

**COMMENTS ON THE LAND USE RECOVERY PLAN REVIEW  
COMMENT FORM**

**Submitter details**

Full name: Prof. S. S. Bagchi JP

Phone: 03 420 9999

Organisation: Avonhead Community Group Inc.

Position: Chair

Postal address: 12 Westgrove Avenue,  
Avonhead,  
Christchurch

Postcode: 8042

Email: [bagchiss@gmail.com](mailto:bagchiss@gmail.com)

Signature: 

Date: 29 May 2015

## Overview

Topic area	Outcome of interest	Relevant paragraphs in comments
Direction and Coordination	Outcome 1: A clear planning framework directs where and how new development should occur so that it integrates efficiently and effectively with infrastructure programmes and avoids key hazards and constraints.	[17]-[19], [27], [36], [39]-[40]
	Outcome 2: Servicing of land for housing and business and its release to the market keep pace with anticipated demand.	[29]-[32], [39]-[40]
Business	Outcome 11: Sufficient industrial business land is available to accommodate relocations and industrial sector growth.	[29]-[32], [39]-[40]
Transport	Outcome 12: Congestion arising from road works and from changes in travel due to development, including business and household relocations, is minimised.	[11]-[14], [26], [39]-[40]

## **Introduction**

1. The Avonhead Community Group Inc. (the ACG) thanks Environment Canterbury (ECAN) for this opportunity to comment on the effectiveness of the Land Use Recovery Plan (the LURP) and the implementation of the actions therein.
2. The ACG is a neutral and non-political residents' organisation. Our prime objective is to secure the best interests for Avonhead and its surrounding areas. We represent over 8,000 households in the area between Russley Road, Memorial Avenue, Waimairi Road and Yaldhurst Road. Our associate members include Christchurch International Airport Limited (CIAL), Hotel Commodore, and Kids First Kindergarten. As a requirement of being our associate members, these organisations have pledged to support our fundamental principles and objectives.
3. The ACG is concerned about the LURP's identification of three sites on the eastern side of Russley Road. The first is a 35 ha site piece of Rural 5 land between Hawthornden Road and Russley Road, known as the North-West Review Area 3 (NWRA3). The second is a 24 ha Rural 5 land at the corner of Memorial Avenue, Russley Road and Avonhead Road, known as the Memorial Avenue Investments Limited site (the MAIL site). The LURP identifies NWRA3 and the MAIL site as Priority Greenfield Business Zones, thereby earmarking the lands for industrial and business use. The ACG will outline in this document the local community's concerns about the negative impacts of re-zoning to industry and business on the environment, infrastructure and amenity of Avonhead and its surrounding suburbs. We will also bring to ECAN's attention how the LURP's current identification of the two sites is not in keeping with the outcomes that the LURP sets out to achieve. We will request that as part of

the review of the LURP, ECAN recommend alternative zonings for the two sites to the Minister for Canterbury Earthquake Recovery.

4. The third site is a 6.3 ha Rural 5 land on Hawthornden Road that is identified in the LURP as Residential Suburban (the Hawthornden Road site). The ACG does not object in principle to residential living on this site. However, we have concerns about the environmental and infrastructural capacity of the locality to sustain a development of “Residential Suburban” density. We will request ECAN to recommend to the Minister that a lifestyle residential zone be provided instead.

### **NWRA3**

5. There are several environmental, infrastructural and amenity reasons why a Priority Greenfield Business Zoning is highly detrimental for NWRA3. We outline a few for ECAN’s consideration below.

#### *Water quality*

6. NWRA3 is on an unconfined, shallow aquifer zone from which the entire city draws its water supply. ECAN Reports and the Council’s statement of evidence before the Environment Court in 2005 notes that “[t]his poses a significant constraint on further business or other activities involving contaminants...”<sup>1</sup> Any contamination of the aquifers from business and industries would affect the water supply for the whole city.
7. At a meeting on 20 December 2013, the Council’s Environmental Committee resolved that:

[I]t shares the Residents’ Association’s concerns regarding the aquifer zone and its view is that this area is unsuitable and unnecessary for industrial/business development.

