

SUBMISSION ON REVIEW OF THE LAND USE RECOVERY PLAN

To: LURP@ecan.govt.nz

Submitter: **JDH HOLDINGS NO 1 LIMITED**

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This is a submission by JDH Holdings No. 1 Limited ('JDH') on the review of the LURP and associated Chapter 6 of the Canterbury Regional Policy Statement.

1. JDH cannot gain a competitive advantage through this submission.

2. The submission relates to the inclusion of the subject site as a greenfield residential area (or alternatively inclusion within the existing urban environment), for the purpose of Chapter 6 of the CRPS and associated Map A.
3. JDH recognize that this submission is late in terms of the date for feedback on the LURP Review. Given the contained nature and scope of the relief sought, no parties are considered to be prejudiced by the acceptance of this late submission. It is noted that a complementary submission has been lodged on Phase 2 of the Christchurch District Plan Review seeking rezoning of the subject site from the proposed Rural Urban Fringe Zone to Residential Suburban.

Introduction

4. JDH own several parcels of land in northwest Belfast, as shown on Attachment 1. The site is comprised of four lots as follows:
 - Lot 1 DP76408 (4,742m²) – ‘The Peg’;
 - Lot 1 DP334238 (1,891m²) – ‘The Peg access’;
 - Lot 1 DP331273 (1,153m²) – ‘the residential lot’; and
 - Lot 2 DP334238 (7,175m²) – ‘the rural lot’
5. These landholdings currently contain ‘The Peg’ bar and bottle store, associated access and parking (from both Main North Road and Dickeys Road), and a vacant residential lot fronting onto Main North Road associated with the business. The Peg and the residential lot are both zoned Living 1 in the operative City Plan and are both proposed to have a Residential Suburban zoning, whilst the Dickeys Road access lot has a Rural Urban Fringe Zone. The site also incorporates a rural lot to the rear of the site that is accessed from Dickeys Road. The site is bordered by residential dwellings to the north and south, Main North Road to the east, and the Waimakariri River secondary stop bank to the west. Further to the west on the outside of the stop bank is a long-established timber mill operation that has the necessary resource consents in place to continue operating. The site is therefore surrounded by urban activities that are either zoned or consented.

Scheduled Activities

6. The Peg is currently identified in the operative City Plan as a scheduled activity. The proposed District Plan likewise identifies The Peg site and rear access as a scheduled activity on Planning Map 12 (Overlay GA12). The scheduling is supported as providing certainty regarding the ongoing operation of the business and providing scope for modest changes and additions to the property.

Rural Urban Fringe Zone

7. The rear rural lot is proposed to have a Rural Urban Fringe Zone. JDH has significant concerns that the proposed zone and associated rule package will render the site incapable of reasonable use. The site is too small to be commercially viable for rural activities, apart from very intensive farming activities. Given the immediately adjacent residential neighbours intensive farming is not considered to be appropriate due to the potential to generate unacceptable effects on the amenity of neighbouring dwellings.
8. The proposed rule package imposes the following restrictions:
 - The erection of a dwelling is prohibited (17.3.2.6 (PR1));
 - Subdivision of the property is prohibited (8.3.1.4 (PR2));
 - Quarrying is non-complying;
 - Intensive farming is Fully Discretionary however as noted above given the immediate proximity to residential neighbors is unlikely to obtain consent;
 - Any retail, commercial, or industrial activity is non-complying.
9. The access lot to The Peg site is likewise proposed to have a RUF Zone. This lot is inextricably linked to the Peg business operation and is unusable for any functional rural activity. In submissions on Phase 2 of the District Plan Review, JDH have sought that both the access lot and the rural lot be rezoned to Residential Suburban, in keeping with all the surrounding land on the western side of the secondary stop bank.
10. Given that the two rural zoned lots are surrounded by urban activities, and are on the urban side of the secondary stopbank, their inclusion within the urban boundary for the purpose of Chapter 6 of the CRPS is likewise considered to be entirely consistent with the outcomes sought in the LURP of enabling recovery and the provision of additional housing opportunities.
11. The site is considered to be sufficiently small and discrete that such rezoning does not threaten the wider urban form objectives of Chapter 6 of the Canterbury Regional Policy Statement and will enable the efficient use of a small block of land for urban purposes in the context of that block being unsuitable for rural activities and where the effects of rezoning and subsequent low density residential development will be minimal. The site circumstances are considered to be unique in that the site is a small rural remnant surrounded by long-established urban activities. In terms of urban form it does not represent outward expansion of the City limits into rural areas and will not set a precedent for other parties seeking rezoning as the unique circumstances will not be able to be replicated.

Conclusion

12. JDH considers that the identification of the rural and access lots in the LURP/ Chapter 6 Map A as either a greenfield area, or alternatively given its small size and the fact that it is surrounded by urban activities, simply acknowledgement that it is located within the existing urban area. The relief sought is consistent

with the outcomes sought in the LURP and Chapter 6 of the Canterbury Regional Policy Statement that seeks to provide additional housing opportunities in a manner that is consistent with broader aims of urban consolidation and urban development adjacent to the urban edge and outside of hazard prone areas.

13. The submitter would be more than happy to discuss their site and the relief sought with ECan officers should further information be required.

Dated 17 June 2015



Jonathan Cleese

Associate

on behalf of **JDH**