

OFFICE USE ONLY

## COMMENT FORM

### Land Use Recovery Plan Review: Draft Recommendations

Comments can be emailed to:  
[lurp@ecan.govt.nz](mailto:lurp@ecan.govt.nz) or posted to:  
Comments on Land Use Recovery  
Plan Review Environment  
Canterbury  
P O Box 345  
Christchurch 8140

SUBMITTER ID:  
FILE NO: LAND/LURP/PLAN/1

**All comments to be received by 5pm, Friday 28 August 2015**

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Signature:



Date: 28<sup>th</sup> August 2015

(Signature of person making submission or person authorised to sign on behalf of person making the comment)

**Please note: All information contained in comments provided, becomes public information.**

## Comments

**Note:** Dryden Trust ('the Trust') filed a Comment on the first round of consultation on the LURP Review (dated 29/5/15) ('Comment 1'). This second Comment ('Comment 2') is to be read in conjunction with Comment 1 which outlined the current planning status of the Trust & Dean Geddes blocks (each 36 ha) at South Rolleston block, and the Trust & Dean Geddes proposal to develop the blocks in conjunction with joint venture partner, Mike Greer Homes, as a comprehensively designed mixed use residential neighbourhood with a much greater range of housing types, including affordable/attainable housing, than has been delivered to date in most greenfield subdivisions, with a yield of approximately 500 households, at an overall density of

around 15-17 households per ha. Note: the LURP Monitoring Report (page 10) notes the predominance of houses in greater Christchurch with three or more bedrooms and that the percentage of more modestly sized houses is reducing.

**Position statements on section 3.2: Do you agree with these?**

No – for the reasons outlined below.

*2 The LURP has established planning certainty through a comprehensive land use planning framework (principally Appendix 1 – Chapter 6 of the RPS).*

*3 There is likely to be sufficient greenfield land that is or will become available for residential and business development to meet demand for next 10-15 years.*

The above statements are incorrect. Chapter 6 of the Canterbury Regional Policy Statement ('C6') has identified a quantum of priority greenfield areas required for recovery. However, there has been no analysis of how much of this land is 'development ready' and thus able to deliver sections to meet earthquake recovery needs. Further, greenfield development to date is not meeting in particular, the needs for more affordable housing, instead with a focus on standard family sized homes on standard sized 500-700m<sup>2</sup> sections.

At Rolleston there is a substantial mismatch between areas identified as priority greenfield areas and land that is 'development ready'. A reasonably substantial area of land has been zoned for residential purposes in south Rolleston, in accordance with its priority greenfield status under C6. However, there is a high level of uncertainty as to when and how these areas will be developed for urban residential purposes. All of the ODP areas, except Area 6 (Faringdon) and Area 4 (7.2ha) are existing rural residential or 4 ha subdivisions with multiple landowners with varying development aspirations and development timeframes and generally no development experience. We understand that the experience of SDC with in-fill urban development of other existing 'non future proofed' rural residential and lifestyle areas is that this can occur in an ad-hoc manner and over variable timeframes, with difficulties arising due to the need to deal with multiple landowners and the inability in some cases to provide key infrastructure such as roading links where landowners do not wish to make the required land available. This results in uncertainty for Selwyn District Council as to the funding and timing of infrastructure upgrades, and the potential infrastructure demand is largely unknown and cannot be forecast.

*6 The Christchurch Replacement District Plan process (RDP) and other workstreams including the Christchurch Housing Accord and LURP exemplars, will provide further planning certainty and address the role public agencies can play in facilitating and enabling residential intensification and assisting housing affordability.*

The RDP and other workstreams including the Christchurch Housing Accord and LURP exemplars do not address the substantial mismatch in Rolleston between areas identified as priority greenfield areas under C6 and land that is 'development ready'. The RDP provides a 'streamlined' planning process for rezoning land in Christchurch City but there is no equivalent 'streamlined' process available in Selwyn District. No housing exemplars have been established in SD.

The Dryden Trust site (36 ha) and potentially adjoining Dean Geddes site (a further 36 ha) should be identified as housing exemplars and/or Special Housing Areas under the Housing Accord and Special Housing Areas Order (No. 2) 2014) to facilitate the delivery of housing including affordable housing.

*7 Very few of the comments on the initial consultation raise issues that are necessary for recovery. No compelling argument exists for any fundamental amendments to the LURP for recovery.*

Disagree. Issues raised in the Dryden Trust and Dean Geddes Comment 1 and as noted above under Position Statement 2 raise earthquake recovery issues needing urgent resolution. 'Recovery' is defined in the CER Act to include enhancement and restoration. Recovery should not be narrowly construed and will continue over an extended period as communities establish and build, including in new greenfield locations, to replace those lost or diminished due to earthquake damage. The Trust proposal will deliver a high quality and affordable mixed demographic community, at a scale and in a location adjoining an existing growth node (Faringdon), which will ensure sufficient critical mass and momentum to support a sustainable neighbourhood with accessible local services and facilities and public transport.