---

<sup>1</sup>Statement of Evidence by Glenda Margaret Dixon on behalf of the Christchurch City Council in the Environment

8. An industrial or business development in NWRA3 would also be inconsistent with the provisions of the Canterbury Replacement District Plan 2013 (the CRPS) on developments in areas containing aquifers. Objective 6.2.1(6) of the CRPS provides that the “Recovery, rebuilding and development [must be] enabled within Greater Christchurch through a land use and infrastructure framework that...maintains or improves the quantity and quality of water in groundwater aquifers and surface water bodies, and quality of ambient air.” Policy 18.3.1 of the CRPS also requires “avoid[ing] actual or potential adverse effects, resulting from the use, storage or disposal of hazardous substances, in...areas of unconfined or semi-confined aquifer, where the depth to groundwater is such that there is a risk of contamination of that groundwater.”
9. The Independent Hearings Panel ruled in the decision on the Strategic Directions Chapter dated 26 February 2015 that the Christchurch Replacement District Plan “must give effect” to the CRPS and that it “not be inconsistent with” the LURP.<sup>2</sup> The Priority Greenfield Business Zone of the LURP would impair the Independent Hearings Panel’s ability to give effect to the provisions of the CRPS in relation to NWRA3.
10. In view of [6] – [9], we believe that the presence of shallow, unconfined aquifers in NWRA3 make it entirely unsuitable for any business or industrial development, and provide a strong reason why the LURP identification of the site as a Priority Greenfield Business Zone should be changed.

#### *Traffic and parking*

11. An industrial or business development on NWRA3 would require access off Russley Road and off Hawthornden Road. Access off Russley Road would carry the risk of disrupting the traffic flow along State Highway 1 and increasing the risk of accidents, as those exiting the site merge with the oncoming traffic. An access off Hawthornden Road would be equally impracticable, as Hawthornden Road is a narrow residential road, which would be unable to

---

<sup>2</sup> Independent Hearings Panel *Decision 1 Strategic Directions and Strategic Outcomes (and Relevant Definitions)* 26 February 2015 at p.15.

sustain the traffic flow that an industrial or business development on a 35 ha piece of land would generate. The greater number of vehicles would also compromise the health and safety of schoolchildren, as there are a number of schools and kindergartens along Avonhead Road, Merrin Street and other nearby roads that lead to Hawthornden Road.

12. Any vehicular or pedestrian access off Hawthornden Road would cause staff to park along the kerbsides on Hawthornden Road and nearby residential streets, creating congestion and a permanent loss of residential amenity. The experience of Russley residents with the Airport Business Park at 92 Russley Road exemplifies the problem. Residents in the area surrounding the Airport Business Park have to suffer the effects of staff parking their cars on either side of the streets throughout the day. The parking congestion is such that an emergency vehicle cannot pass through if the need arises. A delayed effort to mitigate the issue by implementing a 120-minute parking limit has exacerbated the problem, since it has led to the situation that residents or their visitors themselves cannot park their cars outside their own properties. The amenity and environmental quality of the residential area has also deteriorated as a result of the visual impact of the Airport Business Park. Further, heavy traffic and trailer trucks are negotiating the small residential streets at all times. The resulting noise and vibration has led to a permanent loss of the Living 1 characteristics of the residential area.
13. We cannot see how a proposed business or industrial development in NWRA3 that permits pedestrian or vehicular access through Hawthornden Road would avoid the same consequences as the Airport Business Park. The proposed development would permanently cripple the transport network in Avonhead and its surrounding suburbs.
14. Outcome 12 of the LURP provides that “congestion arising from road works and from changes in travel due to development, including business and household relocations, is minimised.” An industrial or business development in NWRA3 would undermine this outcome because of the major increase in congestion. The LURP’s identification of NWRA3 as

a Priority Greenfield Business Zone is therefore an impediment towards achieving Outcome 12 and should be amended.

#### *Air quality*

15. The post-earthquake increase in traffic in Avonhead and its surrounding suburbs has caused a considerable increase in air pollution. The air quality has been perceptibly affected due to suspended particles and emissions. The increase in traffic, construction and human activity that would accompany an industrial or business development in NWRA3 would cause an immense deterioration of the air quality that would adversely affect the health of local residents.
  
16. The Proposed Canterbury Air Regional Plan identifies air zones for the area containing NWRA3 that are consistent with the current residential and rural living. The ACG submitted in support of the proposed zones on 30 April 2015 out of a hope that the proposed air zones would preclude an industrial or business development because of the limit on the extent of air pollution permissible. The LURP identification of NWRA3 as a Priority Greenfield Business Zone should be amended for the sake of consistency with the position in the Proposed Canterbury Air Regional Plan in relation to this site.

