

PLANNING COMMITTEE AGENDA

TUESDAY 20 NOVEMBER 2012

AT 3.00PM

IN COMMITTEE ROOM 2, CIVIC OFFICES, 53 HEREFORD STREET

Committee: Councillor Sue Wells (Chairperson),
Councillors Peter Beck, Sally Buck, Jimmy Chen, Aaron Keown, Glenn Livingstone and
Claudia Reid.

Principal Adviser
Mike Theelen
Telephone: 941-8281

Committee Adviser
Megan Pearce
Telephone: 941-8140

PART A - MATTERS REQUIRING A COUNCIL DECISION
PART B - REPORTS FOR INFORMATION
PART C - DELEGATED DECISIONS

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PLANNING COMMITTEE 20. 11. 2012**1. APOLOGIES****2. DEPUTATIONS BY APPOINTMENT**

Nil.

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3. DELEGATION OF BUILDING ACT 2004 POWERS

General Manager responsible:	General Manager Regulation and Democracy Services, DDI 941-8462
Officer responsible:	Legal Services Unit Manager, Legal Services Unit
Author:	Vivienne Wilson

PURPOSE OF REPORT

1. The purpose of this report is to advise the Planning Committee and subsequently recommend that the Council reassign current delegations and associated matters in relation to the Building Act 2004 to align with a new organisational structure.

EXECUTIVE SUMMARY

Building Act Delegations

2. On 9 November 2006, the Council resolved to delegate to the Environmental Policy and Approvals Manager and the Inspections and Enforcement Manager, severally, all of the Council's powers under the Building Act 2004 (the Act) **except**:
 - (i) its powers under sections 131 and 132 relating to the adoption or review of policies on dangerous, earthquake prone and insanitary buildings;
 - (ii) its power under section 213 to make arrangements for any other building consent authority to perform the Council's functions of a building consent authority;
 - (iii) its power under section 219(1)(a) to set any fee or charge in relation to a building consent and for the performance of any other function or service under the Act;
 - (iv) its powers under sections 233-236 to transfer any of its functions, duties or powers under the Act to another territorial authority;
 - (v) its power under sections 233-236 to agree to undertake any function, duty or power of any other territorial authority under the Act.
3. Earlier this year, the Council changed the structure of the organisation in the Regulation and Democracy Services Group so that there is a new Building Operations Unit. The Building Operations Unit handles earthquake building inspections and consents, and business as usual building inspections and consents. The Building Operations Unit Manager is Ethan Stetson. The Environmental Policy and Approvals Unit was also changed. This is now the Resource Consents and Building Policy Unit and handles resource consent applications, and has a focus on technical building advice and policy. The Resource Consents and Building Policy Manager is Steve McCarthy.
4. In light of this organisational change, it is appropriate to update the delegations so that the Building Operations Unit Manager, the Resource Consents and Building Policy Unit Manager, and the Inspections and Enforcement Unit Manager have appropriate delegations under the Building Act 2004. These Managers will then be in a position to sub-delegate the appropriate responsibilities, duties and powers as they see fit. Updating the delegations also ensures that those officers can continue to exercise powers that have been amended by the Building Amendment Act 2012.
5. Apart from two small changes, it is proposed that the new delegations will largely be in the same format as above so that all of the responsibilities, duties and powers under the Building Act 2004 will be delegated to these three Unit Managers severally except for the matters specifically listed. The two small changes relate to inserting references to sections 281A, 281B and 281C of the Building Act 2004 so that these powers are not delegated and remain with the Council. These provisions were inserted by the Building Amendment Act 2012 and relate to fees and charges under the Building Act 2004.

Delegation of power under section 174 of the Local Government Act 2002

6. In addition, to complement these delegations, staff recommend that the Council also delegate to the Building Operations Unit Manager, the Resource Consents and Building Policy Unit Manager, and the Inspections and Enforcement Unit Manager, severally, the power to authorise the issue of warrants under section 174 of the Local Government Act 2002. Section 224 of the Building Act 2004 provides that an authorised officer must, on entering private land and when

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requested at any subsequent time, produce to the occupier of the building a written warrant issued under section 174 of the Local Government Act 2002. Authorised officers under the Building Act 2004 carry out building inspections and the like.

7. Currently, the Council has delegated to the General Manager City Environment the power to issue warrants under section 174(1) of the Local Government Act 2002 for certain purposes. However, this delegation should be clarified to provide that three unit managers referred to above have the power to issue warrants under this section.

FINANCIAL IMPLICATIONS

8. Approval of these delegations of itself will not result in any additional expenditure.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

9. Not applicable.

LEGAL CONSIDERATIONS

Delegation questions

10. Section 232 of the Building Act 2004 provides that clause 32 of Schedule 7 of the Local Government Act 2002 applies, with all necessary modifications, in respect of powers conferred by the Local Government Act 2002 on a territorial authority and its officers.
11. Clause 32 of Schedule 7 states that “... *for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a ... officer of the local authority any of its responsibilities, duties, or powers*” except for certain specified responsibilities, duties and powers.
12. There is power for these delegations subsequently to be sub-delegated under clauses 32(3) and 32B of Schedule 7.

Have you considered the legal implications of the issue under consideration?

13. Yes as above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

14. Not applicable.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

15. Not applicable.

ALIGNMENT WITH STRATEGIES

16. Not applicable.

Do the recommendations align with the Council's strategies?

17. Not applicable.

CONSULTATION FULFILMENT

18. There have been internal discussions between the Managers of the Inspections and Enforcement Unit, the Building Operations Unit and the Resource Consents and Building Policy Unit as to which officers should hold delegated authority under the Building Act 2004.

3 Cont'd**STAFF RECOMMENDATION**

It is recommended that the Planning Committee recommend to the Council that:

- (a) It reassign the current delegations under the Building Act 2004 to the Environmental Policy and Approvals Manager and the Inspections and Enforcement Unit Manager as follows:

Delegate to the Building Operations Unit Manager, the Resource Consents and Building Policy Unit Manager, and the Inspections and Enforcement Unit Manager, severally, all of the Councils powers under the Building Act 2004 except:

- (i) its powers under sections 131 and 132 relating to the adoption or review of policies on dangerous, earthquake prone and insanitary buildings;
- (ii) its power under section 213 to make arrangements for any other building consent authority to perform the Council's functions of a building consent authority;
- (iii) its power under sections 219(1)(a) and 281A to set any fee or charge in relation to a building consent and for the performance of any other function or service under the Act;
- (iv) its powers under sections 233 to 236 to transfer any of its functions, duties or powers under the Act to another territorial authority;
- (v) its power under sections 233 to 236 to agree to undertake any function, duty or power of any other territorial authority under the Act;
- (vi) its power under section 281B in relation to increasing fees and charges, section 281C in relation to refunds or waivers of fees and charges.

- (b) It delegate to the Building Operations Unit Manager, the Resource Consents and Building Policy Manager, and the Inspections and Enforcement Unit Manager, severally, the power of the Council to authorise the issue of written warrants under section 174 of the Local Government Act 2002.

THE OPTIONS

19. There are two options:

Option 1

20. Option 1 is to amend the current delegations under the Building Act 2004 so that they now refer to the correct officer positions, and also provide for the delegation of the power under section 174 of the Local Government Act 2002 to the relevant officer positions.

Option 2

21. Option 2 is to do nothing.

THE PREFERRED OPTION

22. Option 1 is the preferred option. It enables the Council to tidy up the current delegations that are in place so that the responsibilities, duties, and functions under the Building Act 2004 can be carried out by, or subdelegated to, the most appropriate officers.

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4. CHRISTCHURCH CITY COUNCIL SUBMISSION TO THE ENVIRONMENTAL PROTECTION AUTHORITY ON THE NZTA NOTICE OF REQUIREMENT FOR CHRISTCHURCH SOUTHERN MOTORWAY STAGE 2

General Manager responsible:	General Manager Strategy & Planning, DDI 941-8281
Officer responsible:	City Planning Unit Manager
Author:	Scott Blair, Senior Planner

PURPOSE OF REPORT

1. The purpose of this report is to:

- Inform the Council of the up coming New Zealand Transport Agency (NZTA) Notice of Requirement (NOR) Christchurch Southern Motorway 2 (CSM 2) application to the Environmental Protection Authority (EPA);
- Inform the Council of it's role as a submitter in the EPA NOR process;
- Outline Christchurch City Council staff's review of the draft NOR documents;
- Recommend to the Council points on which to make a submission to the EPA on the NOR.
- Recommend to the Council that it confirm a willingness to work collaboratively with Selwyn District Council, the New Zealand Transport Agency and Environment Canterbury (SDC, NZTA and Ecan) to take a 'one network'¹ approach to investigating and resolving SDC's concerns about the effect of the inclusion of ramps at the Halswell Junction Road interchange on the amenity of Prebbleton.

EXECUTIVE SUMMARY

2. On 7 November 2012 the New Zealand Transport Agency lodged a Notice of Requirement for a Designation for the Christchurch Southern Motorway 2 to be included in the Christchurch City District Plan with the EPA. The CSM 2 is one of the Central Government's Roads of National Significance (RONS). Approximately one third of the proposed route is within the Council's territorial area with the remaining two thirds in the SDC territorial area. The route of the motorway is shown in **Attachment 1**.
3. Because this Notice of Requirement will be lodged with the EPA, the Council's role has changed from one of processing the Notice of Requirement and making recommendations to one of being a submitter when the EPA publicly notifies the Notice of Requirement – if it chooses to do so. Any concerns the Council has with the Notice of Requirement and the proposed project itself will have to be addressed through a submission. The public notification period is likely to be in February of next year, and will close in late February or early March 2013.
4. The CSM 2 is recognised in, and aligns with, several important Council strategies in relation to transport. The Council submission should support in principle the inclusion of the designation in the City Plan and the construction of the motorway.
5. With this in mind Council staff, over the course of 2012 have been engaged in consultation with the NZTA's representatives over the form and detail of the application for the Notice of Requirement. Staff and consultants have been reviewing the draft Assessment of Environmental Effects reports and have been providing feedback to the NZTA with a view to resolving staff issues prior to public notification of the Notice of Requirement. One significant issue that has arisen is the provision of full access ramps to the CSM 2 at Halswell Junction Road. There are significant benefits to the City with the inclusion of the ramps, however there may be significant adverse effects on Prebbleton (in the SDC area) from the increase in traffic along Springs Road through Prebbleton, that is attracted to the ramps. SDC staff maintain that this increase in traffic will have significant adverse effects on the amenity values of Prebbleton as a village. At a recent workshop with staff from SDC and NZTA, the Council staff agreed that a potential way forward is to agree amongst the parties to keep the full access ramps in the Notice of Requirement but to work collaboratively to identify effects on Prebbleton and mitigation on a 'one network' basis.

¹ A 'one network' basis means that the parties recognise that their respective transportation assets form part of a collective network where changes can affect each others assets.

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6. NZTA have provided Council staff with 17 technical reports covering transportation effects, stormwater, ecology, environmental health, geotechnical investigation, and social impact topics. These reports have been reviewed by suitably qualified staff (or consultants) who have found, in the main, that they agree with the methodology and conclusions of the reports. In some instances where staff have provided feedback it has led to amendment of the AEE reports by NZTA. However there are points raised by the Council staff, that have not been resolved between the Council staff and NZTA representatives.
7. The Council's staff have identified the following issues that the Council should make a submission on when the Notice of Requirement is publicly notified by the EPA:
 - (i) Provision of full access ramps on Halswell Junction Road Roundabout to the CSM 2
 - (ii) The safety of the design of the Springs Road over-bridge and the signalised intersection of Shands and Marshs Roads
 - (iii) Landscaping within the motorway corridor where it traverses the Plan Change 54 (industrial) area on Marshs Road
 - (iv) Stormwater facilities
 - (v) A proposed advice note on conditions.
8. If confirmed through the EPA process the Designation will be incorporated in the City Plan. Then the Council becomes responsible for administering and enforcing any conditions on the designation.
9. The Council has the option of:
 1. Doing nothing: Not making a submission
 2. Make a submission in support of the CSM 2 in principle but that seeks resolution of the matters raised in this report (preferred option)
 3. Making a submission only on matters of concern to the Council
 4. Making a submission in opposition to the construction of the CSM 2.
10. The following information is attached to the report:
 - **Attachment 1** Route of the CSM 2
 - **Attachment 2** Location of Full Access Ramps
 - **Attachment 3** Plan Change 54 Area and Outline Development Plan
 - **Attachment 4** Cross Section of Motorway and Plan Change 54 Area
 - **Attachment 5** Transportation Statement Prebbleton Structure Plan.

FINANCIAL IMPLICATIONS

11. Pursuing the submission will impose a financial cost on the Council in terms of staff time to develop and present the submission, and if necessary specialist consultant or legal counsel fees to help draft and present the submission.

Do the Recommendations of this Report Align with LTCCP budgets?

12. The recommendations and costs incurred align with the District Planning budget and work programme as provided for under the 2009-2019 LTCCP budget.

LEGAL CONSIDERATIONS

13. The Notice of Requirement process is subject to Part 2 Purpose and Principles of the Resource Management Act 1991 (the Act) – in particular the purpose of the Act Section 5 Sustainable Management:
 - (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
 - (2) *In this Act, **sustainable management** means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people*

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and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while—

- (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

14. Whilst the CSM 2 is an important piece of infrastructure, and a road of national significance, its design and implementation must still be in accordance with the purpose of the Act.
15. Further there is a statutory assessment process that must be followed that is set out in the Act. Section 171 sets out the factors which are relevant to notices of requirement where, subject to Part 2 of the Act, the primary focus is to consider the effects on the environment of allowing the Notice of Requirement. One of the considerations that the Environmental Protection Authority must address is whether the NZTA has given adequate consideration to alternative sites, routes or methods for undertaking the work if it is likely that the work will have significant adverse effects on the environment (Section 171(1)(b) of the Act).
16. Pursuant to these sections of the Act, if the Council has concerns about the potential adverse environmental effects of the proposal it should make a submission raising these issues and seek that the decision making body (whoever the Minister refers it to²) the Notice of Requirement be modified to or include conditions so as to avoid, remedy, or mitigate the identified adverse effects.
17. The Act also sets out the Notice of Requirement public notification, submission form and hearing process. Any submission by the Council must meet these timeframes and format requirements to be valid.

ALIGNMENT WITH LTP AND ACTIVITY MANAGEMENT PLANS

18. This project falls within the District Planning Activity Management Plan.

ALIGNMENT WITH STRATEGIES

19. The CSM 2 project aligns with and has been signalled by:
 - The Urban Development Strategy; and
 - The Christchurch Rolleston Environments Transportation Study; and
 - Draft Christchurch Transport Plan – Particularly Goal 3 Support Economic Vitality; and
 - Greater Christchurch Transport Statement; and
 - The South West Area Plan; and
 - Regional Land Transport Strategy; and
 - Draft Regional Public Transport Plan.

CONSULTATION FULFILMENT

20. The Riccarton/Wigram Community Board has been informed and consulted on the CSM 2 by both NZTA and Strategy and Planning Staff. The general public will have an opportunity to make their own submissions to the Environmental Protection Authority on the CSM 2 when the Notice of Requirement is publicly notified.

STAFF RECOMMENDATION

That the Planning Committee recommend that the Council:

- (a) Make a submission on the Notice of Requirement for the Christchurch Southern Motorway Stage 2 which supports the Notice of Requirement in principle; but that the Council seeks that:

² A Board of Enquiry or the Environment Court

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- (i) The 'full access ramps' connecting the CSM to Halswell Junction Road, in both directions, are included in the Notice of Requirement and constructed as part of the Christchurch Southern Motorway Stage 2.
- (ii) In the alternative to '(1)' if the full access ramps at Halswell Junction Road are either down graded to 'freight only' or removed completely then the diamond interchange on Christchurch Southern Motorway 2 and the intersection at Marshs Road and Shands Road be redesigned so that it can safely and efficiently operate with the increased vehicle movements that will result from the downgrade or removal of the full access ramps. It is acknowledged that this may require redesign and re- public notification of the Notice of Requirement to extend the area of the proposed designation.
- (iii) The proposed landscaping within the Christchurch Southern Motorway 2 corridor through the Plan Change 54 area be designed and implemented to the satisfaction of the Council and that this form part of the conditions on the designation.
- (iv) The ability for the Christchurch City Council to review, and certify, the final Christchurch Southern Motorway 2 stormwater design at the Owaka facility to ensure that the Council's stormwater system is protected or accommodated form part of the conditions on the designation.
- (v) The proposed advice note on conditions that reads as per the text below, or has the same effect as, not being included in the final Notice of Requirement.

The documentation provided in support of the Notices of Requirement for the designations contains all of the information that would be required to be provided within an outline plan under section 176A of the RMA, and no separate outline plans for construction will be submitted.

- (vi) That, providing the Selwyn District Council does not oppose the inclusion of the Halswell Junction Road ramps in the Notice of Requirement and their construction, the Council agree to enter into a memorandum of understanding with its UDS partners Selwyn District Council, New Zealand Transport Agency, and Environment Canterbury to work collaboratively and investigate what works might be needed to manage the wider transportation network to alleviate potentially significant 'place and space' amenity effects on Prebbleton, if any are identified through investigation. Works on the wider transportation network might include:
 - Work on an Ellesmere link; and/or
 - Works on Marshs and Springs Road (subject to Public Transport constraints); and/or
 - Ramp metering; and/or
 - Cross connections; and/or
 - Proceeding with the Wigram Magdella link.

And:

- (b) Delegate to the General Manager Strategy and Planning the authority to finalise, and submit the submission and the submission points referred to in (a) on the Notice of Requirement for the Christchurch Southern Motorway 2, and to enter into a memorandum of understanding with Selwyn District Council, the New Zealand Transport Agency and Environment Canterbury on behalf of the Council on the basis of resolution (a)(6).

BACKGROUND AND DISCUSSION

The Project

- 21. In early November 2012 the New Zealand Transport Agency lodged a Notice of Requirement for a Designation for the Christchurch Southern Motorway 2 (CSM 2) to be included in the Christchurch City District Plan with the Environmental Protection Authority. The CSM 2 is one of

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the Central Government's Roads of National Significance (RONS). Approximately one third of the proposed route is within the Council's territorial area with the remaining two thirds in the Selwyn District Council's territorial area.

22. The route of the motorway is shown in **Attachment 1**. It is a continuation of the Christchurch Southern Motorway 1 which is under construction and due for completion in December of 2012. CSM 1 currently connects to Halswell Junction Road, Springs Road and Wilmers Road at a major roundabout. The CSM 2 will bypass this roundabout and continue in a south western direction across what is currently greenfield land that has been (or is signalled to be) rezoned for industrial development where it traverses Marshs Road, which marks the boundary between the Council's and SDC's territorial areas. Local roads Halswell Junction Road, Springs Road and Marshs Road will be elevated over the new motorway. The Hornby Industrial Rail Corridor (now mostly disused or used as part of the Little River Rail Trail) will be severed by the motorway. The motorway itself will be median separated four lanes with barriers. The cycle-path currently under construction on CSM 1 will be extended along the southern side of CSM 2 to connect to the Hornby Industrial Rail Corridor and then the Little River Rail Trail. Full access ramps, that connect Halswell Junction Road to the motorway in both directions were shown on pre application plans provided to the Council's staff. Commencement of construction of CSM 2 is expected in 2015.
23. The CSM 2 project is listed as a "Road of National Significance" (RoNS) in the Central Governments roading policy and strategy. The project also aligns with and has been signalled by a number of Council policies, or policies to which it is a partner including:
 - The Urban Development Strategy; and
 - The Christchurch Rolleston Environments Transportation Study; and
 - Draft Christchurch Transport Plan; and
 - Greater Christchurch Transport Statement; and
 - The South West Area Plan; and
 - Regional Land Transport Strategy; and
 - Draft Regional Public Transport Plan.

The Notice of Requirement Process

24. The 'usual' Notice of Requirement process would involve the NZTA making its NOR application to the Council. The Council would publicly notify the application, receive public submissions, hold a hearing and then make recommendations back to the NZTA for that organisation to consider. However, because the project is a road of national significance and it traverses two territorial authority's areas the NZTA have elected to make their application to the Environmental Protection Agency pursuant to Part 6AA Proposals of National Significance of the RMA. The EPA will publicly notify the Notice of Requirement, receive submissions, and the Minister will then determine which body will hear and determine the Notice of Requirement. Either a Board of Enquiry of the Environment Court will have a hearing of submissions and then make a *decision* on whether the NOR is accepted, rejected or modified – including conditions. Appeals against this decision are on points of law only to the High Court. (In the 'usual' process the appeals against the requiring authority's final decision are to the Environment Court.)
25. Because this Notice of Requirement will be lodged with the EPA, the Council's role has changed from one of processing the Notice of Requirement and making recommendations to one of being a submitter when the EPA publicly notifies the Notice of Requirement – if it chooses to do so. Any concerns the Council has with the Notice of Requirement and the proposed project itself will have to be addressed through a submission. When it receives the Notice of Requirement the EPA will apply the tests under sections 95-95F of the RMA to determine whether it should be publicly notified. While the risk, from the Council's perspective, that the Notice of Requirement is processed without public notification is considered to be very low (given the size and significance of the project) the only recourse if it is not publicly notified is for the Council to apply for judicial review of the non notification decision in the High Court.

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26. With this in mind Council staff, over the course of 2012, have been engaged in consultation with the NZTA's representatives over the form and detail of the application for the Notice of Requirement. NZTA has provided Council staff with 17 draft technical reports covering transportation effects, stormwater, ecology, environmental health, geotechnical investigation, and social impact topics. These have been reviewed by suitably qualified staff (or consultants) who have found, in the main, that they agree with the methodology and conclusions of the reports. In some instances where staff have provided feedback it has led to amendment of the AEE reports by NZTA. However there are some significant points raised by Council staff that have not been resolved between Council staff, SDC staff and NZTA representatives.

Council Staff identified issues following review of the draft technical documents:

27. While the CSM 2 is a significant piece of infrastructure that is important to the recovery and growth of the Canterbury Region, there are a number of issues that have arisen out of the Council staff review of the draft Notice of Requirement documents and discussions that should be addressed if the design of the motorway is to best meet the purpose of the Act – the Sustainable Management of Natural and Physical Resources.
- (i) Submission Issue 1: Provision of full access ramps on Halswell Junction Road Roundabout to the CSM 2.
28. NZTA traffic modelling of the network in the south west is based on pre earthquake predictions of population growth and land use distribution. Staff of the Council and SDC have questioned whether the modelling and inputs that NZTA have used are appropriate for predicting the traffic and transportation effects of the design of the motorway. NZTA were slow to respond to staff questions over the course of 2012. Issues with NZTA's model and inputs were signalled as early as February 2012.
29. The Notice of Requirement documents show 'full access ramps' giving access for local traffic in the southwest to and from the CSM. In the opinion of Council staff the full access ramps at Halswell Junction Road will provide the most traffic and transportation benefit to the South West of Christchurch and the wider region's economy. Staff investigations show that these full access ramps will provide in the region of \$6 million (\$350 million net present value) of benefits per year. There are also benefits relating to the reduction of traffic volumes on some of the local road network in the Hornby area.
30. However staff of SDC have signalled dissatisfaction with the provision of 'full access ramps' because, in their opinion they will lead to a substantial increase in traffic movements through the township of Prebbleton which will in turn create adverse effects on their local traffic network and other environmental effects such as community severance. SDC maintains that these effects will impact on Prebbleton as 'a great place to live work and play' and therefore conflict with their structure plan³ for Prebbleton (adopted by that Council in 2010). SDC staff say that structure plan signals local network improvements, that have been programmed into the SDC Long Term Plan, that would direct traffic the Marshs/Shands interchange with the CSM2 and away from Prebbleton. With the inclusion of the ramps (which they say they were not expecting and the Cranford Rolleston Environs Transportation Study had not signalled) their programmed works are nullified. **Attachment 5** is a copy of the transport issues statement from their structure plan.
31. NZTA staff have indicated that they have included the full access ramps in the Notice of Requirement for public notification and that decisions as to whether they are ultimately built will rest in investigation and negotiation between the UDS partners. Inclusion of land for the ramps in the width of the Notice of Requirement will protect the land from inappropriate use while the matter is resolved. While NZTA have included the land for the ramps in the Notice of Requirement they see the matter being elevated to an appropriate Urban Development Strategy Partner forum for investigation and resolution.

³ Similar to the Council's South West Area Plan

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32. Further, there may be Long Term Plan funding issues for the Council from the inclusion (or exclusion) of the ramps in regard to works on the Council's network that need to be reallocated or have funding created for. Investigation into this can be undertaken as part of the wider investigation into the ramps.
33. To resolve these issues in regard to the model and the conflicting views of the Council and SDC staff over the full access ramps NZTA initiated a series of facilitated workshops between the Council, SDC and NZTA staff. Four workshops have been completed (the latest on 1 November 2012) where staff worked on identifying the benefits and costs to the three parties of including the ramps on network wide basis. NZTA announced the inclusion of the ramps and the reason for their inclusion in the Notice of Requirement at this last workshop and the preceding workshop. Staff also agreed it would be in the best interests of all parties to work collaboratively on a 'one network' basis to identify works in the respective territorial areas (within SDC, the Council and on the State Highway network), that will seek to mitigate adverse effects on the amenity values of Prebbleton. On this basis it is recommended that the Council agree to enter into a memorandum of understanding with SDC, NZTA and Ecan as UDS partners. This would be subject to the ramps remaining in the project. At the workshop of 1 November staff of SDC, NZTA and the Council identified potential mitigation measures for the potential effects on Prebbleton. These included:
 - Work on an Elsmere link; and/or
 - Works on Marshs and Springs Road (subject to Public Transport constraints); and/or
 - Ramp metering; and/or
 - Cross connections; and/or
 - Proceeding with the Wigram Magdella link.
34. Given that the width of land required for the ramps has been included in the Notice of Requirement to protect the corridor, and the ramps themselves are also shown, staff see this as a pragmatic way forward to resolve the issue. Given the projected timeline for design and construction of the CSM 2 a final decision on the inclusion of the ramps would need to be negotiated and made between the UDS partners within four years.
35. However for strategic and legal reasons of 'scope' and protecting the Council's ability to pursue assurance that sufficient width remains in the designation at the end of the Notice of Requirement process, staff recommend that the Council make a submission in support of at least the inclusion of sufficient width in the designation to include the ramps in the project in the future. This will also be important given SDC's apparent resistance to the ramps. While this is not a complete solution to the issue of the ramps, not including sufficient width in the designation at this stage may completely foreclose the option of the construction of the ramps in the future.
 - (ii) Submission Issue 2: The safety of the design of the Springs Road over-bridge and the signalised intersection of Shands and Marshs Roads.
36. This matter is linked to the full access ramps at Halswell Junction Road issue. Should the full access ramps at Halswell Junction Road remain in the project then the form, function and safety of the Shands Road and Marshs Road intersection will be at what Council staff consider to be an acceptable level. However if the full access ramps are removed then traffic volumes using the intersection will increase dramatically significantly reducing the efficiency and safety of the design of the intersection.
37. The intersection will need to be redesigned (and perhaps the extent of the Notice of Requirement altered) to accommodate a new design. For this reason, the Council should support the inclusion of the full access ramps and identify the adverse efficiency and safety considerations at this intersection in particular as justification for its position.

