sensitive activity being established within close proximity of the National Grid transmission line.

9. Next Steps / Ngā mahinga ā-muri

- 9.1 If the preferred option is endorsed by Council, staff will proceed as follows:

- 9.1.1 Initiate limited notification of the proposed plan change and invite submissions 20th February – 20th March
- 9.1.2 Invite further submissions 20th April
- 9.1.3 Prepare a planning report including recommendations on the decisions sought by submitters.
- 9.1.4 Hold a hearing if required: July
- 9.1.5 Notify the decision: August
- 9.1.6 If there are no appeals, the District Plan Commercial Core zone rules will be changed.

10. Options Matrix / Te Poukapa

Issue Specific Criteria			
Criteria	Preferred Option -	Option 1 - Status Quo	
Financial Implications	Cost to Implement	Staff time, low cost	Nil
	Maintenance/Ongoing	Staff time (on demand depending on the nature of enquiries)	Staff time (on demand)
	Funding Source	Existing operational District Plan budget	Nil
	Impact on Rates	Nil	Nil
Criteria 1 - Certainty for development and future use	Provides certainty for affected property owners and investors, even though for certain activities, the rules will be more restrictive	Provides certainty for affected property owners, as there is no change in the rule framework.	
Criteria 2 - Economic considerations	Potential costs to land owners as the proposed changes will make certain activities more restrictive, however Transpower's costs will potentially decrease as it minimises costs for inspection, operation, maintenance, replacement and upgrading of the National Grid. It will also improve the safety to persons and property, which will provide long term economic benefits.	Reduces immediate costs to Council as well as no additional compliance costs for property owners. However, limitations on access can cause delays to upgrades, maintenance and transmission capacity improvements which can have cost implications for electricity consumers. The resulting increased costs for Transpower are eventually passed on to all electricity consumers throughout the country.	

Statutory Criteria		
Criteria	Preferred Option -	Option 1 - Status Quo
Impact on Mana Whenua	Nil- Runanga conveyed that they had no concerns with the proposed changes	Nil – Runanga are unlikely to be concerned with the current rules
Alignment to Council Plans & Policies	Achieves Council's policy commitment to manage activities to avoid adverse effects on the National Grid. It will also help the	Does not effectively and efficiently support Council's policy commitment to manage activities to avoid adverse effects on the

	recovery and future enhancement of Christchurch in a manner that meets the community's immediate and longer term needs for infrastructure and their social wellbeing.	National Grid. It will also not help the recovery and future enhancement of Christchurch in a manner that meets the community's immediate and longer term needs for infrastructure and social wellbeing.
Alignment with higher order documents and directions	Gives effect to the National Policy Statement on Electricity Transmission (Policy 11) and Canterbury Regional Policy Statement's (CRPS) objectives (6.2.1) and policies (6.3.5. & 16.3.4) and general directions such as avoiding sensitive activities in close proximity of National Grid infrastructure.	Does not give effect to objectives and policies of higher order documents and general directions of the National Policy Statement on Electricity Transmission or the Canterbury Regional Policy Statement.

Attachments / Ngā Tāpirihanga

No.	Title	Page
A ↓	Proposed Plan Change - Ferrymead Transmission Corridor	50
B ↓	Section 32 - Ferrymead Transmission Corridor	53

Confirmation of Statutory Compliance / Te Whakatūrutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories / Ngā Kaiwaitohu

Authors	Kenton Baxter - Assistant Policy Planner Mark Stevenson - Team Leader - City Planning
Approved By	Brent Pizzey - Associate General Counsel David Griffiths - Head of Planning & Strategic Transport Brendan Anstiss - General Manager Strategy and Transformation

	<p>Resource Management Act 1991</p> <p>Christchurch District Plan</p> <p>Proposed Plan Change</p>	<p style="font-size: 48pt; text-align: center;">3</p>						
<p style="text-align: center;">PROVISIONS FOR THE NATIONAL GRID TRANSMISSION LINES IN THE COMMERCIAL CORE ZONE</p> <p>EXPLANATION</p> <p>The purpose of Plan Change 3 is to insert rules into Chapter 15.4 (Commercial Core Zone) to manage activities within a setback/buffer corridor of the National Grid transmission lines at Ferrymead.</p> <p>The proposed rules for the Commercial Core Zone are similar to the rules relating to National Grid transmission line setbacks in other zones of the Christchurch District Plan. The rules are intended to restrict sensitive activities establishing within close proximity of the National Grid transmission lines as well as buildings and fences in proximity to support structures. The proposal will protect Transpower’s ability to operate, maintain, upgrade, and develop the lines if necessary. It will also enable reverse sensitivity effects and effects on people’s health and safety associated with activities in close proximity of the transmission lines to be managed appropriately.</p> <p>This plan change has been proposed, in order to give effect to the National Policy Statement on Electricity Transmission, which directs Councils to provide setbacks/buffer corridors for the National Grid lines. This zone is the only one within the Christchurch District Plan that does not have a buffer corridor for the National Grid transmission lines and associated rules, which were unintentionally omitted during the District Plan Review. Rules already exist in this zone in relation to electricity distribution lines. The proposed rules will ensure consistency within the District Plan.</p> <p>The Plan Change proposes the following amendments:</p> <p>a. Amend Chapter 15.4, Rule 15.4.1.5 by adding provisions relating to a buffer corridor for the National Grid Transmission Lines through the Commercial Core zone.</p> <p style="text-align: right;"><i>... continued on the next page</i></p>								
<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Date Publicly Notified: DD Month YYYY</td> <td style="width: 50%;">Date Operative: DD Month YYYY</td> </tr> <tr> <td>Council Decision Notified: DD Month YYYY</td> <td>File No: PL/DP/X</td> </tr> <tr> <td>Plan Details: Chapter 15.4</td> <td>TRIM No: FOLDER19/807</td> </tr> </table>			Date Publicly Notified: DD Month YYYY	Date Operative: DD Month YYYY	Council Decision Notified: DD Month YYYY	File No: PL/DP/X	Plan Details: Chapter 15.4	TRIM No: FOLDER19/807
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Plan Details: Chapter 15.4	TRIM No: FOLDER19/807							

DISTRICT PLAN AMENDMENTS

Note: For the purposes of this plan change, any text proposed to be added by the plan change as notified is shown as **bold underlined** and text to be deleted as **bold strikethrough**.

Text in **green** font identifies terms defined in Chapter 2 - Definitions. Text in **blue** font indicates links to other provisions in the District Plan and/or external documents. These will have pop-ups and links, respectively, in the on-line Christchurch District Plan.

Amend the District Plan as follows:

Chapter 15 Commercial, 15.4 Commercial Core Zone

15.4.1 Activity status tables – Commercial Core Zone

15.4.1.5 Non-complying activities

- a. The activities listed below are non-complying activities.

Activity	
NC3	<ul style="list-style-type: none"> a. <u>Sensitive activities within 10 metres of the centre line of a 66kV electricity distribution line or within 10 metres of a foundation of an associated support structure.</u> <ul style="list-style-type: none"> i. <u>within 12 metres of the centre line of a 220kV National Grid transmission line or within 12 metres of the foundation of an associated support structure.</u> ii. <u>within 10 metres of the centre line of a 66kV electricity distribution line or within 10 metres of a foundation of an associated support structure.</u> b. Buildings on greenfield sites within 10 metres of the centre line of a 66kV electricity distribution line or within 10 metres of a foundation of an associated support structure. c. Buildings, other than those in (b) above, within 10 metres of the foundation of an associated support structure. <ul style="list-style-type: none"> i. <u>within 12 metres of the foundation of a 220 kV National Grid transmission support structure.</u> ii. <u>within 10 metres of the foundation of a 66 kV electricity distribution support structure</u> d. Fences within 5 metres of a 66kV electricity distribution line support structure foundation <u>National Grid transmission line support structure foundation or a 66 kV electricity distribution support structure foundation.</u> e. Any application arising from rules (a)-(d) <u>(a)(ii), (b), (c)(ii), and (d) with regard to a 66 kV electricity distribution line</u> above shall not be publicly notified, and shall be limited notified only to Orion New Zealand Limited or other <u>electricity distribution network operator</u> (absent its written approval). <p>Advice note:</p> <ol style="list-style-type: none"> 1. The <u>National Grid transmission lines and</u> 66KV electricity distribution lines are shown on the planning maps.

- | | |
|--|---|
| | <ol style="list-style-type: none">2. Vegetation to be planted around the National Grid or electricity distribution lines should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.3. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to National Grid transmission lines and the electricity distribution lines. Buildings and activities in the vicinity of electricity distribution lines must comply with the NZECP 34:2001.4. <u>Notice of any application made in relation to rules (a)(i), (c)(i), and (d) with regard to National Grid transmission lines shall be served on Transpower New Zealand in accordance with Clause 10(2) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003</u> |
|--|---|

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	<p>Resource Management Act 1991 Christchurch District Plan Plan Change 3 Section 32 Evaluation</p>	<h1>#3</h1>
<p>INSERTING BUFFER CORRIDOR RULES FOR THE NATIONAL GRID TRANSMISSION LINES IN THE COMMERCIAL CORE ZONE</p> <p>Overview</p> <p>The following report has been prepared to support Plan Change 3 to the Christchurch District Plan, which proposes to include National Grid transmission line setback rules for the Commercial Core zone at Ferrymead, similar to the rules relating to National Grid transmission line setbacks in other zones of the district in which these lines transverse. This is to protect Transpower’s ability to operate, maintain, upgrade, and develop the lines if necessary. It will also enable reverse sensitivity effects and effects on people’s health and safety associated with activities in close proximity of the transmission lines to be managed appropriately.</p> <p>It has been prepared in accordance with the requirements of Section 32 (s32) of the Resource Management Act 1991 (RMA).</p> <p>This plan change has been proposed, in order to give effect to the National Policy Statement on Electricity Transmission, which directs Councils to provide transmission line setbacks for the National Grid lines¹. This zone is the only one within the Christchurch District Plan that does not have a setback prescribed from the National Grid transmission lines and associated rules, which were unintentionally omitted during the District Plan Review. The proposed rules will ensure consistency within the District Plan.</p>		

¹ Policies 10 and 11 of the NPS on Electricity Transmission.

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1 Introduction

1.1 Purpose of this report

- 1.1.1 The overarching purpose of section 32 (**s32**) of the Resource Management Act 1991 (**RMA / Act**) is to ensure that plans are developed using sound evidence and rigorous policy analysis, leading to more robust and enduring provisions.
- 1.1.2 Section 32 requires that the Council provides an evaluation of the changes proposed in Plan Change 3 to the Christchurch District Plan (**the Plan**). The evaluation must examine whether the proposed provisions are the most appropriate way to achieve the objectives of the Plan. The report must consider reasonably practicable options, and assess the efficiency and effectiveness of the provisions in achieving the objectives. This will involve identifying and assessing the benefits and costs of the environmental, economic, social and cultural effects anticipated from implementing the provisions. The report must also assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.
- 1.1.3 The purpose of this report is to fulfil the s32 requirements for proposed Plan Change 3 – Ferrymead Transmission Corridor. In addition, the report examines any relevant directions from the statutory context including higher order documents.

2 Resource management issues

2.1 Council’s legal obligations and strategic planning documents

- 2.1.1 Sections 74 and 75 of the RMA set out Council's obligations when preparing a change to its District Plan. The Council has a responsibility under Section 31 of the RMA to establish, implement and review objectives and provisions for, among other things, achieving integrated management of the effects of the use, development, or protection of land and associated resources. One of the Council's functions is to control the actual and potential effects of land use or development on the environment, and to do so in accordance with the provisions of Part 2.
- 2.1.2 As required by s74 and s75, a Plan Change must specifically give effect to, not be inconsistent with, take into account, or have regard to the following “higher order” documents / provisions:

Document	Relevant provisions	Relevant direction given effect to
Resource Management Act 1991, Part 2, Section 5 and 7	(1) Section 5 - The purpose of this Act is to promote the sustainable management of natural and physical resources. (2) Sustainable management means managing the use, development, and	Section 5 - The purpose of the Act includes managing natural and physical resources to provide for the health and safety of people and communities while avoiding, remedying or mitigating any adverse effects of these activities on the environment. The proposed rules for the Commercial Core zone with regard to transmission line setbacks address the actual and potential adverse effects of the lines on use and development (and vice versa), focusing on the impact of these lines on the health and safety of people.