#### *Sewerage capacity and stormwater drainage*

17. The downstream sewerage capacity was a major constraint for residential development in the area, according to a 1998 report.<sup>3</sup> One of the reasons the proposed Living 1 residential development was not permitted in 2003 – 2005 is that the sewerage capacity could not deal with additional load. In *National Investment Trust v Christchurch City Council*, the Court ruled that it was “satisfied that the Riccarton interceptor is already overloaded and would not be able to handle flows at peak times even from a further 200 properties developed on this block.”<sup>4</sup> The Court indicated that any development would require “upgrading of the entire

---

<sup>3</sup> Officers’ Report on Submissions, City Plan Hearings Committee Requests for Urban Rezoning East of the Airport: (A) Memorial-Russley Block (b) Russley-Hawthornden Block 20 March 1998 at [4.2].

<sup>4</sup> *National Investment Trust v Christchurch City Council* ENC Christchurch C41/2005, 30 March 2005 at [92].

line and treatment system.” As the sewerage system has not been upgraded since then, it remains a constraint against industrial development in the NWRA3 site. Proponents of an industrial or business development might argue that a night-time outage system would be adequate to deal with the additional sewage. However, this is an ad hoc expedient and cannot be the basis of a major plan change. A night-time outage system would also increase the risk of surface flooding in Avonhead and its surrounding suburbs and is therefore unacceptable.

18. An industrial or business development in NWRA3 would exert additional pressure on the local stormwater system. The local roads already face some water logging in times of heavy rain since the earthquakes, which indicate that the stormwater system is operating at a suboptimal level. Additional pressure on a scale as significant as that of NWRA3 would lead to flooding and cause severe loss of amenity for road users and residents.

19. Outcome 1 of the LURP provides that the LURP sets out to achieve:

[a] clear planning framework [which] directs where and how new development should occur so that it integrates efficiently and effectively with infrastructure programmes and avoids key hazards and constraints.

A Priority Greenfield Business Zone does not recognise the infrastructural restraints imposed by the sewerage capacity and stormwater drainage system in this locality and is therefore inconsistent with Outcome 1. The level of upgrading necessary to enable the LURP identification to be realised would cost tens of millions of dollars, which the Christchurch City Council is unlikely to be able to provide in view of the \$1.2 billion deficit that it now bears. It would therefore be desirable to amend the LURP identification of NWRA3 to a use that would be feasible within the existing infrastructural framework.

*CERA Minister's views*



20. At a meeting with the ACG on 1 September 2014, the Minister for Canterbury Earthquake Recovery, Hon Gerry Brownlee, stated his view that Russley Road is a “neat barrier” between residential living on the eastern side and industrial activity on the western side on CIAL land. He told us of his belief that “industrial is not an acceptable use” for NWRA3 and that both he and Mayor Lianne Dalziel disagree with Council planners that the land should be used for limited commercial and industrial.
21. The ACG agrees with the Minister’s vision for this area and we hope that the Independent Hearings Panel’s decision would conform to this position. The fact that the Priority Greenfield Business Zone is inconsistent with the Minister’s opinion of the best use of NWRA3 is a further reason why it should be amended.

*Council’s “Rural-Urban Fringe” proposal for NWRA3*

22. In light of the points outlined in [6] – [21], the Christchurch City Council has backtracked on its earlier plan to bring industry and business in NWRA3. It has instead proposed, as part of Stage 2 of the District Plan Review, that NWRA3 should be re-zoned as a “Rural-Urban Fringe” land. The index to Planning Map 23 explains that a Rural-Urban Fringe zoning:

provides for continued rural production activities and the use of existing sites for rural dwellings while avoiding the creation of new sites of less than 4 hectares for rural dwellings, new plantation forestry and intensive farming activities.

Therefore, a "Rural-Urban Fringe" zoning by definition precludes any industrial or business development.

23. The Council’s latest proposal provides a use for NWRA3 that is not only consistent with the views of the Minister for Earthquake Recovery in [20] but also with the environmental and infrastructural limitations outlined in [6] – [19]. The only factor that stands in the way of this ideal outcome for NWRA3 and the local community is the LURP’s current identification of the land as a Priority Greenfield Business Zone.