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(iii) Submission Issue 3: Landscaping within the motorway corridor where it traverses the Plan Change 54 area.

38. The Calder Stewart privately requested Plan Change 54 process to rezone the land shown in **Attachment 3** from Rural to Industrial has concluded and is now 'operative' in the City Plan. The proposed motorway will sever about one third of the site from the balance two thirds. The motorway is not shown on the outline development plan (ODP) for the site in the City Plan and there are no landscaping provisions associated with the ODP that would screen users of the motorway from the adverse visual effects of the industrial development. This site will be the first urban entrance point to the City from the South. It is important as an entrance point to the City that there is a reasonably high level of visual amenity. Council and NZTA staff have met to discuss this issue and Council staff have indicated that it is a significant concern to them. NZTA subsequently provided a landscape plan through the area that, subject to clarification of species height and spacing would address concerns.
39. However the subsequent draft application documents provided to the Council staff have not included the amended plans and NZTA staff have indicated that they do not intend lodging the application with the landscape plan. The draft documents did provide a cross section of potential development and the motorway. A copy of that cross section is attached as **Attachment 4**.
40. The Council's legal counsel, Simpson Grierson, have provided an opinion that the landscape matter of concern to Council staff is a legitimate adverse resource management effect that the Council can submit on:

17. *In our opinion, the Council is fully entitled to seek in its submission that landscaping be provided within the CSM2 corridor to mitigate the adverse visual impacts from surrounding land uses on users of the motorway.*

(iv) Submission Issue 4: Stormwater Facilities.

41. The design of the stormwater basins at Owaka for the CSM 2 could impact on the form and function of the Council's stormwater system for the South West Integrated Catchment Management Plan. NZTA have previously provided Council staff with drawings of the relationship and effects on the Council stormwater systems. On 5 October 2012 Council staff provided NZTA staff with the following review comments on their draft Notice of Requirement:

Owaka Basin

The footprint of CSM2 encroaches on the Owaka Basin. The extent of this encroachment is about 20 per cent of the land owned by the Council. Basin capacity lost to CSM2 will need to be replaced nearby. NZTA's consultants now suggest capacity may be able to be restored by expanding onto contiguous NZTA land.

Details need to be confirmed by NZTA and discussed with the Council Capital Investigations Team. Arrangements for land purchase or swap need to be made prior to CSM2 construction commencing.

Owaka Culvert

It now appears that the existing twin pipe Owaka Culvert that conveys diverted flows from Owaka Basin north under CSM1 will be affected by CSM2. The Council Capital Investigations Team understands that the culvert will need to be lengthened by an indeterminate amount between CSM1 and Owaka Basin. This should not lead to a reduction in the capacity of the basin.

Owaka Underpass

It appears that the existing Owaka Underpass box culvert will also need to be lengthened. This should not lead to a reduction in the capacity of the basin.

Montgomerys Drain

Montgomery's Drain conveys overflows from HJR⁴ Retention Basin east along the side of HJR as far as the proposed "Ramp" roundabout. The drain will be re-aligned to accommodate CSM2. Details need to be confirmed by NZTA and discussed with the Council.

⁴ Halswell Junction Road

4 Cont'd

42. While Council staff are confident that these are matters that can be resolved through design, the ability for the Council to review, and certify, the final CSM2 stormwater design to ensure that the Council's stormwater system is protected or accommodated for should form part of the conditions on the Notice of Requirement and hence be subject of the Council submission.

(v) Submission Issue 5: Advice note on conditions.

43. The draft Notice of Requirement conditions provided to Council staff contain the following advice note:

The documentation provided in support of the Notices of Requirement for the designations contains all of the information that would be required to be provided within an outline plan under section 176A of the RMA, and no separate outline plans for construction will be submitted.

44. Section 176A(3) of the RMA states:

(3) *An outline plan must show—*

- (a) *The height, shape, and bulk of the public work, project, or work; and*
- (b) *The location on the site of the public work, project, or work; and*
- (c) *The likely finished contour of the site; and*
- (d) *The vehicular access, circulation, and the provision for parking; and*
- (e) *The landscaping proposed; and*
- (f) *Any other matters to avoid, remedy, or mitigate any adverse effects on the environment.*

45. The Council's legal Counsel have been asked to give an opinion as to whether this advice note would be problematic if the Notice of Requirement did not contain, in the Council's opinion the information required by Section 176A of the RMA. Their opinion is:

24. If the Council considers that the level of detail provided within the NoR does not meet the minimum level required by section 176A(3), we recommend that the Council submit in opposition to this proposed advice note or otherwise make a submission seeking that further sufficiently detailed information be provided by NZTA in order to justify the proposed advice note.

46. As discussed in the preceding sections staff have concerns about the proposed design incorporated in the Notice of Requirement. The matters set out in the preceding sections of the report fall within all of the subsections in 176A(3). While matters in regard to design in the NoR remain outstanding it is recommended that the Council make a submission in opposition to the advice note.

Conclusions

47. The Christchurch Southern Motorway Stage 2 is a strategically significant project that the Council has shown support for in a number of strategies. Any submission by the Council on the Notice of Requirement should show support for the concept, timing and general location of the motorway. Taking into account the wider strategic importance of the CSM 2 the proposal meets the purpose of the Act. However there are some specific design details and aspects of the proposed conditions on the Notice of Requirement that are of concern to Council staff. It is recommended that the Council authorise staff to make a submission to the EPA supporting the CSM 2 but seeking resolution of the following matters so that it better meets the purpose of the Resource Management Act 1991.

- (a) That the 'full access ramps' connecting the CSM to Halswell Junction Road in both directions are supported and therefore should be retained in the Notice of Requirement be included in the designation and constructed as part of the CSM 2.
- (b) In the alternative to '(a)' if the full access ramps at Halswell Junction Road are either down graded to 'freight only' or removed completely then the diamond interchange on

4 Con'td

CSM 2 and intersection at Marshs Road and Shands Road be redesigned so that it can safely and efficiently operate with the increased vehicle movements that will result from the downgrade or removal of the full access ramps. It is noted that this may require redesign and re- public notification of the Notice of Requirement to extend the area of the proposed designation.

- (c) That the proposed landscaping within the motorway corridor through the Plan Change 54 area be designed and implemented to the satisfaction of the Christchurch City Council form part of the conditions on the designation.
- (d) That the ability for the Christchurch City Council to review, and certify, the final CSM2 stormwater design at the Owaka facility to ensure that the Council's stormwater system is protected or accommodated form part of the conditions on the designation.
- (e) That the proposed advice note on conditions that reads as per the text below, or has the same effect as being opposed in the Council's submission.

The documentation provided in support of the Notices of Requirement for the designations contains all of the information that would be required to be provided within an outline plan under section 176A of the RMA, and no separate outline plans for construction will be submitted.

- (f) That, providing the Selwyn District Council does not oppose the inclusion of the Halswell Junction Road ramps in the Notice of Requirement and their construction, the Council agree to enter into a memorandum of understanding with its UDS partners Selwyn District Council, New Zealand Transport Agency, and Environment Canterbury to work collaboratively and investigate what works might be needed to manage the wider transportation network to alleviate significant 'place and space' amenity effects on Prebbleton, if any are identified through investigation. Works on the wider transportation network might include:
 - Work on an Elsmere link; and/or
 - Works on Marshs and Springs Road (subject to Public Transport constraints); and/or
 - Ramp metering; and/or
 - Cross connections; and/or
 - Proceeding with the Wigram Magdella link.

THE OPTIONS

Option 1: Do nothing: Not make a submission

- 48. This option is not recommended. There are matters of concern to Council staff, and there may be other matters of concern to the Councillors themselves, that should be raised in a submission on the Notice of Requirement. A submission on the Notice of Requirement is the only avenue within the Notice of Requirement statutory process that will enable the Council to raise its concerns and have them addressed by the EPA.

Option 2: Make a submission in support of the CSM 2 but that seeks resolution of the matters raised in this report, and agree to work collaboratively with Selwyn District Council, New Zealand Transport Agency, and Environment Canterbury to investigate potential adverse effects of an increase in traffic volumes through Prebbleton.

- 49. This option is recommended. The CSM 2 is a strategically significant piece of infrastructure that will add to and enable regional economic growth. However as highlighted in this report there are matters of concern to staff that can be resolved through the submission process.

4 Cont'd**Option 3: Make a submission only on matters of concern to the Council**

51. This option is not recommended. The CSM 2 is a strategically significant piece of infrastructure that the Council should support. The submission matters raised in this report, while of concern are secondary to the importance of the infrastructure to the region, the region's economy and earthquake recovery.

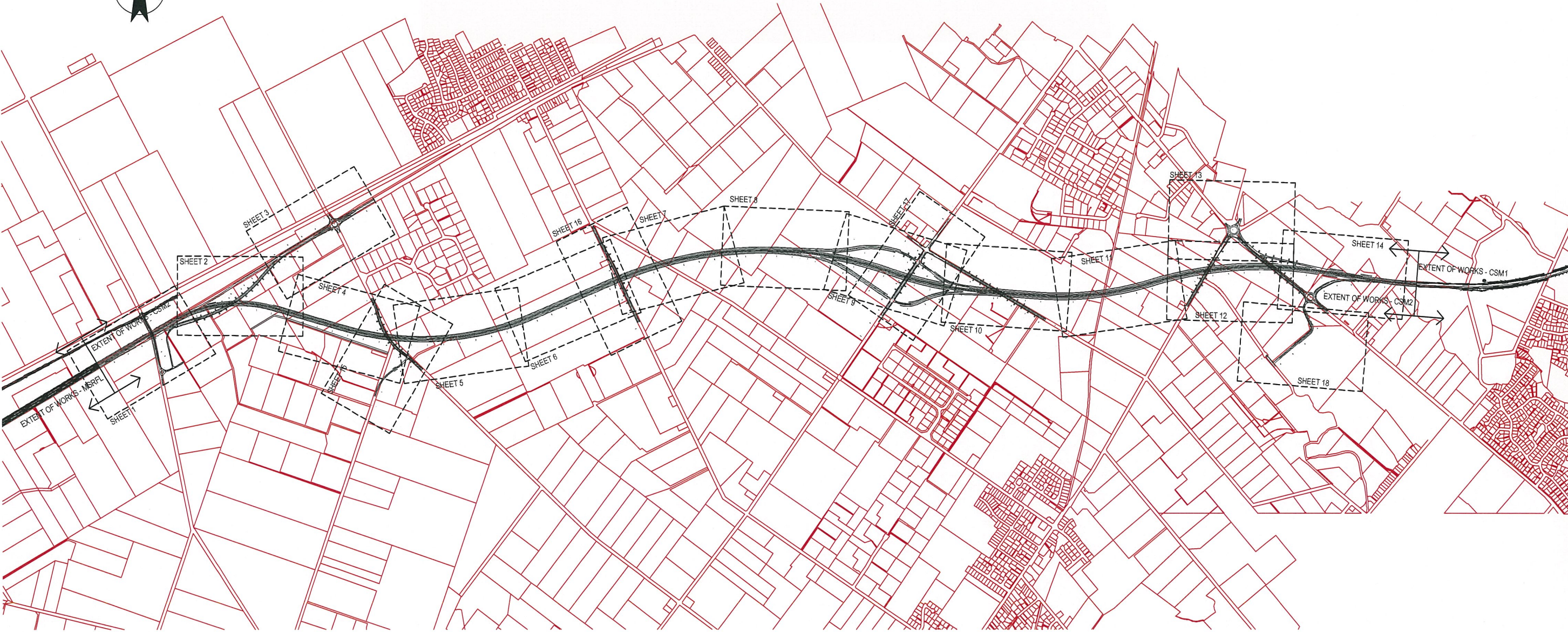
Option 4: Make a submission in opposition to the construction of the CSM 2

52. This option is not recommended. As outlined in this report the CSM 2 will be a strategically significant contributor to the region, the region's economy and earthquake recovery and its ultimate construction should be supported.

THE PREFERRED OPTION

53. The preferred option is Option 2.

Attachment 1: Route of the Christchurch Southern Motorway Stage 2.



FOR CONSENT

0	FOR CONSENT	AF	DGA	GAP	29.08.12
B	FOR INFORMATION	AF	DGA	CG	01.05.12
A	FOR INFORMATION	CMcG	DGA	CG	14.10.11
No	Revision	Note: * indicates signatures on original issue of drawing or last revision of drawing			Date
		Drawn	Checked	Approved	Date



NZ TRANSPORT AGENCY
WAKA KOTAHI

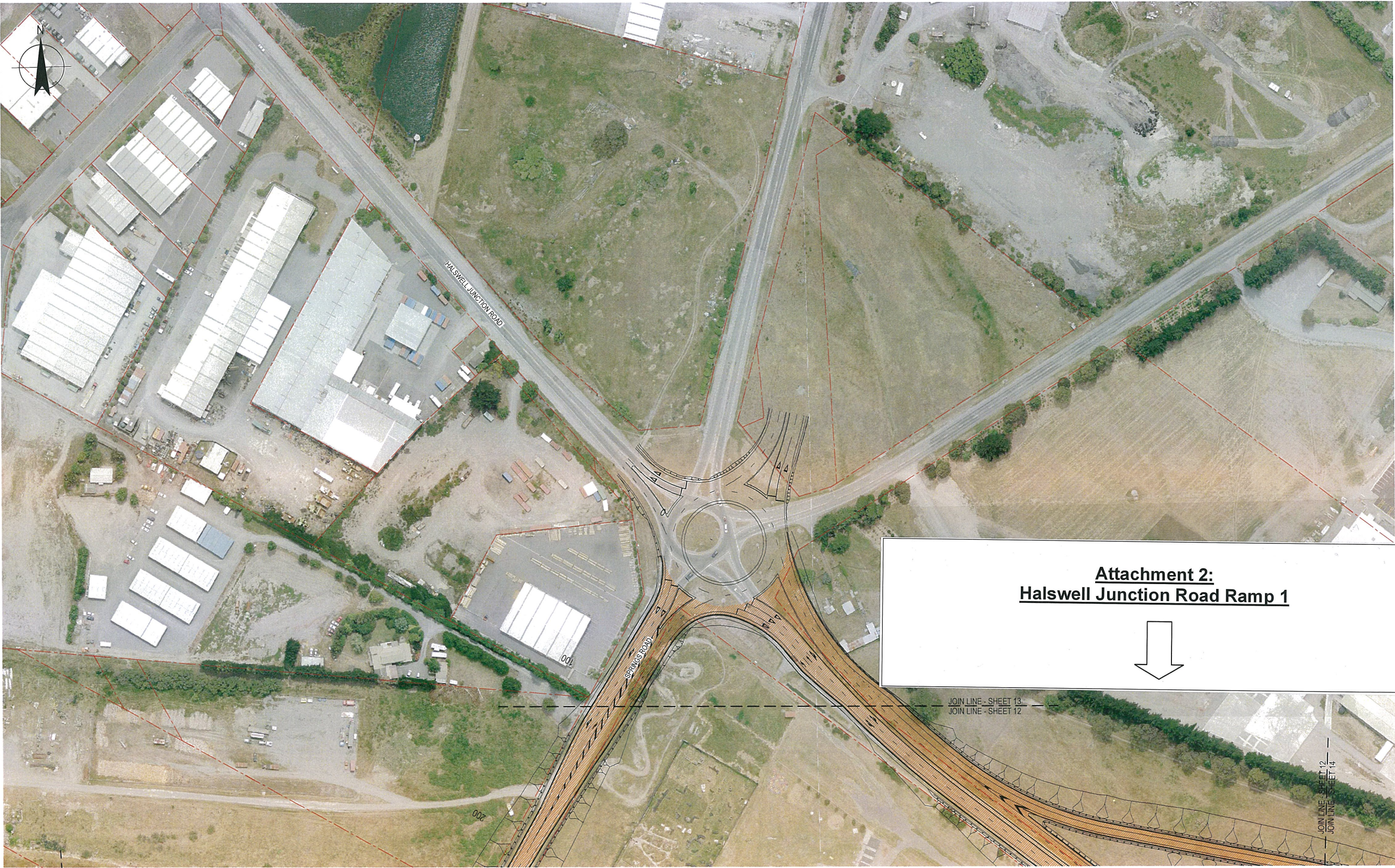


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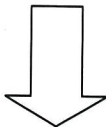
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Drawn	CMcG	Designed	JAS
Drafting	JAS	Design	DGA
Check		Check	
Approved	GARY PAYNE		
Date	29.08.12		
A1 Scale	This Drawing must not be used for Construction unless signed as Approved		
A3 Scale	N.T.S.		

Client	NEW ZEALAND TRANSPORT AGENCY		
Project	SH1 REGION 11 RP350/3.92 TO RP365/2.11		
	CHRISTCHURCH SOUTHERN MOTORWAY STAGE 2		
Title	SHEET LAYOUT PLAN		
	Drawing No:	62236-B-C020	Rev: 0



Attachment 2:
Halswell Junction Road Ramp 1



FOR CONSENT

0	FOR CONSENT	AF	DGA	GAP	29.08.12
B	FOR INFORMATION	AF	DGA	CG	01.05.12
A	FOR INFORMATION	CMcG	DGA	CG	14.10.11
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		Drawn	Checked	Approved	Date



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Drawn	CMcG	Designed	JAS
Drafting Check	JAS	Design Check	DGA
Approved	GARY PAYNE		
Date	29.08.12		
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A3 Scale	1:2000		

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Client	NEW ZEALAND TRANSPORT AGENCY
Project	SH1 REGION 11 RP350/3.92 TO RP365/2.11
Title	CHRISTCHURCH SOUTHERN MOTORWAY STAGE 2 LAYOUT PLAN - SHEET 13
Drawing No:	62236-B-C033
Rev:	0



FOR CONSENT

0	FOR CONSENT	AF	DGA	GAP	29.08.12	
B	FOR INFORMATION	AF	DGA	CG	01.05.12	
A	FOR INFORMATION	CMcG	DGA	CG	14.10.11	
No	Revision	Note: * indicates signatures on original issue of drawing or last revision of drawing	Drawn	Checked	Approved	Date



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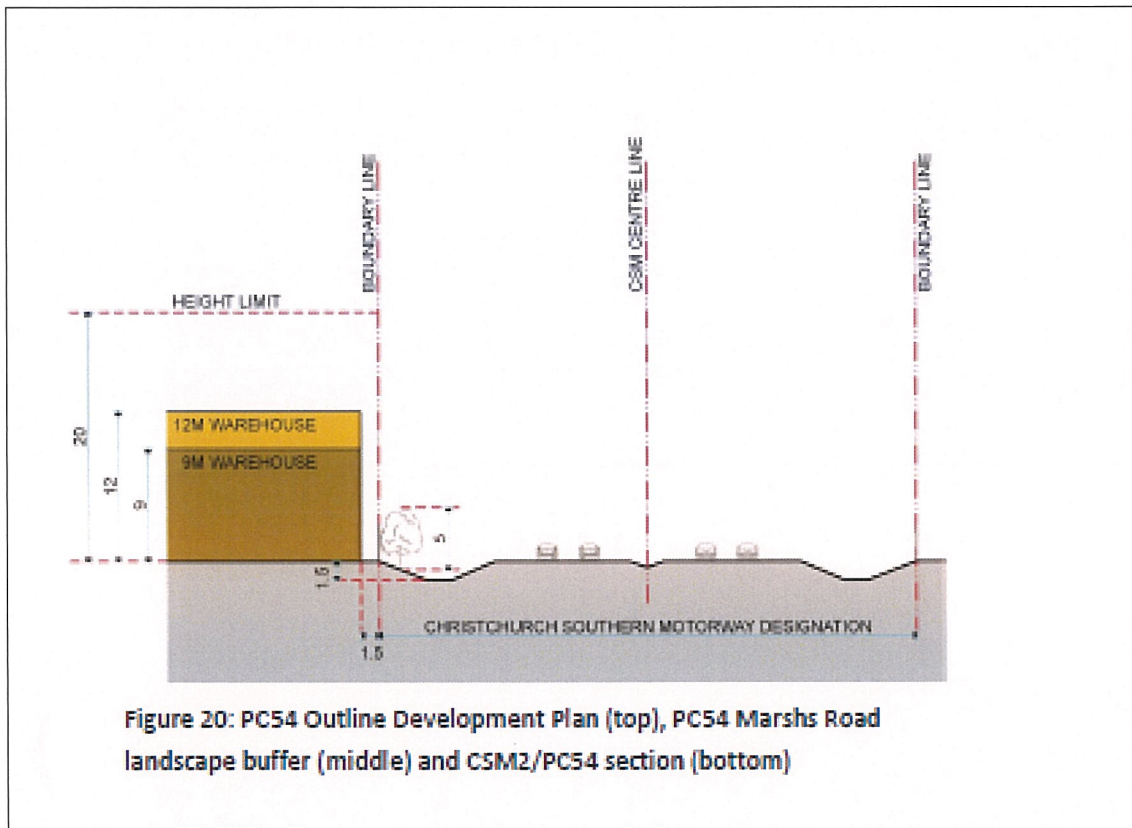
Drawn	CMcG	Designed	JAS
Drafting	JAS	Design	DGA
Check		Check	
Approved	GARY PAYNE		
Date	29.08.12		
A1 Scale	This Drawing must not be used for Construction unless signed as Approved		
A3 Scale			

Client	NEW ZEALAND TRANSPORT AGENCY		
Project	SH1 REGION 11 RP350/3.92 TO RP365/2.11		
	CHRISTCHURCH SOUTHERN MOTORWAY STAGE 2		
Title	LAYOUT PLAN - SHEET 14		

Drawing No: 62236-B-C034

Rev: 0

Attachment 4: Cross Section PC 54 Area



Attachment 5 Transportation Statement

Prebbleton Structure Plan

7. INFRASTRUCTURE

7.1. Transport

Springs Road is the busiest road in the 'Local Road' category in the Selwyn district, with 10,000 vehicles using the road each day. It acts as a barrier to the movement of people and goods around the township. There is a conflict between the need for traffic to turn onto and off of Springs Road from side roads and the need to retain the functionality of what is a busy arterial road. Problems for traffic turning onto Springs Road, particularly from Tosswill Road, are likely to increase as the township grows.

A roundabout is planned for the intersection of Springs Road and Hamptons Road, similar to the one currently in-situ at the junction of Springs Road and Blakes Road. This will be the southern threshold to the village and will serve to slow down traffic entering the built-up area of the township from the south. It will also encourage through traffic to follow alternative routes which by-pass Prebbleton, including the CSM2 interchange to the west or eastwards via the orbital route proposed for the south west area of Christchurch.

Springs Road has been enhanced between Blakes Road and Birchs Road. The section between Birchs Road and Hamptons Road is in need of enhancement. Improvement, including tree planting, is severely restricted by the limited space available in the 20m road reserve.

Birchs Road has been reconfigured to provide a public transport route and off-road cycleway (part of the Christchurch to Little River Rail Trail). It provides an alternative mode route (including walking) between Prebbleton and Lincoln. A cycling and pedestrian network proposed for the CSM1 and Halswell Junction Road could provide an additional corridor for alternative modes of transport.

7.2. Wastewater

Prebbleton has 906 permitted sewer connections which discharge to the Christchurch City Council sewerage reticulation. These connections have all been allocated therefore this scheme is effectively closed to further connections. This means that development cannot proceed unless and until alternative arrangements are made. A scheme for managing the wastewater from east Selwyn settlements has been devised (the Eastern Selwyn Sewage Scheme). This provides for the diversion of wastewater from Prebbleton via Lincoln and Springston to the Pines Wastewater Treatment Plant (PWTP), near Rolleston. It is intended that all households in Prebbleton will discharge to the PWTP when the necessary upgrading to extend its capacity is completed, this is anticipated to be within the next two years.

PLANNING COMMITTEE 20. 11. 2012

5. INVESTIGATION INTO IMPOSING ADDITIONAL TEMPORARY ALCOHOL BANS

General Manager responsible:	General Manager Strategy and Planning, DDI 941-8281
Officer responsible:	Strategic Policy Unit Manager
Author:	Siobhan Storey, Senior Policy Analyst

PURPOSE OF REPORT

1. To investigate imposing temporary alcohol bans on Christmas Eve, New Year's Eve, New Year's Day, Cup Day and St Patrick's Day in each of those areas which have alcohol bans not currently covering those days and times.

EXECUTIVE SUMMARY

2. At its meeting of 23 August 2012 the Council resolved to:

"Undertake an additional piece of work to impose temporary liquor bans on Christmas Eve, New Year's Eve, New Year's Day, Cup Day and St Patrick's Day in each of those areas which have liquor bans not currently covering those days and times."
3. There are four areas to be considered under the resolution (refer **Attachment 1**) - Akaroa, Spencer Park, Sumner and Okains Bay. Three of these, Spencer Park, Akaroa, and Okains Bay, have bans on New Year's Eve but not on Christmas Eve, New Year's Day, Cup Day or St Patrick's Day. Sumner has a ban from Thursday to Sunday starting at 7.00pm on Thursday going through to midnight on Sunday. In Sumner, there will be years when some of the above days or nights fall outside the current liquor ban.
4. Staff contacted the Police and the Akaroa/Wairewa, Hagley/Ferrymead, and Shirley/Papanui Community Boards to determine whether there were any alcohol issues on any of these days and nights and whether the Police or the Boards felt there was a need for additional bans.
5. There were no behavioural issues identified by the Police or any of the three Community Boards on Christmas Eve, New Year's Day, Cup Day and St Patrick's Day in Akaroa, Okains Bay, Spencer Park or Sumner. There was seen to be no need to impose bans additional to the current bans in these areas.
6. However, Police are in favour of imposing a ban for Sumner on New Year's Eve as they consider that alcohol related disorder is very likely to occur on these days unless this area has an alcohol ban in place. New Year's Eve falls outside the current alcohol ban in Sumner (Monday-Wednesday) in 2012, 2013 and 2014.
7. Staff recommend that as New Year's Eve 2012 falls on a Monday, the Council resolve to impose a Temporary Alcohol Ban Area for Sumner from 7.00pm 31 December 2012 to 7.00am 1 January 2013. A Temporary Alcohol Ban Area is recommended this year as it can be imposed by Council resolution and put in place in time for New Year's Eve 2012. There is insufficient time to impose a permanent ban for this year as that would require a Special Consultative Procedure (SCP). The Council could similarly apply temporary bans for New Years Eve in 2013 and 2014 if required.
8. As New Year's Eve in 2013 and 2014 will also fall outside the current Thursday-Sunday liquor ban in Sumner, the Council could consider making a permanent change to the bylaw to extend the Sumner alcohol ban to every New Year's Eve. Making a permanent change would require an SCP. The Alcohol Restrictions in Public Places Bylaw 2009 will be amended in the future, either in response to a further request for alcohol bans or as part of the regular bylaw review programme, and an SCP will be required. As the minimum cost for an SCP of this type is around \$30,000 staff suggest that a permanent ban in Sumner for New Year's Eve be included in a future SCP on this bylaw rather than as a stand alone process.