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	<p>protection of natural and physical resources in a way, or a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while - ...</p> <p>(c) Avoiding, remedying or mitigating any adverse effects of activities on the environment.</p>	<p>Section 7 - Particular regard is to be had to the efficient use and development of natural and physical resources. The proposed rules may adversely affect property owners ability to utilise their land to the extent that exists at present, however by restricting certain uses/activities in close proximity of the lines, it provides for efficient operation and maintenance of the electricity transmission lines, and in doing so, it provides for the well-being of people and communities</p>
National Policy Statement on Electricity Transmission 2008	Policy 11	<p>a. Electricity transmission is a matter of national significance</p> <p>b. Policy 11 - <i>“Local authorities must consult with the operator of the National Grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent.”</i></p>
Canterbury Regional Policy Statement (CRPS)	<p>Chapter 6 : Objective 6.2.1</p> <p>Chapter 6: Policy 6.3.5 Integration of land use and infrastructure</p>	<p>a. Objective 6.2.1 states <i>“Recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that: ...(9) integrates strategic and other infrastructure and services with land use development” and (10) achieves development that does not adversely affect the efficient operation, use, development, appropriate upgrade, and future planning of strategic infrastructure...”.</i></p> <p>b. Policy 6.3.5 states <i>“Recovery of Greater Christchurch is to be assisted by the integration of land use and development with infrastructure by: ...(3) Providing that the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained”...(5) Managing the effects of</i></p>

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	Chapter 16 : Objective 16.2, Policy 16.3.4	<p><i>land use activities on infrastructure, including avoiding activities that have the potential to limit the efficient and effective provision, operation, maintenance or upgrade of strategic infrastructure...".</i></p> <p>Methods to implement Policy 6.3.5 state <i>"Territorial authorities Will</i></p> <ol style="list-style-type: none"> <i>1. Include in district plans objectives, policies and rules (if any) to give effect to Policy 6.3.5</i> <i>2. Include objectives, policies and rules in district plans to manage reverse sensitivity effects between strategic infrastructure and subdivision, use and development, including for residential and rural-residential activities".</i> <p>c. Objective 16.2.1 states <i>"Development is located and designed to enable the efficient use of energy, including:</i></p> <ol style="list-style-type: none"> <i>5. Avoiding impacts on the ability to operate energy infrastructure efficiently"</i> <p>Policy 16.3.4 seeks <i>"To encourage a reliable and resilient national electricity transmission network within Canterbury by</i></p> <ol style="list-style-type: none"> <i>2. Avoiding subdivision, use and development including urban or semi urban development patterns, which would otherwise limit the ability of the electricity transmission network to be operated, maintained, upgraded and developed"</i>
Land and Water Regional Plan	Section 3: Objective 3.3	<p>a. Objective 3.3 – <i>"Nationally and regionally significant infrastructure is enabled and is resilient and positively contributes to economic, cultural and social wellbeing through its efficient and effective operation, on-going maintenance, repair, development and upgrading."</i></p>
Mahaanui Iwi Management Plan 2013 (IMP)	Policy 5.1 and 5.2	<p>b. Policy 5.1 seeks to highlight the potential risk to health of electromagnetic radiation from overhead transmission lines and to recognise this risk when considering the placement of these.</p> <p>c. Policy 5.2 - To require a precautionary approach to electromagnetic radiation regarding its possible effects on human health.</p>

2.1.3 The higher order documents broadly identify the resource management issues relevant to the district and provide direction in resolving these issues.

5

Plan Change XX - Section 32 Evaluation

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- 2.1.4 The National Policy Statement on Electricity Transmission and Canterbury Regional Policy Statement are to be given effect to (section 75(3)) in the case of this plan change, and the relevant matters relating to the NPS and CRPS have been discussed above.
- 2.1.5 No other management plans or strategies prepared under other Acts are relevant to the resource management issue identified.
- 2.1.6 In the District Plan, higher level policy direction has been specifically given effect to or had regard to in Chapter 3 - Strategic Directions to reflect the outcomes sought and to ensure that the purpose of the RMA is achieved. Relevant Objectives of Chapter 3 are as follows:

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- 2.1.7 3.3.1 Objective - Enabling recovery and facilitating the future enhancement of the district
- a. *The expedited recovery and future enhancement of Christchurch as a dynamic, prosperous and internationally competitive city, in a manner that:*
 - i. *Meets the community's immediate and longer term needs for housing, economic development, community facilities, infrastructure, transport, and social and cultural wellbeing; and*
 - ii. *Fosters investment certainty; and*
 - iii. *Sustains the important qualities and values of the natural environment.*
- 2.1.8 3.3.2 Objective - Clarity of language and efficiency
- a. *The District Plan, through its preparation, change, interpretation and implementation:*
 - i. *Minimises:*
 - A. *transaction costs and reliance on resource consent processes; and*
 - B. *the number, extent, and prescriptiveness of development controls and design standards in the rules, in order to encourage innovation and choice; and*
 - C. *the requirements for notification and written approval; and*
 - ii. *Sets objectives and policies that clearly state the outcomes intended; and*
 - iii. *Uses clear, concise language so that the District Plan is easy to understand and use.*
- 2.1.9 3.3.12 Objective - Infrastructure
- a. *The social, economic, environmental and cultural benefits of infrastructure, including strategic infrastructure, are recognised and provided for, and its safe, efficient and effective development, upgrade, maintenance and operation is enabled; and*
 - b. *Strategic infrastructure, including its role and function, is protected from incompatible development and activities by avoiding adverse effects from them, including reverse sensitivity effects. This includes:*
 - ii. *managing activities to avoid adverse effects on the National Grid, including by identifying a buffer corridor within which buildings, excavations sensitive activities will generally not be provided for; and*
- ...
- c. *The adverse effects of infrastructure on the surrounding environment are managed, having regard to the economic benefits and technical and operational needs of infrastructure.*
- 2.1.10 This plan change does not seek to change any of the strategic objectives and the provisions proposed are considered to give effect to the relevant strategic directions.

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2.2 Problem definition - the issues being addressed

ISSUE 1

- 2.2.1 The Problem – The transmission line setback rules relating to the National Grid are not included for the Commercial Core zone. The National Grid transmission lines run through or near a number of properties (see Figure 1 in Appendix 2) within this zone located in Ferrymead.
- 2.2.2 Transmission line setback rules for the National Grid transmission lines are provided for in all other zones within the Christchurch District that have National Grid transmission lines traversing them. The transmission line setback rules are designed protect the transmission corridor from sensitive activities, including providing for its efficient and safe operation, upgrade and maintenance, to manage reverse sensitivity effects, to protect the integrity of National Grid structures, and to avoid safety issues. Therefore, without these rules in place, these issues could arise within the setback area of the Commercial Core zone as currently there are no specific rules to manage these issues.
- 2.2.3 Adverse outcomes or effects - Without the transmission line setback rules, sensitive activities could establish without the need for a resource consent within the setback area. This is likely to result in adverse outcomes or effects. As previously outlined, the types of issues that may arise include reverse sensitivity effects, because the transmission lines cause noise, radio and television interference, and perceived effects of electric and magnetic fields from the lines². Also Transpower needs to be able to access the lines in order to maintain, upgrade and operate the lines effectively, which may be compromised by certain activities.
- 2.2.4 Significance - The issue is of moderate significance. Although the Commercial Core zone at Ferrymead only has a small area which is intersected by the transmission lines with 9 stakeholders affected, there is still a risk that activities may establish that will be adversely affected by the transmission lines or vice versa. The rules have been absent since the establishment of these transmission lines without many/any adverse effects. However, choosing not to impose transmission line setback rules creates a risk of activities being established that would not be appropriate within the setback area. This could be difficult to reverse once established.
- 2.2.5 Relationship to higher order documents – The current framework for the Commercial Core zone does not reflect the direction in the National Policy Statement on Electricity Transmission 2008. A policy that is not currently being given effect to in the context of the provisions for the Commercial Core zone is Policy 11 which states “*Local authorities must consult with the operator of the National Grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent.*”
- 2.2.6 The current rule framework also does not give effect to the direction in the Canterbury Regional Policy Statement. The absence of current provisions does not contribute to an integrated approach to land use and development as sought by Objective 6.2.1, and the current rules could potentially allow development to occur that will “*adversely affect the efficient operation, use, development, appropriate upgrade, and future planning of strategic infrastructure...*” (Objective 6.2.1).
- 2.2.7 Policy 6.3.5 of the Canterbury Regional Policy Statement seeks that “*Recovery of Greater Christchurch is to be assisted by the integration of land use and development with infrastructure*”

² Statement of Evidence in Chief of Dougall Campbell for Transpower New Zealand Limited dated 20 March 2015

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by: ... (3) Providing that the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained" ... (5) Managing the effects of land use activities on infrastructure, including avoiding activities that have the potential to limit the efficient and effective provision, operation, maintenance or upgrade of strategic infrastructure...". The proposed plan change gives effect to this policy direction by restricting the potential land use activities that could otherwise limit operation, maintenance or upgrade of the transmission lines.

- 2.2.8 The current gap in the Commercial Core zone rules relating to National Grid transmission line setbacks also contradicts the objectives and policies of the District Plan. The main objective that has not been given effect to in the provisions for the Commercial Core zone is Objective 3.3.12 relating to infrastructure. This objective specifically mentions protecting strategic infrastructure by avoiding adverse effects from it, including reverse sensitivity. It also states that *"managing activities to avoid adverse effects on the National Grid, including by identifying a buffer corridor within which buildings, excavations sensitive activities will generally not be provided for; and"* Therefore the proposed plan change seeks to address the inconsistency with higher order documents.

3 Development of the plan change

3.1 Background

- 3.1.1 During the District Plan review, Transpower New Zealand Limited and Orion New Zealand Limited made submissions requesting rules for activities within a setback from transmission and electricity distribution lines, defined from the centre line of these lines. Transpower sought setbacks from the National Grid and Orion sought similar relief for the electricity distribution lines. Transpower owns, operates and maintains the National Grid while Orion does the same in respect of the electricity distribution lines. Transpower sought that sensitive activities within the protection corridor be classified as non-complying to give effect to the National Policy Statement Electricity Transmission policy 11.
- 3.1.2 Transpower also sought the deletion of all rules and standards that related to the National Grid in the Commercial proposal because the National Grid did not traverse any of the commercial zones (Appendix 1).
- 3.1.3 The land that the transmission lines at Ferrymead traverse was zoned as Industrial General on the notified version of the planning maps in Stage 1 of the District Plan Review. Through the Panel's decision on the Commercial chapter, the land was rezoned to Commercial Core. There was not consideration subsequently given to the provision for transmission line setbacks in the Commercial Core zone during the hearings on the Commercial chapter.
- 3.1.4 Insertion of a transmission line setback was subsequently proposed during 2016 when the Council, Transpower and Orion made a number of requests to the Independent Hearings Panel to make changes to the Replacement Plan, which were generally accepted. The Council and Transpower specifically requested that the Panel make a minor correction to the provisions for the Commercial Core zone to include rules in respect of a setback from the transmission line, which was deemed by the Panel to not be a minor correction and was therefore rejected. On this basis, a plan change is required to insert transmission line setback rules into the District Plan.

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- 3.1.5 The Council is relying on previous reports prepared for Transpower, two of these having been prepared specifically for the Christchurch District Plan Review. The reports are outlined in the below table:

Table 1: Technical Reports informing Plan Change 3

	Title	Author	Description of Report
	Statement of Evidence of Ainsley Jean Mcleod (Transpower's Submission) (24 th April 2015)	Ainsley Jean Mcleod	Evidence provided by Ainsley Mcleod on behalf of Transpower before the Christchurch independent hearings panel on the Commercial proposal (Proposal 15). This contains evidence to support the need for setbacks in relation to National Grid transmission lines.
	Statement of Evidence in Chief of Dougall Campbell for Transpower New Zealand Limited dated 20 March 2015	Dougall Campbell	Evidence provided by Dougall Campbell on behalf of Transpower before the Christchurch independent hearings panel on the Commercial proposal (Proposal 15). This evidence contains Transpower's approach to implementing the National Policy Statement, as well as examples of its implementation in other parts of New Zealand.
	Assessment of the Economic Benefits and Costs of Using Transpower's Proposed approach to Implementing Policies 10 and 11 of the National Policy Statement on Electricity Transmission in District and City Plans	Prepared for Transpower New Zealand Limited by Michael Copeland Brown, Copeland & Co Ltd	Assessment of the economic cost and benefits of including setbacks within District Plans for National Grid transmission lines.

