

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

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Organisation*:

*The organisation that this submission is made on behalf of

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Signature:



Date: 28 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 (Nb. in *italics*)

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

Mr Falvey generally agrees with the Position statements, in particular that there is no compelling argument for fundamental changes but that changes may be required to enable “traditional statutory mechanisms” to advance outcomes.

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.

Agreed. It would also be preferable if the LURP review also identified timeframes in which further consideration is to be carried out.

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

Agreed.

The main thrust of limiting urban development has clearly been the proper consideration of infrastructure constraints. This has resulted in the situation that there are some locations that are just outside the established urban boundaries in which no particular infrastructure constraints exist and which should have been included within the plan rather than excluded.

The previously subdivided lot at 9021 Rothesay Road that Mr Falvey owns is a case in point.

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.

For the reason given above, Mr Falvey strongly agrees with this recommendation.

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?

Only as noted above.

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

My Falvey agrees that there should be more flexibility applied in the interpretation of Chapter 6 of the CRPS. This includes, in his view, the interpretation applied by the City Council (a strategic partner) in the Christchurch Replacement District Plan (CRPD) process.

The property at 9021 Rothesay Road was subdivided circa 1924. It is adjacent to the existing urban area (separated only by an unformed legal road) and is otherwise surrounded by land owned by the Christchurch City Council (Bottlelake Forest). It has no servicing or infrastructure constraints relating to capacity, only that any connection to those services needs to be provided as part of any development (as is usually the case).

The anomalous (in Mr Falvey's view) rural zoning of this urban sized lot (599m²) is the subject of his submission to rezone under the CRDP. The submission is being opposed because of the purported status of the restriction on any new greenfields development under Chapter 6. We do not consider this a greenfields development as the lot is already subdivided.

Removing the suggestion that the LURP reinforces an interpretation that such a development should be (effectively) prohibited – and the effect if the current proposed zoning (rural urban fringe) and associated rules mean that this would become an actual prohibition – by making Figure 4 indicative and removing Appendix 1 would therefore be welcomed.

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:

The LURP has proved an effect tool in progressing the recovery of Christchurch but, with the implementation of most of the actions it required, its place in the planning hierarchy has the potential to become confused. The difficulty of interpreting the dual requirement of no inconsistency with the LURP and giving effect to the CRPS (for plans), and the further issue of having regard to the resulting provisions are an illustration of those issues.

Mr Falvey has no difficulty with needing to apply for a resource consent (though his first preference is for the re-zoning sought under PRDP process) to develop my property. But in circumstances where there are no infrastructure constraints, which, as far as we are aware, is a key reason for limiting new greenfields development that might exacerbate such constraints, there appears limited logic in prohibiting an assessment of the merits of development on discrete sites such as this.

Thank you.