FINANCIAL IMPLICATIONS

9. If any bans were to be imposed, financial provision would be required for public notices and display advertisements, as well as appropriate signage, including production, erection and replacement if necessary. Based on previous costs, temporary signs, public notices and

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advertising would cost approximately \$6,000. As these signs would be temporary they would be funded through the City and Community Long Term Policy and Planning Activity budget.

10. If a permanent ban were to be imposed, there is the additional cost of the required SCP which, based on previous SCP costs, would be approximately \$30,000.
11. The costs of enforcement rest with the Police under powers in the Local Government Act 2002.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

12. See above.

LEGAL CONSIDERATIONS

13. The Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009 which incorporates the Alcohol Restrictions in Public Places Amendment (Riccarton/Ilam) Bylaw 2011, the Alcohol Restrictions in Public Places Amendment (Okains Bay) Bylaw 2011, and the Alcohol Restrictions in Public Places Amendment Bylaw 2012 (the Bylaw) provides the power, by resolution, to put Temporary Alcohol Ban Areas in place. Clause 5 of the Bylaw specifies a number of matters the Council must consider before it imposes a Temporary Alcohol Ban Area. Clause 5 also requires that the resolution must describe the specific area that is the Temporary Alcohol Ban Area and the times, days or dates during which the alcohol restrictions apply to any public places in the area.
14. The Bylaw defines a Temporary Alcohol Ban Area as meaning "an area described in a resolution made under this bylaw in which alcohol restrictions are temporarily in place in the public places within the area during the times, days or dates specified in the resolution."
15. Section 147 of the Local Government Act 2002 (the Act) allows for alcohol bans in public places which are under the control of the Council. Ban Areas can include for example, roads over which the Council has control but not private parking areas.
16. Under clause 5(2) of the Bylaw the Council must consider, in the case of resolving to introduce any Temporary Alcohol Ban Area, the following matters:
 - (a) If the proposed ban relates to an event, -
 - (i) the nature of the expected event;
 - (ii) the number of people expected to attend;
 - (iii) the history of the event (if any); and
 - (iv) the area in which the event is to be held; and
 - (b) The nature and history of alcohol-related problems usually associated with the area, together with any anticipated alcohol-related problems; and
 - (c) Whether the benefits to local residents and to the city would outweigh the restrictions the resolution would impose on local residents and other people, including those who may be attending any events, in the area covered by the resolution; and
 - (d) Any information from the Police and other sources about the proposed dates, the event or the area to be covered by the resolution; and
 - (e) Whether the Police support the proposed Temporary Alcohol Ban Area; and
 - (f) Any other information the Council considers relevant.
17. The Police have various powers to enforce the Bylaw, including the power to search containers and vehicles in public places for alcohol, seize and remove alcohol, and arrest any person who is found to be breaching the Bylaw. Before the Police exercise these powers they must comply with the warning provisions in section 170 of the Local Government Act 2002. However, in certain circumstances as set out in section 170(3), the Police can search immediately and without notice. In order to give the Police this power, the Council would need to resolve that clause 8(1) of the Bylaw applies to the Temporary Alcohol Ban.¹ In the past the Council has

¹ Note that clause 8 provides as follows:

8. POLICE POWERS OF SEARCH IN TEMPORARY ALCOHOL BAN AREAS

(1) This bylaw authorises a member of the Police to exercise the power of search under section 169(2)(a) of the Act for the purposes of Section 170(2) of the Act in areas to which a resolution declaring a Temporary Alcohol Ban Area applies.

(2) Clause 8(1) only applies if the resolution declaring a Temporary Alcohol Ban Area provides that clause 8(1) of this bylaw will apply.

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exercised this power and passed a resolution under clause 8(1), where the Council has resolved to impose a Temporary Alcohol Ban Area for an event.

Have you considered the legal implications of the issue under consideration?

18. Yes. Any additional Temporary Alcohol Bans will apply to public places within the meaning of section 147 of the Act. In terms of clause 5(1) of the Bylaw, the proposed resolution describes the specific areas to which the Temporary Alcohol Ban Areas will apply and the times and dates that it will apply.
19. In respect of imposing a temporary ban for Sumner for New Year's Eve 2012 the matters of Clause 5(2) of the Bylaw have been considered as noted below.
20. **Clause 5(2)(a) - whether the proposed bans relate to events**
The proposed ban does not relate to an event.
21. **Clause 5(2)(b) - the nature and history of alcohol-related problems usually associated with the areas, together with any anticipated alcohol-related problems**
There is already an alcohol ban in place in Sumner, which applies from Thursday to Sunday starting at 7.00pm on Thursday going through to midnight on Sunday. The area covers the Sumner Esplanade.
22. The Esplanade, Sumner, is a residential street adjacent to the beach. It is a recreational area and attracts a broad range of people from the local community and the greater Christchurch area. The seaward side of the Esplanade has a promenade and grassed reserve which includes a children's paddling pool and picnic area. Most of those attracted to the area are families and surfers enjoying the recreational facilities. There are often sporting events held along the Esplanade, including surf festivals and triathlons.
23. Prior to the ban being imposed in Sumner, 'boy racers', and others had caused disorder, often aggravated by the consumption of alcohol. Incidents of fighting, foul language and the smashing of glass were common. The problems tended to occur during the summer, particularly at weekends and especially when the weather was good. The congregation of youths watching boy/girl racers using the Esplanade as part of a circuit was common on the reserve areas of the road. These youths often consumed alcohol in the area, causing disorder problems.
24. Since the ban has been imposed Police note there has been little evidence of these kinds of problems. The Police are of the view that the circumstances that gave rise to the creation of the Sumner alcohol ban are highly likely to be replicated on a New Year's Eve that falls outside the current ban days of operation. There has been no New Year's Eve since 2008 that was not covered by the current ban, 2012 is the first.
25. **Clause 5(2)(c) - whether the benefits to local residents and to the city would outweigh the restrictions the resolution would impose on local residents and other people, including those who may be attending any events, in the area covered by the resolution**
It is considered that the benefits to local residents and to the city would outweigh the restrictions imposed on local residents and other people in the area covered by the resolution.
26. **Clause 5(2)(d) - any information from the Police and other sources about the proposed dates, the event or the area to be covered by the resolution**
The local officers agree that the current alcohol ban has reduced alcohol intake and reduced potential disorder and crime. See also the information below under clause 5(2)(f).
27. **Clause 5(2)(e) - whether the Police support the proposed Temporary Alcohol Ban Area**
The Police support the following times for a temporary ban for Sumner: each New Year's Eve from 7.00pm 31 December to 7.00am 1 January.
28. **Clause 5(2)(f) - any other information the Council considers relevant**
The Police are of the view that the circumstances that gave rise to the creation of the Sumner alcohol ban are highly likely to be replicated on a New Year's Eve that falls outside the current ban days of operation. Police believe that there now exists an "alcohol ban culture" in Sumner. That is, the residents are aware of, and used to, the alcohol ban, although not necessarily the

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details of it, and assume the ban would be in operation on any given New Year's Eve - thus eliminating the issues that gave rise to it. Police also believe, especially in the current climate, there exists a real risk of a group or groups realising the ban does not cover New Year's Eve as a matter of course and will, at some stage, seek to hold or promote a public place event focusing on the consumption of alcohol. Such an event would place significant pressure on Police resources and unnecessarily endanger nearby residents. There has been no New Year's Eve since 2008 that was not covered by the current ban, 2012 is the first.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?**

29. Introducing additional temporary alcohol bans, if required, could be considered to broadly align to the following LOS in the Strengthening Communities Activity Management Plan, 2.2.3.1. *Maintain Safe City Accreditation every 15 years.*

Do the recommendations align with the Council's strategies?

30. The Safer Christchurch Strategy aims to see rates of injury and crime decline, for people to feel safe at all times in Christchurch City and for Christchurch to have excellent safety networks, support people and services.

CONSULTATION FULFILMENT

31. Staff consulted the Akaroa/Wairewa, Hagley/Ferrymead, and Shirley/Papanui Community Boards via the Board Advisers, regarding the proposal for additional temporary alcohol bans for Spencer Park, Akaroa, Okains Bay and Sumner to apply on Christmas Eve, New Year's Eve, New Year's Day, Cup Day and St Patrick's Day. Staff advised the Boards that Spencer Park, Akaroa and Okains Bay already had bans on New Year's Eve and asked the Boards whether they would be in favour of imposing alcohol bans, whether temporary or permanent, on the additional days or nights in the current ban areas. In the case of Sumner, the current ban applies Thursday to Sunday only and finishes at midnight on Sunday. Thus if New Year's Eve falls on Sunday, Monday, Tuesday or Wednesday, there is no ban in place in Sumner, and thus a temporary ban in these years could be warranted.
32. The three Boards reported no knowledge of alcohol related problems on any of the proposed days and nights and considered there is no need to impose additional temporary bans to the current ban areas.
33. Staff contacted the relevant Police Area Commanders and asked if there had been any complaints relating to alcohol on Christmas Eve, New Year's Eve, New Year's Day, Cup Day or St Patrick's Day in these ban areas and whether they would support the proposal for further temporary bans.
34. The Police advised they had not had any complaints relating to alcohol on any of the days or nights under consideration, except for New Year's Eve, which is already covered in Akaroa, Okains Bay and Spencer Park, and they saw no need to impose further bans in these areas. However in the case of Sumner, the Police support imposing a temporary ban on New Year's Eve during those years that New Year's Eve falls on a Sunday, Monday, Tuesday or Wednesday as the current ban for Sumner applies Thursday to Sunday only and finishes at midnight on Sunday.
35. The Police support the following times for a temporary ban for Sumner: each New Year's Eve from 7.00pm 31 December to 7.00am 1 January. In each year this will occur, a report to Council will need to be prepared addressing the matters in Clause 5 of the Bylaw, unless the Alcohol Restrictions in Public Places Bylaw 2009 is to be amended in the future and an SCP is required, which could include making a permanent ban in Sumner.

PLANNING COMMITTEE 20. 11. 2012

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STAFF RECOMMENDATION

It is recommended that the Planning Committee recommend that the Council:

- (a) Resolve to impose a Temporary Alcohol Ban Area for Sumner (being the area shown on the attached map of the Sumner Alcohol Ban Area), from 7.00pm 31 December 2012 to 7.00am 1 January 2013.
- (b) Does not impose any other further alcohol bans on Christmas Eve, New Year's Day, Cup Day or St Patrick's Day in Spencer Park, Akaroa, Okains Bay, or Sumner.
- (c) Note the opportunity to consider imposing a Temporary Alcohol Ban Area in Sumner in 2013 and 2014, unless the Alcohol Restrictions in Public Places Bylaw 2009 is to be amended in the future and a Special Consultative Procedure is required, which could include making a permanent ban in Sumner.

BACKGROUND (THE ISSUES)

38. At its meeting of 23 August 2012 the Council resolved to:

"Undertake an additional piece of work to impose temporary liquor bans on Christmas Eve, New Year's Eve, New Year's Day, Cup Day and St Patrick's Day in each of those areas which have liquor bans not currently covering those days and times."

39. Current Bans

The table below shows the permanent alcohol bans which are currently in place.

Area	Days	Start	Finish
Central City	Monday - Sunday	24 hours	
Hagley Park and Environs	Monday - Sunday	10.00pm	7.00am
South Colombo	Monday - Sunday	24 hours	
New Brighton Mall, Marine Parade and Environs	Monday - Sunday	24 hours	
Sumner Esplanade	Thursday - Sunday	7.00pm Thursday	Midnight Sunday
Jellie Park	Monday - Sunday	24 hours	
Akaroa	New Year's Eve	5.00pm 31 December	7.00am 1 January
Spencer Park	New Year's Eve	8.30pm 31 December	6.00am 1 January
Riccarton/Ilam	Monday - Sunday	24 hours	
Okains Bay	New Year's Eve	5.00pm 31 December	7.00am 1 January
Papanui	Monday - Sunday	6.00pm	6.00am
Merivale	Monday - Sunday	6.00pm	6.00am

40. There are four areas to be considered under the resolution - Akaroa, Spencer Park, Sumner and Okains Bay. Three of these, Spencer Park, Akaroa, and Okains Bay, have bans on New Year's Eve but not Christmas Eve, New Year's Day, Cup Day or St Patrick's Day.
41. Sumner has a ban from Thursday to Sunday starting at 7.00pm on Thursday going through to midnight on Sunday. There will be years when some of the above days or nights fall outside the current liquor ban.

5 Cont'd

42. Under the Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009 the Council may declare a Temporary Alcohol Ban Area by resolution. Before doing so the Council must consider the nature and history of alcohol-related problems associated with the area together with any anticipated alcohol-related problems. The Council must consider whether the benefits to local residents and to the city outweigh the restrictions placed on other persons; consider any information from the Police about the proposed dates and times and whether Police support the Temporary Alcohol Ban Area.
43. The Akaroa/Wairewa, Hagley/Ferrymead, and Shirley/Papanui Community Boards have been consulted, as discussed in paragraphs 31 – 32 above.
44. With respect to the Police, Area Commander Alan Weston advised that he discussed the proposal for further temporary bans with staff at relevant police stations. They had not received any complaints relating to alcohol related disorder on any of the days or nights under consideration and they saw no need to impose further bans in Akaroa, Okains Bay or Spencer Park. However in the case of Sumner, Police consider that alcohol related disorder is very likely to occur on New Year's Eve in Sumner unless there is an alcohol ban in place in the area. Therefore the Police are in favour of imposing a temporary ban on New Year's Eve in those years when it falls on a Sunday, Monday, Tuesday or Wednesday. In other years the current Thursday to Sunday ban covers New Year's Eve.

THE OBJECTIVES

45. To investigate imposing temporary alcohol bans on Christmas Eve, New Year's Eve, New Year's Day, Cup Day and St Patrick's Day in each of those areas which have alcohol bans not currently covering those days and times.

THE OPTIONS**Option 1 – Do nothing**

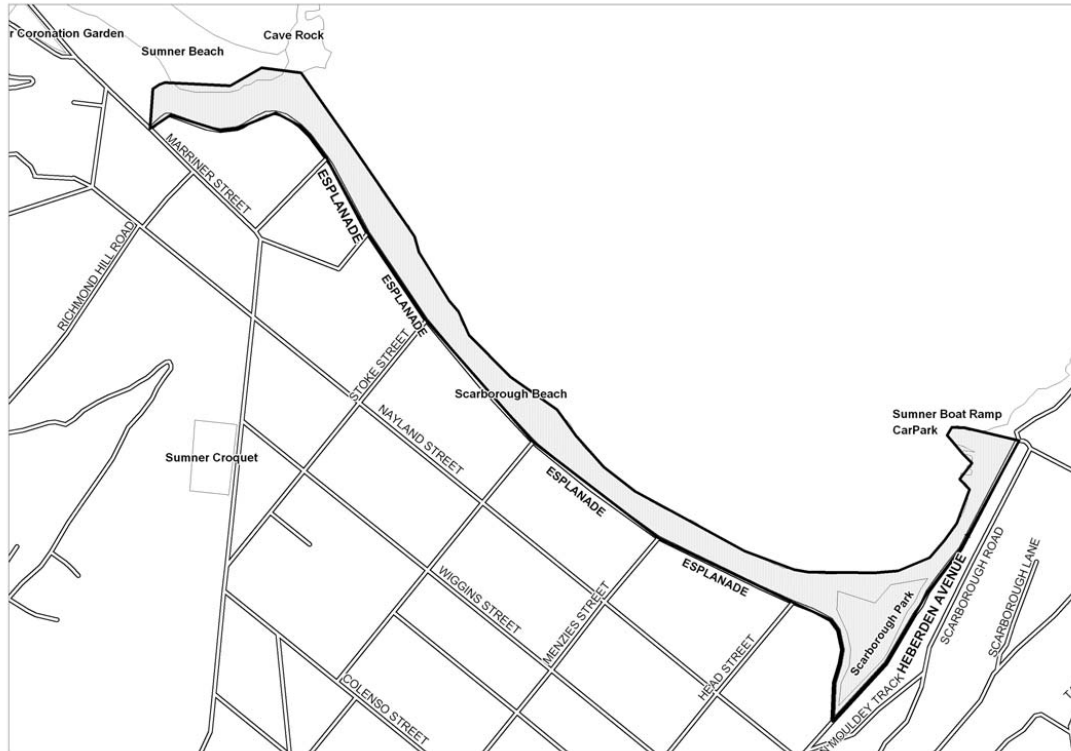
46. The Community Boards do not consider that there is a requirement for further alcohol bans on Christmas Eve, New Year's Eve, New Year's Day, Cup Day or St Patrick's Day in Spencer Park, Sumner, Akaroa or Okains Bay and thus the status quo should prevail.

THE PREFERRED OPTION**Option 2 – Impose a Temporary Alcohol Ban Area in Sumner on New Year's Eve 2012**

47. The Community Boards and Police do not identify any need for further alcohol bans for Sumner on Christmas Eve, New Year's Day, Cup Day or St Patrick's Day. However the Police are in favour of a ban on New Year's Eve in Sumner when New Year's Eve falls outside the days of the current ban.
48. A Temporary Alcohol Ban Area is recommended this year as it can be imposed by Council resolution and put in place in time for New Year's Eve 2012. There is insufficient time to impose a permanent ban for this year as that would require a Special Consultative Procedure (SCP).
49. As the minimum cost for an SCP is \$30,000 and the Alcohol Restrictions in Public Places Bylaw 2009 will be amended in the future either in response to a further request for alcohol bans or as part of the regular bylaw review programme, a permanent ban in Sumner for New Year's Eve could be included in a future SCP.
50. New Year's Eve in 2013 and 2014 will also fall outside the current Thursday-Sunday liquor ban in Sumner. Until the Alcohol Restrictions in Public Places Bylaw 2009 is amended the Council may, by resolution, determine that a temporary alcohol ban be applied in Sumner on New Year's Eve when required, on the evidence that a problem could exist during the period.

Sumner Alcohol Ban Area – shaded area

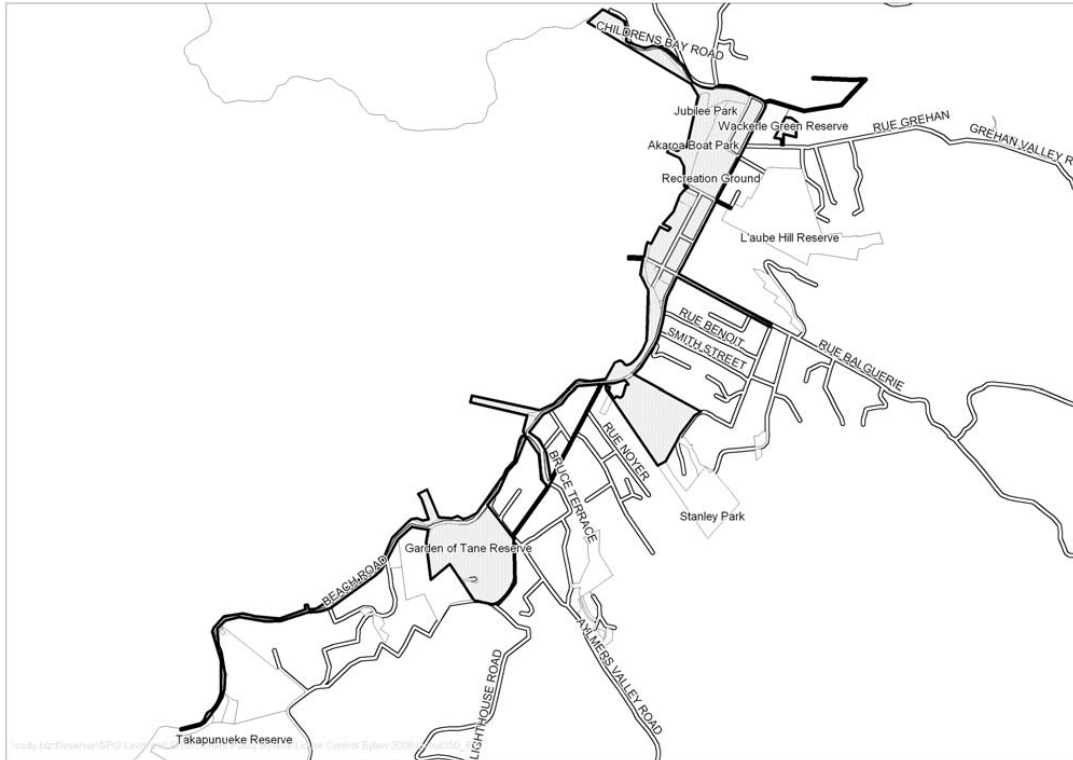
The area bounded by and inclusive of the whole of the Esplanade (from Marriner Street to Heberden Avenue) and along Heberden Avenue (from the Esplanade to the Sumner Boat Ramp car park), and including the Sumner Boat Ramp car park, as well as the beach that runs alongside this area (down to the mean low water spring level), as indicated in the map below.



Akaroa Alcohol Ban Area- shaded areas

All of, or the relevant parts of, the following streets: Rue Lavaud, Beach Road, Rue Jolie, Rue Balguerle up to Muter Street, Rue Brittan, Rue Croix, part of Woodills Road up to and including the milk station turning area, Bruce Terrace from Beach Road to Rue Jolie, as well as the lower part of Stanley Park (from Beach Road to Penlington Place).

This includes the following areas: Akaroa Beach and the waterfront area (including any wharf or jetty) from Children's Bay to Takapunueke Reserve, the Garden of Tane, Waeckerle Green, Reclamation Parking and Slipway Area, Akaroa Recreation Ground, Jubilee Park, Childrens Bay and the War Memorial Grounds.



Okains Bay Alcohol Ban Area – red area

The area being the Okains Bay Beach and Okains Bay Road as indicated on the map below. This excludes the Okains Bay Camping Ground and a small parcel of adjacent land owned by the Department of Conservation.



Spencer Park Alcohol Ban Area – shaded area

That part of Spencer Park situated on the southern side of Heyders Road, commencing from 71 Heyders Road, Spencerville, and continuing to the beach, including the beach access and car parking areas



6. PLAN CHANGE 74 AIRPORT NOISE CONTOURS

General Manager responsible:	General Manager Strategy & Planning Group DDI 941-8281
Officer responsible:	City Planning Unit Manager
Author:	Marie Pollisco, Policy Planner

PURPOSE OF REPORT

1. The purpose of this report is to seek the Committee's approval for the public notification of Proposed Plan Change 74 to the Christchurch City Plan under clause 5 of the First Schedule to the Resource Management Act 1991 (RMA). The recommendation is for the Council to notify the proposed plan change, and its supporting Section 32 Assessment (both at **Attachment 1**).

EXECUTIVE SUMMARY

2. This plan change seeks to amend the airport noise contours in the City Plan to be consistent with the revised lines shown in Proposed Change 1 (PC1) to the Canterbury Regional Policy Statement (RPS), which have already been adopted in the district plans of neighbouring Waimakariri (November 2011) and Selwyn (April 2011) districts.
3. The revised airport noise contour lines (**Attachment 2**) were based on updated assumptions about aircraft mix and the flight technology now used, and updated figures for ultimate capacity of the airport as a result of the proposed Simultaneous Operations (SIMOPs) mode of operation. Further information on SIMOPs is in the attached background information.
4. The need to amend the existing noise contours (**Attachment 3**) in the City Plan planning maps arises because of its inconsistency with Chapter 6 (containing PC 1/Chapters 12A and 22) of the Proposed RPS 2011, and it being inconsistently reflected across district boundaries within the Greater Christchurch area with different contours being used on different sides of local authority boundaries.
5. **Attachment 4** shows the existing 50 dBA Ldn noise contour in the City Plan overlaid on the proposed new contours that are within the Council's territorial area. In the main on the western side of the airport there is considerable reduction in the area that the 50dBA noise contour covers (reduced area shown yellow) – with a slight extension for the northwest flight path (extended area shown red). On the eastern side of the airport the 50 dBA noise contour extends slightly (relative to the size of the reduction on the western side – extended area shown red) closer to and over the existing urban area - with an exception of a reduction of the 50dBA contour of the north west flight path from Hagley Park into Fendalton/Riccarton (reduced area shown yellow).
6. This new extended 50 dBA Ldn contour on the eastern side of the airport forms the boundary to which new Greenfield residential development may extend towards the airport in proposed Change 1 to the RPS. New urban development signalled by proposed Change 1 to the RPS can sit between the 50 and 55dBA Ldn contours – but it cannot be noise sensitive activity (including residential activity).
7. There are existing rules in the City Plan, related to protecting airport operations from noise related reverse sensitivity effects.¹ Different rules and consent thresholds e.g. discretionary or non-complying or even prohibited activities apply to establishing noise sensitive activities in the different contour areas. In general the consent threshold becomes a higher hurdle the closer a noise sensitive activity gets to the airport. These rules are not being changed by this plan change.
8. However there are no existing rules that will affect existing residential development between the new 50dBA and 55dBA noise contours. The new 50 dBA contour is effectively a policy line delineating the point at which future residential development cannot extend. There are some

¹ Rules that control the establishment of activities (e.g. residential activities) that might be affected by noise generated by airport activities – thereby leading to complaints and potential curbing of airport operations.

6 Cont'd

small pockets of existing residential urban development (e.g. at Yaldhurst, Belfast, Nunweek) that sit inside the new 50 dBA contour – however these zones were established prior to these new contours and are not affected. The reduction in the extent of noise contour of the northwest flight path over the central city shows that fewer existing residents in these areas will be affected by noise from airport operations in the future.