3.2 Current Christchurch District Plan provisions

- 3.2.1 The current Plan provisions relevant to this plan change are summarised below.
- 3.2.2 Chapter 3 Strategic Directions Objective 3.3.12 Infrastructure (see paragraph 2.19 above) provides an overall direction in respect of the National Grid transmission lines and sets out the outcomes that are intended to be achieved through the District Plan.
- 3.2.3 The relevant Commercial chapter policy 15.2.4.5 clause (b) seeks to *"Provide for the effective development, operation, maintenance and upgrade of strategic infrastructure and avoid adverse effects of development on strategic infrastructure through managing the location of activities and the design of stormwater areas. This includes but is not limited to, avoiding sensitive activities within commercial zones located within the 50 dB Ldn Air Noise Contour and within the Lyttelton Port Influences Overlay Area."*

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- 3.2.4 The current rules do not provide for transmission line setbacks in the Commercial Core zone and are not consistent with Policy 15.2.4.5 clause (b), therefore the relevant Objective 3.3.12 (Strategic direction) will not be achieved within the current rule framework.

3.3 Description and scope of the changes proposed

- 3.3.1 The Plan Change does not propose any changes to the objectives and policies of the Plan in relation to the National Grid transmission line setbacks.
- 3.3.2 The Plan Change proposes adding rules to address the issue identified in section 2.2 to ensure that the relevant Plan objectives and policies are achieved. These changes include:

Chapter 15 Commercial, 15.4 Commercial Core Zone

15.4.1 Activity status tables – Commercial Core Zone

15.4.1.5 Non-complying activities

- a. The activities listed below are non-complying activities.

Activity	
NC3	<p>a. Sensitive activities within 10 metres of the centre line of a 66kV electricity distribution line or within 10 metres of a foundation of an associated support structure.</p> <p style="padding-left: 20px;">i. <u>within 12 metres of the centre line of a 220kV National Grid transmission line or within 12 metres of the foundation of an associated support structure.</u></p> <p style="padding-left: 20px;">ii. <u>within 10 metres of the centre line of a 66kV electricity distribution line or within 10 metres of a foundation of an associated support structure.</u></p> <p>b. Buildings on greenfield sites within 10 metres of the centre line of a 66kV electricity distribution line or within 10 metres of a foundation of an associated support structure.</p> <p>c. Buildings, other than those in (b) above, within 10 metres of the foundation of an associated support structure.</p> <p style="padding-left: 20px;">i. <u>within 12 metres of the foundation of a 220 kV National Grid transmission support structure.</u></p> <p style="padding-left: 20px;">ii. <u>within 10 metres of the foundation of a 66 kV electricity distribution support structure</u></p> <p>d. Fences within 5 metres of a 66kV electricity distribution line support structure foundation <u>National Grid transmission line support structure foundation or a 66 kV electricity distribution support structure foundation.</u></p> <p>e. Any application arising from rules (a) - (d) <u>(a)(ii), (b), (c)(ii), and (d) with regard to a 66 kV electricity distribution line</u> above shall not be publicly notified, and shall be limited notified only to Orion New Zealand Limited or other electricity distribution network operator (absent its written approval).</p> <p>Advice note:</p> <ol style="list-style-type: none"> The <u>National Grid transmission lines and</u> 66KV electricity distribution lines are shown on the planning maps. Vegetation to be planted around the <u>National Grid or</u> electricity distribution lines should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

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	<p>3. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to National Grid transmission lines and the electricity distribution lines. Buildings and activities in the vicinity of electricity distribution lines must comply with the NZECP 34:2001.</p> <p>4. <u>Notice of any application made in relation to rules (a)(i), (c)(i), and (d) with regard to National Grid transmission lines shall be served on Transpower New Zealand in accordance with Clause 10(2) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003</u></p>
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3.4 Community/Stakeholder engagement

3.4.1 Letters have been sent to directly affected parties as a part of pre-notification engagement in accordance with the RMA Schedule 1, clause 3. This is shown in the table below.

Date	Consultation method	Stakeholders	Feedback and resulting changes to the draft proposal
30/10/19	Meeting	Transpower	Have provided feedback on and suggestions for the proposed rules relating to the transmission line setback rule. Transpower sought that a limited notification requirement be included within the proposed rule, however after Council legal advice, it was included as an advice note.
20/11/19	Letter sent	Orion	No response received
20/11/19	Letter sent (returned mail sent to property owners address)	Tim Nominees Limited owner of 2 Waterman Place	No response received
20/11/19	Letter sent	Ferrymead Properties Limited owner of 989 Ferry Road	Phone call conversation with a manager for this property, his concern was whether the proposed changes would have any impact on the business. Upon the proposed changes being explained, he had no issue with the proposal.
20/11/19	Letter sent (returned mail sent to property owners address)	J & C Tuja Co Limited owner of 5/987 Ferry Road	No response received
20/11/19	Letter sent	Owner of 4/987 Ferry Road	No response received
6/1/20	2 nd letter sent to property owners address		
20/11/19	Letter sent	Lady Dorothy Charters Limited owner of 3/987 Ferry Road	No response received
6/1/20	2 nd letter sent to property owners address		

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20/11/19	Letter sent	Ju Xiong Li and Peixia Liu owners of 2/987 Ferry Road	No response received
6/1/20	2 nd letter sent to property owners address		
20/11/19	Letter sent	Owner of 1/987 Ferry Road	No response received
6/1/20	2 nd letter sent to property owners address		

- 3.4.2 As noted above, a response was only received from Ferrymead Properties Limited.
- 3.4.3 Property files on Council's File Management System (TRIM) were also searched to find property owners email addresses and phone numbers as an alternative contact option, however this did not provide the required information to enable contact with property owners. Tim Joll of Planz consultancy was also contacted, who acted for Latitude Group (Submitter 607) during the District Plan Review and who submitted in respect of 987 Ferry Road. This was to ascertain if he or Latitude Group had contact information for any property owners. However he was only able to provide us with the contact details for Ferrymead Properties, who had already been in contact with Council.
- 3.5 Consultation with iwi authorities**
- 3.5.1 Consultation on the proposal was also undertaken with Te Runanga o Ngai Tahu, through Mahaanui Kurataiao. An email outlining the proposal was sent to Jason Eden from Mahaanui. A subsequent email from Jason Eden dated XX/XX/20 with feedback from the Runanga conveyed that they had no concerns with the proposed changes.

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4 Scale and significance evaluation

4.1 The degree of shift in the provisions

4.1.1 The level of detail in the evaluation of the proposal has been determined by the degree of shift of the proposed provisions from the status quo and the scale of effects anticipated from the proposal.

4.2 Scale and significance of effects

4.2.1 The scale and significance of the likely effects anticipated from the implementation of the proposal has been evaluated. In making this evaluation, regard has been had to whether the proposed provisions

- a. will result in effects that have been considered, implicitly or explicitly, by higher order documents, and will give effect to the National Policy Statement on Electricity Transmission
- b. enable consistent implementation of the District Plan provisions across the whole district by including provisions relating to the National Grid transmission lines for the Commercial Core zone;
- c. are of localised significance and will have localised impacts;
- d. will affect a limited number of individual property owners and have moderate impact on the use and development of those properties affected;
- e. are likely to reduce adverse effects on those with particular interests, including Transpower;
- f. reduce potential adverse effects on people's health and safety;
- g. will not impose significant costs on individuals or communities; and
- h. represent a well-tested approach and certain benefits and costs.

4.2.2 Scale and significance discussion table

1. Reasons for the change	The change is proposed to give effect to the National Policy Statement on Electricity Transmission and Canterbury Regional Policy Statement. It will also give effect to the objective and policy framework of the District Plan, particularly objective 3.3.12 and policy 15.2.4.5 as well as providing consistency with rules in other zones.
2. Degree of shift from the status quo (status quo defined as the current approach)	There is a degree of shift from the status quo, because the proposed change will apply to 7 additional properties. The use and development of parts of these properties will now have sections that are more restricted by the proposed rules.
3. Who and how many will be affected?	The proposed change will affect 7 properties. The property owners have been engaged with to invite feedback. There is low

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	community interest beyond those who are directly affected.
4. Degree of impact on, or interest from iwi/Maori	Feedback was sought from Rūnanga and no concerns were expressed on the effect of the proposed plan change.
5. When will effects occur?	The effects of the proposed changes will be permanent and become operative after the decision has been notified and any appeals are resolved.
6. Geographic scale of impacts	The changes are spatially confined to specific properties that are within 12m of the centreline of the National Grid transmission Line, within the Commercial Core zone in Ferrymead.
7. Type of effect	The proposed changes will introduce more restrictive provisions to the 7 affected properties. This may have adverse effects on property owner's ability to use, develop or redevelop these properties.
8. Degree of policy risk, implementation risk, or uncertainty	The proposed approach gives effect to the NPS and RPS, and achieves consistency with the other parts of the District Plan.

5 Evaluation of the proposal

5.1 Statutory evaluation

5.1.1 A change to a District Plan should be designed to accord with sections 74 and 75 of the Act to assist the Territorial Authority to carry out its functions, as described in s31, so as to achieve the purpose of the Act. The aim of the analysis in this section of the report is to evaluate whether and/or to what extent the proposed plan change meets the applicable statutory requirements, including the District Plan objectives. The relevant higher order documents and their directions are outlined in section 2.1 of this report. Section 3.2 above sets out the directions provided by the District Plan strategic objectives in Chapter 3 and the Commercial Core zone policy 15.2.4.5.

5.2 Evaluation of objectives

5.2.1 Section 32 requires an evaluation of the extent to which the objectives³ of the proposal are the most appropriate way to achieve the purpose of the Act (s32(1)(a)).

³ Section 32(6) defines "objectives" and "proposal" in terms specific to sections 32 – 32A. "Objectives" are defined as meaning:

- (a) for a proposal that contains or states objectives, those objectives;
- (b) for all other proposals, the purpose of the proposal.

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- 5.2.2 The existing objectives of the operative Christchurch District Plan are not proposed to be altered or added to by this Plan Change. This section of the report, therefore, evaluates the extent to which the purpose of the Plan Change (s32(6)(b)) is the most appropriate way to achieve the purpose of the Act (s32(1)(a)).
- 5.2.3 The purpose of the Plan Change is to protect Transpowers ability to operate, maintain, upgrade, and develop the lines if necessary. It will also enable reverse sensitivity effects and effects on people's health and safety associated with activities in close proximity of the transmission lines to be managed appropriately. This plan change will give effect to the National Policy Statement on Electricity Transmission, which directs Councils to provide transmission line setbacks for the National Grid lines⁴, and Regional Policy Statement, and the proposed rules will ensure consistency within the District Plan.
- 5.2.4 Section 5 of Part 2, the purpose of the RMA seeks to promote the sustainable management of natural and physical resources in a way which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety, while among other considerations, avoiding, remedying or mitigating any adverse effects of activities on the environment. Section 5 essentially involves an overall broad judgement as to whether the proposal will promote the sustainable management of natural and physical resources. The plan change seeks to ensure the sustainable management of land traversed by National Grid transmission lines, while managing effects on the transmission lines as a physical resource. In doing so, it restricts property owners from carrying out certain sensitive activities in close proximity of the lines, therefore managing the potential impacts on the health and safety of people while protecting significant national infrastructure.
- 5.2.5 Section 6(h) of the Act lists matters of national importance which need to be recognised and provided for in achieving the purpose of the Act. None of these matter apply to this plan change.
- 5.2.6 Under section 7 (b) of the Act, particular regard is to be had to the efficient use and development of natural and physical resources. The proposed restriction may adversely affect property owners ability to utilise their land as efficiently as at present. However, by restricting certain uses/activities in close proximity of the lines, it facilities ongoing operation, upgrades and maintenance of the transmission lines in an efficient manner.

