

**ADDERLEY HEAD**



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**COMMENT FORM**

**LAND USE RECOVERY PLAN REVIEW: DRAFT RECOMMENDATIONS**

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**To:** Environment Canterbury  
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Email: LURP@ecan.govt.nz

**Submitter:** **THE BLUE LADY TRUST**  
  
**in relation to 295 Wooldridge Road, Harewood**  
  
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Attention: Paul Rogers

## LAND USE RECOVERY PLAN REVIEW: DRAFT RECOMMENDATIONS

### Introduction

- 1 This submission is made by the Blue Lady Trust (the submitter) and relates to the submitter's property at 295 Wooldridge Road, Harewood. The property is located outside the urban limits in the Land Use Recovery Plan (the LURP), as illustrated on **Appendix A**.
- 2 The submitter made a submission on the first round of consultation for the LURP Review seeking that its property at 295 Wooldridge Road be included within the urban limits. The request has not been adopted in the Draft Recommendations dated August 2015.
- 3 This submission provides comment on several of the Draft Recommendations and seeks changes to the LURP to enable the submitter's property to be considered for future urban development.

### Draft Recommendations 1 and 2

- 4 The above recommendations appear to be in response to the various submissions seeking the inclusion of additional land within the urban limits. The response is that any consideration of such changes should be undertaken through more traditional statutory mechanisms and comprehensive spatial planning processes rather than through amendments to the LURP.
- 5 The submitter is **opposed** to these recommendations. The submitter's experience is that the changes introduced by and contained within the LURP are being strictly and rigidly applied by local authorities. In particular, Policy 6.3. 1 of the Canterbury Regional Policy Statement (CRPS) and the urban limits shown on Map A are being applied in such a way that any development outside of these urban limits is effectively prohibited, regardless of its merits. This is effectively sterilising land from productive use.
- 6 These changes were introduced by the LURP with the intent of supporting and enabling the recovery and rebuilding of Greater Christchurch following the earthquakes. However, in some circumstances they are having the opposite effects and preventing beneficial developments for no good reason.
- 7 An example in point is the submitter's property at 295 Wooldridge Road. As discussed in the submitter's original submission on the LURP Review, this property is ideally suited for industrial development given its features, size, location, and access to services. However, the fact that it is located outside the urban limits mean that it cannot be used for any productive purpose and must be retained as an isolated pocket of undersized rural land. This is not an efficient or effective use of land and is contrary to the sustainable management purpose of the Resource Management Act.

- 8 The submitter considers that the solution of leaving this matter to future statutory processes is not appropriate or necessary in the circumstances. The urban limits were put in place with the stroke of a pen when the LURP was approved. In locations such as the submitter's property, these limits are not fulfilling their statutory purpose and should therefore be amended using the same method by which they were introduced.
- 9 There is no need for a comprehensive spatial planning process in order to make such changes. The time and cost to amend the urban limits through a comprehensive spatial planning exercise is unjustified, particularly given that amending the urban limits will not enable development in and of itself. The land will still need to be subject to the usual plan change and resource consent processes where any potential issues associated with the land can be considered in detail. Amending the urban limits is simply removing a high level constraint to enable this assessment to be carried out.
- 10 For the above reasons, the submitter reiterates the request in its original submission on the LURP Review that the urban limits should be amended to include its property at 295 Wooldridge Road.

### **Draft Recommendation 3**

- 11 Draft Recommendation 3 is that the LURP should be amended to show Figure 4 of the LURP (being the map showing the urban limits) as being indicative only and to remove Appendix 1 relating to Chapter 6 of the CRPS. The stated intention of these changes is to give the LURP less weight and make the CRPS the primary document for RMA decision making.
- 12 The submitter **supports** these changes on the basis that they would reduce the restrictive effect of the LURP. However, for the reasons set out above, it considers that leaving the urban limits and associated policies within the CRPS without considering any change at this time is not appropriate. The submitter considers that as part of the LURP Review, the Minister should direct changes to the CRPS to enable appropriate amendments to the urban limits, such as the inclusion of the submitter's property.
- 13 In the event that this approach is not adopted, the submitter seeks greater clarity as to the process that will be followed for any future consideration of amendments to the urban limits within the CRPS. The paragraphs immediately following Draft Recommendation 3 state that:

*"A process is suggested that strategic partners discuss and agree on any proposals that Environment Canterbury or the territorial authorities wish to have considered for changes to the CRPS, with possible subsequent changes to district plans.*

*For any matters that progress to consider such changes a process would be agreed between the Environment Canterbury and the territorial authority in preparing the necessary technical information and reports. Consideration could be given to Environment Canterbury and the territorial authority to joint hear and appoint*

*hearings commissioners who would then have delegation to consider amending the CRPS at the same time as a district plan"*

- 14 In the absence of immediate changes to the urban limits, a process of this sort may be of some benefit. However, the vague nature of the above statement provides no comfort for affected landowners such as the submitter.
- 15 If the decision is to rely on future processes rather than amend the LURP at this time, the submitter requests that the LURP should be amended to contain clear directions as to when this process will commence, who will be responsible for it, what will be considered as part of this review, and when final decisions must be made. This could be provided for as new "Actions" that direct local authorities to take certain steps within specified timeframes in accordance with the statutory powers under the Canterbury Earthquake Recovery Act 2011.