9. The proposed amendments will alter one policy (6.3A.7 in Volume 2 of the City Plan), and the Explanation and Reasons for Policies 6.3A.7 and 7.8.1-7.8.3. The amendment changes the emphasis from *discouraging* noise activities within the 50 dBA contours to *avoiding* these activities within the contour – with the exception of listed existing activities. This change strengthens the policy and helps it be consistent with Policy 1 and Map 1 of proposed Change 1 to the RPS.
10. While PC1 is still subject to appeal, and therefore a 'Proposed' RPS, there is a requirement under section 74(2)(b) of the RMA for regard to be had to it when preparing or changing a district plan. It is considered that considerable weight should be given to PC1 in considering the need for the location of the contour in the City Plan to align with that in PC1.
11. Section 74(2)(c) also requires the Council to have regard to the extent that the City Plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities. Given that the issues around the airport noise contour and the policy approach should be dealt with consistently irrespective of the district, it is considered that considerable weight should be given to this matter as a reason to pursue proposed Plan Change 74. Further, the new 50-55 dBA Ldn noise contours are now anchored at the northern and southern ends of the flight paths.

FINANCIAL IMPLICATIONS

12. Should the Council resolve to notify the plan change there are legal processes which must be followed in accordance with the First Schedule of the RMA. This is a standard process that all plan changes must follow and if the processes are correctly followed, no particular financial risks are foreseen.
13. There would be costs arising at various stages of the plan change process relating to consultation, the preparation of officer reports and a hearing in response to submissions. The scale of costs would depend on the level of complexity of the submissions received. There is the potential for costs associated with responding to any Environment Court appeals received. Funding is provided from existing budget as part of the District Planning work programme agreed by the Council.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

14. The recommendations and costs incurred align with the relevant budgets and work programme as provided for under the 2009-2019 LTCCP budget.

LEGAL CONSIDERATIONS**Have you considered the legal implications of the issue under consideration?**

15. There is a legal process which must be followed for plan changes in accordance with the First Schedule of the RMA is familiar to the Council through both the private plan change process and in respect of Council initiated plan changes. Proceeding in accordance with these procedures should create no particular risks.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?**

16. The process of Council initiated plan changes is provided for under the LTCCP and Activity Management Plans. This proposed plan change is specifically identified as a project within the Council's District Planning Work Programme.

6 Cont'd

17. The LTCCP identifies an ongoing programme of maintaining and reviewing the City Plan improvements in respect of enhancements to ensure an attractive built environment and to minimise adverse effects on the environment. The proposed plan change is specifically identified as a project within the Council's District Planning work programme.

ALIGNMENT WITH STRATEGIES**Do the recommendations align with the Council's strategies?**

18. The Council, in partnership with neighbouring District Councils (Selwyn and Waimakariri), the Regional Council (Environment Canterbury - ECan) and the New Zealand Transport Agency (NZTA – formerly Transit NZ), produced the Greater Christchurch Urban Development Strategy and Action Plan (UDS) in 2007. The strategy aims to promote a collaborative and integrated approach to managing future urban growth of the Greater Christchurch area until 2041. The UDS encourages the parties to work together to develop actions which enrich lifestyles, enhance environments, encourage prosperous economics and manage growth.
19. The UDS recognises the economic importance of the Airport as strategic regional infrastructure that needs to be protected through growth management². A specific action point is 'Reinforce reverse sensitivity boundaries for the Christchurch International Airport...'

CONSULTATION FULFILMENT

20. The revised airport noise contours have been through extensive public consultation through the proposed Change 1 to the RPS process and technical input through the expert panel appointed to determine the contours. There are appeals primarily against the policy response in proposed change 1 to the RPS rather than the technical process that was used to determine the contours. District Planning is also undertaking work in relation to the north west review area. As part of the consultation on that process land owners were asked their views on what were appropriate land uses within the contours. On proposed Plan Change 74 Airport Noise Contours, officers have consulted with ECan and Christchurch International Airport Limited (CIAL). Officers have informed Selwyn and Waimakariri District Councils, and New Zealand Transport Agency.
21. As part of the plan change process Council staff will continue to consult with affected landowners, though for existing 'developed' areas that the changes do not impact on established development rights. It is likely that those parties with Greenfield development aspirations who have challenged the RPS provisions will also challenge these, as a matter of course.

STAFF RECOMMENDATION

It is recommended that the Planning Committee recommend that the Council:

- (a) Adopt the attached proposed plan change and assessment under Section 32 of the Resource Management Act 1991.
- (b) Proceed to publicly notify proposed Plan Change 74 to the City Plan pursuant to the provisions of the First Schedule of the Resource Management Act 1991.

BACKGROUND (THE ISSUES)

22. The current City Plan does not contain an up-dated location of the noise contours which have been adopted in the district plans of neighbouring Waimakariri and Selwyn districts, and which are shown in Proposed Change 1 (PC 1) to the Regional Policy Statement (RPS).
23. It is appropriate that the inconsistency of the City Plan with the airport noise contours shown on Map 1 of PC1, and with the noise contours and associated regulatory regime in neighbouring

² 6.9.4 Actions – Greater Christchurch Urban Development Strategy and Action Plan; 2007; P. 72

6 Cont'd

districts, is addressed by a targeted change to the City Plan. This arises because the noise contours in the City Plan planning maps are now inconsistent with PC1, potentially creating confusion particularly for landowners in the north-west area of the City.

24. The provisions set out in the plan change, titled "Proposed Plan Change 74 Airport Noise Contours" would mean that the City Plan would be consistent with the Waimakariri and Selwyn District Plans on this matter, and the accepted location of the airport noise contours would be consistently reflected across district boundaries within the Greater Christchurch area, rather than different contours being used on different sides of local authority boundaries.

How the 50dBA contour has been established

25. The 50 dBA Ldn line is shown on Map 1 of PC1, ie the 50 dBA Line as remodelled by a panel of noise experts in 2007, and sanctioned by the Environment Court through the acceptance by the Environment Court of an agreed methodology for measuring the noise contour (DJ and AP Foster v Selwyn District Council, C138/2007, 1 November 2007). This modelling was reflected in the noise contour included in Variation 4 to PC1.
26. The revised shapes and sizes of the three noise contour lines (explained below) were based on updated assumptions about aircraft mix and the flight technology now used, and updated figures for ultimate capacity of the airport as a result of the proposed SIMOPs (of both runways) mode of operation.
27. The now established 50 dBA Ldn line is a line representing average noise (at the ultimate capacity of the airport) over the busiest three months of airport operation, weighted by a 10 dB penalty for night noise to account for sleep disturbance.

The City Plan's Existing Approach

28. In the Christchurch City Plan the 50 dBA line has been used for some years as a potential policy boundary in the urban growth chapter, Part 6 of Volume 2, to mark the limit of rezoning for noise-sensitive urban purposes in the direction of the airport. In recent years the relevant policy has been reworded to cover noise-sensitive activities in general in this location. The 50 dBA Ldn line is the outermost of three noise contours shown in the City Plan (see attached Map 1: Existing Airport Noise Contours in City Plan).
29. The remodelling of the noise contours affects all three contours (see attached Map 2: New Airport Noise Contours to go into City Plan). Moving inwards towards the airport proper and the airport runways, the "middle" line is the 55 dBA Ldn line. This line is used in the Christchurch City Plan as a regulatory boundary to mark the area within which acoustic insulation is required for those noise-sensitive uses, including dwellings) which are already located there, when they expand or redevelop, or when new noise-sensitive activities permitted by the Plan by exception to the general policy (see below), are developed.
30. The innermost noise contour in the Christchurch City Plan is the 65/95 SEL dBA line. This line cannot be directly compared to the other two noise contours as it is derived on a different basis. It is the outer extent of either the 65 dBA Ldn line or the 95 dBA SEL (single event) line, depending on which is outermost in any location. This line takes account of infrequent but at times loud noise produced, when planes land over the City onto the cross-runway in northwest wind conditions. The 65/95 SEL dBA line is the City's Air Noise Boundary as defined in NZS 6805: 1992 Airport Noise Management and Land Use Planning, and it is the line within which new noise-sensitive activities are prohibited, in accordance with that standard.
31. In Christchurch City, there are a number of noise-sensitive activities already located within the air noise contours. For example the 50 dBA noise contour around the cross or north-west runway already extends across a wedge of Avonhead, Ilam and Riccarton living zones. In addition, for some years the City Plan has acknowledged that it is appropriate to provide for houses on permitted rural lots around the airport, to facilitate productive use of this rural land. This means that some exceptions to the avoidance policy of PC1 are required for the Christchurch City situation.

6 Cont'd

32. Clarifying where in fact the airport noise contours should be located now that there is consensus on the appropriate location of the contours, has significant benefits for landowners in terms of certainty. This applies to both:
 - (a) where contour lines (eg the 65 Ldn/95 SEL composite air noise boundary) are shrinking inwards, and recognising the new smaller coverage of the contour would remove an unnecessary restriction to development; and
 - (b) where contour lines are expanding outwards (e.g. the 50 dBA Ldn line on the eastern side of the airport), and clear delineation on the City Plan maps would clarify where expectations of noise sensitive development eg further residential subdivision in the direction of the airport, are unrealistic.

Proposed Change 1 and Independent Fisheries' judicial review proceedings

33. Judicial review proceedings in the High Court were successfully pursued by Independent Fisheries Limited in relation to the decision by the Minister of Earthquake Recovery to make operative Chapters 12A and 22 of the RPS. That has resulted in the Minister's decision to make those chapters operative being quashed, meaning that PC1 has been reinstated. PC1 is still subject to a number of appeals, including in relation to the appropriateness of adopting a 50 dBA noise contour and an avoidance policy for noise sensitive activities within that contour.
34. The High Court decision has been appealed by the Minister and the UDS Partners to the Court of Appeal, with a hearing scheduled in November 2012. It is not known when a decision will be issued by the Court of Appeal, but may well be in early 2013.
35. While it is acknowledged that PC1 and the associated appeals have been reinstated at this stage, for reasons discussed below it is not considered to be a sufficient reason in itself not to pursue Proposed Plan Change 74 to the City Plan.

History of Planning Approach

36. There has been a long established policy approach supporting the use of a 50 dBA noise contour surrounding the airport, to prevent reverse sensitivity of residential subdivisions giving rise to restrictions on the operation of the airport. For decades the regional and district Councils in Greater Christchurch have adopted the stance that there needs to be a rural buffer between the strategic infrastructure that is the Airport, and residential housing. The Airport has historically been protected from encroachment by urban development under regional planning documents and district plans.
37. Although the description of the point where restrictions against residential development begin now has a modern name "50 dBA Ldn contour", a rural buffer has always existed between the Airport and residential zoning which begins at approximately the 50 dBA Ldn contour. That has been a deliberate policy decision by Councils, in both regional and district planning documents. It should be noted however that the former Paparua District Scheme used the 55 dBA noise contour, whereas the former Waimairi District Scheme adopted the more stringent 50 dBA. There was no noise level specified in the Canterbury Regional Planning Scheme (operative 1985), although there was a policy to restrain urban growth in the vicinity of the Airport which territorial local authorities had to give effect to.
38. In the City Plan as notified in 1995, the land containing the Airport is zoned Special Purpose (Airport). The majority of this land is also designated for Airport Purposes. Land surrounding the Airport is zoned Rural 5 (Airport Influences) Zone, and the more stringent 50 dBA was used as a basis for determining the limits of urban residential development.
39. In the operative RPS Christchurch International Airport is defined as a strategically important piece of physical infrastructure which can be put at risk by land uses and activities which impede its efficient and effective operation.

6 Cont'd

40. The purpose of the Special Purpose (Airport) Zone is stated to be “primarily the continuation of primary production while managing land use activities to avoid compromising airport operations and development” (Vol 3, page 4/5, Zone description and purpose). Among the environmental results anticipated in that statement is:

“(c)A level of intensity of land use activities and future subdivision activities within this zone so as to ensure that neither of these lead to demands for curfewed airport operations.”

41. Minimum subdivision standards for that part of the Rural 5 zone to the east and south of the Airport, are set at 4.0 ha (as a critical standard) by rule 4.3.1 in Section 14 (subdivision) of Volume 3. The minimum net site area for a residential unit in this part of the Rural 5 zone is also set at 4.0ha (as a critical standard) by rule 2.5.2 in Section 4 (Rural Zones), Volume 3. To the north and west of the Airport, the corresponding subdivision and minimum net site area requirement is 20 ha. This continues the lot size minimum from the preceding plans.
42. This approach and the use of the 50 dBA contour has been upheld by the Courts in a series of cases, including: Gargiulo v Christchurch City Council, C137/00; Robinsons Bay Trust v Christchurch City Council, C060/04; and National Investment Trust v Christchurch City Council, C041/05. In essence, the Courts have upheld the approach that noise-sensitive uses should be avoided within the 50 dBA contour, and this approach is consistent with and gives effect to the operative RPS objectives and policies regarding the Airport.

ALIGNMENT WITH SUPERIOR PLANNING DOCUMENTS

43. While PC1 is still subject to appeal and therefore a proposed regional policy statement, there is a requirement under section 74(2)(b) of the RMA for regard to be had to it when preparing or changing a district plan. In light of the long established planning policy regarding the use of the 50 dBA contour and the protection of the Airport from noise sensitive uses locating within that contour, it is considered that considerable weight should be given to PC1 and the need for the location of the contour in the City Plan to align with that in PC1.
44. Section 74(2)(c) also requires the Council to have regard to the extent that the City Plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities. Given that the issues around the airport noise contour and the policy approach should be dealt with consistently irrespective of the district, it is considered that considerable weight should be given to this matter as a reason to pursue proposed Plan Change 74.

CONTENT OF PROPOSED PLAN CHANGE 74

45. The proposed amendments will alter one policy (6.3A.7 in Volume 2 of the City Plan), the Explanation and Reasons for Policies 6.3A.7 and 7.8.1-7.8.3, and the appropriate Planning Maps. No new objectives or amendments to objectives are proposed.
46. The proposed amendments to the City Plan are attached to this report. This section summarises the key amendments.

Volume 2, Section 6 Urban Growth: 6.3A.7 Airport Operations

47. The amendment to Policy 6.3A.7 changes the wording from “discouraging” noise-sensitive activities within the 50 dBA contour to the RPS wording “avoiding” them, but subject to certain necessary exceptions, which already existed in the City Plan. (No new exceptions are proposed). The exceptions recognise existing development lawfully established prior to the adoption of the original airport noise contours, and other developments established or approved prior to the revision of the airport noise contours in 2008. They also recognise the need for housing on rural blocks within the airport noise contours to enable best use and management of those lands.

6 Cont'd

48. The relevant objective for peripheral development is

"6.3A Peripheral urban development of a scale and character consistent with a primary emphasis on urban consolidation; which avoids, remedies or mitigates adverse impacts on water, versatile soils, significant amenity values and other natural resources; and which makes efficient use of physical infrastructure."

49. Christchurch International Airport lies at the western periphery of Christchurch very near the built up areas of the City. The purpose of the airport noise contours being shown on the City Plan Planning Maps is to use them as policy and regulatory boundaries as described above, and thereby to provide for the uncurfewed operation and development of the airport, while at the same time limiting noise created by airport operations and avoiding adverse effects on the health and amenity of nearby residents.
50. The current policy and proposed amendment are considered necessary to address the amenity values referred to in the objective, and to enable efficient use of the important physical infrastructure which in this case is the airport. Water, versatile soils and other natural resources mentioned in the objective are not affected by this amendment.
51. The amended policy will still be efficient and effective in achieving the above Objective 6.3A

Planning Maps 3B, 6B-10B, 14B-18B, 22B-24B, 29B-31B, 35B-38B, 42B-43B, and 50B (Attachment 1B)

52. The appropriate planning maps are proposed to be amended to provide integration across territorial boundaries than the alternative options of retaining the existing contours or devising alternative means of managing the effects of aircraft noise. It would neither be efficient nor effective to continue to rely on outdated contours because of the confusion it would cause.

PROCESSING OF COUNCIL INITIATED PLAN CHANGES

53. This is a Council initiated plan change and is subject to the provisions of the First Schedule of the RMA. If the Council decides to notify the plan change then it would be notified in accordance with the provisions of this Schedule. The proposed plan change and Section 32 would be made available for submissions and further submissions. Submitters would then have the right to present their submission at a public hearing. Whether or not a hearing is held the Council would need to notify its decision. A right of appeal to the Environment Court would be available, for any person who made a submission on the proposed plan change.

THE OPTIONS

54. Amend the City Plan by adopting and publicly notifying proposed Plan Change 74:

It would run the risk of Chapters 12A/22 regaining its status, meaning that the Schedule 1 process wouldn't be necessary potentially meaningless because the Council would be required under the RMA to give effect to these Chapters. There is a possibility of the contours having to be amended again should the Court of Appeal uphold the decision of the High Court, *and* the contour lines be successfully challenged through the appeals on PC1.


55. Status quo - no change to the City Plan:

It could be argued that the Council should await the Court of Appeal decision on Chapters 12A and 22 before proceeding with this change. However, the change will be required irrespective of that decision because of the need for integrated planning and recognising the Proposed RPS. Both the northern and southern ends of the 50-55 dBA noise contours are pegged down and now the connection between them which runs through the Christchurch City needs to be secured.

6 Cont'd**THE PREFERRED OPTION**

56. Amend the City Plan by:

- (a) Adopting the attached proposed plan change and assessment under Section 32 of the Resource Management Act.
- (b) Proceeding to publicly notify proposed Plan Change 74 to the City Plan pursuant to the provisions of the First Schedule of the Resource Management Act 1991.

	Resource Management Act 1991 Christchurch City Plan Proposed Plan Change	74
<p>Note 1: The proposed rules in this Plan Change will have no legal effect under Section 9 and Clause 10(5) of Schedule 1 of the Resource Management Act until the Council gives public notice of its decision on the plan change and matter raised in submissions.</p> <p>Note 2: All other provisions of this Proposed Plan Change have legal effect under Section 9 of the Resource Management Act from the date of notification but may be subject to submissions and will not have full legal effect until they are beyond the point of challenge.</p> <h2 style="text-align: center;">AIRPORT NOISE CONTOURS</h2> <h3>Explanation</h3> <p>Amendments to the Series B Planning Maps substitute revised airport noise contours around the Christchurch International Airport for those currently in the City Plan.</p> <p>The amended contours are the product of a re-evaluation of the contours in the light of new aircraft types and engines, new ways of controlling aircraft movements at and near airports, and an updated assessment of the capacity of the runways at Christchurch International Airport, since the original contours were produced in 1994. The amended contours were prepared by a representative working party of experts from the Regional and all affected District Councils, airways authorities and affected landowners, and were approved by the Environment Court in 2008 for use in the Selwyn District. They now form part of the Proposed Regional Policy Statement (RPS) 2011 and have been included in the adjacent District Plans for the Waimakariri and Selwyn District Councils..</p> <p>Amendments to Policy 6.3A.7 of the City Plan are also proposed. These amendments result from the fact that the Proposed RPS now provides for noise-sensitive activities to be <i>avoided</i> rather than <i>discouraged</i> within the 50dBA contour, and also amends the definition of noise-sensitive activities slightly. The City Plan amendments change the policy from <i>discouraging</i> noise-sensitive activities within the 50dBA contour to <i>avoiding</i> them, subject to certain exceptions. The exceptions recognise that:</p> <ul style="list-style-type: none"> • there is a continuing need for permitted housing on rural blocks within the airport noise contours in association with rural activities, to enable best use and management of this land, and • some areas in the existing Living zones in Christchurch are within the 50dBA contour around the southern end of northwest runway and at Masham and Templeton, and • there is existing development lawfully established prior to the RPS becoming operative, and that the RPS provides for limited new residential development within the revised airport noise contours at Belfast. 		

Date Publicly Notified:**Date Operative:****Plan Details:**

Planning Maps 3B, 6B-10B, 14B -18B, 22B-24B, 29B -31B, 35B-38B, 42B- 43B, and 50B

File No: PL/CPO/3/74

CITY PLAN AMENDMENTS

Note: For the purposes of this plan change, any text proposed to be added by the plan change is shown as **bold underlined** and text to be deleted as ~~**bold strikethrough**~~.

Amend the City Plan as follows:

(A) AIRPORT NOISE CONTOURS

1. Volume 3, Planning Maps

Amend Planning Maps 3B, 6B-10B, 14B -18B, 22B-24B, 29B -31B, 35B-38B, 42B-43B, and 50B, by

- (a) Deleting all existing noise contours, and
- (b) Substituting new noise contours as shown on the attached planning maps.

2. Volume 2, Policy 6.3A.7 Airport operations

6.3A.7 Policy : Airport operations

(a) Amend the policy as follows:

To ~~discourage~~ **avoid** noise-sensitive activities within the 50 dBA Ldn noise contour around Christchurch International Airport **except**:

- **those permitted in conjunction with rural activities in the rural zones, and**
- **activities within the existing Living zones as defined in the city plan as at 17 October 2011;**
- **activities in any Greenfields Area – Residential CN1 shown in Proposed Change 1 to the Canterbury Regional Policy Statement, and**
- **activities in the Open Space 3D (Clearwater) zone as at 17 October 2011.**

(b) Amend the first paragraph of the Explanation and Reasons for Policy 6.3A.7 as follows:

For the purpose of this Policy "noise sensitive activities" means:

- Residential activities ~~other than those in conjunction with rural activities and which comply with the rules in the plan;~~

- Education activities including pre-school places or premises, but not including flight training, trade training or other industry related training facilities within the Special Purpose (Airport) Zone **or on other land zoned or used for business activities;**
- Travellers accommodation except that which is designed, constructed and operated to a standard to mitigate the effects of aircraft noise on occupants;
- Hospitals, healthcare facilities and any elderly person housing or complex.

(c) Insert a new paragraph after the second paragraph of the Explanation and Reasons for Policy 6.3A.7 as follows:

Exception are made to this policy to recognise existing noise-sensitive activities in zones established prior to the adoption of the airport noise contours or which were established in accordance with the 1994 version of the contours. It also provides for an area at Belfast which was accepted for rezoning to residential purposes prior to the 2007 revision of the noise contours and subsequently included as a Greenfields Area in the Canterbury Regional Policy Statement. The exceptions also allow for the continuation of existing provisions which provide for permitted residential activities in association with rural activities, in order to provide reasonable opportunities for the use and management of those properties.

(d) Amend the fourth paragraph of the Explanation and Reasons for Policy 6.3A.7 as follows:

Noise-sensitive activities will not be allowed to occur within the Air Noise Boundary. Acoustic insulation will be required for all new residential development and noise sensitive activities and all additions to such activities between the 55 dBA Ldn noise contour and the Air Noise Boundary.

⁽¹⁾ The Air Noise Boundary is a composite line formed by the outer extremity of the 65 dBA Ldn noise contour and the SEL 95 dBA noise contour for a Boeing ~~747-200~~ **777-300** aircraft on the main runway and a Boeing 767-300 aircraft on the subsidiary runway.

3. Volume 2, Policies 7.8.1-7.8.3 Airport services

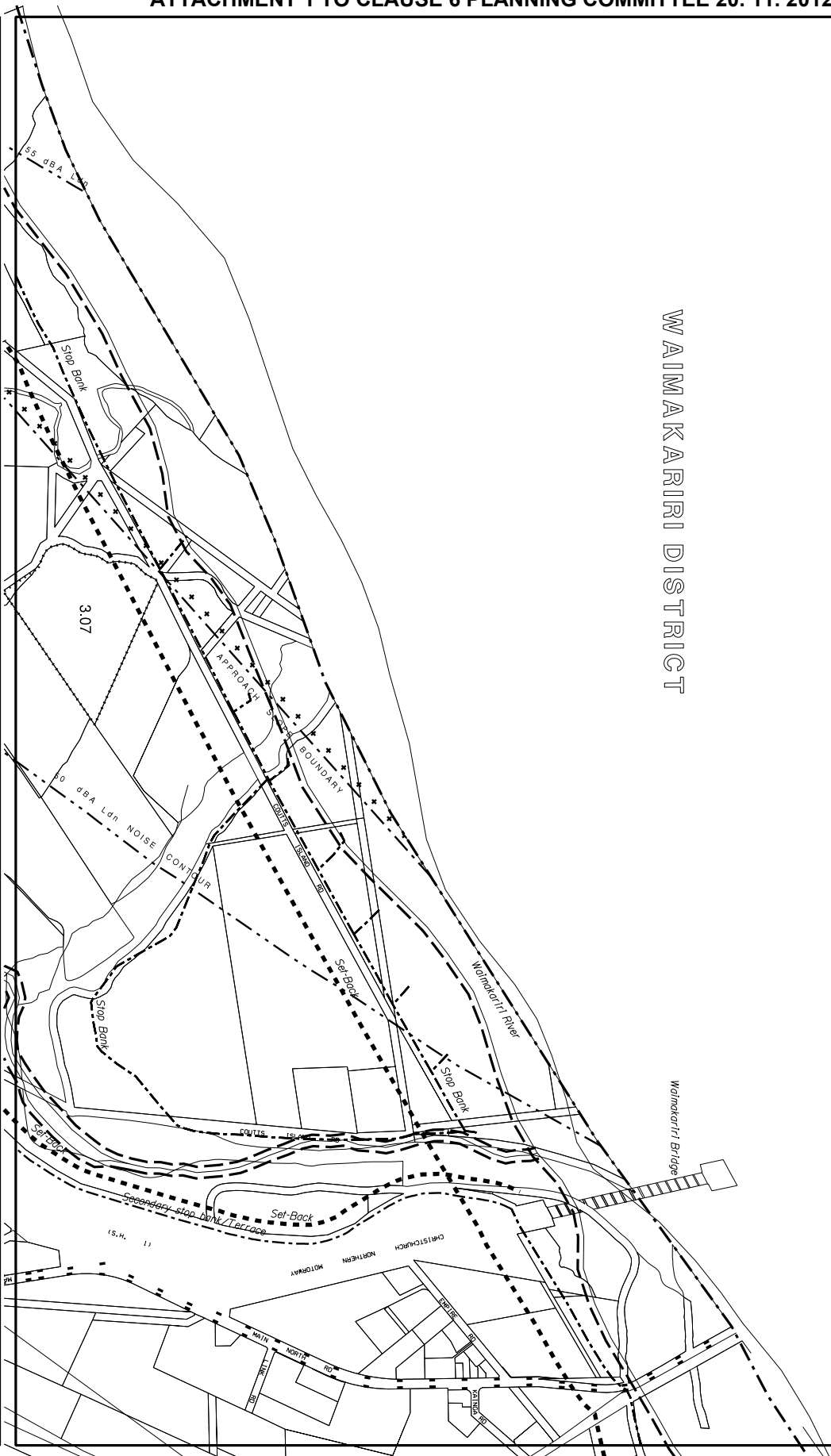
(e) Amend the last paragraph of the Explanation and Reasons for Policies 7.8.1 to 7.8.3, to match the definition of noise sensitive activities under Policy 6.3A.7, as follows:

In this explanation, "noise sensitive activities" means:

- Residential activities ~~other than those in conjunction with rural activities and which comply with the rules in the Plan;~~

- Education activities including pre-school places or premises, but not including flight training, trade training or other industry related training facilities within the Special Purpose (Airport) Zone, **or on other land zoned or used for business activities:**
- Travellers accommodation except that which is designed, constructed and operated to a standard to mitigate the effects of aircraft noise on occupants;
- Hospitals, healthcare facilities and any elderly persons housing or complex.