5.3 Reasonably practicable options for provisions

- 5.3.1 In considering reasonably practicable options for achieving the objectives of the Plan and the relevant higher order directions, the following options for the rules have been identified. Taking into account the environmental, economic, social and cultural effects, the options identified were assessed in terms of their benefits, and costs. Based on that, the overall efficiency and effectiveness of the alternative options was assessed.
- 5.3.2 **Option 1 – Status quo**
- 5.3.3 The status quo would retain the existing provisions for the Commercial Core zone and not seek any amendments/additions relating to the National Grid transmission lines. In doing so, this option would not restrict property owners from establishing sensitive activities within close proximity of the National Grid transmission line under the District Plan. This option does not give effect to the National Policy Statement on Electricity Transmission and Regional Policy Statement, and is inconsistent with other parts of the District Plan.

⁴ Policies 10 and 11 of the NPS on Electricity Transmission.

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5.3.4 **Option 2** – Insert setbacks rules for the National Grid transmission line within the Commercial Core zone

5.3.5 Option 2 would involve adding rules for the Commercial Core zone that would restrict sensitive activities within close proximity of the transmission lines. These rules would align and be consistent with other zones in the Christchurch District plan and give effect to the National Policy Statement on Electricity Transmission and Regional Policy Statement.

5.4 Evaluation of options for provisions

5.4.1 Before providing a detailed evaluation of the rules proposed in the plan change, the alternative option identified has been considered in terms of its potential costs and benefits and overall appropriateness in achieving the objectives of the Plan and the relevant directions of the higher order documents.

5.4.2 The tables below summarise the assessment of costs and benefits for the alternative option based on the anticipated environmental, economic, social, and cultural effects. The assessments are supported by the information obtained through technical reports and consultation.

5.4.3 The overall effectiveness and efficiency of each option has been evaluated, as well as the risks of acting or not acting.

5.4.4 **Option 1** - Status quo

Benefits ⁵	Appropriateness in achieving the objectives/ higher order document directions
Environmental: - N/A	<p>Efficiency: The option to maintain the status quo offers some benefits, which include enabling property owners to use their land without as many restrictions. However property owners still have to comply with NZECP34:2001 which is mandatory under the Electricity Act.</p> <p>This approach could potentially result in sensitive activities establishing close to the National Grid transmission lines that may be adversely affected by the lines and vice versa.</p> <p>Overall, the costs, outweigh the benefits. Therefore, this option is considered to be inefficient.</p>
Economic: - Reduces immediate costs to Council from not amending the Commercial Core zone rules - No additional compliance costs for property owners	
Social: - Wellbeing of property owners and community will not be affected by changes to the rules - Property owners will have certainty regarding what can be done on their properties	
Cultural: - N/A	

⁵ Refer to Table 6 page 41 of MfE's 'A Guide to Section 32 of the Resource Management Act 1991' for examples of costs and benefits - <http://www.mfe.govt.nz/publications/rma/guide-section-32-of-resource-management-act>, including separating out groups whom those costs and benefits fall on e.g. landowners, businesses, consent authority.

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Costs	
<p>Environmental:</p> <ul style="list-style-type: none"> - The rules for the District Plan Commercial Core zone are inconsistent with all other zones in the Christchurch District - Rules for the Commercial Core zone do not give effect to the National Policy Statement on Electricity Transmission or Regional Policy Statement - It may adversely impact awareness of the hazards associated with National Grid transmission lines if there are no rules relating to them in this zone 	<p>Effectiveness:</p> <p>This option is inconsistent with objective 3.3.12 (b) (ii) <i>“to manage activities to avoid adverse effects on the National Grid, including by identifying buffer corridor within win which buildings, excavations, sensitive activities will generally not be provided for”</i> as there are no setback rules relating to the National Grid transmission lines for the Commercial Core zone.</p> <p>It is also inconsistent with some aspects of Objective 3.3.1. While this option fosters investment certainty, it will not provide for an <i>“...expedited recovery and future enhancement of Christchurch as a dynamic, prosperous and internationally competitive city, in a manner that: (i) Meets the community’s immediate and longer term needs for... infrastructure and social wellbeing”</i>. This is on the basis that the status quo does not provide protection of the National Grid transmission lines, and presents a risk to people’s health and safety through enabling sensitive activities near the transmission lines.</p>
<p>Economic:</p> <ul style="list-style-type: none"> - Limitations on access can cause delays to upgrades, maintenance and transmission capacity improvements which can have cost implications for electricity consumers elsewhere on the network - Increased costs for Transpower as described above are eventually passed on to all electricity consumers throughout the country - Reverse sensitivity effects in the form of complaints may result in additional costs to investigate 	
<p>Social:</p> <ul style="list-style-type: none"> - Risk of sensitive activities establishing near the National Grid transmission lines and being negatively affected - Property owners not being aware of the risks of the National Grid transmission lines 	<p>This option is consistent with aspects of objective 3.3.2 as transaction costs and reliance on resource consent processes are minimised by not requiring resource consent for sensitive activities. However, it is not consistent with the approach in other parts of the District Plan and does not support the achievement of Objective 3.3.12.</p>
<p>Cultural:</p> <ul style="list-style-type: none"> - N/A 	<p>The District Plan would not give effect to the National Policy Statement on Electricity Transmission or the Regional Policy Statement, nor be consistent with other parts of the District Plan under this option.</p>
<p>Risk of acting/not acting</p>	
<ul style="list-style-type: none"> - Not acting means it remains possible that a sensitive activity could establish within close proximity of the National Grid power lines which may result in adverse effects on the activity or on the lines themselves. 	

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Recommendation: This option is not recommended as it does not achieve the objectives of the District Plan nor does it give effect to the National Policy Statement and Regional Policy Statement in the most effective and efficient manner.

5.4.5 In summary, Option 1 is not considered efficient and effective in achieving the objectives of the Plan and the relevant directions of higher order documents (as the preferred option). It could also potentially adversely affect the National Grid transmission lines or a sensitive activity if preferred.

5.4.6 The detailed evaluation of **Option 2**, the preferred option, is as follows.

6 Evaluation of the preferred option for provisions

6.1.1 **Option 2** is the proposed plan change, which amends the provisions for the Commercial Core zone to include transmission line setback rules for the National Grid.

6.2 Assessment of costs and benefits of the proposed rules

6.2.1 The proposed amendments to the rules for the Commercial Core zone seek to align planning rules in this zone with other parts of the District Plan and to give effect to the National Policy Statement on Electricity Transmission and Regional Policy Statement. This takes into consideration technical reports carried out by Transpower and the Council's own evaluation.

Benefits
Environmental: <ul style="list-style-type: none"> - Enables assessment of effects for proposed sensitive activities through the consent process
Economic: <ul style="list-style-type: none"> - Minimises costs for inspection, operation, maintenance, replacement and upgrading of the National Grid - Reduced electricity supply outages required for access - Improved safety to persons and property - Avoids the establishment of sensitive activities and the associated adverse effects on these activities and the National Grid transmission lines
Social: <ul style="list-style-type: none"> - Decreased risk to health and safety because the National Grid transmission lines are managed appropriately, by requiring a resource consent for sensitive activities within close proximity - Council demonstrates a commitment to ensuring the District Plan is consistent - Council demonstrates a commitment to protection of the National Grid
Cultural: <ul style="list-style-type: none"> - Raises awareness of potential adverse effects for certain activities in close proximity of the National Grid transmission lines

Costs
Environmental: <ul style="list-style-type: none"> - N/A

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<p>Economic:</p> <ul style="list-style-type: none"> - Economic costs to land owners as they lose some flexibility of land use because of the restrictions on certain activities
<p>Social:</p> <ul style="list-style-type: none"> - Property owner's wellbeing may be affected as this proposed rule will make it more restrictive for certain activities on their properties.
<p>Cultural:</p> <ul style="list-style-type: none"> - N/A

<p>Appropriateness in achieving the objectives/ higher order document directions</p> <p>Efficiency: This option is efficient as it will address the lack of consistency between provisions for the Commercial Core zone with other parts of the District Plan and higher order documents. It will also achieve the direction in relevant higher order documents and District Plan objectives in an efficient manner.</p> <p>Although there is a potential cost on property owners, this cost is less than the benefits of the proposed rules, as it will not only protect the health and safety of people but also protect the National Grid electricity transmission lines.</p>
<p>Effectiveness: This option gives effect to the higher order direction of the National Policy Statement for Electricity Transmission and Regional Policy Statement. It also accords with the District Plan objective 3.3.12 (b) (ii) <i>"to manage activities to avoid adverse effects on the National Grid, including by identifying buffer corridor within which buildings, excavations, sensitive activities will generally not be provided for"</i>. The preferred option is also consistent with Objective 3.3.1 as it fosters investment certainty and assists in meeting the community's immediate and longer-term needs for infrastructure and for their social wellbeing. This is on the basis that preferred option provides for protection of the National Grid transmission lines, and manages the potential effects to people's health and safety of sensitive activities near the transmission lines.</p> <p>While this option is inconsistent with aspects of objective 3.3.2 due to increased transaction cost and reliance on resource consent processes for sensitive activities seeking to locate near the transmission lines, it is consistent with the approach in other parts of the District Plan.</p> <p>The preferred option demonstrates Council's commitment to update the District Plan so that it provides a consistent approach and gives effect to higher order documents.</p>
<p>Risk of acting/not acting</p> <p>Not acting</p> <ul style="list-style-type: none"> - A continuation of the status quo presents a potential risk that sensitive activities may establish within close proximity of the National Grid transmission lines which will be adversely affected by the lines and vice versa. <p>Acting</p> <ul style="list-style-type: none"> - Property owners may find the added restrictions to be a burden and wonder why these were not included when the District Plan review was undertaken.

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6.3 The most appropriate option

- 6.3.1 Amending the Commercial Core zone to include transmission line setback rules for the National Grid is the most appropriate option to achieve the NPS, RPS and Objectives of the District Plan. It will align the planning rules with other parts of the District Plan and ensure this unintentional omission of rules relating to the National Grid transmission line setback is corrected in a timely manner.

7 Conclusions

- 7.1.1 This report highlights the need for the inclusion of transmission line setback rules for the National Grid as apply to the Commercial Core zone.
- 7.1.2 This report has reviewed and considered all relevant District Plan and higher order document objectivities, policies and general directions on the matter. Consultation with stakeholders has occurred, which enabled feedback from affected property owners, strategic partners and statutory bodies, and consultation will occur through the formal process with the opportunity for submissions.
- 7.1.3 The information, including any appendices, in this report present a comprehensive picture of all the relevant information required to enable the proposed plan change to be considered. In addition, this information is at a level of detail that is appropriate to the scale and significance of the issue of concern.
- 7.1.4 The report explored the costs and benefits and risks of the preferred and alternative option, being the status quo, and evaluated each on its degree of efficiency and effectiveness in achieving the best possible environmental outcome. The proposed preferred option of amending the Commercial Core zone to include transmission line setback rules for the National Grid is the most appropriate in achieving the Objectives of the District Plan and the objectives of higher order documents particularly the NPS on Electricity Transmission.

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8 Appendix 1

BEFORE THE INDEPENDENT HEARINGS PANEL

Under the Resource Management Act 1991 and the Canterbury Earthquake
(Christchurch Replacement District Plan) Order 2014

In the matter of

**The Proposed Christchurch Replacement District Plan –
Chapters 15 and 16 (Commercial (excludes Central City and
New Brighton commercial provisions) and Industrial Proposal -
Part)**

and

**Transpower New Zealand Limited (Submitter 832 and Further
Submitter 1331)**

Submitter

**Opening Legal Submissions on behalf of Transpower in
relation to Chapters 15 and 16 (Commercial (excludes
Central City and New Brighton commercial provisions)
and Industrial Proposal - Part)**

22 May 2015

BELL GULLY

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May it please the Panel:

1. Transpower New Zealand Ltd (**Transpower**) has a single transmission line on industrial zoned land in the Replacement Plan; the 220kV Bromley-Islington A line, which has been identified on the maps/aerials attached to the evidence of Mr Roy Noble.⁶
2. We will address two issues relating to Transpower's submission and further submission on the industrial proposal in the Proposed Christchurch Replacement Plan (the **Replacement Plan**):
 - (a) the appropriate width of a buffer corridor and what activities should be included; and
 - (b) the appropriate activity status for a buffer corridor.
3. The clear direction contained within policies 10 and 11 of the National Policy Statement on Electricity Transmission 2008 (the **NPSET**) places limitations on both the width and the activity status for a buffer corridor.⁷ In summary, Policy 10 requires an assessment of the area in which adverse effects including reverse sensitivity effects arise, and what activity status is required to avoid such effects and ensure the National Grid is not compromised. Policy 11 requires an assessment of what sensitive activities are, what is an appropriate buffer corridor and what activity status is required to generally not provide for sensitive activities. The Hearings Panel must "give effect to" the NPSET in its decisions on the Replacement Plan.
4. In the context of the commercial proposal, Transpower seeks the deletion of all rules and standards that relate to the National Grid because the National Grid does not traverse any of the Commercial zones. The Council's revised version of Proposal 15 dated 8 April 2015 includes the deletions sought by Transpower.