*9 Any further actions to advance outcomes contained in LURP should wherever possible, occur through more traditional statutory planning mechanisms rather than expedited recovery related legislation.*

Statutory planning mechanisms such as a review of RPS will not facilitate urgent rezoning of Trust land. The land is within the C6 Map A Projected Infrastructure Boundary but is not a greenfield priority area so its rezoning for urban residential purposes would be inconsistent with C6 (Policy 6.3.1).

**Draft Recommendation 1: The LURP Review should principally identify any areas for further consideration through more traditional statutory mechanisms rather than attempt to resolve them directly by recommending changes to the LURP.**

**Draft Recommendation 2: Any consideration of significant change is best undertaken through a more comprehensive future spatial planning process or in the review of the Regional Policy Statement including:**

- any consideration of additional greenfield land
- any consideration of further intensification initiatives
- any consideration of further significant investment in strategic infrastructure

**Draft Recommendation 3: The Minister amend the LURP to show Figure 4 on page 23 of the LURP as being 'indicative' only, and remove Appendix 1 relating to Chapter 6.**

Strongly disagree with Draft Recommendations 1-3. Consideration of the Trust and Dean Geddes land at south Rolleston as additional greenfield land is necessary under the LURP to facilitate delivery of housing for earthquake recovery because significant areas of C6 Map A priority greenfield areas at South Rolleston cannot meet this need as they are not 'development ready' and there is no firm prospect that they will become development ready within either the short, medium or even long term ( see also comment below under 'RSP Refresh/Review').

**Draft recommendation 4: The Minister direct Waimakariri District Council to amend Policy 14.5.1.1 as set out in the District Plan as follows: 'To avoid new residential and rural residential activities and development outside of existing urban areas and priority areas within the area identified in Map A in Chapter 6 of the Canterbury Regional Policy Statement; rural residential development areas identified in the Rural Residential Development Plan; and MR 873.'**

No comment

**Draft recommendation 5: The Minister add an additional sub-action to LURP Action 27 to read: 'vii. zoning that defines the Lincoln Innovation Hub'.**

No comment

**Do you have comments on matters where the LURP Review is not recommending change?**

Strongly oppose the LURP Review proposal to not consider additional greenfield land, for the reasons outlined above.

**Re section 3.3.3: Development outside greenfield priority areas: Do you have views on the conclusion reached?**

No comment.

**Re paragraph 3.3.6: Greenfield Priority Areas for Business in NW Christchurch: Do you have views on the approach to the greenfield priority areas for business in north-west Christchurch?**

No comment

**Any other comments:**

LURP Review Methodology

Identifying the Trust and Dean Geddes land as a greenfield priority area under Map A and rezoning the land for urban purposes meets all the relevant criteria specified in the LURP Review Consultation pamphlet for assessing matters for the LURP Review as below. It:-

- is necessary for recovery
- meets the purpose of the CER Act
- is included in the matters to be dealt with in the 'Minister's Direction to develop a Land Use Recovery Plan', and
- is consistent with the Recovery Strategy
- is not already included in a plan or strategy
- needs resolving urgently
- contributes to the LURP outcomes, in particular LURP Section 3.3 Outcomes 1, 2, 4, 5, 6, 7, 13 and 14 (see Appendix A for full list of LURP Outcomes)
- is a change needed to more effectively deliver the intent of a LURP action, specifically Actions 8 (housing exemplars), Action 18 (SDC – zoning and ODP areas to be included in District Plan), Action 46 (ECAN – amendments to RPS to enable a supportive regulatory environment) & Action 48 (any other amendment of Selwyn District Plan to enable a supportive regulatory environment)
- is not a minor matter which can be actioned through a resource consent process – the required rezoning is a substantial area which cannot be actioned through a resource consent.
- could not be progressed efficiently using Section 60 of the RMA i.e. preparation and change of RPS - the alternative of consideration through an RPS Review is not efficient. There is no set timeframe for the Review, the required change to Map A to facilitate the rezoning would be heard alongside numerous other non earthquake recovery related changes and submissions and the normal RMA process with full hearing and appeal processes would likely run over years not months.

Matters that may need to be considered sooner than under an RPS Review, albeit not for recovery purposes

The Draft LURP Review (Section 3.3.2) acknowledges that that some matters may need to be considered

sooner than would occur on an RPS review, albeit not for recovery purposes, but there would need to a relatively 'high bar' for such exceptions.

The Trust and Dean Geddes are firmly of the view that amendments are required to the LURP to enable their south Rolleston land to be developed for earthquake recovery housing because most of the earthquake priority greenfield housing areas at south Rolleston are not 'development ready' and there is no prospect that they will be within the short, medium or even long term.