WAIMAKARIRI DISTRICT



Key cont'd

- City Boundary
- Summit Road Protection Act
- Airport/Airfield Approach Slope Boundaries
- Airport/Airfield Noise Control Boundaries
- Pylons
- Hazard line 1
- Esplanade Reserve or siltp required
- Scheduled Activity
- MHW.S. Mean High Water Springs
- Road to be stopped
- Limited Access Roads
- Indicative Roads
- Protected Object, Place or Building
- Protected Tree
- Group of Protected Trees
- Non-Operative Area
- Waimakariri River stopbank floodplain (pc32 non-operative)
- High hazard area (pc32 non-operative)
- Area exempted from Waimakariri River stopbank floodplain flood protection provisions (pc32 non-operative)
- Flood Ponding Area
- Flood Management Area
- Special Amenity Area
- Community Footprint
- Ecological Heritage "A" Sites
- Comprehensive Housing Improvement Area

City of
Christchurch

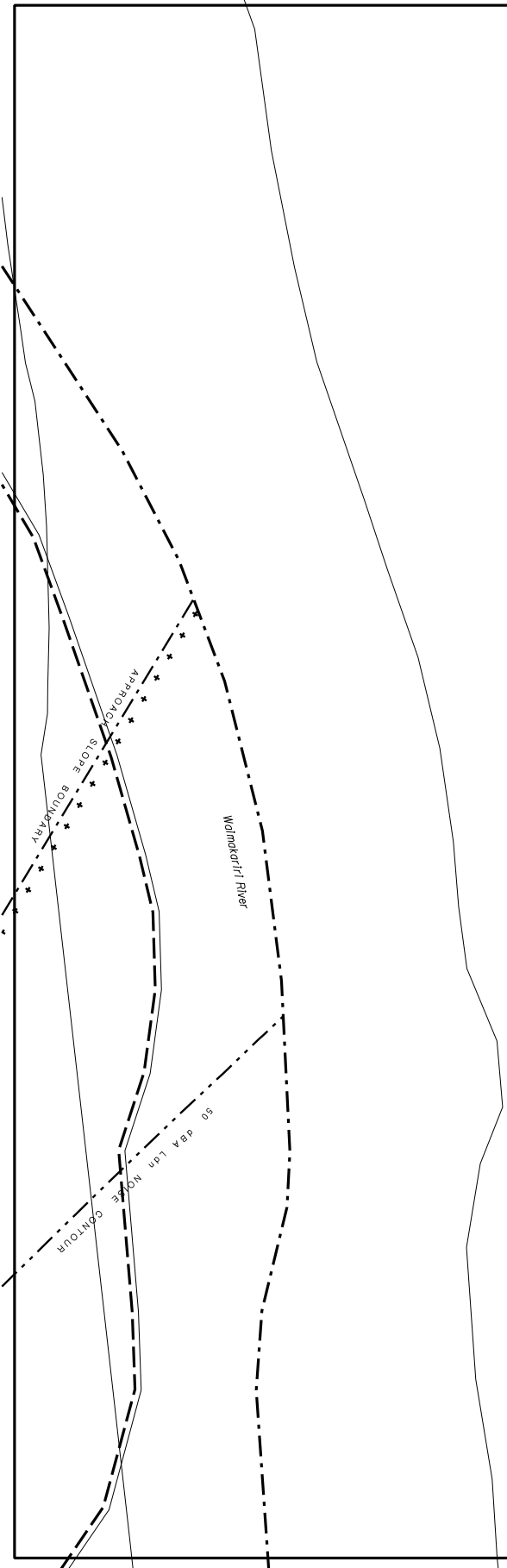
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WAIMAKARIRI DISTRICT



Key cont'd

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| --- City Boundary | xxx Road to be stopped | Waimakariri River stopbank floodplain (pc32 non-operative) | Special Amenity Area |
| --- Summit Road Protection Act | xxx Limited Access Roads | High hazard area (pc32 non-operative) | Community Footprint |
| --- Airport/Airfield Approach Slope Boundaries | --- Indicative Roads | Area exempted from Waimakariri River Stopbank Floodplain flood protection provisions (pc32 non-operative) | Ecological Heritage "A" Sites |
| --- Airport/Airfield Noise Control Boundaries | --- Protected Object, Place or Building | Flood Ponding Area | Comprehensive Housing Improvement Area |
| --- Pylons | --- Protected Tree | Flood Management Area | |
| --- Hazard line 1 | --- Group of Protected Trees | | |
| --- Esplanade Reserve or strip required | --- Non-Operative Area | | |
| --- Scheduled Activity | | | |
| --- MHW.S. Mean High Water Springs | | | |

City of
Christchurch

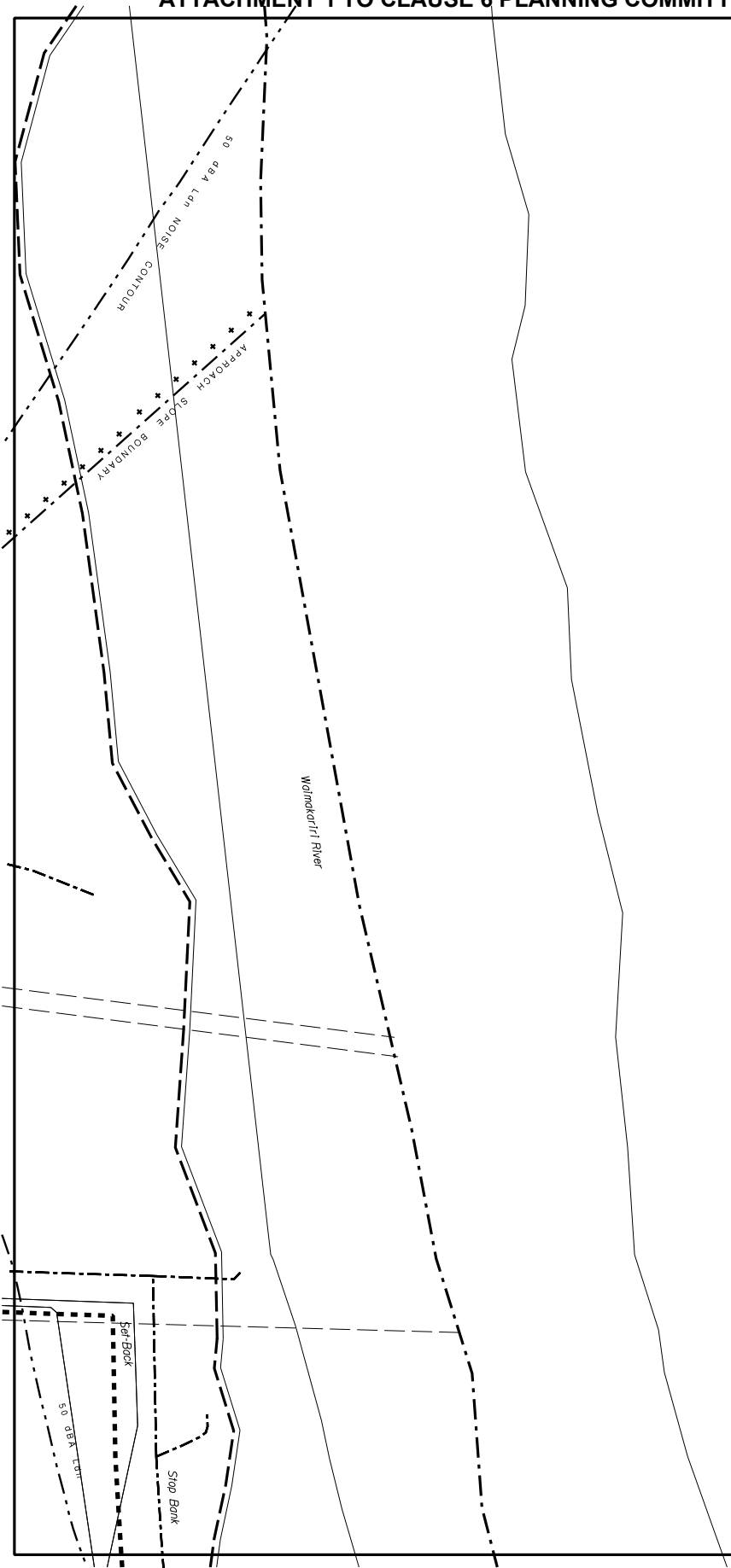
City Planning Maps

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WAIMAKARIRI DISTRICT



Key cont'd

- City Boundary
- Summit Road Protection Act
- Airport/Airfield Approach Slope Boundaries
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- Pylons
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City of
Christchurch

City Planning Maps

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WAIMAKARIRI DISTRICT

Waimakariri River

Stop Bank

50 dBA Ldn NOISE CONTOUR

Stop Bank

55 dBA Ldn NOISE CONTOUR

Key cont'd

- City Boundary
- Summit Road Protection Act
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City of Christchurch

City Planning Maps

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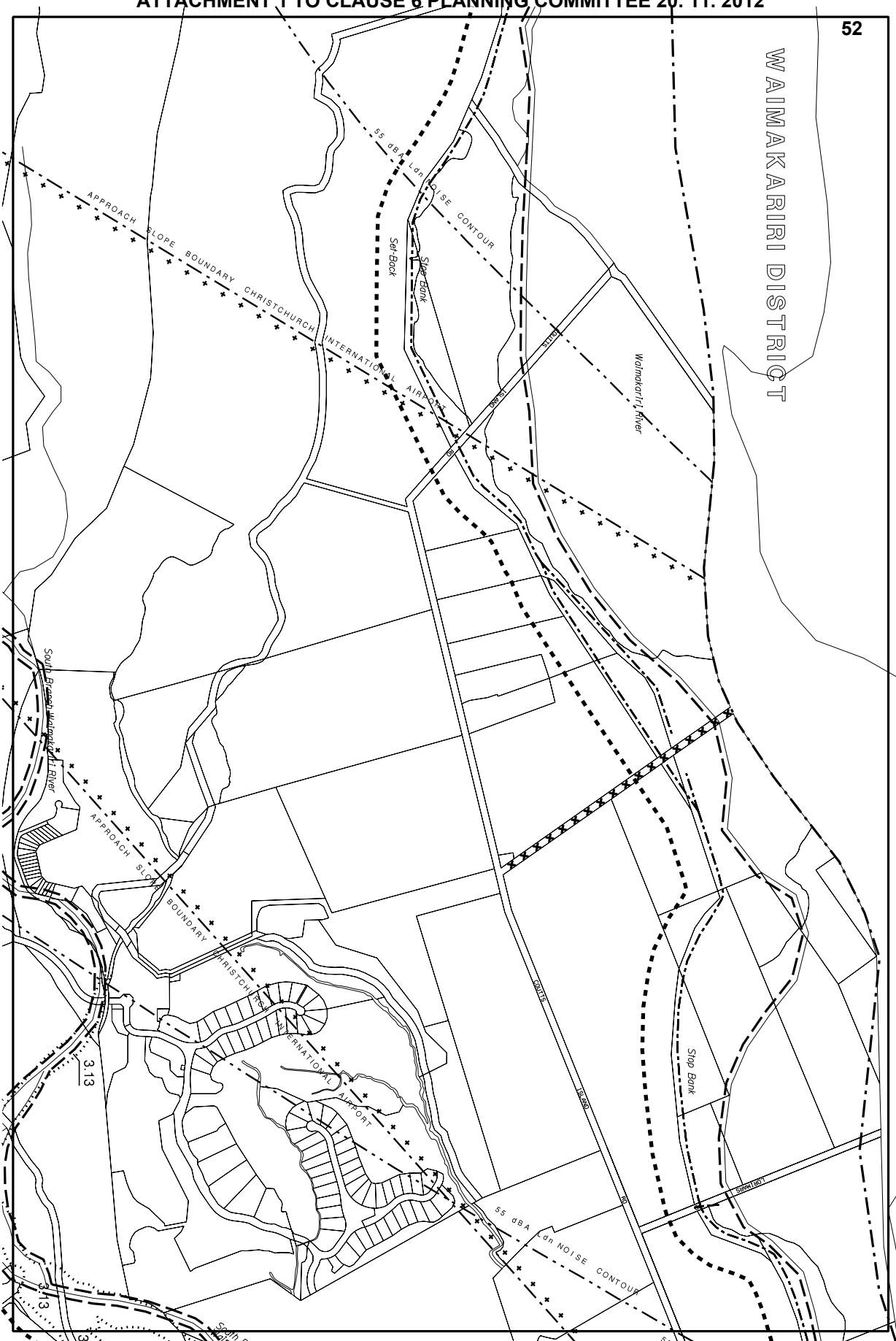
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WAIMAKARIRI DISTRICT

ATTACHMENT 1 TO CLAUSE 6 PLANNING COMMITTEE 20. 11. 2012



Key cont'd

- City Boundary
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City of
Christchurch

City Planning Maps

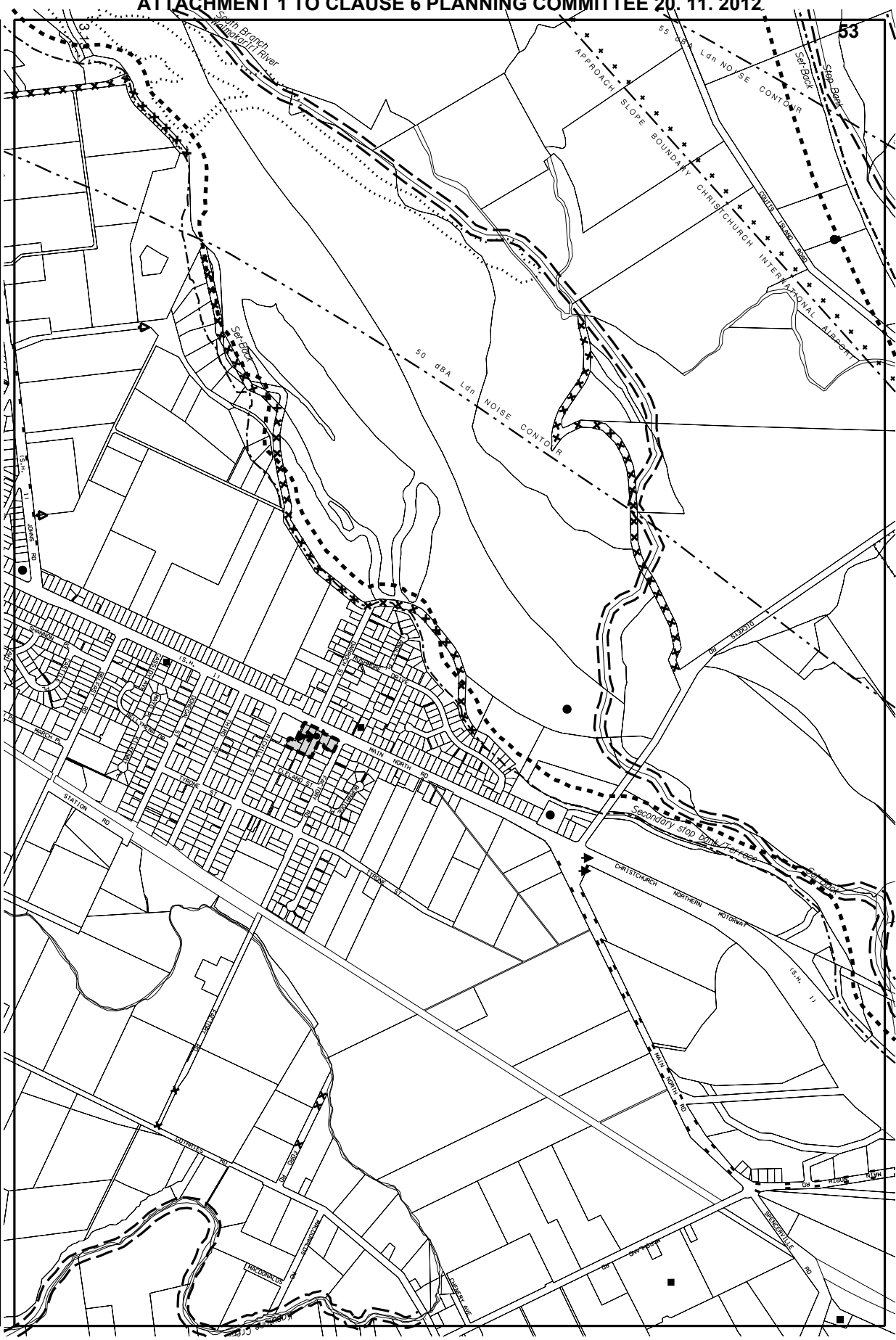
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NORTH



Key cont'd

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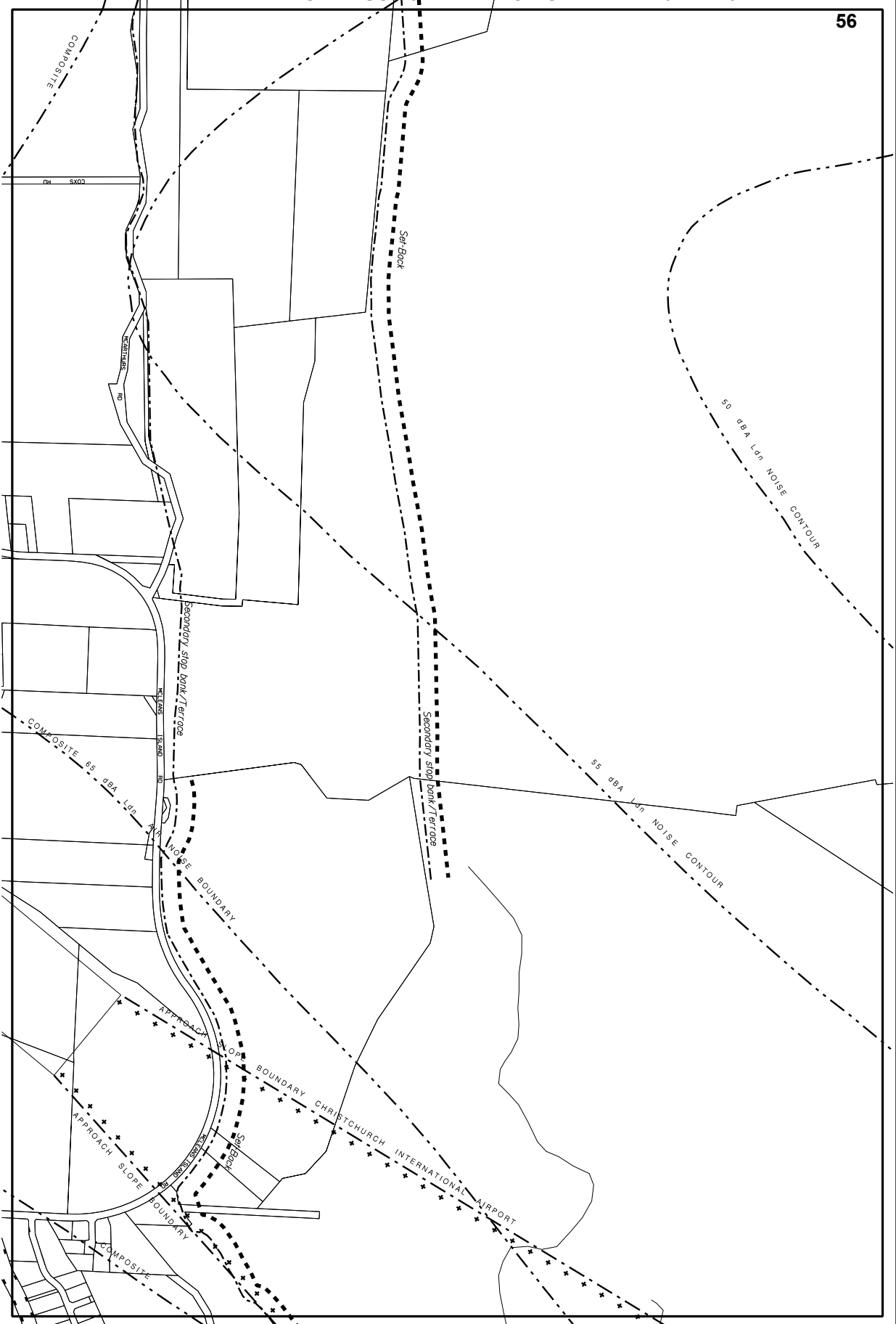
City of Christchurch

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Key cont'd

- City Boundary
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 **City of Christchurch**

City Planning Maps

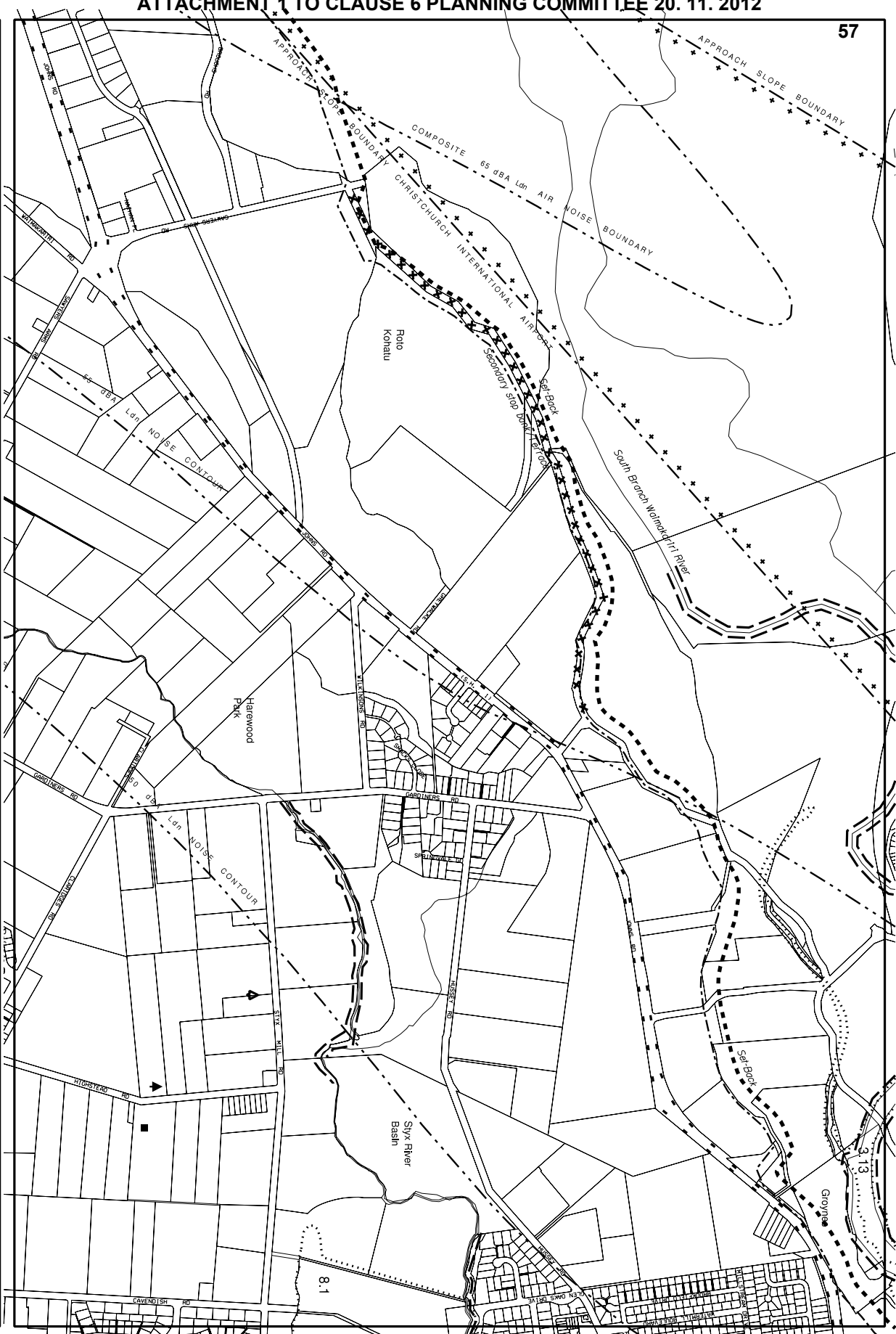
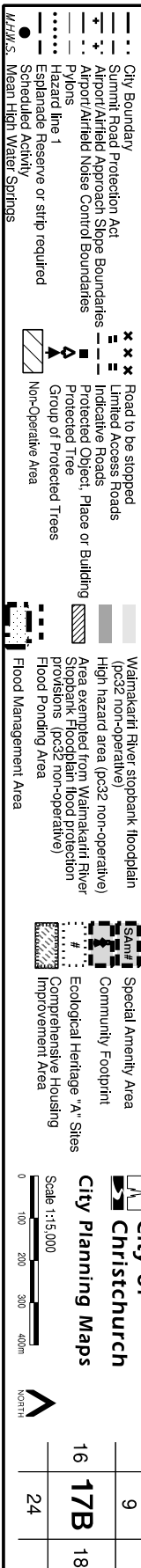
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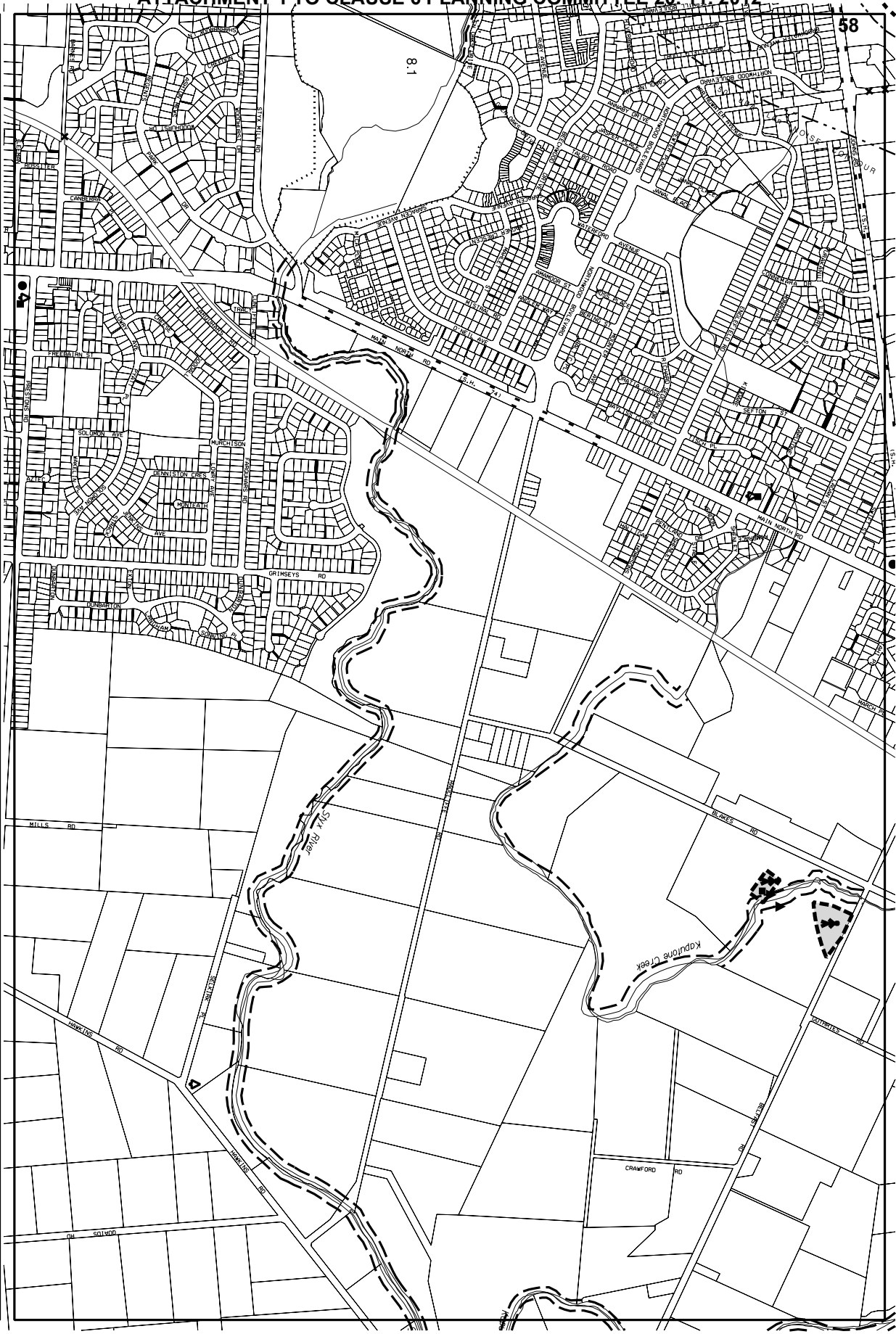
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- Airport/Airfield Approach Slope Boundaries
- Airport/Airfield Noise Control Boundaries
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- Hazard line 1
- Escalated Reserve or strip required
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City of Christchurch