⁶ Statement of Evidence in Chief of Mr Roy Noble dated 24 April 2015 at Attachment A

⁷ As noted in our Closing Legal Submissions on behalf of Transpower New Zealand Limited in relation to Chapter 14 (Residential Proposal - Part) dated 22 April 2015 at [1].

What is the appropriate width of a buffer corridor, and what activities should be included?

5. The evidence of Mr Roy Noble for the residential topic outlines the analysis used by Transpower to calculate the widths of transmission corridors considered to be required by the NPSET.⁸ This analysis resulted in the identification of a 12 metre National Grid Yard that would apply to land use for tower lines (coinciding with the everyday wind conductor position) and a wider corridor for subdivision (ranging from 32-39m either side of the centreline). The corridors are based on the existing assets, and have not been sized to provide for major rebuilds or new lines.
6. In the residential proposal, Transpower sought a corridor for sensitive activities and buildings (excluding accessory buildings associated with an existing activity) within 12 metres of the centre line of a 110kV or 220kV National Grid transmission line or within 12 metres of the foundation of an associated support structure.⁹
7. In respect of the industrial proposal, Transpower seeks a corridor for sensitive activities and buildings on greenfield sites within 12 metres of the centre line of a 220kV National Grid transmission line or within 12 metres of the foundation of an associated support structure. For buildings other than those on greenfield sites (i.e. in developed/underbuilt areas), Transpower only seeks a corridor within 12 metres of the foundation of an associated support structure. Transpower also seeks a corridor for fences within 5 metres of a National Grid transmission line support structure foundation.
8. Transpower has taken a considered approach to drafting corridor protection rules by taking into account the context of the specific zone. As explained in the evidence of Mr Roy Noble, Transpower's approach to corridors in industrial areas differs from its approach in residential areas, as the required corridor differs depending on whether the line has

⁸ Statement of Evidence in Chief of Mr Roy Noble dated 20 March 2015 at [17]-[23].

⁹ Transpower also sought a corridor for sensitive activities and buildings (excluding accessory buildings associated with an existing activity) within 10 metres of the centre line of a 66kV National Grid transmission line or within 10 metres of the foundation of an associated support structure. Transpower also sought a corridor for fences within 5 metres of a National Grid transmission line support structure foundation.

existing underbuild or not.¹⁰ This is because a line is compromised where it already has underbuild, and although the risks and hazards remain for the line,¹¹ Transpower considers it to be unreasonable to further restrict development where the benefit to Transpower is limited.¹² As explained in the earlier evidence of Mr Dougall Campbell, this zone-based approach has been taken elsewhere in areas with existing underbuild.¹³ In areas where lines are compromised in this way, the corridor sought by Transpower is focused on ensuring the area around the structure is available for maintenance.¹⁴

9. However, we note sensitive activities are still restricted in the same manner as in the residential chapter regardless of the state of the line. This is on the basis Policy 11 of the NPSET directs sensitive activities to “generally not be provided for” – regardless of what zone such activities are in.
10. The rule proposed by Transpower no longer specifically restricts hazardous facilities or specifically exempts network utilities. As explained by Ms McLeod, this is because these matters are likely to be addressed in the portion of Proposal 6 – General Rules and Procedures that will be notified in the near future.¹⁵ It is anticipated that the Proposal 6 provisions will contain their own suite of provisions that may be exempt from zone provisions in any case (particularly in regard to network utilities).¹⁶
11. The rule also no longer references building alterations within the existing height and footprint. Ms McLeod notes that this is because it is considered that this does not go beyond what is provided for as an existing use right under section 10 of the RMA.¹⁷

¹⁰ Statement of Evidence in Chief of Mr Roy Noble dated 24 April 2015 at [11].

¹¹ The risks identified by Mr Roy Noble in his evidence on the Strategic Directions and Residential chapters of the Replacement Plan apply equally to industrial activities. See Statement of Evidence in Chief of Roy Noble dated 20 March 2015 at [24]-[51] and Statement of Evidence in Chief of Roy Noble dated 24 April 2015 at [22].

¹² Statement of Evidence in Chief of Mr Roy Noble dated 24 April 2015 at [11].

¹³ Statement of Evidence in Chief of Mr Dougall Campbell dated 20 March 2015 at [20]-[23].

¹⁴ Statement of Evidence in Chief of Mr Roy Noble dated 24 April 2015 at [11].

¹⁵ Statement of Evidence in Chief of Ms Ainsley McLeod dated 24 April 2015 at [58].

¹⁶ Statement of Evidence in Chief of Ms Ainsley McLeod dated 24 April 2015 at [58].

¹⁷ Statement of Evidence in Chief of Ms Ainsley McLeod dated 24 April 2015 at [58].

What is the appropriate activity status for a buffer corridor?

12. We have set out in Appendix A to these submissions why a non-complying activity status is necessary to give effect to the NPSET, as we previously outlined for the residential proposal. Ms Ainsley McLeod also notes that a non-complying activity status is appropriate because a built form standard in Proposal 16 would only strictly apply to permitted activities, resulting in a potential imbalance whereby permitted activities in the corridor default to non-complying, while discretionary activities (or restricted discretionary activities) in the corridor would not be captured.¹⁸
13. Ms McLeod also considers that non-complying activity status is the most appropriate option to achieve the following:¹⁹
 - (a) to implement Objective 3.3.12 in the Strategic Directions decision;
 - (b) to implement the Objective of the NPSET; and
 - (c) to give effect to Policies 10 and 11 of the NPSET.
14. This is because a non-complying activity status (particularly when considered alongside the exemptions provided in the proposal) better gives effect to strong direction in Policies 10 and 11 of the NPSET, that make reference to “avoiding” reverse sensitivity effects and sensitive activities “generally not being provided for” without deploying the blunt instrument of prohibited activity status (recognising that there may be circumstances where it is appropriate to grant a consent within the corridor).²⁰

Other matters

15. We also note that Ms McLeod has recommended a number of other amendments to the provisions in proposals 15 and 16 in her evidence dated 24 April 2015.
16. In relation to proposal 15, Ms McLeod supports the inclusion of Policy 13 – Strategic Infrastructure, but considers that the latter clause referring to

¹⁸ Statement of Evidence in Chief of Ms Ainsley McLeod dated 24 April 2015 at [58]

¹⁹ Statement of Evidence in Chief of Ms Ainsley McLeod dated 24 April 2015 at Attachment C, [3]

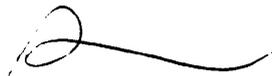
²⁰ Statement of Evidence in Chief of Ms Ainsley McLeod dated 24 April 2015 at Attachment C, [16].

the National Grid specifically is unnecessary.²¹ This has been accepted by Mr Mark Stevenson and Policy 13 has been amended accordingly.²²

17. As for proposal 16, Ms McLeod supports Mr Stevenson's amendments to Policy 4 and re-numbered Policy 8, as well as the deletion of rules that had the effect of requiring restricted discretionary activity consent for any buildings within 150 metres of a National Grid substation in the revised version of proposal 16 dated 8 April 2015.²³ Ms McLeod also notes that Transpower no longer wishes to retain the notes in the landscaping Built Form Standards referencing the Electricity (Hazards from Trees) Regulations 2003, on the basis that these regulations are sufficiently addressed by way of a note included in the National Grid corridor protection rules.²⁴

Conclusion

18. Corridor protection rules for the National Grid are necessary to give effect to the NPSET, and implement the direction of Objective 3.3.12 to identify a buffer corridor within which sensitive activities will generally not be provided for. Transpower has identified an appropriate buffer corridor and activity status for its transmission line in the industrial zoned land in the Replacement Plan.



AJL Beatson/ NJ Garvan
Counsel for Transpower New Zealand Limited
22 May 2015

²¹ Statement of Evidence in Chief of Ms Ainsley McLeod dated 24 April 2015 at [33].

²² Rebuttal Evidence of Mr Mark Stevenson dated 1 May 2015 at 114.

²³ Statement of Evidence in Chief of Ms Ainsley McLeod dated 24 April 2015 at [37].

²⁴ Statement of Evidence in Chief of Ms Ainsley McLeod dated 24 April 2015 at [69]

Appendix A – Activity Status to give effect to the NPSET

19. Policy 10 of the NPSET requires decisions-makers “to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading and development of the electricity transmission network is not compromised.” Policy 11 of the NPSET requires local authorities to “consult with the operator of the National Grid to identify an appropriate buffer corridor” within which sensitive activities will generally not be provided for.
20. We submit that the only activity status that would generally not provide for sensitive activities, and avoid reverse sensitivity effects in relation to buildings is non-complying activity status. It requires a higher threshold than discretionary activity status because an activity must meet one of the “gateway tests” before resource consent can be granted (the adverse effects of the activity on the environment will be minor, or the application is for an activity that will not be contrary to the objectives and policies of the plan).²⁵
21. If the activity status was prohibited then this would mean such activities would never be provided for (as opposed to generally not). It could be argued that prohibited activity status is required to “avoid” reverse sensitivity effects but this is not how it has been interpreted by Transpower.
22. If the activity status was discretionary then councils would have discretion whether or not to grant resource consent on a case by case basis. This would be making greater provision for activities compared to non-complying activity status, contrary to the direction in Policy 11.

²⁵ Resource Management Act 1991, section 104D.

Plan Change XX - Section 32 Evaluation

Plan Change XX - Section 32 Evaluation

APPENDIX 2

9 Appendix 2

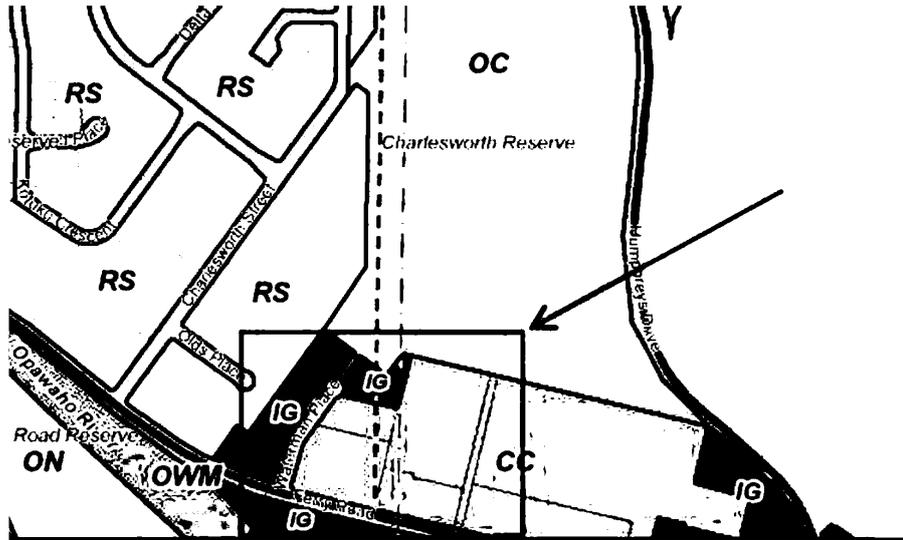


Figure 1 Map of the Commercial Core Zone and the National Grid transmission line (symbolized by the green line)

Plan Change XX - Section 32 Evaluation

APPENDIX 2

Plan Change XX - Section 32 Evaluation

10. Draft Submissions on Private Plan changes in Leeston and Kirwee

Reference / Te Tohutoro: 20/95348

Presenter(s) / Te kaupāhō: David Falconer, Team Leader City Planning (E) and Emily Allan, Policy Planner CP (E)

1. Purpose of Report / Te Pūtake Pūrongo

- 1.1 For Council to approve its draft submissions (as attached) on the recently notified Selwyn District Council Private Plan Changes 60 (Kirwee) and 62 (Leeston).