### **Summary of outcome sought**

- 16 In summary, the submitter seeks the following outcomes from the LURP review:
- (a) That the LURP be amended in accordance with draft recommendation 3
  - (b) That the Minister direct an amendment to the CRPS to include the submitter's property at 295 Wooldridge Road within the urban limits
  - (c) In the alternative to (b), the LURP be amended to include clear directions on the joint process that must be followed by local authorities to consider amendments to the urban limits within the CRPS and associated rezoning in district plans.

Dated this 28<sup>th</sup> day of August 2015



Paul Rogers  
Counsel for and on behalf of The Blue Lady Trust

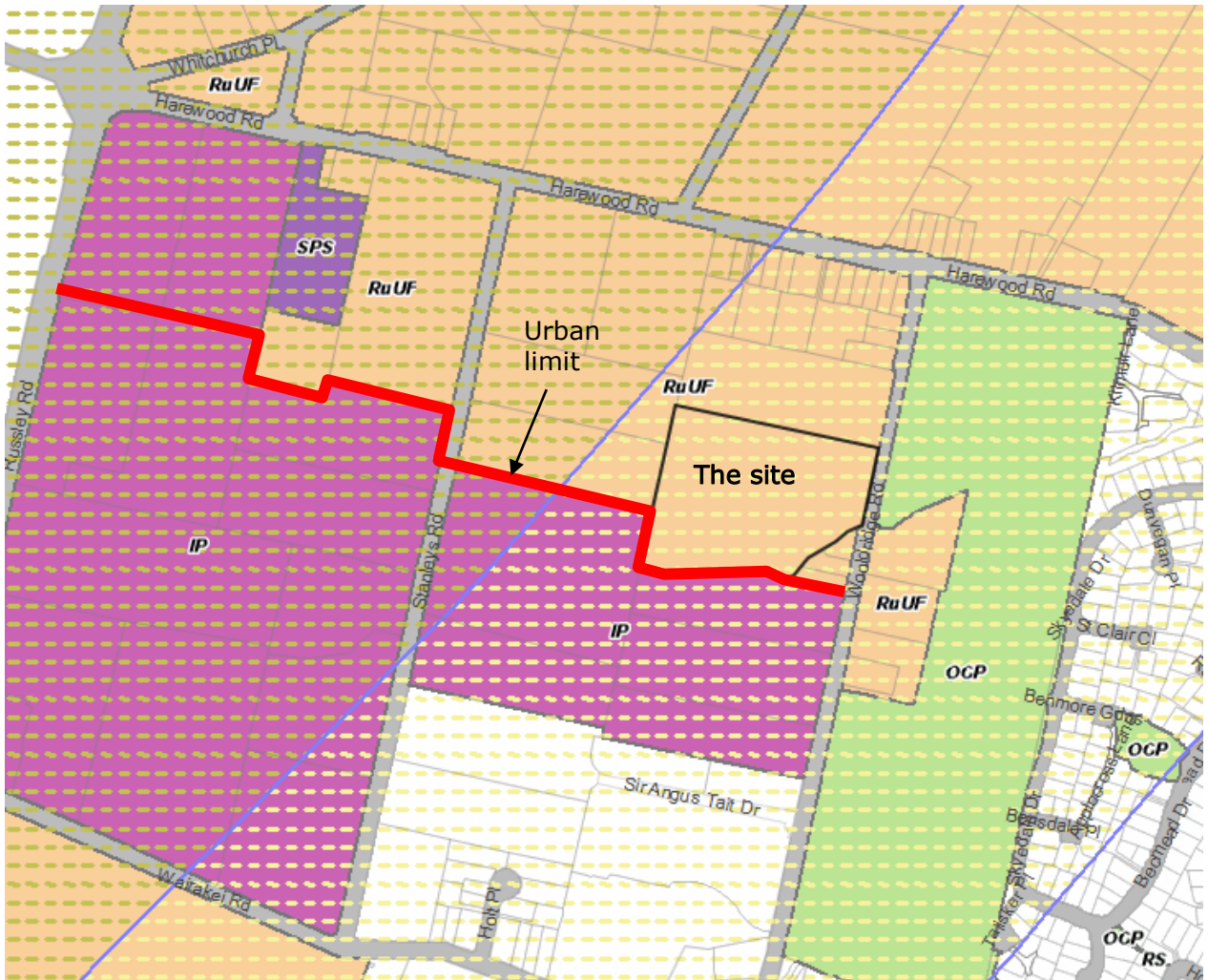
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# APPENDIX A