**MAIL site**

24. Many of the same environmental and infrastructural concerns that apply to NWRA3 also apply to the MAIL site. These factors make the LURP's identification of the MAIL site as a Priority Greenfield Business Zone highly problematic.
25. There is a shallow semi-confined aquifer on the MAIL site. Objective 6.2.1(6) and Policy 18.3.1 of the CRPS require the avoidance of any use of the land that could risk compromising the water quality of the aquifer. The Canterbury Earthquake Recovery Authority (CERA) has also expressed strong concern about the existence of the aquifer in its submission on MAIL's private plan change request on 28 January 2015. The Priority Greenfield Business Zone is inconsistent with the CRPS and with CERA's concern in this regard.
26. MAIL has itself estimated in the pre-notification Transport Assessment issued on 23 August 2014 that the proposed Industrial Park Zone would generate daily traffic to and from the site of about 28,800, with roughly 17,600 using Avonhead Road and the rest using Russley Road and Memorial Avenue. Avonhead Road is lined with residential living on both sides and has no scope for widening to accommodate a heavier traffic flow. Memorial Avenue already operates at optimal capacity and suffers from congestion at peak hours. Russley Road is part of State Highway 1, where vehicles travel at  $100 \text{ kmh}^{-1}$ , so that merging into the flow is hazard-prone. Consequently, the additional traffic estimated by MAIL would create a highly dangerous and inefficient situation in the transport network. The LURP identification of the MAIL site, which risks leading to this situation, is therefore contrary to Outcome 12 of the LURP.
27. An industrial development on the MAIL site would have to be connected to the same sewerage system that has been deemed incapable of additional load in 2005 by the Environment Court in *National Investment Trust v Christchurch City Council*. The additional stormwater from the MAIL site would similarly tax the drainage infrastructure and increase

the risk of flooding. The Council's financial inability to carry out the necessary upgrades means that allowing the industrial development on the MAIL site, as identified by the Priority Greenfield Business Zone, would undermine Outcome 1 of the LURP of efficiently and effectively integrating new developments with infrastructure programmes while avoiding hazards and constraints.

28. The Canterbury Earthquake Recovery Minister's view, that Russley Road is a "neat barrier" between residential living on the eastern side and the industrial activity on the western side of the road, also indicates that the MAIL site not be used for industrial purposes, and that its identification as a Priority Greenfield Business Zone is inappropriate.

### **NWRA3, MAIL site and Outcomes 2 and 11 of the LURP**

29. Outcomes 2 and 11 in the LURP Review Consultation Document state that the LURP's objective is to provide for business and industrial land out to 2028. The ACG would like to draw ECAN's attention to the fact that it would not be inconsistent with these outcomes to retract the Priority Greenfield Business Zone identification of NWRA3 and the MAIL site.
30. In the s 32 Assessment of whether there was a need for NWRA3 as industrial and business land, the Council noted at p.9:

Objective 6.2.2 of the CRPS states *"The urban form and settlement pattern in Greater Christchurch is managed to provide sufficient land for rebuilding and recovery needs and set a foundation for future growth, with an urban form that achieves consolidation and intensification of urban areas, and avoids unplanned expansion of urban areas, by:*

...

*(4) providing for the development of greenfield priority areas on the periphery of Christchurch's urban area, and surrounding towns at a rate and in locations that meet anticipated demand and enables the efficient provision and use of network infrastructure".*

The Council went on to observe at p.10:

From a review of land supply across the city, there is 598 ha identified in the LURP as greenfield priority areas for business use. Of this, 226ha is zoned for commercial (12ha) or industrial activity (214ha). The balance yet to be zoned (315ha) (excluding Areas 1 and 3) is proposed to be zoned through the District Plan Review

With take up rates in the order of 20 hectares per annum, the potential land available in greenfield areas amounts to at least 25 years supply, excluding the available capacity in established industrial areas of the city. It can be concluded from this overview that there is sufficient land for rebuilding and recovery needs at a city wide level, giving effect to the RPS.

31. Although the Council's assessment was in relation to NWRA3, it also holds true for the 24 ha MAIL site. The demand for industrial and business land in Christchurch and Canterbury until 2028 can easily be satisfied even if both NWRA3 and the MAIL site are withdrawn from the list of Priority Greenfield Business Zones. Amending the LURP identification of NWRA3 and the MAIL site would still allow the development of greenfield priority areas "at a rate and in locations that meet anticipated demand," while securing the ideal position of not requiring the inefficient use of the infrastructure network, which would contravene Policy 6.2.2(4) of the CRPS.
  
32. Therefore, on behalf of the community in Avonhead and its surrounding suburbs, the ACG requests ECAN to recommend that the Minister for Canterbury Earthquake Recovery kindly amend the current LURP identification of NWRA3 and the MAIL site. It would be appropriate for the revised LURP to allocate to NWRA3 a zone that protects the characteristics of a Rural-Urban Fringe. The ACG is open to alternative zonings of the MAIL site that enhance the amenity of the area as part of the "Gateway to Christchurch," and enable the owners to gain economic benefit from the land without imposing environmental and infrastructural costs to the local community. What is important is to ensure that the revised LURP identifies the two

sites in a manner that respects the Minister's view of Russley Road as a "neat barrier" between industry on the west and residential living on the east.