2. Executive Summary / Te Whakarāpopoto Matua

- 2.1 Selwyn District Council publicly notified two private plan changes (PC 60 and PC 62) in the Selwyn Times newspaper on 21 January 2020.
- 2.2 Private Plan Change 60 seeks to rezone 17.9 hectares of land in Kirwee from Living 2A (deferred Living 2) to Living 1. The private plan change proposes no changes to the provisions of the Selwyn District Plan, only the zoning of the land. If approved, the plan change may result in the ability to provide for 164 residential allotments, which is an additional 118 lots above the 46 that already have subdivision consent.
- 2.3 Private Plan Change 62 seeks to rezone 60.672 hectares of land in Leeston from deferred Living 1, deferred Living 2 and Outer Plains to Living 1 and Living 2. The private plan change seeks minor changes to the Selwyn District Plan to remove policy related to the deferred status and include an Outline Development Plan for the area. If approved, the plan change may result in the ability to provide for a total of 410 residential allotments – 380 in the Living 1 zone and 30 in the Living 2 zone.
- 2.4 The rezoning of land in Kirwee and Leeston is relevant to Christchurch City due to the potential wider transport effects on Christchurch City, the direction provided by higher order documents for urban growth in Canterbury, the value of rural production land in the Canterbury region and the impact on the Greater Christchurch Urban Development Strategy.

3. Staff Recommendations / Ngā Tūtohu

That the Urban Development and Transport Committee:

1. Approve the draft submission on the Selwyn District Council Private Plan Change 60 (Kirwee)
2. Approve the draft submission on the Selwyn District Council Private Plan Change 62 (Leeston)

4. Context / Background / Te Horopaki

Issue or Opportunity / Ngā take, Ngā Whaihua rānei

- 4.1 Both Kirwee and Leeston are outside the Greater Christchurch sub-region boundary. However as improvements have been made (and are being made) to the transport network, through developments such as the Christchurch Southern Motorway, these satellite towns are increasingly likely to form part of the Christchurch City commuter network.

- 4.2 For both private plan changes, the rezoning of land is limited to residential land with no additional commercial or business land proposed. Consequently, it is likely that the increased residential development will result in a higher commuter traffic volume into Christchurch City.
- 4.3 An increase in commuter traffic into Christchurch City, means more people making more trips. The result will be increased emissions, congestion and longer journey times.
- 4.4 Additionally, for the Leeston Plan Change (PC 62) the proposal also includes the rezoning of highly versatile and productive rural land to residential.
- 4.5 Council staff seek to raise awareness of the transport implications from these plan changes on Christchurch City, and the inconsistencies with the higher order documents.
- 4.6 The details of the notified private plan changes can be found at
 - 4.6.1 <https://www.selwyn.govt.nz/property-And-building/planning/strategies-and-plans/selwyn-district-plan/plan-changes/plan-change-60,-rezone-17.9-hectares-of-living-zone-2a-to-living-zone-1,-kirwee>
 - 4.6.2 <https://www.selwyn.govt.nz/property-And-building/planning/strategies-and-plans/selwyn-district-plan/plan-changes/plan-change-62,-rezone-land-on-the-western-side-of-leeston-township>
- 4.7 Written submissions are open until 5pm on Wednesday 19th February 2020

Owners of the titles subject to the Plan Changes

- 4.8 The owners of the titles subject to the Plan Changes have been provided below for the purposes of the Councillors identifying any conflict of interest in the proposed draft submissions.
- 4.9 The Kirwee Private Plan Change was prepared by Sally Elford and Anna Bensemman of Baseline Group CLS Ltd on behalf of Kirwee Central Properties Ltd. The owners of the titles subject to the Plan Change are:
 - Bespoke Investments 2019 Ltd
 - Leana Te Kahu Te Ohaere-Fox, Anna Kathryn Walker and Andrew James Williams
 - Kirwee Central Properties Ltd
 - Mark Alan Tyrer and Kerri Anne Pring
 - Michael James Poulsen and Yolande Rochelle Poulsen
 - Christopher Ronald John Bezuidenhout and Zita Rowena Bezuidenhout
 - Aimee Louise Bailes and Gareth Richard Bailes
 - Selwyn District Council (owner of reserve land in subject site)
 - Ian Alexander Dickie and Robinne Lee Weiss
 - Rory Sebastian Burgess and Jeanette Marie Williamson
 - Sean Selwyn Perrett and Natalia Marie Rietveld
 - Steven David John Boyer and Kandela Moana Hamilton Francois
 - Amy Jane Jones and Blair Stuart Jones
 - Orion New Zealand Ltd (utility services provider)
 - Fraser James Amtman and Jemma Ellan Opie
 - Barry Anthony Towes and Sharon Elizabeth Towes

- Johnathan Joseph Alexander Scott and Larissa Maia Scott
 - Aaron James McIndoe and Amanda Leigh Smith
 - SGA Builders Ltd
 - Daniel Levi Davis and Rebecca Ann Marie Meachen
 - Andre Scholtz and Christelle Scholtz
 - Jason James Boulton and Judith Michelle Boulton
 - Adam Gordon Gray and Rachel Anne Romans
- 4.10 The Leeston Private Plan Change was prepared by Adrienne Tisch and Sally Elford of Baseline Group CLS Ltd on behalf of D Marshall, L Martin & A Formosa, M & T Saunders, B Hammett and J & S Howson. The owners of the titles subject to the Plan Change are:
- David Bell Marshall and Brant John Hammett
 - David Bell Marshall
 - Brant John Hammett
 - Mark Harcourt Saunders and Trudy Lee Saunders
 - Liam James Gilbert Martin and Alice Beatrice Formosa
 - John Leslie Howson, Sandra Helen Howson and Michael John Kirwin Lay
 - Cochranes of Canterbury Ltd
 - Terrence John Anderson
 - Sharron Ann Farrant

Key Submission Points

- 4.11 For both Private Plan Change Submissions (PC 60 and PC 62)
- 4.11.1 The proposals are inconsistent with policy 5.3.8 in the CRPS as the new residential developments will be primarily car based which has a significant adverse effect on the sustainability of the Greater Christchurch region.
 - 4.11.2 The transport effects assessment provided in the proposals are localised to the individual sites and immediately surrounding areas, with no consideration for alternative transport options or transport effects on the wider region.
 - 4.11.3 The higher order documents have been developed to enable growth to occur in the wider Canterbury region in an integrated and consolidated manner. The risk of providing an increased supply of residential land beyond the forecast need is a dispersed settlement pattern that reduces the sustainability of our rural communities.
 - 4.11.4 The release of residential land beyond the forecast growth models has the potential to undermine the higher order documents which have been developed to provide for sustainable communities relying on this data. The implications for these decisions on Our Space, the CRPS and the SCGM are fundamental as these documents are the foundation on which the lower order documents are derived.
- 4.12 Additionally, for the Leeston Private Plan Change Submission (PC 62)
- 4.12.1 Productive land in the Canterbury region holds substantial value as it contributes to the sustainability of the region through providing land on which locally grown and sourced produce can be farmed appropriately. This then reduces the transport costs associated

with the distribution of food to the Christchurch City and provides for a variety of land uses in the surrounding region.

4.12.2 If the Canterbury region is to become carbon neutral, providing for highly versatile and productive land in proximity to the city is essential.

Decision Making Authority / Te Mana Whakatau

4.13 Council has the authority to make a decision to submit on the private plan changes and staff are therefore seeking the approval of Council to lodge submissions.

Strategic Alignment

4.14 This report supports the [Council's Long Term Plan \(2018 - 2028\)](#):

4.14.1 Activity: Strategic Planning and Policy

4.15 Level of Service: 17.0.42 Support the Greater Christchurch Partnership. – Contribute to review of Urban Development Strategy.

Attachments / Ngā Tāpirihanga

No.	Title	Page
A ↓	Submission Letter Kirwee Private Plan Change	91
B ↓	Appendix A. Commuter traffic flow – Kirwee.	96
C ↓	Submission Letter Leeston Private Plan Change	97
D ↓	Appendix A. Commuter traffic flow – Leeston.	103

Confirmation of Statutory Compliance / Te Whakatūrutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories / Ngā Kaiwaitohu

Authors	David Falconer - Team Leader City Planning Emily Allan - Policy Planner
Approved By	David Griffiths - Head of Planning & Strategic Transport Brendan Anstiss - General Manager Strategy and Transformation

19 February 2019

Selwyn District Council
PO Box 90
ROLLESTON 7643

Email: submissions@selwyn.govt.nz

Christchurch City Council submission on the Private Plan Change 60 Request for Hoskyns Road, Kirwee notified by Selwyn District Council.

1. Introduction

- 1.1 Christchurch City Council (the Council) thanks Selwyn District Council for the opportunity to provide comment on the Application for Private Plan Change – Hoskyns Road, Kirwee. The request seeks to rezone approximately 17.9 hectares of land, which would result in the ability to provide for 164 residential allotments, which is an additional 118 lots above the 46 that already have subdivision consent.

2. Summary

- 2.1 Our Submission addresses:
- a. The potential wider transport effects on Christchurch City;
 - b. The potential effects on the ecological resilience of the Canterbury region;
 - c. The direction provided by higher order documents for urban growth in Canterbury; and
 - d. Impact on the Greater Christchurch Urban Development Strategy
- 2.2 Christchurch City Council (hereafter referred to as “Council”) is supportive of growth in the towns in Selwyn District to support the local needs. Council has and continues to be supportive of the work that Selwyn District Council has undertaken in planning for growth in its townships, through documents such as the Malvern Area Plan 2031. However, the amount of land proposed to be rezoned in this request, goes beyond the quantum of residential units identified for growth in the Malvern Area Plan. Council questions the need to provide more growth than has been identified as needed for the projected growth of the town. This creates the risk that new residents will not be able to find sufficient employment in the local area, and will commute to Christchurch City. The majority of Kirwee residents who commute, already commute into Christchurch City for work. There are limited transport options from Kirwee, increased commuting for Kirwee will likely increase car travel, emissions and contribute to the congestion issues on commuter routes into Christchurch City. Increasing commuting from Kirwee is not consistent with what is sought by the higher order planning documents.
- 2.3 As a member of the Greater Christchurch partnership, Council also questions whether this development and others beyond the Greater Christchurch boundary, raise the issue whether

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TRIM:

the Greater Christchurch partnership has a view on this type development beyond the boundary, including whether the boundary needs to be extended to cover a wider area, including Kirwee. Council would like to discuss this issue with the Greater Christchurch Partnership.

- 2.4 Council recognises the value of the land beyond the Greater Christchurch boundary in contributing to the resilience of Christchurch City, providing a healthy ecosystem to support forecast growth in the Canterbury region. Council raises concern regarding the on-site servicing proposed in the Private Plan Change and the implications that this may have in the sustainability of the Greater Christchurch sub-region.
- 2.5 Council recognises the need for Selwyn District Council to provide sufficient housing capacity to meet future growth. Council is happy to continue to work with Selwyn District Council and the Greater Christchurch Partnership on this, and to also ensure that this capacity is accessible by a range of transport modes, and reduces commuting distances. Council considers there are other parts of Selwyn District where there is a greater possibility of achieving this, than the area identified for re-zoning in Plan Change 60.
- 2.6 Council notes the timeline for lodgement of this Private Plan Change, with the Selwyn District Plan review scheduled for notification in the first half of this year and the Canterbury Regional Policy Statement (CRPS) scheduled for review in 2023 with the work programme progressing shortly. Council suggests that the Selwyn District Plan review may be the more appropriate forum for this discussion as it will encompass the wider strategic objectives for the Selwyn region.