City Planning Maps

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NORTH

Key cont'd

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- Pylons
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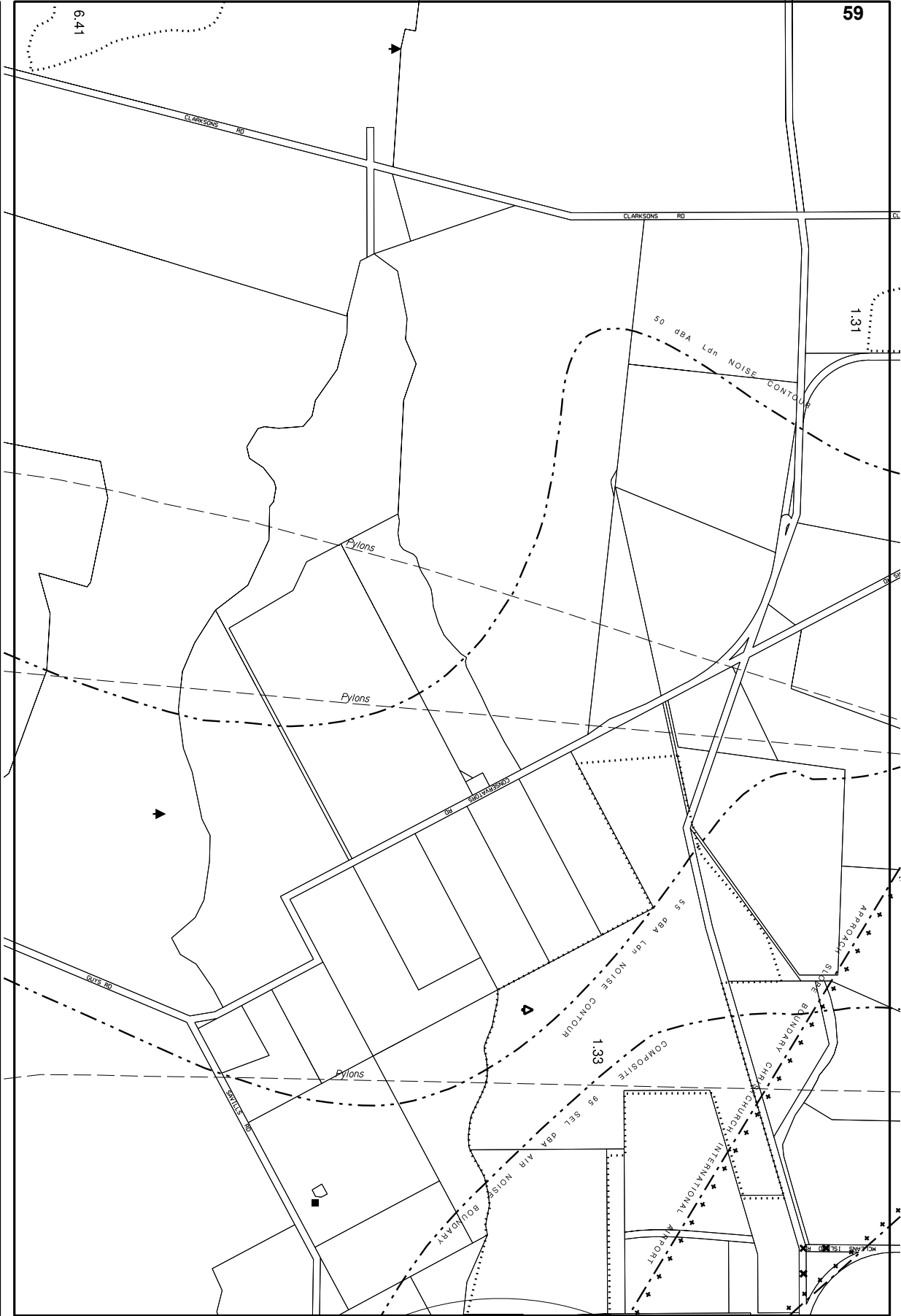
City of
Christchurch
City Planning Maps

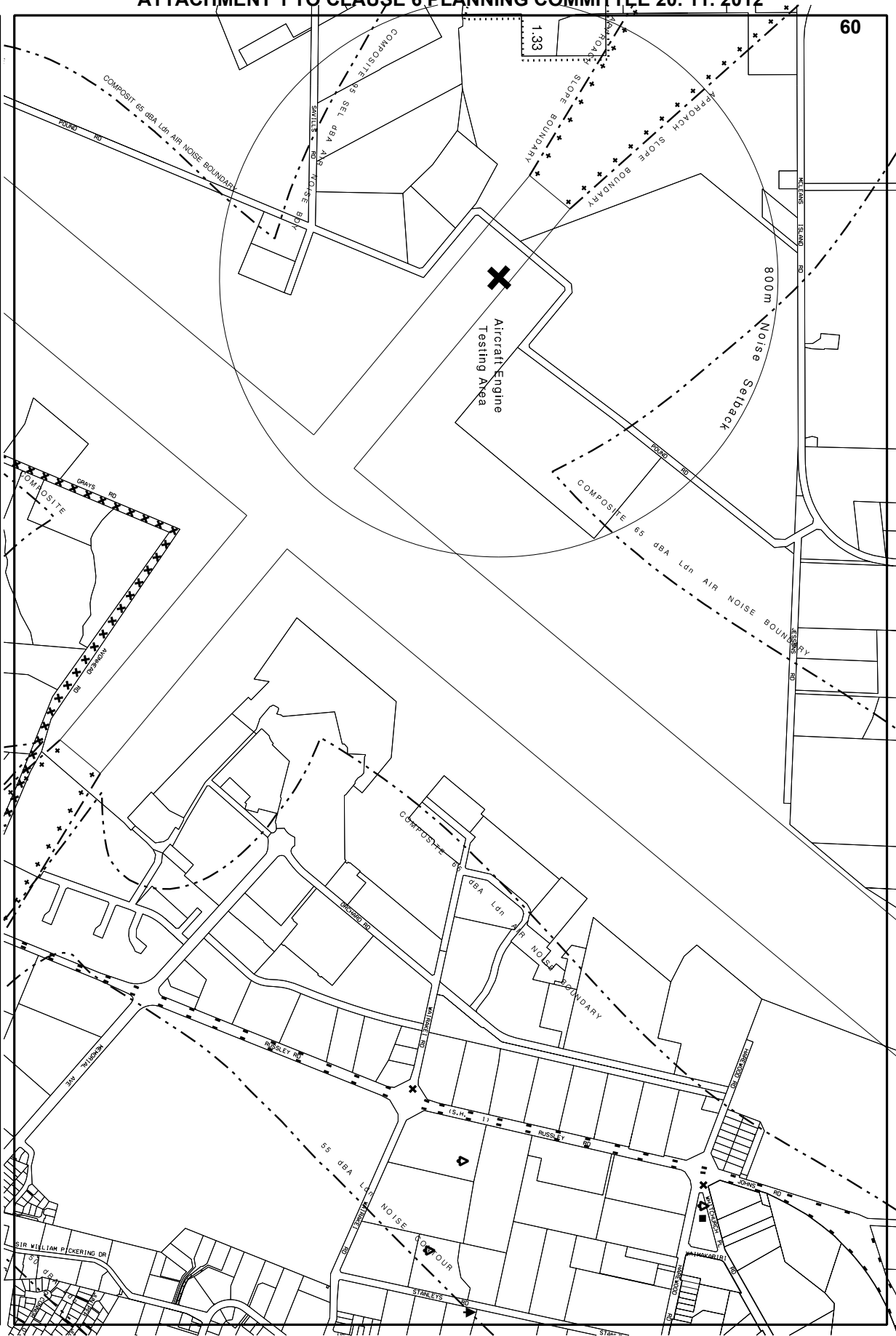
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NORTH





Key cont'd

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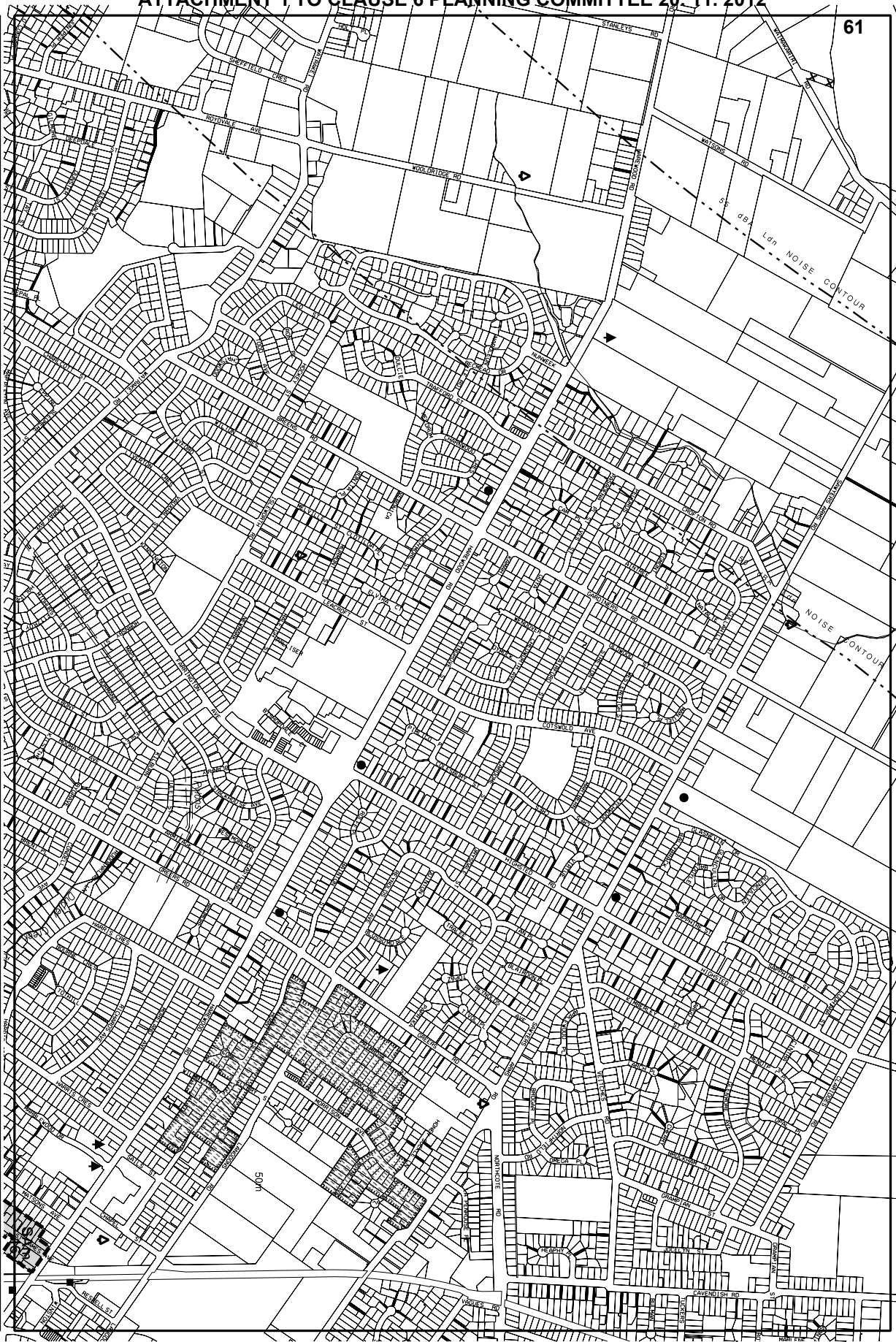
City of
Christchurch

City Planning Maps

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Key cont'd

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- Summit Road Protection Act
- Airport/Airfield Approach Slope Boundaries
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- Pylons
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City of Christchurch

City Planning Maps

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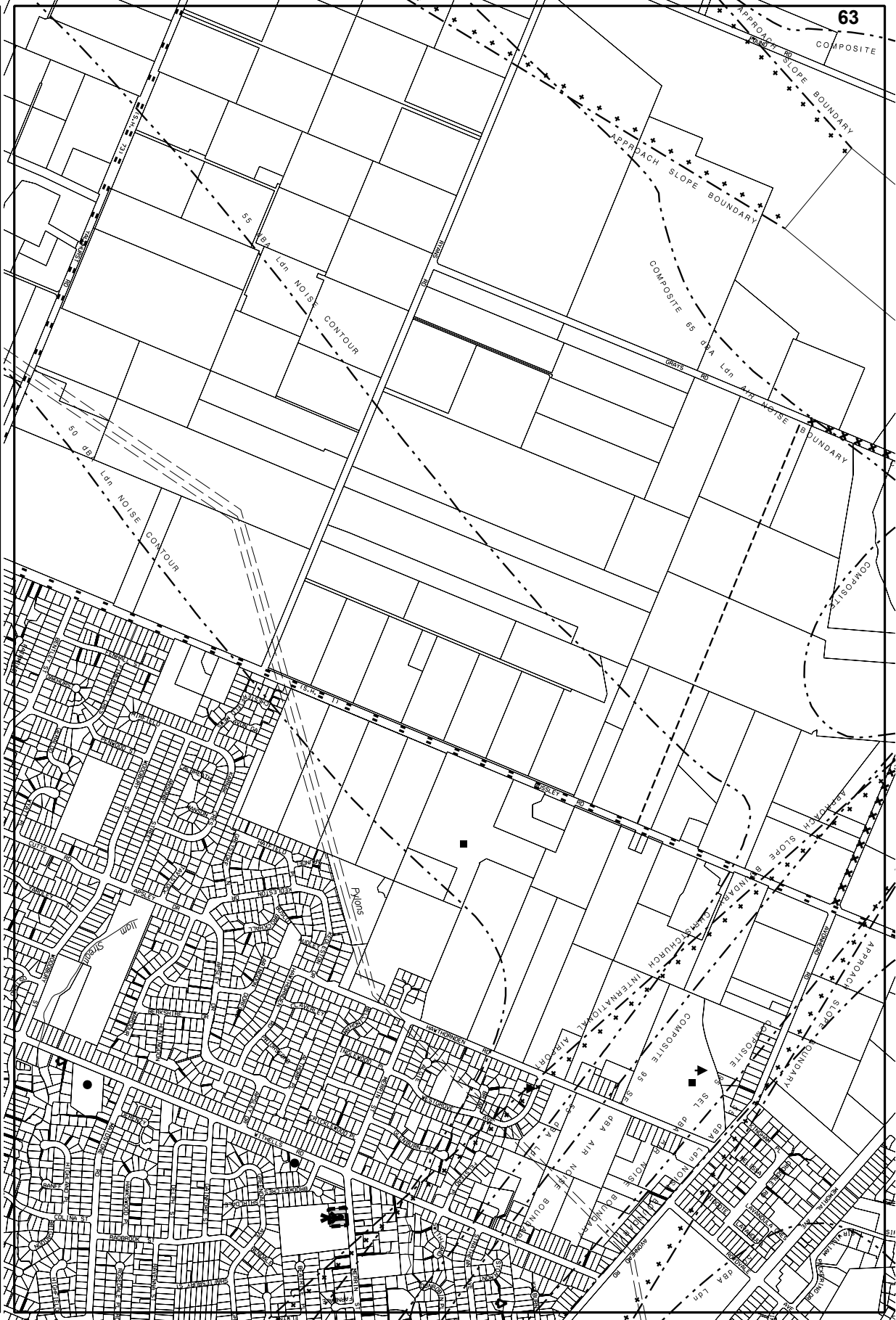
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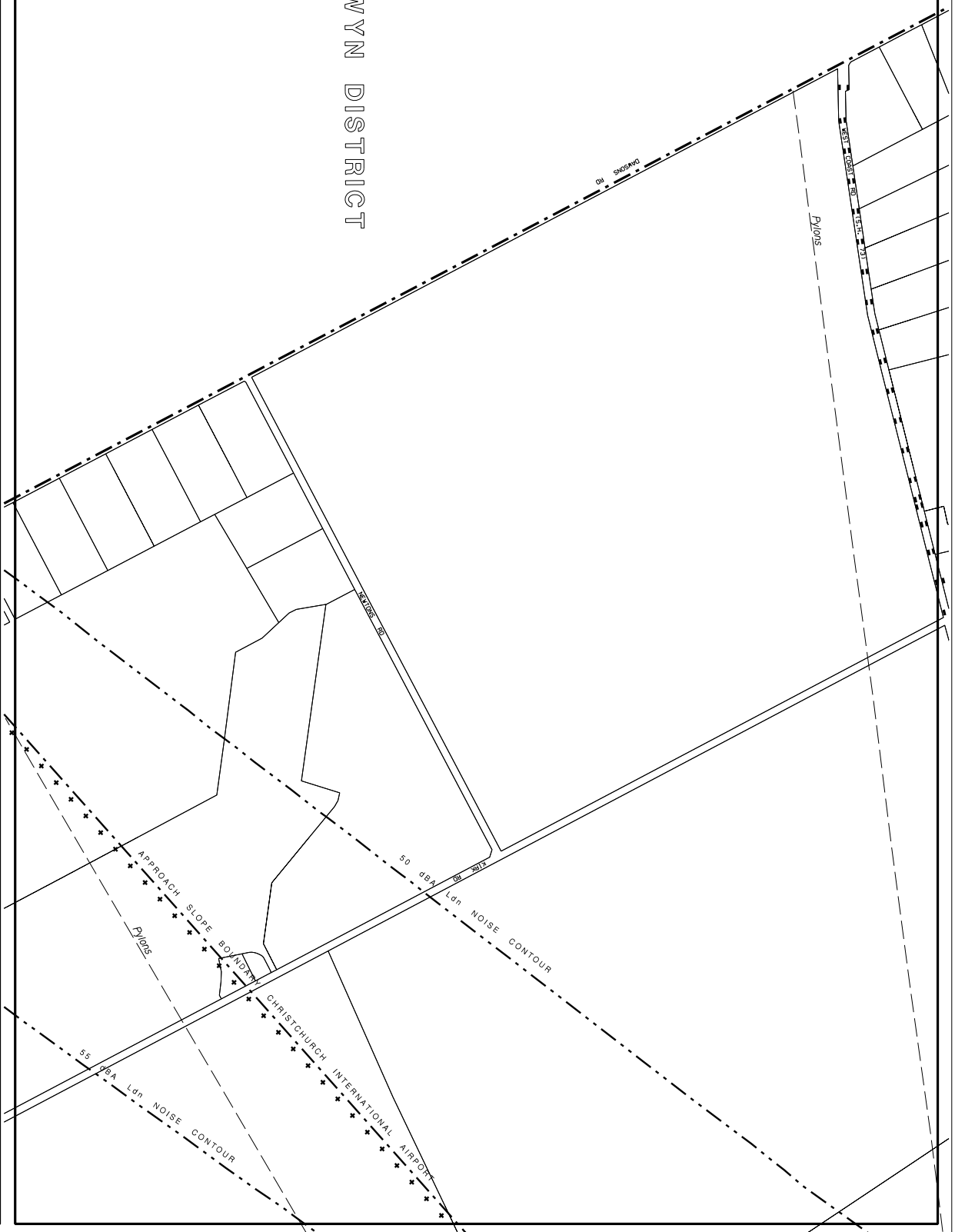
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- City Boundary
- Summit Road Protection Act
- Airport/Airfield Approach Slope Boundaries
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- Special Amenity Area
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- Comprehensive Housing Improvement Area
- City of Christchurch
- City Planning Maps
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Proposed Plan Change 74 - Airport Noise Contour











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SELWYN DISTRICT



— · · City Boundary

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|---|--|---|-------------------------------------|
| — | Summit Road Protection Act | — | Indicative Roads |
| — | Airport/airfield Approach Slope Boundaries | — | Protected Object, Place or Building |
| — | Airport/airfield Noise Control Boundaries | — | Protected Tree |
| — | Pylons | — | Group of Protected Trees |
| — | Hazard line 1 | — | Non-Operative Area |
| — | Explained Reserve or strip required | — | |
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|  | High hazard area (pc32 non-operative) |  | Community Footprint |
|  | Area exempted from Wainakariri River Stopbank Flood Protection provisions (pc32 non-operative) |  | Ecological Heritage "A" Sites |
|  | Flood Ponding Area |  | Comprehensive Housing Improvement Area |
|  | Flood Management Area |  | |

- City of Christchurch
City Planning Maps

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Key cont'd

- City Boundary
- Summit Road Protection Act
- Airport/Airfield Approach Slope Boundaries
- Airport/Airfield Noise Control Boundaries
- Pylons
- Hazard line 1
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- Group of Protected Trees
- Non-Operative Area