## Map Legend

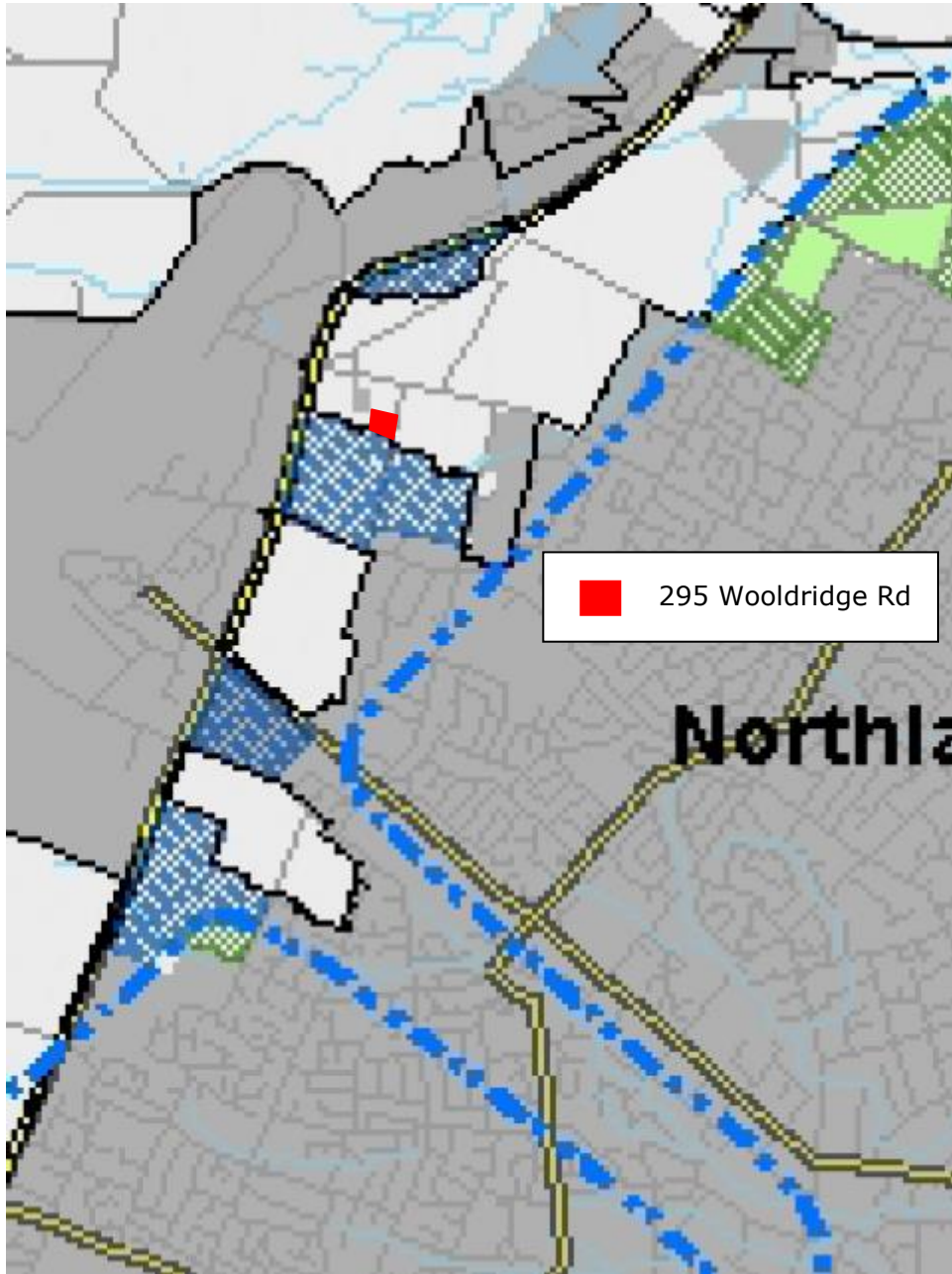
Select All

### Land Use Zones

- Zone
- IP Industrial Park
  - OCP Open Space Community Parks
  - OWM Open Space Water and Margins
  - RS Residential Suburban
  - RuUF Rural Urban Fringe
  - RuW Rural Waimakariri
  - SPS Specific Purpose School
  - Transport

### Other Notations

- Gravel Resources Overlay
- High Quality Gravel Resources Overlay
- Airport Aircraft Engine Testing Area
- 50 dB Ldn Engine Testing Noise Contour Line
  - 55 dB Ldn Engine Testing Noise Contour Line
  - 65 dB Ldn Engine Testing Noise Contour Line
- Airport Noise
- Air Noise Contour (50 dBA Ldn)
  - Air Noise Contour (55 dBA Ldn)
  - Air Noise Contour (65 dBA Ldn - 95 dBA SEL)



**LURP Priority Areas**

- Business - Zoned
- Business - Not Yet Zoned
- Residential - Zoned
- Residential - Not Yet Zoned