Submission

3. Transport Effects

- 3.1 The Greater Christchurch sub-region boundary was determined in the mid 2000's when the Greater Christchurch Urban Development Strategy was developed, based on an approximately 30 minute commuter window into the Christchurch central business district (CBD). However as improvements have been made (and are being made) to the transport network, through developments such as the Christchurch Southern Motorway, the distance of the 30 minute commuter window is growing. Development of satellite towns beyond the Greater Christchurch boundary could have an impact on the transport planning that the Council has completed to reduce commuter traffic, and the implications that this will have on the Council's carbon footprint.
- 3.2 Statistics New Zealand provides a visual representation of commuter traffic to and from Kirwee based on the 2013 Census data, which clearly shows a strong movement of commuter traffic into the Greater Christchurch region (refer Attachment A). This shows that more Kirwee residents commute out of Kirwee for work, than work in Kirwee. Of those who commute, the majority commute to Christchurch City. According to the Census data 100% of these commuters drove to work in single occupancy vehicles. Kirwee is less than a 30 minute drive from employment areas in Hornby.
- 3.3 The proposal does not include any additional commercial development to the Kirwee area to support this proposed residential growth, and it is likely that the increased residential development will result in a higher commuter traffic volume into Christchurch City.

- 3.4 Recently the Selwyn District Council has introduced a trial bus service from the Kirwee area into the Greater Christchurch region to respond to increased commuter traffic. This is a targeted bus service funded independently by Selwyn District Council and is not part of the wider transport network operated and managed by Environment Canterbury. It is important to note that this bus service is direct from Kirwee to Christchurch CBD and does not provide stops at Rolleston or Lincoln townships. Currently, this is only a single service, operated into the Christchurch CBD in the morning and out to Kirwee in the evening. It is not certain at this stage whether this service will continue permanently
- 3.5 An increase in commuter traffic into Christchurch City, means more people making more trips. The result will be increased emissions, congestion and longer journey times.
- 3.6 In May 2019 the Council declared a climate emergency to enable climate to be a primary consideration for long-term planning and set the target for Christchurch to be a carbon neutral city. Transport planning and infrastructure is a significant component of moving to a carbon neutral city and it is important that new urban growth areas occur in locations which align with this wider climate change objective.
- 3.7 The transport effects assessment provided in the proposal is localised to the site and immediately surrounding area, with no consideration for alternative transport options or transport effects on the wider region.

4. Ecological Resilience

- 4.1 Council recognises the value of the land beyond the Greater Christchurch boundary in contributing to the resilience of Christchurch City, providing a healthy ecosystem to support forecast growth in the Canterbury region. Council raises concern regarding the on-site servicing proposed in the Private Plan Change and the implications that this may have in the sustainability of the Greater Christchurch sub-region.
- 4.2 Council support future growth opportunities in the Canterbury region, although recognise that these opportunities need to be appropriately located and serviced to build the ecological resilience of Christchurch City and the wider region.

5. Higher Order Documents

- 5.1 Whilst Kirwee is not within the Greater Christchurch Urban Development Strategy Boundary and thus Chapter 6 of the Canterbury Regional Policy Statement (CRPS) does not apply, Chapter 5 does apply. Chapter 5 of the CRPS has a stated objective (5.2.1(1)) that development is located and designed so that it functions in a way that achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region's growth.
- 5.2 The proposal is inconsistent with this objective as the Selwyn Capacity for Growth Model (SCGM) forecasts that there is already sufficient capacity for residential growth through both infill and greenfield opportunities.
- 5.3 The SCGM does not identify a deficiency in new residential development that would provide for the intensification of the deferred zoned residential land beyond what was anticipated at

the time of deferred zoning. Consequently, there is no predicted growth that needs to be accommodated in accordance with objective 5.2.1 of the CRPS.

- 5.4 This position is further supported by the Malvern Area Plan 2031 (MAP)/ Mahere-a-Rohe, which is a non-statutory document developed by Selwyn District Council to guide development and inform the upcoming district plan review. The MAP says that the population of Kirwee in 2015 was 1,186 people (423 households), with this population projected to grow to 1,711 (611 households) by 2031. This represents an estimated increase of 525 people (187 households). There is current sufficiently zoned capacity for a potential yield for at least 218 households. Consequently the MAP states on page 80 that:

“There is considered to be sufficient available land to accommodate projected growth through to 2031 without council proactively zoning additional residential ‘greenfield’ land.”

The MAP concludes on page 84 that:

“No new areas for residential or business purposes have been identified as being necessary to be proactively zoned by Council in response to projected population growth within the Malvern 2031 planning horizon. This is on the basis that there is currently sufficient zoned but undeveloped residential land available to accommodate projected population growth.”

- 5.5 The MAP has been developed to give effect to the principles contained in Chapter 5 of the CRPS, the SCGM and the Area Plan principles.
- 5.6 The higher order documents have been developed to enable growth to occur in the wider Canterbury region in an integrated and consolidated manner. The risk of providing an increased supply of residential land beyond the forecast need is a dispersed settlement pattern that reduces the sustainability of our rural communities.
- 5.7 This position by Council is supported by the CRPS which considers Land use and transport integration in the wider Canterbury region. This policy states:
- Policy 5.3.8 –Land use and transport integration (Wider Region)
Integrate land use and transport planning in a way:
1. that promotes:
(a) the use of transport modes which have low adverse effects;
(b) the safe, efficient and effective use of transport infrastructure, and reduces where appropriate the demand for transport.
- 5.8 The proposal is inconsistent with the above policy in the CRPS as the new residential development will be primarily car based which has a significant adverse effect on the sustainability of the Greater Christchurch region.
- 5.9 The release of residential land beyond the forecast growth models has the potential to undermine the higher order documents which have been developed to provide for sustainable communities relying on this data. The implications for this decision on Our Space, the CRPS and the SCGM are fundamental as these documents are the foundation on which the lower order documents are derived.

6. Impact on the Greater Christchurch Urban Development Strategy

- 6.1 Council, along with Selwyn District Council, is a member of the Greater Christchurch partnership. Council is supportive of the Greater Christchurch Urban Development Strategy (UDS) objective to consolidate urban growth. There is a risk to the implementation of the Strategy from urban development beyond the UDS boundary, which goes beyond just supporting local needs, undermining the objective to consolidate urban growth. Council questions whether this development and others beyond the Greater Christchurch boundary, raise the issue whether the Greater Christchurch partnership has a view on this type development beyond the boundary, including whether the boundary needs to be extended to cover a wider area, including Kirwee. Council would like to discuss this issue with the Greater Christchurch Partnership.
- 6.2 As a member of the Greater Christchurch Partnership, Council is working with the Selwyn District Council on finding sufficient housing capacity for future growth. There are upcoming opportunities such as the development of the next Future Development Strategy where it can be ensured that there continues to be sufficient housing capacity for future growth. Council would like to work with Selwyn District Council through these processes to find sufficient capacity to meet our future needs, which also ensures that this capacity is accessible by a range of transport modes, in particular public transport, and reduces commuting distances. There are other parts of Greater Christchurch, which are closer to Christchurch City, which may be more appropriate for urban development than the area identified for re-zoning in Plan Change 60. Council would like to continue to work with Selwyn District Council on these possibilities.

7. Relief Sought

We seek:

- 7.1 That the plan change is accepted in part, with no intensification beyond what is needed to provide for local growth needs as identified in the Malvern Area Plan. This position is supported by the higher order documents in the CRPS, SCGM and MAP.

Thank you for the opportunity to provide this submission.

We reserve our right to be heard in regards to this submission.

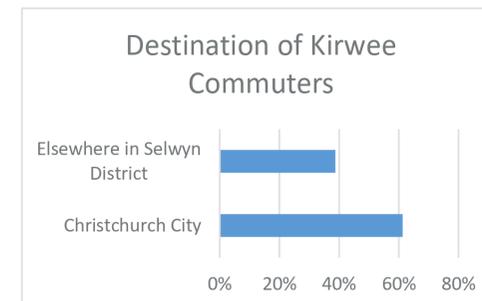
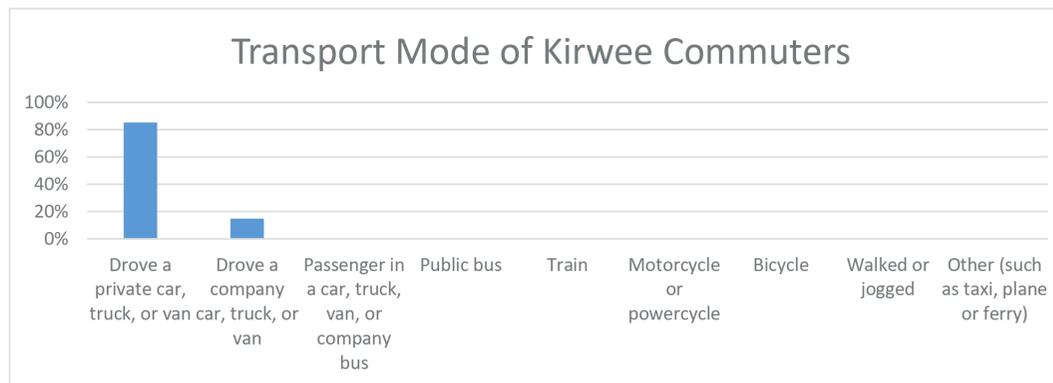
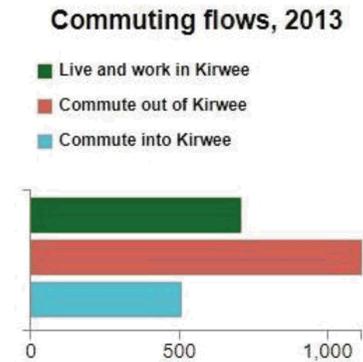
For any clarification on points within this submission please contact Emily Allan, Policy Planner
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Yours faithfully

Signed by either GM (staff submission) or the Mayor (Council submission)

Commuter traffic flow – Kirwee.

Source: Statistics New Zealand website based on 2013 census data.



19 February 2019

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Christchurch City Council submission on the Private Plan Change 62 Request for Leeston Dunsandel Road, Harmans Road and High Street, Leeston notified by Selwyn District Council.

1 Introduction

- 1.1 Christchurch City Council (the Council) thanks Selwyn District Council for the opportunity to submit on the Private Plan Change Request (Plan Change 62) for Leeston Dunsandel Road, Harmans Road and High Street, Leeston. The request seeks to rezone 60.672 hectares of land, which would result in the ability to provide for a total of 410 residential allotments in Leeston

2 Summary

- 2.1 Our Submission addresses:
- a. The potential wider transport effects on Christchurch City;
 - b. The direction provided by higher order documents for urban growth in Canterbury;
 - c. The value of rural production land to the Canterbury region; and
 - d. Impact on the Greater Christchurch Urban Development Strategy
- 2.2 Christchurch City Council (thereafter referred to as "Council") is supportive of growth in the towns in Selwyn District to support the local needs. Council has and continues to be supportive of the work that Selwyn District Council has undertaken in planning for growth in its townships, through documents such as the Ellesmere Area Plan 2031/ Mahere-a-Rohe o Waihora. However, the amount of land proposed to be rezoned in this request, goes beyond the amount of land identified for growth in the Ellesmere Area Plan. Council questions the need to provide more growth than has been identified as needed for the projected growth of the town. This creates the risk that new residents will not be able to find sufficient employment in the local area and will commute to Christchurch City. The majority of Leeston residents who commute, already commute into Christchurch City for work. There are limited transport options from Leeston, and increased commuting for Leeston will likely increase car travel, emissions and contribute to the congestion issues on commuter routes into Christchurch City. Increasing commuting from Leeston is not consistent with what is sought by the higher order planning documents.
- 2.3 Council is also concerned that this plan change seeks to re-zone rural land that has been identified in the proposed National Policy Statement on Highly Productive Land (pNPS-HPL)

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as Highly Productive Land. Reduction of rural production land could have an impact on the food resilience and economic production of the Canterbury region.