### **Hawthornden Road site**

33. The ACG is not in principle averse to the potential for residential living on the Hawthornden Road site. A residential development on this site would be consistent with the Canterbury Earthquake Recovery Minister's view that industrial developments should be confined to the western side of Russley Road while the eastern side is used for residential living.
34. However, several of the environmental and infrastructural issues surrounding NWRA3 and the MAIL site also affect the proposed residential development. These require careful consideration before any decisions are made.
35. The Hawthornden Road site is adjacent to NWRA3, which is situated on an aquifer zone. This makes it probable that there are also some aquifers underneath the Hawthornden Road site. The scale, intensity and layout of a residential development on the site must be such that it complies with Objective 6.2.1(6) and Policy 18.3.1 of the CRPS and does not jeopardise any aquifer. It is also important to ensure that the layout of the development does not obstruct the catchment areas for aquifer recharge. In the ACG's view, the appropriate layout would be difficult to achieve under a "Residential Suburban" density zoning. A zone that provides for lower density housing in small lifestyle blocks would be more environmentally suitable.
36. The constraints imposed by the existing sewerage and stormwater drainage systems also make a lower density housing zone more infrastructurally sustainable. The Council estimates that the Hawthornden Road site will accommodate 85-90 lots under a Residential Suburban zone.<sup>5</sup> The 2005 decision of the Environment Court in *National Investment Trust v Christchurch City Council* indicates that a development of this scale would overload the

---

<sup>5</sup> Draft Section 32 Residential Chapter 14, Appendix 34 at p.8.

infrastructure and create inefficiencies. In the absence of a major upgrade, a Residential Suburban zone would compromise Outcome 1 of the LURP because it would not integrate efficiently and effectively with the infrastructure programme so as to avoid hazards and constraints.

37. In view of [34] – [36], the ACG requests ECAN to recommend to the Minister that the Hawthornden Road site be re-identified in the LURP as a lifestyle residential zone than the current “Residential Suburban” zone.

### **Conclusion**

38. The ACG once again thanks ECAN for the opportunity to comment on the LURP. We are also grateful to ECAN for preparing a document as valuable as the CRPS, which ensures that recovery and growth do not come at the cost of sustainable planning and a ruined environment.

39. In our view, the Outcomes of the LURP – especially Outcomes 1, 2, 11 and 12 – are justified and beneficial for the city. The Outcomes, in much the same spirit as the CRPS, provide for recovery and growth while also containing provisos that these developments should be planned and located in a manner that efficiently utilises the existing infrastructure. Thus, new developments are to integrate efficiently with existing infrastructure programmes, congestion arising out of relocation is to be minimised, and land is to be made available for business and industry but only to the extent necessary to meet anticipated demand.

40. The LURP identification of NWRA3 and the MAIL site as Priority Greenfield Business Zones undermines these Outcomes. It provides for industrial and business developments that are surplus to the anticipated demand, environmentally and infrastructurally unsustainable, and which cannot be undertaken without breaching the objectives and policies of the CRPS. CERA identified the two sites as Priority Greenfield Business Zones solely at the Council’s

recommendation in 2013. As of May 2015, the Minister responsible for CERA has made it clear that he does not believe industry to be an acceptable use of the land, and even the Council has changed its recommendation in Stage 2 of the District Plan Review. The LURP zonings remain the only impediment in the way of allocating the land to more appropriate uses. Now that ECAN is accepting comments on how the LURP might be revised, the ACG feels that it is the right opportunity to seek an amendment of the LURP zoning of NWRA3 and the MAIL site. We request on behalf of the community of Avonhead and its surrounding suburbs that NWRA3 be zoned as a Rural-Urban Fringe. We are open to any non-industrial and non-business zoning of the MAIL site that is congruent with its image as part of the “Gateway to Christchurch”, which allows the owners to economically benefit from the land without imposing an environmental and infrastructural cost on the locality.

41. In respect of the Hawthornden Road site, the ACG reiterates that it agrees with a residential zoning in principle. However, the environmental and infrastructural constraints make the current “Residential Suburban” zoning in the LURP too intense to be sustainable. We request that ECAN recommend a lower density residential zoning in the LURP for the site, such as its development into small lifestyle blocks.
42. The ACG is willing to participate in any further submission or hearing process as part of the review of the LURP.