However, the commentary on circumstances for 'earlier consideration' as they apply to the Trust and Dean Geddes land have also been considered. Our comments are:-

- 1) Requirement for 'high bar' for exceptions – a 'high bar' for exceptions should not be the criteria. The criteria should include circumstances, including at south Rolleston, where further greenfield land is required to meet a shortfall in available priority greenfield land because priority greenfield land identified on Map A is not 'development ready'. 'Development ready' means all landowners in a specified greenfield area are collaborating and able to enter into a development agreement to deliver sections to the market within a specified time period in accordance with an agreed Outline Development Plan.
- 2) Comments on 'example' criteria:
  - *allowing some additional flexibility for RMA decision makers when determining the ~~detailed~~ zoning, location and/or extent of identified priority greenfield areas. Technical reports and evidence prepared for hearings may highlight better outcomes if minor boundary adjustments are enabled in the CRPS Chapter 6 – the amendments above are necessary to provide the required flexibility.*
  - *statutory processes currently underway will soon provide greater clarity on options for associated land use that was not available at the time the LURP was gazetted, so resolving these matters now would provide a more joined up and timely decision on future land use – the Christchurch Replacement District Plan process will provide such clarity with respect to the Christchurch City area. There is no equivalent streamlined District Plan review process underway in Selwyn District. It is understood that SD's programme is to commence work on the DP review in around 2017 ( areas plans for Malvern and Ellesmere will be prepared in 2016 and 'feed into' the DP Review), so any rezoning under that process will be several years away.*
  - *further investigation into the provision of infrastructure to greenfield priority areas in an efficient and effective manner recommends the addition of further land to maximise infrastructure utilisation, - this circumstance is directly applicable to the Trust and Dean Geddes land. The high level of uncertainty around the timing of development of priority greenfield areas in South Rolleston results in uncertainty for Selwyn District Council as to the funding and timing of infrastructure upgrades, and the potential infrastructure demand is largely unknown and cannot be forecast. In contrast, the Trust and Dean Geddes land is 'development ready' now. The developers are willing and able to enter into a memorandum of agreement regarding the delivery of sections within a specified timeframe to provide even greater certainty in this regard.*
  - *timely development of a greenfield priority area would be assisted by minor amendments to the current land uses provided for – no comment*

### 3) Additional criteria

The following additional criteria is necessary and accordingly requested:

- *Further greenfield land is required to meet a shortfall in available priority greenfield land because priority greenfield land identified on Map A is not 'development ready'. 'Development ready' means all landowners in a specified greenfield area are collaborating and able to enter into a development agreement to deliver sections to the market within a specified time period in accordance with an agreed Outline Development Plan.*

**Comment [F1]:** Jen – this should really be a LURP criteria as it's to meet the shortfall in 'development ready' Map A priority GF land.

**Comment [jmc2]:** Agree

#### RPS 'Refresh'/Review

The Review states (s 2.8) that the Strategic Partners have agreed to a 'refresh' of the UDS to be completed by end of 2016 – to consider strategic planning needs and reaffirm a high level framework which integrates recovery priorities and long term objectives. It is not clear (but assumed) that the UDS 'refresh' is a different process to the RPS Review. If so, no timeframe is given for the RPS Review.

There is an urgent need to review the RPS as that review was 'side stepped' by LURP processes. Numerous parties have been prejudiced by this process, and due to the directive and very site specific nature of urban growth policies in the RPS and Map A, numerous potentially meritorious urban rezoning proposals cannot be considered. This is absolutely contrary to the purpose and intent of the RMA and needs urgent attention. A firm date and timeline for the RPS Review needs to be specified in the LURP Review.

Given that the LURP Review process is likely to raise challenges to the urban growth approach (and airport noise related issues) which were not heard under the former PC 1 process because this was 'overtaken' by the LURP. These issues are likely to take some time to address. It is unreasonable that meritorious site specific rezoning proposals outside Map A do not get 'caught up' in these wider matters. **A streamlined process to address site specific amendments to Map A is essential.**

## **Appendix A: LURP Outcomes (Section 3.3)**

### **Direction and coordination**

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.
2. Servicing of land for housing and business and its release to the market keep pace with anticipated demand.
3. Land use recovery integrates with and supports wider recovery activity, particularly within the central city.
4. RMA plans and regulatory processes enable rebuilding and development to go ahead without unnecessary impediments.
5. A supportive and certain regulatory environment provides investor confidence to obtain the best outcomes from resources used in the recovery.

### **Communities and housing**

6. The range, quality and price of new housing meets the diverse and changing needs of those seeking to buy or rent, including the needs of a growing temporary rebuild workforce.
7. Opportunities are available for the market to deliver comprehensive redevelopment in suitable existing neighbourhoods.
8. Investment in community facilities and services supports vibrant key activity centres and neighbourhood centres.

### **Business**

9. Businesses in damaged areas are able to rebuild cost effectively and to improve their use of land, buildings, plant and machinery.
10. Key activity centres and neighbourhood centres provide for commercial activity needs and support rejuvenation of damaged areas.
11. Sufficient industrial business land is available to accommodate relocations and industrial sector growth.

### **Transport**

12. Congestion arising from road works and from changes in travel due to development, including business and household relocations, is minimised.
13. An attractive and financially viable public transport network supports significantly increased use.
14. More people walk and cycle in and between centres of activity and for local trips.
15. An efficient freight network provides for the needs of

freight transport, particularly in relation to access to the port and the airport.

These outcomes form the basis against which the Land Use Recovery Plan will be monitored (see section 5).