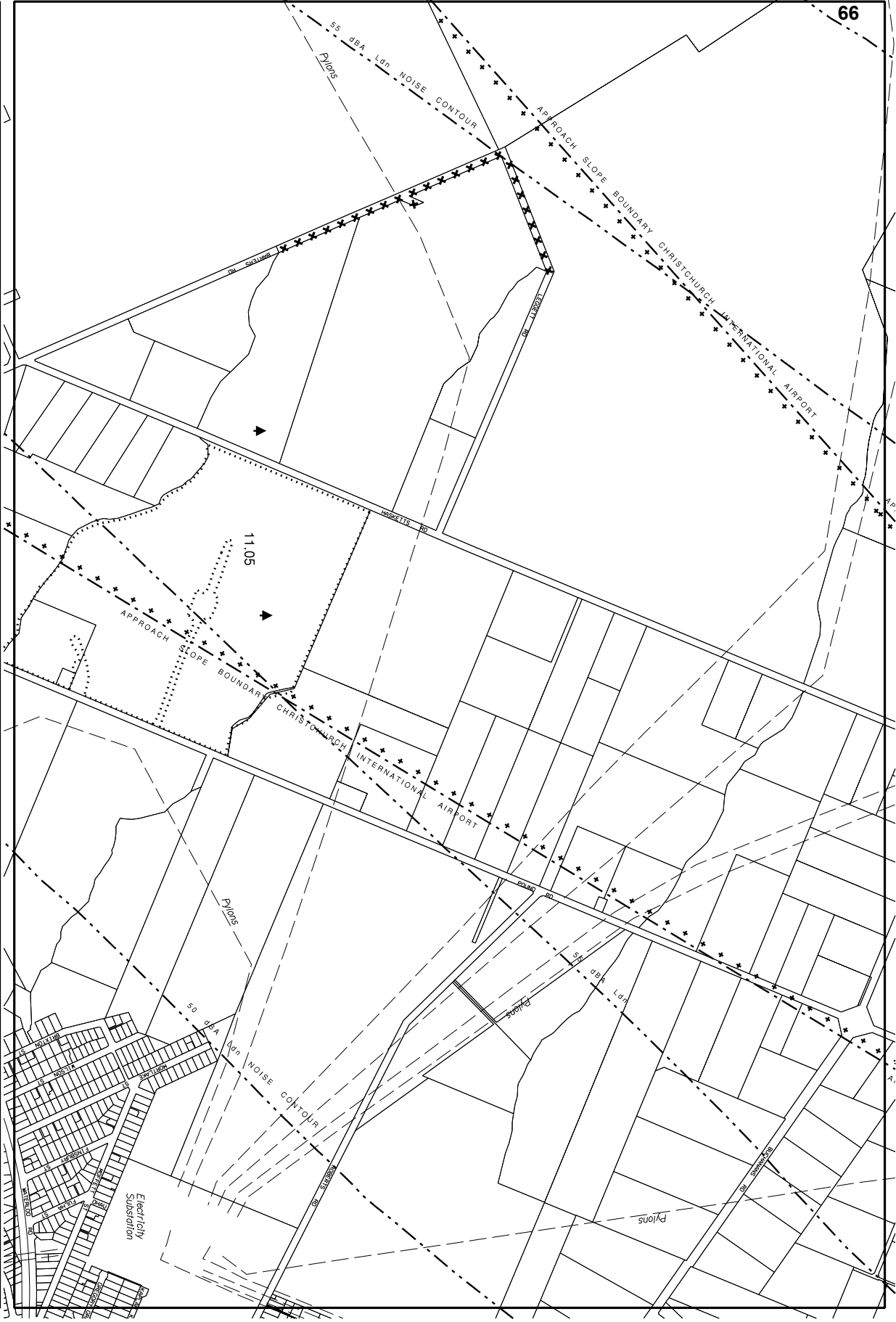
- Wainakaiti River stopbank floodplain (pc32 non-operative)
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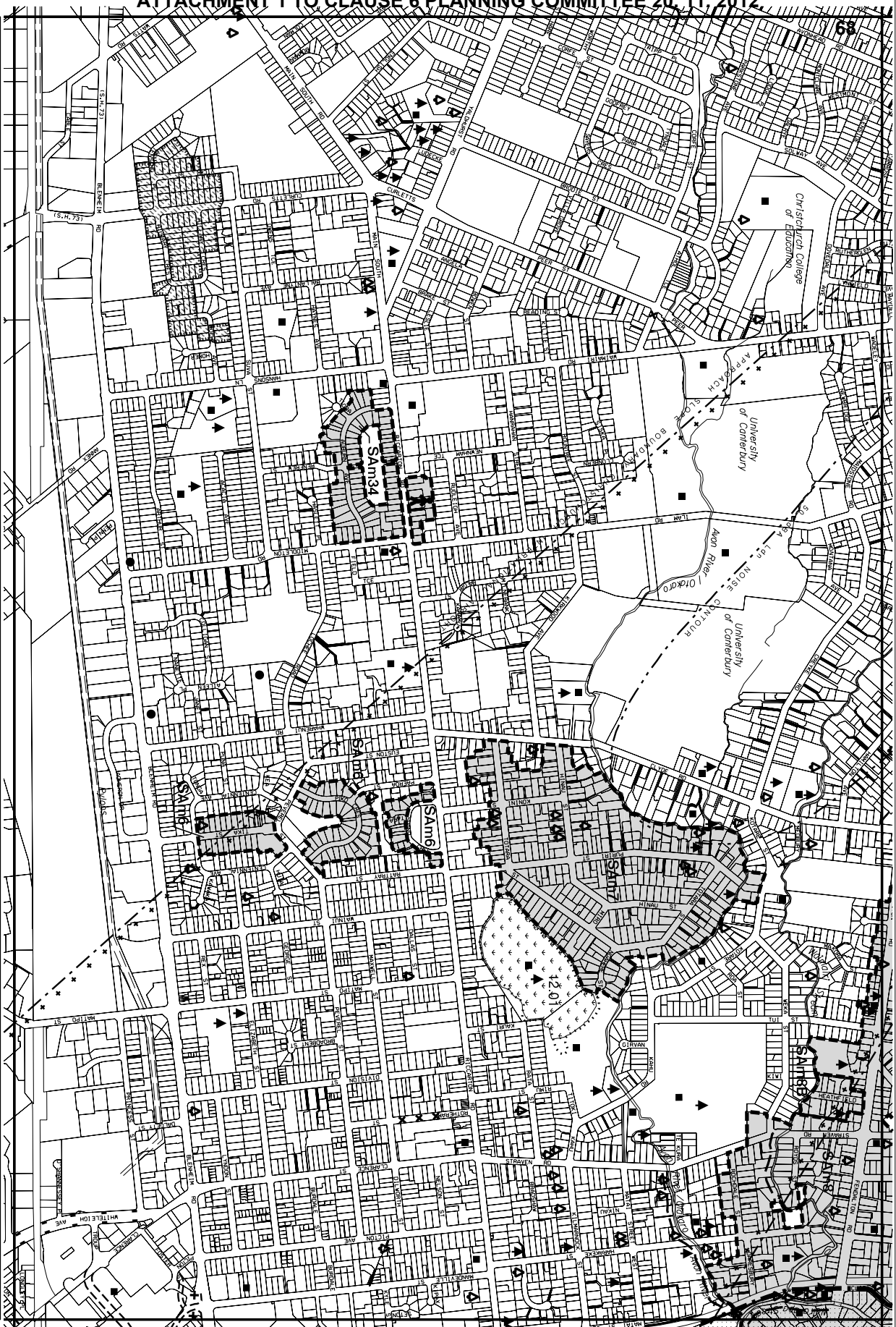
- Special Amenity Area
- Community Footprint
- Ecological Heritage "A" Sites
- Comprehensive Housing Improvement Area

City of Christchurch
City Planning Maps

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Key cont'd

- City Boundary
- Summit Road Protection Act
- Airport/Airfield Approach Slope Boundaries
- Airport/Airfield Noise Control Boundaries
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- Flood Management Area

- Samu Special Amenity Area
- Community Footprint
- Ecological Heritage "A" Sites
- Comprehensive Housing Improvement Area
- Protected Trees Area

City of Christchurch

City Planning Maps

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Key cont'd

- City Boundary
- Summit Road Protection Act
- Airport/Airfield Approach Slope Boundaries
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City of
Christchurch

City Planning Maps

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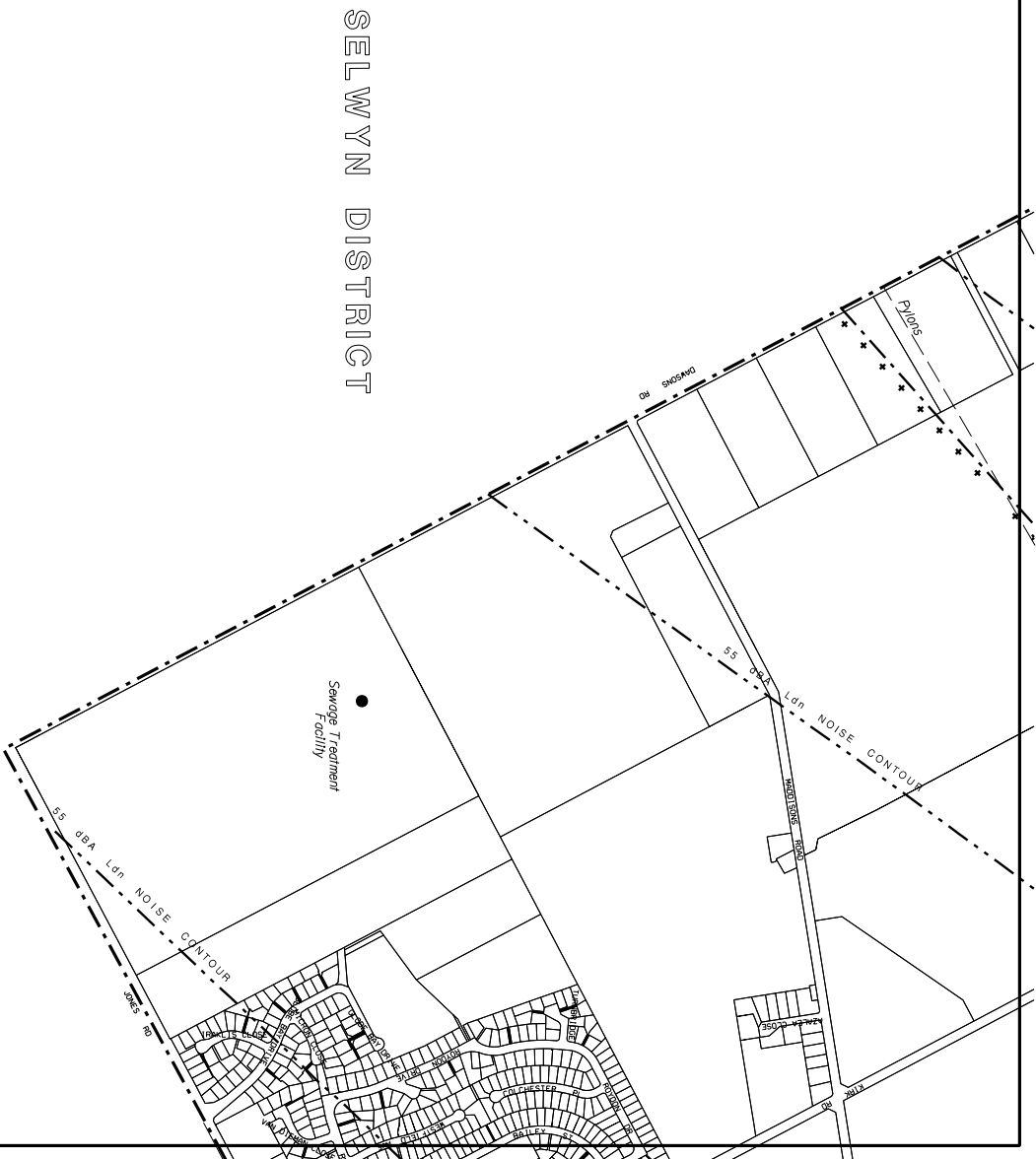


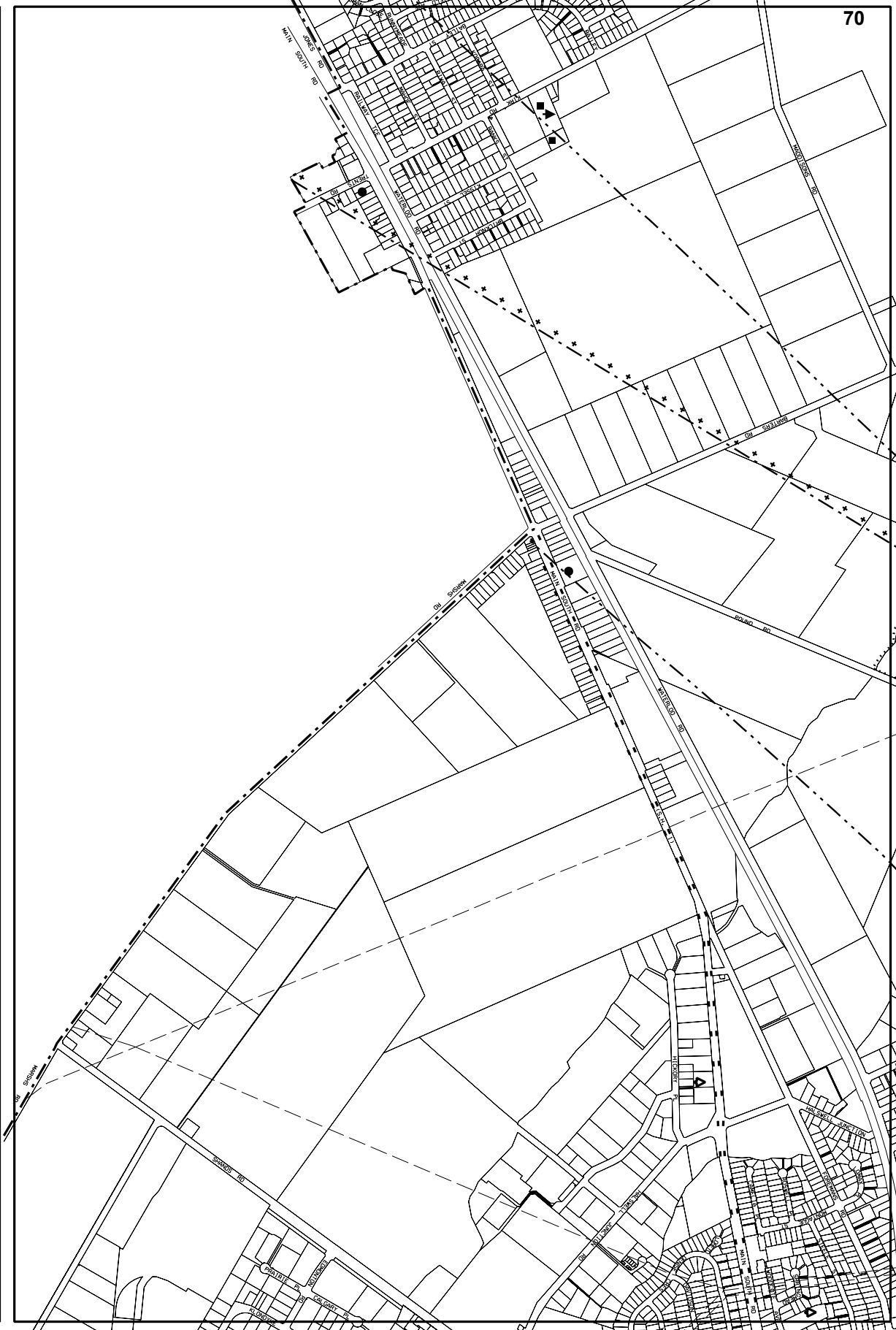
35

42B

43

Proposed Plan Change 74 - Airport Noise Contour





Key cont'd

- City Boundary
- Summit Road Protection Act
- Airport/Airfield Approach Slope Boundaries
- Airport/Airfield Noise Control Boundaries
- Pylons
- Hazard line 1
- Esplanade Reserve or silt/p required
- Scheduled Activity
- MHW.S. Mean High Water Springs
- Road to be stopped
- Limited Access Roads
- Indicative Roads
- Protected Object, Place or Building
- Protected Tree
- Group of Protected Trees
- Non-Operative Area

- Wairakauri River stopbank floodplain (pc32 non-operative)
- High hazard area (pc32 non-operative)
- Area exempted from Wairakauri River Stopbank Floodplain flood protection provisions (pc32 non-operative)
- Flood Ponding Area
- Flood Management Area
- Special Amenity Area
- Community Footprint
- Ecological Heritage "A" Sites
- Comprehensive Housing Improvement Area

City of
Christchurch

City Planning Maps

36
42
43B
44

Scale 1:15,000 Date 29/02/2012



SELWYN DISTRICT

Waiwaka
Rd

Key cont'd

- City Boundary
- Summit Road Protection Act
- Airport/Airfield Approach Slope Boundaries
- Airport/Airfield Noise Control Boundaries
- Pyilons
- Hazard line 1
- Esplanade Reserve or siltip required
- Scheduled Activity
- MHW.S. Mean High Water Springs
- Road to be stopped
- Limited Access Roads
- Protective Roads
- Protected Object, Place or Building
- Protected Tree
- Group of Protected Trees
- Non-Operative Area
- Waimakariri River stopbank floodplain (pc32 non-operative)
- High hazard area (pc32 non-operative)
- Area exempted from Waimakariri River Stopbank Floodplain flood protection provisions (pc32 non-operative)
- Flood Ponding Area
- Flood Management Area

- Special Amenity Area
- Community Footprint
- Ecological Heritage "A" Sites
- Comprehensive Housing Improvement Area

 **City of Christchurch**


City Planning Maps

Scale 1:15,000

0 100 200 300 400m

NORTH

43	51
50B	-

	Resource Management Act 1991 Christchurch City Council Christchurch City Plan Plan Change Section 32 Assessment	74
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AIRPORT NOISE CONTOURS

PURPOSE OF THIS REPORT

1. The purpose of this report is to satisfy the requirements under section 32 of the Resource Management Act 1991 ('the Act') as part of preparing Plan Change 74 to the Christchurch City District plan (City plan Section). Plan Change 74 (PC 74) replaces the current airport noise contours for Christchurch International Airport on Planning Maps 3B, 6B-10B, 14B-18B, 22B-24B, 29B-31B, 35B-38B, 42B-43B, and 50B to align with Proposed Change 1 (PC1) to the Canterbury Regional Policy Statement, which defines the 50 dBA airport noise contour based on more recent modelling. The plan change is to enable consistency with PC1 while achieving the objective in the City Plan of urban consolidation.

CITY PLAN – PROPOSED AMENDMENTS

2. The proposed amendments will alter one policy (6.3A.7 in Volume 2 of the City Plan), the Explanation and Reasons for Policies 6.3A.7 and 7.8.1-7.8.3, and the appropriate Planning Maps. No new objectives or amendments to objectives are proposed.
3. The proposed amendments to the City Plan are attached to this report. This section summarises the key amendments.

Volume 2, Section 6 Urban Growth: 6.3A.7 Airport Operations

4. The proposed amendment to Policy 6.3A.7 changes the wording from "discouraging" to "avoiding" noise-sensitive activities within the 50dBA contour. Exceptions for some activities, which already existed in the City Plan, are maintained. (No new exceptions are proposed). The exceptions recognise existing development lawfully established prior to the adoption of the original airport noise contours, and other developments established or approved prior

to the revision of the airport noise contours in 2008. They also recognise the ability for a residential unit on a rural allotment within the airport noise contours to enable best use and management of those lands.

5. The relevant objective in the City Plan for peripheral development is:

“6.3A Peripheral urban development of a scale and character consistent with a primary emphasis on urban consolidation; which avoids, remedies or mitigates adverse impacts on water, versatile soils, significant amenity values and other natural resources; and which makes efficient use of physical infrastructure.”

The evaluation which follows below also recognises relevant objectives in Proposed Change 1 to the Canterbury Regional Policy Statement. In October 2011 the Crown, by gazette notice pursuant to section 27(1)(a) of the Canterbury Earthquake Recovery Act deleted Proposed Change 1 to the Regional Policy Statement and implemented its own changes to the RPS by inserting new Chapters 12A and 22 in the RPS.

- 6 An application for judicial review of the Minister’s decision to revoke PC1 and insert Chapters 12A and 22 into the RPS was lodged and subsequently granted on 24 July 2012. The effect of this ruling was for the Minister’s decision to be set aside and PC1 to be reinstated in the Environment Court meaning all appeals on PC1 continue at this stage. The High Court’s ruling on the Minister’s decision has also been appealed to the Court of Appeal.
7. Christchurch International Airport lies on the western periphery of Christchurch within the urban limit as defined in PC1. The purpose of showing the airport noise contours on the City Plan Planning Maps is to define boundaries within which the policy framework is more restrictive. This provides for the operation and development of the airport without curfews while avoiding adverse effects on the health and amenity of people and communities by minimising the potential exposure to noise.

HISTORICAL CONTEXT

8. The City Plan has a long established policy framework supporting the use of a 50 dBA noise contour surrounding the airport, to prevent reverse sensitivity effects from residential subdivisions giving rise to restrictions on the operation of the airport. For decades the regional and district Councils in Greater Christchurch have adopted a policy approach that ensures a rural buffer is maintained between the Airport, as strategic regional infrastructure, and residential housing. Specifically, the Airport has historically been protected from encroachment by urban development under regional planning documents and district planning schemes.
9. Although the boundary where restrictions to residential development begin is now the “50 dBA Ldn contour”, a rural buffer has been recognised in historical planning documents separating the Airport and residential zoning at

approximately the 50 dBA Ldn contour. This has been a deliberate policy decision by Councils, in both regional and district planning documents, since before the 1970s. It should be noted however that the former Paparua District Scheme used the 55dBA noise contour, whereas the former Waimairi District Scheme adopted the more stringent 50dBA noise contour. There was no noise level specified in the Canterbury Regional Planning Scheme (operative 1985), although there was a policy to restrain urban growth in the vicinity of the Airport which territorial local authorities had to give effect to.

10. In the City Plan, as notified in 1995, the land containing the Airport is zoned Special Purpose (Airport). The majority of this land is also designated for Airport Purposes. Land surrounding the Airport is zoned Rural 5 (Airport Influences) Zone, and the more stringent 50 dBA was used as a basis for determining the limits of urban residential development.
11. In the operative RPS the Christchurch International Airport is defined as a strategically important piece of physical infrastructure which could be put at risk by land uses and activities which impede its efficient and effective operation.
12. A large area surrounding the airport and within the 50dBA airport noise contour line as defined in PC1 is zoned Rural 5 in the Christchurch City District Plan, the purpose of which is stated to be “primarily the continuation of primary production while managing land use activities to avoid compromising airport operations and development”. (Vol 3, page 4/5, Zone description and purpose). Among the environmental results anticipated in that statement is:

“(c) A level of intensity of land use activities and future subdivision activities within this zone so as to ensure that neither of these lead to demands for curfewed airport operations.”

13. Minimum subdivision standards for that part of the Rural 5 (Airport Influences) zone to the east and south of the Airport, are set at 4.0ha (as a critical standard) by rule 4.3.1 in Section 14 (subdivision) of Volume 3. The minimum net site area for a residential unit in this part of the Rural 5 zone is also set at 4.0ha (as a critical standard) by rule 2.5.2 in Section 4 (Rural Zones), Volume 3. To the north and west of the Airport, the corresponding subdivision and minimum net site area requirement is 20ha. The minimum allotment size in the Rural 5 zone is designed to constrain the density of noise sensitive residential activity close to the airport. This continues the lot size minimum from the preceding plans.
14. This approach and the use of the 50 dBA contour have been upheld by the courts in a series of cases. In essence, the courts have upheld the approach that noise sensitive uses should be avoided within the 50dBA contour, and that this approach is consistent with and gives effect to the operative RPS objectives and policies regarding the Airport.

Location of Airport Noise Contours in PC1

15. Proposed Change 1 to the Regional Policy Statement as decided by the Canterbury Regional Council (and recommended by Independent Commissioners) defines the projected 50 dBA airport noise contour in 2030 based on modelling of aircraft noise by an Expert Panel. While these decisions have been appealed to the Environment Court, the decisions have weight until such time that the Court decides these appeals and confirm, modify, or delete the commissioner's decisions.
16. A discrepancy exists in respect of the noise contour lines used by Selwyn, Waimakariri and Christchurch City Councils due to the timing of updates to each Council's District Plan. Selwyn District Council (SDC) made a change to its District Plan in April 2011 to reflect the 50 dBA Ldn contour line defined in Proposed Change 1 (PC1) and Waimakariri District Council's (WDC) District Plan was amended by the Minister of Earthquake Recovery on the 1st November 2011 to reflect the 50 dBA Ldn contour line in PC1 and the exemption provided for in Kaiapoi. The City Plan (or District Plan) prepared by Christchurch City Council (CCC) is proposed to be updated to reflect the noise contour lines defined in PC1 because it currently shows the Ldn 50 dBA airport noise contour line from historical modelling. The Council is therefore proposing this plan change to amend its City Plan to align with the noise contours in PC1.

RESOURCE MANAGEMENT ISSUES

- 17 Two types of issues need to be considered in promoting this Plan Change: substantive and procedural. The substantive issues are:
 1. The effects of altering the contours on the environment, particularly on options for land use, loss of development potential, and effects on peoples' livelihood; and
 2. Whether the change is required in order to safeguard the operations of Christchurch International Airport.

The procedural issues are:

1. The extent to which the City Plan needs to have regard to dominant planning instruments in this case PC1; and
 2. Whether the Planning maps should be consistent with those of adjoining districts in respect of noise contours; and
 3. Whether the alterations, if required should be undertaken now, when the outcome of current action in the Court of Appeal on the RPS is known, or at the time of review of the District Plan.
- 18 As for the first set of issues, these have already been the subject of the Regional Council's" decision (and Commissioner's recommendation) on PC1. The 50 Ldn has been adopted after considering all the relevant submissions

within the framework of the RMA, including Section 32. These matters will be debated again, if not through appeals on PC1, then almost certainly as part of the review of the District Plan, scheduled to start in 2014-15. Much hinges on whether or not the Court of Appeal reverses the decision of the High Court and makes Chapters 12A and 22 of the RPS operative as to when 'merits' issues will be litigated again (as discussed in paragraphs 5 and 6.).

19 The second set of issues is more relevant to this Plan Change. Having regard to the legislative framework and policy documents that follow, it is assumed that:

- PC1 should be given considerable weight (given how far it is through the statutory approval process); and
- The planning maps in the City Plan should align with those of Selwyn and Waimakiriri Districts with respect to locating the noise contours; and
- Notifying the Plan change now is more efficient and effective than either waiting for the outcome of the Court of appeal proceedings or delaying making the amendments until the District Plan review.

LEGISLATIVE FRAMEWORK

Resource Management Act 1991

20 Section 74 of the Act requires the council to prepare and change its district plan in accordance with its functions under section 31, the provisions of Part 2, its duty under section 32, and any regulations.

In addition to the requirements of section 75(3) and (4), when preparing or changing a district plan, a territorial authority shall have regard to (including)

- proposed regional policy statement; and
- proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under; and
- management plans and strategies prepared under other Acts; and
- The extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.

Section 75(3) requires district plans to give effect to the operative Regional Policy Statement. Section 75(4) doesn't apply in this instance.

Section 32

21. Under Section 32 of the Act, before the Council publicly notifies a plan change, it must carry out an evaluation to examine:

- (a) *The extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
- (b) *Whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*

22. The evaluation is required to take into account;

- (a) *The benefits and costs of policies, rules, or other methods; and*
- (b) *The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods*

23. In assessing whether the policies, rules or other methods are appropriate, the Council must have regard to the efficiency and effectiveness¹ of those policies and rules in achieving the objective(s).

- ‘Effectiveness’ measures how successful a particular option is in addressing the issues in terms of achieving the desired environmental outcomes described in the District Plan. Effectiveness is also relevant when considering how successful the proposed policies, rules and other methods would be in achieving district plan objectives. Only provisions that are effective in achieving objectives should be adopted.
- Efficiency measures and compares the costs and benefits of the proposed policies, rules and other methods. The option that produces the greatest level of environmental, social and economic net benefits to the community is the most efficient option.

24. In short, a Proposed Plan Change and Section 32 report is part of an evolving overall supporting Section 32 document for the whole City Plan and this present document assesses the issues and the potential package of provisions to be reviewed by Christchurch City Council. The evaluation provides an understanding of the costs and benefits associated with a proposed plan change. The document will further evolve because the Council is required to undertake a further evaluation of costs and benefits prior to making a decision on a plan change, taking into account matters raised in submissions.

25. **Part 2** of the Act underpins the exercise of the Council’s functions, duties and powers. Section 5 states that the purpose of the Act is to promote the sustainable management of natural and physical resources. “Sustainable management” means,

“.....managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

¹ Taken from <http://www.qualityplanning.org.nz/plan-development/implementation.php>

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

26. **Section 6** sets out matters of national importance. There are no matters under Section 6 that pertain to this Plan change
27. **Section 7** sets out certain other matters to which persons exercising function and powers under the Act are required to have particular regard. Those matters which are considered to have particular significance to this Plan Change including the following;

- (b) The efficient use and development of natural and physical resources:*
- (c) The maintenance and enhancement of amenity values*
- (f) Maintenance and enhancement of the quality of the environment*

28. **Section 31** sets out Council's functions for the purpose of giving effect to the Act. The Council's functions include;

“The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district”, and, “the control of any actual or potential effects of the use, development, or protection of land....”.

