

COMMENT FORM

Land Use Recovery Plan Review: Draft Recommendations

Comments can be emailed to:

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

Full Name: Foddercube Products Ltd c/- Aston Consultants Attn Fiona Aston

Phone: 03 3322618 M 0275 332213

Email: info@astonconsultants.co.nz

Contact name and postal address for service of person making comment (if different from above):

As above

Signature:



Date: 28th 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

Introduction: Foddercube Products Ltd, owns 374 Springs Road, Prebbleton, legally described as Lot 1 DP 53489 (5.2611 ha) and Lot 2 DP 49632 (7.6308 ha) ('the Site'). The Site has a total area of 12.8919 ha. It is currently occupied by Texture Plants Ltd, a 'niche' garden centre which provides quality native, exotic and evergreen trees and shrubs, and focusses on plants with foliage, form and structure. Texture Plants also grows turf on the Site.

The Site is located on the corner of Marshs and Springs Road on the boundary between Christchurch City and

Selwyn District. The Southern Motorway extension is located approximately 500m to the north. There is only one other rural property (approximately 8 ha in area) separating the Site from Industrial Heavy zoned land to the north which adjoins the southern boundary of the Southern Motorway (apart from a small area of Crown land, purchased by Transit NZ for motorway purposes). The western Site boundary is the Southbridge railway link, and to the west of this is land zoned Industrial Heavy. There is Industrial Park zoning to the northeast, on both sides of the Motorway. These industrial zones are part of the rapidly growing south Hornby industrial area. The immediately adjoining areas are being developed by Calder Stewart for warehousing and other generally light industrial activity.

To the east, on the opposite side of Springs Road, is the Provence rural lifestyle subdivision, a former apple orchard which has been developed as 4 ha lifestyle blocks with substantial dwellings. They have a high level of privacy, benefitting from mature boundary planting originally planted as orchard shelter. This includes a double row hedge of poplars and willows along the Springs Road frontage.

Attached as **Appendix B** is a location plan for the Site.

A submission has been filed on behalf of Foddercube Products Ltd on the Christchurch Replacement District Plan requesting that the Site and adjoining property to the north (8 ha) be rezoned Industrial Park (the Site is zoned Rural Urban Fringe in the Proposed Replacement District Plan. The rezoning would be a small, logical and sensible completion of the substantial south Hornby industrial area and would mean the whole block bounded by Marsh, Springs and Shands Roads would be zoned for industrial purposes. A high amenity 'business park' type development is most appropriate for the Site, given that it is at the industrial/rural/rural residential edge, with the high amenity Provence rural residential development opposite.

The submission request is potentially affected by Policy 6.3.1 (4) of C6:-

(4) ensure new urban activities only occur within existing urban areas or identified greenfield priority areas as shown on Map A, unless they are otherwise expressly provided for in the CRPS;

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 with respect to 'Industrial Park' greenfield business land. Whilst there is a substantial area of greenfield land zoned for general and heavy industrial purposes, there is very little land zoned Industrial Park (Wairakei Road, Memorial Avenue, Awatea).

The Industrial Park is to:-

Recognise and provide for industrial activities in the high technology sector and other industries in a high amenity environment dominated by open space and landscaping, and that generate higher volumes of traffic than other industries while having negligible effects in terms of noise, odour or the use and storage of hazardous substances. (Replacement District Plan Policy 16.1.1.1.3 a iii A).

Further provision needs to be urgently made to meet earthquake recovery related needs for such high amenity industrial park land, or the ongoing loss of business to adjoining districts, including Izone at Rolleston

will continue. The LURP and Chapter 6 Regional Policy Statement objectives of achieving a consolidated urban form and integrated management and provision for infrastructure (including transport-related) and land will be comprised if there is inadequate provision for the full range of industrial land needs within the City, resulting in greater commuting and business inefficiencies. The Site is extremely well located with respect to other business areas and residential 'catchments' including Prebbleton and the south west City urban growth area which are served by excellent transport systems, including the recent Southern Motorway extension.

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. Matters raised in this submission 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 existing communities and business areas rebuild and new areas establish and build, to replace those lost or diminished due to earthquake damage. This is recognised by the LURP – the key purpose is to help to achieve the vision of the Recovery Strategy for greater Christchurch by providing for residential and business land use to support recovery and rebuilding over the next 10 to 15 years.

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 the Foddercube land. The Site (and adjoining block to the north) are immediately adjoining but outside the existing urban areas and are not greenfield priority areas so their rezoning for urban business 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 Site and adjoining block to north as additional greenfield Industrial Park business land is necessary under the LURP to facilitate delivery of business land for earthquake recovery (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 Foddercube Products site and adjoining block to the north 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 1-5, 6-8, 9, 11, 13-14 (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 2, 19 & 24 (Christchurch City District Plan Review), Action 46 (ECAN – amendments to RPS to enable a supportive regulatory environment)
- is not a minor matter which can be actioned through a resource consent process – the required rezoning 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. These submissions may well include fundamental challenges to the RPS approach to urban growth (and related airport noise matters) which were not litigated and resolved under the previous Change 1 review process due to C1 being replaced by C6 under streamlined LURP processes.

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.

Foddercube Products are firmly of the view that amendments are required to the LURP to enable their land to be developed for earthquake recovery industrial park business needs.

However, the commentary on circumstances for 'earlier consideration' as they apply to the Foddercube land and block to the north 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 be whether the 'exception' is a minor matter not of regional significance (in terms of, for example, the size of land area involved); and/or can be more efficiently addressed through other more streamlined methods; and/or needs urgent action to facilitate and enable provision of industrial park land in post earthquake Christchurch.
- 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 – agree in part with respect to the Christchurch Replacement District Plan process which may provide such clarity with respect to the Christchurch City area. This will occur if the Panel considers and 'rules' on the RMA merits of submissions (of which there are a number, including the Foddercube and adjoining blocks) which see rezoning of land outside the Map A greenfield priority and existing urban areas. It should be noted that the CCC evidence on these submissions is, usefully, considering their planning merit.*
 - *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, - not relevant*
 - *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 are necessary and accordingly requested:

- *Further greenfield land is required to meet a shortfall in available priority industrial park greenfield land; or*
- *The amendment is a minor matter not of regional significance (in terms of, for example, the size of*

land area involved); or

- *The amendment can be more efficiently addressed through other more streamlined methods*

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 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.

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 and amendments to the C6 policy framework to provide for small changes not of regional significance, 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).

Appendix B:

Requested Amended Planning Map 43 and 44 (showing proposed Industrial Park zoning)