- 2.4 As a member of the Greater Christchurch partnership, Council also questions whether this development and others beyond the Greater Christchurch boundary, raise the issue of whether the Greater Christchurch partnership has a view on this type development beyond the boundary, including whether the boundary needs to be extended to cover a wider area, including Leeston. Council would like to discuss this issue with the Greater Christchurch Partnership.
- 2.5 Council recognises the need for Selwyn District Council to provide sufficient housing capacity to meet future growth. Council is happy to continue to work with Selwyn District Council and the Greater Christchurch Partnership on this, and to also ensure that this capacity is accessible by a range of transport modes, reduces commuting distances, and does not compromise highly productive land. Council considers there are other parts of Selwyn District where there is a greater possibility of achieving this, than the area identified for re-zoning in Plan Change 62.
- 2.6 Council notes the timeline for lodgement of this Private Plan Change, with the Selwyn District Plan review scheduled for notification in the first half of this year and the Canterbury Regional Policy Statement (CRPS) scheduled for review in 2023 with the work programme progressing shortly. Council suggests that the Selwyn District Plan review may be the more appropriate forum for this discussion as it will encompass the wider strategic objectives for the Selwyn region. It is also noted that the National Policy Statement for Highly Productive Land (pNPS-HPL) is currently subject to consideration by Ministers and Cabinet for approval, with a decision expected in the first half of this year. Council wish to highlight the timeline for lodgement of this Private Plan Change ahead of the expected decision on the NPS-HPL being gazetted.

Submission

3 Transport Effects.

- 3.1 The Greater Christchurch sub-region boundary was determined in the mid 2000's when the Greater Christchurch Urban Development Strategy was developed, based on an approximately 30 minute commuter window into the Christchurch central business district (CBD). However, as improvements have been made (and are being made) to the transport network, through developments such as the Christchurch Southern Motorway, the distance of the 30 minute commuter window is growing. Development of satellite towns beyond the Greater Christchurch boundary could have an impact on the transport planning that the Council has completed to reduce commuter traffic, and the implications that this will have on the Council's carbon footprint.
- 3.2 Statistics New Zealand provides a visual representation of commuter traffic to and from Leeston based on the 2013 Census data, which clearly shows a strong movement of commuter traffic into the Christchurch City (refer Attachment A). This shows that more Leeston residents commute out of Leeston for work, than work in Leeston. Of those who commute, the majority commute to Christchurch City. According to the Census data, 100% of these commuters drove to work in single occupancy vehicles. Leeston is an approximately 30 minute drive from employment areas in Hornby.

- 3.3 The proposal does not include any additional commercial development to the Leeston area to support this proposed residential growth, and therefore is likely that the increased residential development will result in a higher commuter traffic volume into Christchurch City.
- 3.4 Recently the Selwyn District Council has introduced a trial bus service from the Leeston area into the Greater Christchurch region to respond to increased commuter traffic. This is a targeted bus service funded independently by Selwyn District Council and is not part of the wider transport network operated and managed by Environment Canterbury. It is important to note that this bus service is direct from Leeston to Christchurch CBD and does not provide stops at Rolleston or Lincoln townships. Currently, this is only a single service, operated into the Christchurch CBD in the morning and out to Leeston in the evening. It is not certain at this stage whether this service will continue permanently.
- 3.5 An increase in commuter traffic into Christchurch City, means more people making more trips. The result will be increased emissions, congestion and longer journey times.
- 3.6 In May 2019 the Council declared a climate emergency to enable climate to be a primary consideration for long-term planning and set the target for Christchurch to be a carbon neutral city. Transport planning and infrastructure is a significant component of moving to a carbon neutral city and it is important that new urban growth areas occur in locations which align with this wider climate change objective.
- 3.7 While the proposal includes pedestrian and cycle links within the site, and to Ellesmere College/Te kareti o Waihora and to Leeston township there has been no consideration of alternative transport options outside the Leeston township.
- 3.8 The transport effects assessment provided in the proposal is localised to the site and immediately surrounding area, with no consideration for transport effects on the wider region.

4 Higher Order Documents

- 4.1 Whilst Leeston is not within the Greater Christchurch Urban Development Strategy Boundary and thus Chapter 6 of the Canterbury Regional Policy Statement (CRPS) does not apply, Chapter 5 does apply. Chapter 5 of the CRPS has a stated objective (5.2.1(1)) that development is located and designed so that it functions in a way that achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region's growth. The proposal is inconsistent with this objective as the Selwyn Capacity for Growth Model (SCGM) forecasts that there is already sufficient capacity for residential growth through both infill and greenfield opportunities. The SCGM does not identify a deficiency in new residential development that would provide for the rezoning of rural production land to residential. Consequently, there is no predicted growth that needs to be accommodated in accordance with objective 5.2.1 of the CRPS.
- 4.2 This position is further supported by the Ellesmere Area Plan 2031/ Mahere-a-Rohe o Waihora (EAP), which is a non-statutory document developed by Selwyn District Council to guide development and inform the upcoming district plan review. The EAP says that the population of Leeston in 2015 was 2,275 people (813 households), with this population projected to grow to 3,402 (1,215 households) by 2031. This represents an estimated increase of 1,127 people (402 households). There is current sufficiently zoned capacity for a potential yield for at least 803 households. Consequently the EAP states on page 25 that:

“No new areas for residential or business development have been identified as being necessary to be proactively zoned by Council in response to the projected growth within the Ellesmere 2031 planning horizon. This is on the basis that there is currently sufficient residential land available to accommodate projected population growth, or there are constraints that need to be addressed through the RMA process.”

The EAP concludes on page 29 that:

“No new areas for residential purposes are required to accommodate projected growth within Leeston over the Ellesmere 2031 planning horizon as there is currently sufficient residential, business and industrial land available to accommodate projected population growth and demand for housing.”

- 4.3 Rezoning land to create 410 additional households would significantly enlarge the size of the town, it is more than half the number of existing households in the town.
- 4.4 The EAP has been developed to give effect to the principles contained in Chapter 5 of the CRPS, the SCGM and the Area Plan principles.
- 4.5 The higher order documents have been developed to enable growth to occur in the wider Canterbury region in an integrated and consolidated manner. The risk of providing an increased supply of residential land beyond the forecast need is a dispersed settlement pattern that reduces the sustainability of our rural communities.
- 4.6 This position by Council is supported by the CRPS which considers land use and transport integration in the wider Canterbury region. This policy states:
- Policy 5.3.8 –Land use and transport integration (Wider Region)
Integrate land use and transport planning in a way:
1. that promotes:
(a) the use of transport modes which have low adverse effects;
(b) the safe, efficient and effective use of transport infrastructure, and reduces where appropriate the demand for transport.
- 4.7 The proposal is inconsistent with the above policy in the CRPS as the new residential development will be primarily car based which has a significant adverse effect on the sustainability of the Canterbury region.
- 4.8 The release of residential land beyond the forecast growth models has the potential to undermine the higher order documents which have been developed to provide for sustainable communities.

5. The value of rural production land

- 5.1 The proposed National Policy Statement for Highly Productive Land (pNPS-HPL) identifies fragmentation of our productive land as a national resource management issue which needs to be addressed to enable the availability of highly productive land for primary production now and for future generations.

- 5.2 The proposal includes the rezoning of rural land to residential land. The EAP (page 25) identifies that the “land to the south-west is comprised of Class II versatile soils and the balance of the land surrounding Leeston is comprised of Class III versatile soils, both of which are valued for their productive capacity.” This aligns with the pNPS-HPL which was open for consultation between 14 August and 10 October 2019, and is now being considered by ministers and Cabinet for approval. While this higher order document does not currently hold any statutory weight, the information which has informed this document is robust and provides clear direction on the value of our versatile and productive land. Classes I,II and III versatile soils were identified as Highly Productive Land and in need of protection in the pNPS-HPL.
- 5.3 If the pNPS-HPL is progressed as notified and consulted on, it is likely that the proposed rezoning would be restricted as residential use would likely be considered an inappropriate use and development of highly productive land. The pNPS-HPL will likely exempt highly productive land which has an alternative zoning authorised in a Resource Management Act statutory document, for example the District Plan. It is noted that the EAP is not considered to be a statutory document under the Resource Management Act. The lodgement of the private plan change ahead of the likely gazetting of the NPS-HPL is questionable, and has the potential to undermine the intent of the NPS-HPL.
- 5.4 Council notes that the EAP identifies the zoned Outer Plains land as ‘possible future area for low density residential development’ in Figure 9 (page 27). This preferred future development area is not supported anywhere in the EAP, is not subject to a deferred zoning status and is contrary to the advantages noted in the EAP for Leeston Area 1 (LEE 1) that the intensification of LEE 1 optimises land development in an area that avoids future low-density residential development precluding a future growth path as far west as Harmans Road (page 28).
- 5.5 Productive land in the Canterbury region holds substantial value as it contributes to the sustainability of the region through providing land on which locally grown and sourced produce can be farmed appropriately. This then reduces the transport costs associated with the distribution of food to the Christchurch City and provides for a variety of land uses in the surrounding region.
- 5.6 If the Canterbury region is to become carbon neutral, providing for highly versatile and productive land in proximity to the city is essential.

6. Impact on the Greater Christchurch Urban Development Strategy

- 6.1 Council, along with Selwyn District Council, is a member of the Greater Christchurch partnership. Council is supportive of the Greater Christchurch Urban Development Strategy (UDS) objective to consolidate urban growth. There is a risk to the implementation of the Strategy from urban development beyond the UDS boundary that goes beyond just supporting local needs, undermining the objective to consolidate urban growth. Council questions whether this development and others beyond the Greater Christchurch boundary, raise the issue whether the Greater Christchurch partnership has a view on this type development beyond the boundary, including whether the boundary needs to be extended to cover a wider area, including Leeston. Council would like to discuss this issue with the Greater Christchurch Partnership.
- 6.2 As a member of the Greater Christchurch Partnership, Council is working with the Selwyn District Council on finding sufficient housing capacity for future growth. There are upcoming

opportunities such as the development of the next Future Development Strategy where it can be ensured that there continues to be sufficient housing capacity for future growth. Council would like to work with Selwyn District Council through these processes to find sufficient capacity to meet our future needs, which also ensures that this capacity is accessible by a range of transport modes, in particular public transport, reduces commuting distances, and does not compromise highly productive land. There are other parts of Greater Christchurch, which are closer to Christchurch City and are not identified as highly productive land, which may be more appropriate for urban development than the area identified for re-zoning in Plan Change 62. Council would like to continue to work with Selwyn District Council on these possibilities.

7 Relief Sought

We seek:

- 7.1 That the plan change relating to the rural zoned land is refused due to the effects on the significant wider transport network. This position is supported by the higher order documents in the CRPS, SCGM and EAP.
- 7.2 That the plan change relating to the deferred zoned land is accepted in part, with the deferred zoning confirmed with no intensification. This position is supported by the higher order documents in the CRPS, Our Space, SCGM and EAP.

Thank you for the opportunity to provide this submission.

We reserve our right to be heard in regards to this submission.

For any clarification on points within this submission please contact Emily Allan, Policy Planner
Emily.allan@ccc.govt.nz

Yours faithfully

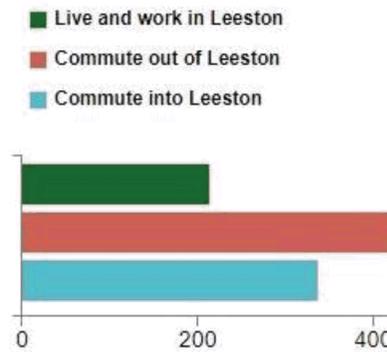
Signed by either GM (staff submission) or the Mayor (Council submission)

Commuter traffic flow – Leeston.

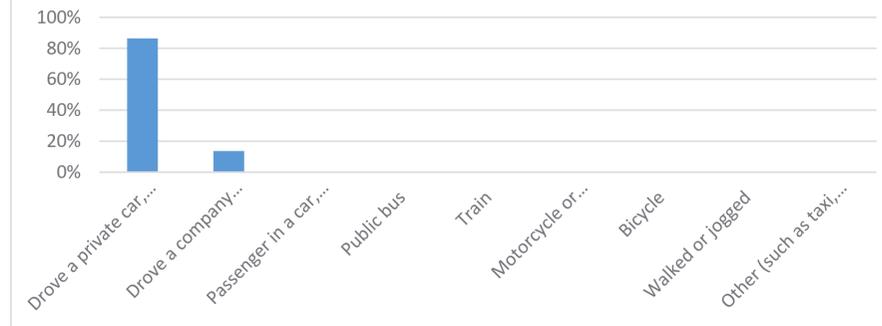
Source: Statistics New Zealand website based on 2013 census data.



Commuting flows, 2013



Transport Mode of Leeston Commuters



Destination of Leeston Commuters