And

- (d) The control of the emission of noise and the mitigation of the effects of noise*

29. The following provisions of **Section 76** are also relevant;

- “(1) a territorial authority may, for the purpose of—*
 - (a) Carrying out its functions under this Act; and*
 - (b) Achieving the objectives and policies of the plan,—**include rules in a district plan.*
- (3) In making a rule, the territorial authority shall have regard to the actual or potential effect on the environment of the activities including in particular, any adverse effect”*

Case Law

30. Case Law has established that a Plan Change is to be evaluated by the considerations listed in the decision ‘Eldamos Investments v Gisborne District Council’². In applying the Eldamos criteria to the proposed provisions the following must be taken into consideration:

1. Would the proposed provision assist Christchurch City Council to carry out its functions (i.e. Section 31 of the RMA) in order to achieve the purpose of the Act?

² *Gisborne DC v Eldamos Investments Ltd* 26/10/05, Harrison J, HC Gisborne CIV-2005-485-1241

2. Would the proposed provision (i.e. objectives) be the most suitable way to achieve the purpose of the Act? Each objective must be examined during evaluation, but it is not necessary that each objective individually be the most appropriate way of achieving the purpose of the Act.
3. Would the proposed policies and rules be the most suitable way to achieve the purpose of the Act?
4. Would the proposed policies be the most suitable way to achieve the objectives of the Christchurch City Plan?
5. Would the proposed rule be the most suitable way to achieve the policies of the Christchurch City Plan?

RELEVANT PLANS, STRATEGIES, AND DOCUMENTS

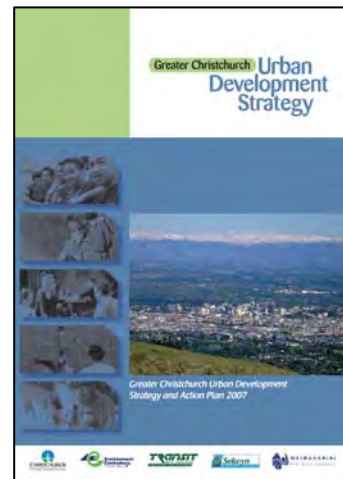
31. Documents and initiatives that are relevant to Plan Change 74 and assist to inform the plan change process include the following:

- Non-statutory plans, strategies and documents, such as;
 - Greater Christchurch Urban Development Strategy;
- Statutory plans, strategies and documents, such as;
 - Canterbury Regional Policy Statement (Proposed 2011)
 - Proposed Change 1 to the Canterbury Regional Policy Statement
 - Christchurch City District Plan
 - The District Plans of Selwyn District Council and Waimakariri District Council.

These will be discussed below.

Greater Christchurch Urban Development Strategy and Action Plan (2007)

32. The Council, in partnership with neighbouring District Councils (Selwyn and Waimakariri), the Regional Council (Environment Canterbury - ECan) and the New Zealand Transport Agency (NZTA – formerly Transit NZ), produced the Greater Christchurch Urban Development Strategy and Action Plan (UDS) in 2007, which aims to have a collaborative and integrated approach to managing future urban growth of the Greater Christchurch area until 2041. The UDS promotes the parties to work together to develop actions which enrich lifestyles, enhance environments, encourage prosperous economics and manage growth.



33. The UDS recognises the economic importance of the Airport as strategic regional infrastructure that needs to be protected through growth management³. A specific action point is 'Reinforce reverse sensitivity boundaries for the Christchurch international Airport...'
34. Plan Change 74 has been developed having regard to the provisions of with the actions of the UDS.

Canterbury Regional Policy Statement (Proposed 2011)

35. The Canterbury Regional Policy Statement (RPS) sets the framework for resource management in Canterbury. It provides an overview of the significant resource management issues facing the region, and sets out objectives, policies and methods to address the region's resource management issues. Its goal is the integrated management of the region's natural and physical resources. The RPS was made operative in 1998, however has recently been reviewed and the Proposed RPS has been notified, a decision made (21st July 2012) and is now subject to appeals limited to points of law.
36. The Proposed RPS has a chapter that addresses the development of Greater Christchurch, (Chapter 6) however this has been left blank as Plan Change 1 (PC1) to RPS will be incorporated as Chapter 6 when it is made operative. The purpose of this Chapter is to give effect to the UDS. This will be discussed below.
37. Consideration of a Regional Policy Statement of is a matter to have regard to in undertaking this S.32 assessment as the City Plan is required by Section 74(2) of the Act to have regard to any proposed Regional Policy Statement and to give effect to the Regional Policy Statement once it is made operative (Section 75(3) of the Act). Any proposed City Plan amendments considered in this assessment therefore have to be examined in the light of the provisions of the Proposed RPS and PC1. Plan Change 56 has been informed by the Proposed RPS.



Proposed Change 1 to the Canterbury Regional Policy Statement and Independent Fisheries' judicial review proceedings

38. Proposed Change 1 (PC 1) to the RPS is designed to implement the UDS by setting out a policy framework for how urban growth is to be accommodated over the next 35 years. Change 1 has been publicly notified; a decision made

³ 6.9.4 Actions – Greater Christchurch Urban Development Strategy and Action Plan; 2007; P. 72

(10th December 2009), and currently subject to appeals before the Environment Court and as such regard must be had to its contents.

39. The following objectives from PC 1 are particularly relevant to the noise contours surrounding Christchurch International Airport

Objective 8: Development and Protection of Strategic Infrastructure
"Achieve urban land use and patterns of urban development that does not adversely affect the efficient operation, use and development of strategic infrastructure..."

Christchurch International airport is listed under the definitions of Strategic Infrastructure.

Policy 1 Urban Limits
"Except as provided for in Policy 12, 13 and in Chapter 12, Policy 8 (Papakainga Housing), urban activities within Greater Christchurch shall occur only within the Urban Limits delineated on Map 1."

The definition identifying the position of the Urban Limits includes the following considerations for identified growth areas and intensification areas within Greater Christchurch:

in some areas they avoid limit noise sensitive activities occurring within the 50 dBA Ldn air noise contour surrounding Christchurch International Airport so as not to compromise the future efficient operation of Christchurch International Airport or taking into account the health, well-being and amenity of people.

40. On October 2011 the Minister of Earthquake Recovery revoked PC1 and inserted Chapters 12A and 22 into the RPS, pursuant to section 27(1)(a) of the Canterbury Earthquake Recovery Act 2011 (CER Act) .
41. An application for judicial review of the Minister's decision to revoke PC1 and insert Chapters 12A and 22 into the RPS was lodged and subsequently granted on 24 July 2012. The effect of this ruling was for the Minister's decision to be set aside and PC1 to be reinstated in the Environment Court meaning all appeals on PC1 continue at this stage.

42. While the High Court's decision has subsequently been appealed to the Court of Appeal and there is therefore the possibility of Chapters 12A and 22 being reinstated, the current policy document for managing the future growth of Greater Christchurch is the decisions version of Proposed Change 1 December 2009. In view of the statutory processes that have been completed, considerable weight should be attached to the PC 1 policy framework.

Should Chapters 12A and 22 be reinstated, the relevant objectives and policies from Chapter 22 that are particularly relevant are set out in Appendix 1.

Recovery Strategy for Greater Christchurch (2012)

43. The Canterbury Earthquake Recovery Authority (CERA), in conjunction with its' strategic partners; the Regional Council (Environment Canterbury) District Councils (Christchurch City, Selwyn and Waimakariri), and Iwi (Te Runanga o Ngai Tahu); have recently developed the Recovery Strategy for Greater Christchurch. The Plan Change cannot be inconsistent with the Recovery Strategy and there is nothing in the Plan Change that will create inconsistencies.



Adjoining District Plans and best practice

44. The 50 Ldn noise contours extend into the Waimakariri and Selwyn Districts. Revised lines to 'give effect to' Chapters 12A and 22 were included in the District Plans for Waimakariri (through the use of CER Act s27(1)(a) Notice dated 1 November 2012) and Selwyn (through Plan Change 23, made operative on 23 April 2011) District Councils, thus making the Christchurch City Plan noise contours inconsistent.

EVALUATION

The extent to which each objective is the most appropriate way to achieve the purpose of this Act;

45. There are no new objectives or alterations to an objective as part of this plan change.

Whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.

46. The relevant City plan objective is:

Peripheral urban development of a scale and character consistent with a primary emphasis on urban consolidation; which avoids, remedies or mitigates adverse impacts on water, versatile soils, significant amenity values and other natural resources; and which makes efficient use of physical infrastructure.

- 47 Policy 6.3A.7 has been amended to replace the word 'discourage' (noise sensitive uses) with 'avoid'. This is a stronger policy test which has been inserted having regard to PC1 and the urban limits contained in that document. 'Avoid' conveys a stronger message on the intent of the policy and therefore should provide more certainty for decision makers and future applicants around that intent. From that, it can be deduced that the amendment will be more effective in achieving the outcomes sought by the objective including the overarching objective of urban consolidation. Whether there are any implications for efficiency from this change is unclear but it could be argued that greater certainty should indirectly lead to greater efficiencies for public and private decision makers.

Planning Maps 3B, 6B-10B, 14B-18B, 22B-24B, 29B-31B, 35B-38B, 42B-43B, and 50B

48. The appropriate planning maps are proposed to be amended to provide consistency across territorial boundaries and with the decisions version of PC1. The alternative options are to retain the existing contours or devise an alternative means of managing the effects of aircraft noise. It would neither be efficient nor effective to continue to rely on outdated contours because of the confusion it would cause. It is also appropriate that the noise contour lines are amended to reflect the analysis undertaken by an expert panel on projected aircraft noise...

Alternatives to the use of the airport noise contours include

- *Noise insulation on buildings*
The introduction of regulatory methods requiring the insulation of buildings would only apply to new buildings. This option would also only protect people from noise inside, on the assumption that windows are closed
- *Noise emission limits on aircraft*
Limits on the noise emissions of aircraft could make it less attractive for airlines to use Christchurch International Airport, which could have an adverse effect on the economic sustainability of the airport due to reduced aircraft movements
- *Curfews on flight operations and engine testing*
A limit on the times that aircraft can take off or land would also influence the attractiveness of Christchurch for airlines, potentially having an adverse effect on the economic sustainability of the airport
- *No complaints covenants on properties*

An alternative method is a restrictive covenant on properties that removes the ability for residents regarding aircraft noise. This would be an ad hoc approach to avoiding effects on the operation and development of the airport.

- 49 The net effect of shifting the noise contours in Christchurch city is to impose more restrictions on property owners, whilst enabling this critical regional transportation facility to function efficiently. However there are some areas where there will be less restrictions, and a significant area to the west of the Airport here noise restrictions will be removed altogether. The effect of introducing the 50 dBA airport noise contour has been considered through hearings on variation 4 to PC1 and the Regional Council's decisions, notwithstanding appeals on this matter.
- 50 A common concern is that land owners are being permanently denied development 'rights' by the imposition of air-noise controls around the Airport. However, no land currently zoned 'rural' (even when located adjacent to an existing urban area) has an absolute expectation of zoning to enable noise sensitive activities at some future date. Where and how urban development occurs is subject to evaluations that consider a suite of resource management considerations – including the objectives and policies of the existing City Plan. These have already been traversed through the PC1 process and previous cases e.g.
- (a) *Gargiulo v Christchurch City Council*, C137/00;
 - (b) *Robinsons Bay Trust v Christchurch City Council*, C060/04;
 - (c) *Canterbury Regional Council v Waimakariri District Council*, C19/05; and
 - (d) *National Investment Trust v Christchurch City Council*, C041/05.
 - (e) *Suburban Estates v Christchurch City Council*
51. The evaluation is required to take into account;
- (a) *The benefits and costs of policies, rules, or other methods; and*
- 52 A common alternative method is noise abatement flight procedures. These have been discussed at length in other statutory hearings and it is not considered necessary to consider them here. Suffice to say that past decisions have tended to prefer noise contours as the most effective and efficient methods of reducing the effects of noise on surrounding environments.

Options On Timing

Amend the City Plan by adopting and publicly notifying proposed Plan Change

- 53 If the judicial review decision deleting Chapters 12A and 22 is overturned by the Court of Appeal the Schedule 1 RMA process for this plan change wouldn't necessarily be meaningless because the Council would be required under the RMA to give effect to Chapters 12A and 22 anyway, and this plan change aligns with Chapters 12A and 22..
54. There is a possibility of the contours having to be amended again should the Court of Appeal uphold the decision of the High Court, *and* the 50Ldn contour be successfully challenged through the appeals on PC1. This not considered to be a significant impediment to notification of this plan change as the Council, as proponent of the plan change, has the options of withdrawing the plan change after its publicly notified or amending and (if necessary for 'scope reasons') re-notifying the plan change.

Status quo - no change to the City Plan until the outcome of the Court of Appeal action is known.

- 55 It could be argued that the Council should await the Court of Appeal decision on Chapters 12A and 22 before proceeding with this change. However, the Change will be required irrespective of that decision because of the need for integrated planning (with Selwyn District Council and Waimakariri District Council) and to recognise the Proposed RPS.

Risk Of Acting Or Not Acting

56. Section 32(4)(b) of the Act requires an assessment of the risk of action or not acting if there is insufficient or uncertain information about the subject matter of the policies, rules or other methods.
57. While there is always some level of uncertainty over the level of impact that a new set of rules may have on development, it is considered that in this case there is sufficient information available on the issues of concern and the methods to address them.
58. A possible risk of not acting is the inconsistency between key planning documents that would potentially create confusion, particularly for landowners in the north-west area of the City. The current policy and proposed amendment are considered necessary carry out the Council's functions under Section 31, having regard to, in this case, the need for consistency across territorial boundaries.

CONCLUSION

- 59 The amendments put forward by proposed Plan Change 74 have been assessed as the most appropriate package of rules in terms of section 32 of the Act and have been determined to be the most efficient and effective way of achieving the objectives and policies of the City Plan and therefore the purpose

of the Act. Significant consultation has occurred as part of the submissions process for Proposed Change 1 to the RPS and discussions with ECan and CIAL during the preparation of this plan change. In terms of the requirements under section 32 therefore, this Plan Change is placing significant weight on the processes that have preceded it in establishing policy framework and the location of the air noise contours in PC1 and Chapters 12A and 22 of the RPS.

60. There are efficiencies in the timing of this Plan Change, irrespective of whether or not PC1 remains as the dominant planning document.
61. Establishing alignment of the air-noise contours across territorial boundaries will remove the potential confusion and uncertainties that currently exist within the affected communities and therefore could assist in meeting their social, economic and cultural wellbeing. Because of the weight given to PC1's statutory status in administering the Plan there is unlikely to be additional restrictions placed on property rights.

APPENDIX 1

Objectives and Policies in Chapter 22 of the RPS (currently not in effect and subject to proceedings in the Court of appeal).

Objective 1: Christchurch International Airport Noise Contour

Provide for and manage urban growth within greater Christchurch while protecting:

- a. *the safe and efficient operation, use, future growth and development of Christchurch International Airport; and*
- b. *the health, wellbeing and amenity of the people through avoiding noise sensitive activities within the remodelled (2007) 50 dBA Ldn air noise contour (the 50 dBA Ldn air noise contour).*

Policy 1: Kaiapoi

Provide for residential development inside the 50 dBA Ldn air noise contour in Kaiapoi to offset the displacement of residential activities which were within that part of the Kaiapoi Residential Red Zone inside the 50 dBA Ldn air noise contour, and also provide for the contiguous and consolidated development of Kaiapoi.

Explanation to Policy 1: Kaiapoi

Notwithstanding Policy 2, this policy provides for households to establish within the 50 dBA Ldn air noise contour in Kaiapoi to offset the displacement of households within the Kaiapoi Residential Red Zone which were already within the 50 dBA Ldn contour and which were displaced as a consequence of the 2010/2011 Canterbury earthquakes. It also provides, as part of greenfields residential development, for Kaiapoi's long term projected growth. Such development provides for the contiguous and consolidated urban development of Kaiapoi.

Policy 2: Christchurch International Airport

To avoid noise sensitive activities within the 50 dBA Ldn air noise contour around Christchurch International Airport except as provided for by Policy 1: Kaiapoi.

Noise sensitive activities means:

- *residential activities other than those in conjunction with rural activities that comply with the rules in the relevant district plan as at 23 August 2008;*
- *education activities including pre-school places or premises, but not including flight training, trade training or other industry related training facilities located within Special Purpose (Airport) Zone in the Christchurch District Plan or on other land used or available for business activities;*
- *travellers accommodation except that which is designed, constructed and operated to a standard that mitigates the effects of noise on occupants;*
- *hospitals, healthcare facilities and elderly persons housing or complex.*


Explanation to Policy 2: Christchurch International Airport

The 50 dBA Ldn contour provides the boundary for noise sensitive activities extending towards Christchurch International Airport. Within the 50 dBA Ldn the establishment of residential activities and the establishment and/or extension of other noise-sensitive activities is to be avoided. Noise sensitive activities are to be avoided from occurring within the 50 dBA Ldn air noise contour surrounding Christchurch International Airport


so as not to compromise the future efficient operation of Christchurch International Airport and taking into account the health, well-being and amenity of people:

- *Except that a limited number of households within the 50 dBA Ldn air noise contour within Kaiapoi is provided in accordance with Policy 1 as an offset for the displacement of noise sensitive residential activities within the 50 dBA Ldn air noise contours (Kaiapoi Residential Red Zone) as a consequence of the 2010/2011 Canterbury earthquakes. Such development also provides for the contiguous and consolidated development of Kaiapoi.*
- *This situation is unique to Kaiapoi and distinguishable from all other urban areas within greater Christchurch. Much of the Kaiapoi Residential Red Zone is already largely contained within the 50 dBA Ldn air noise contour.*
- *A secondary reason for accommodating residential development within the 50 dBA Ldn air noise contours in Kaiapoi is that the area under the 50 dBA Ldn air noise contour in Kaiapoi is surrounded by existing urban development or by urban limits, such that retaining non-residential zoning for this land would result in significant urban design and servicing issues for the surrounding urban development and a lack of cohesion for the separated neighbourhoods.*
- *Providing further household growth within the 50 dBA Ldn air noise contour in Kaiapoi does not create a precedent for allowing further household growth within the 50 dBA Ldn air noise contour at any other location within greater Christchurch.*


Legend



Christchurch City Boundary

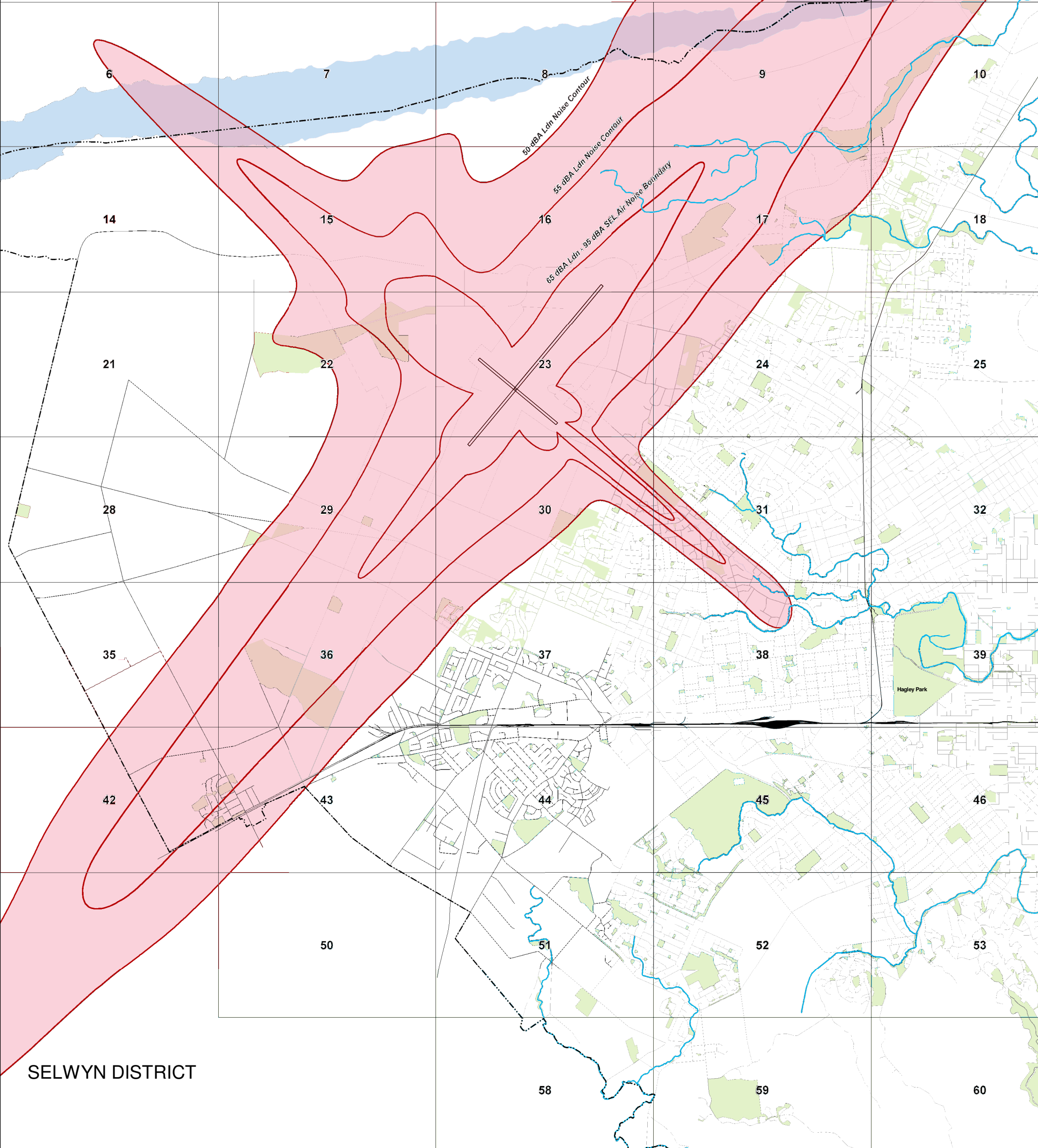


New Airport Noise Contour



City Planning Map Grid

WAIMAKARIRI DISTRICT



SELWYN DISTRICT

Proposed Plan Change 74 Airport Noise Contours.
Source being Proposed Change 1 to the Canterbury Regional Policy Statement

Legend

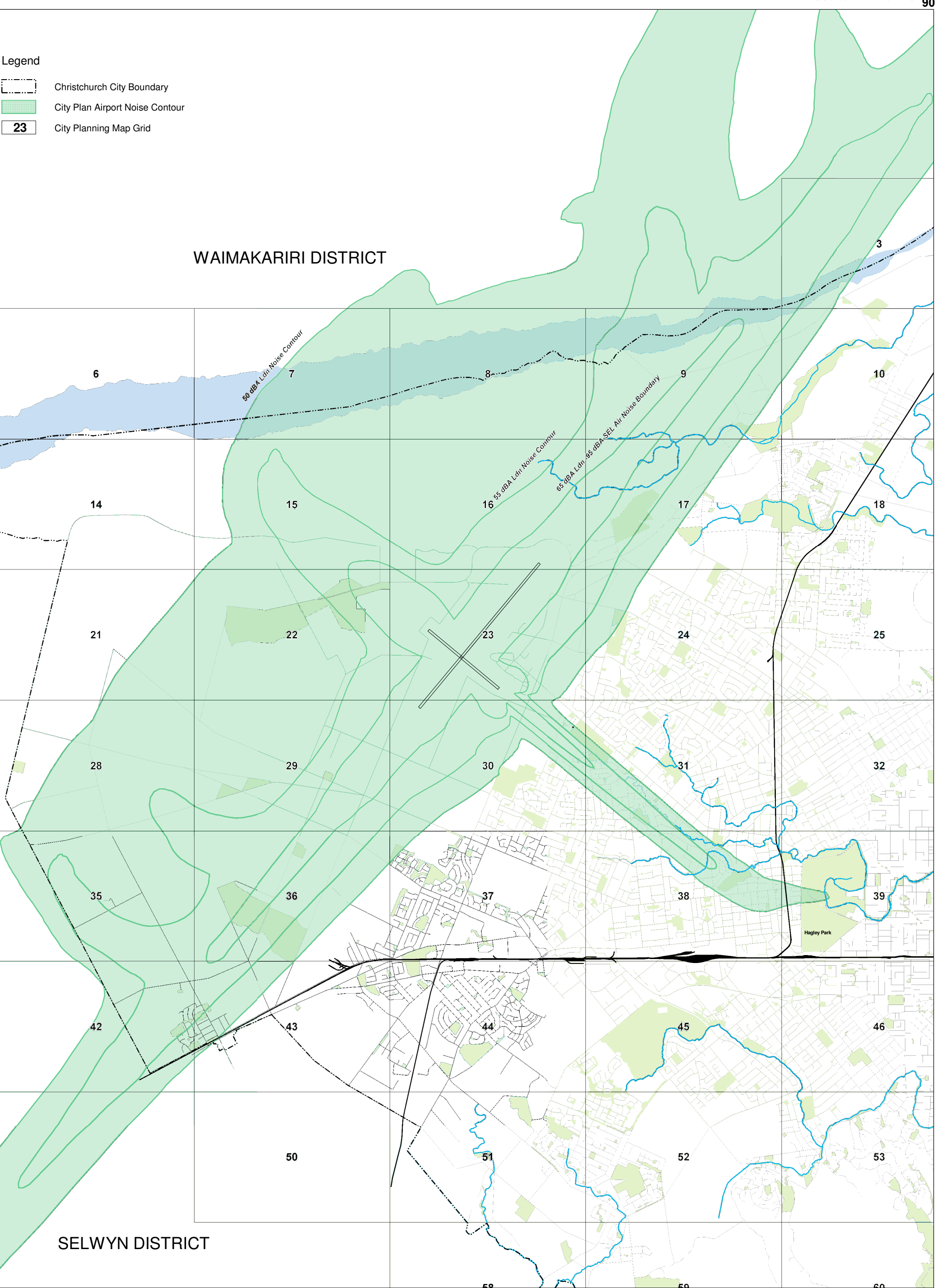
Christchurch City Boundary

City Plan Airport Noise Contour

23

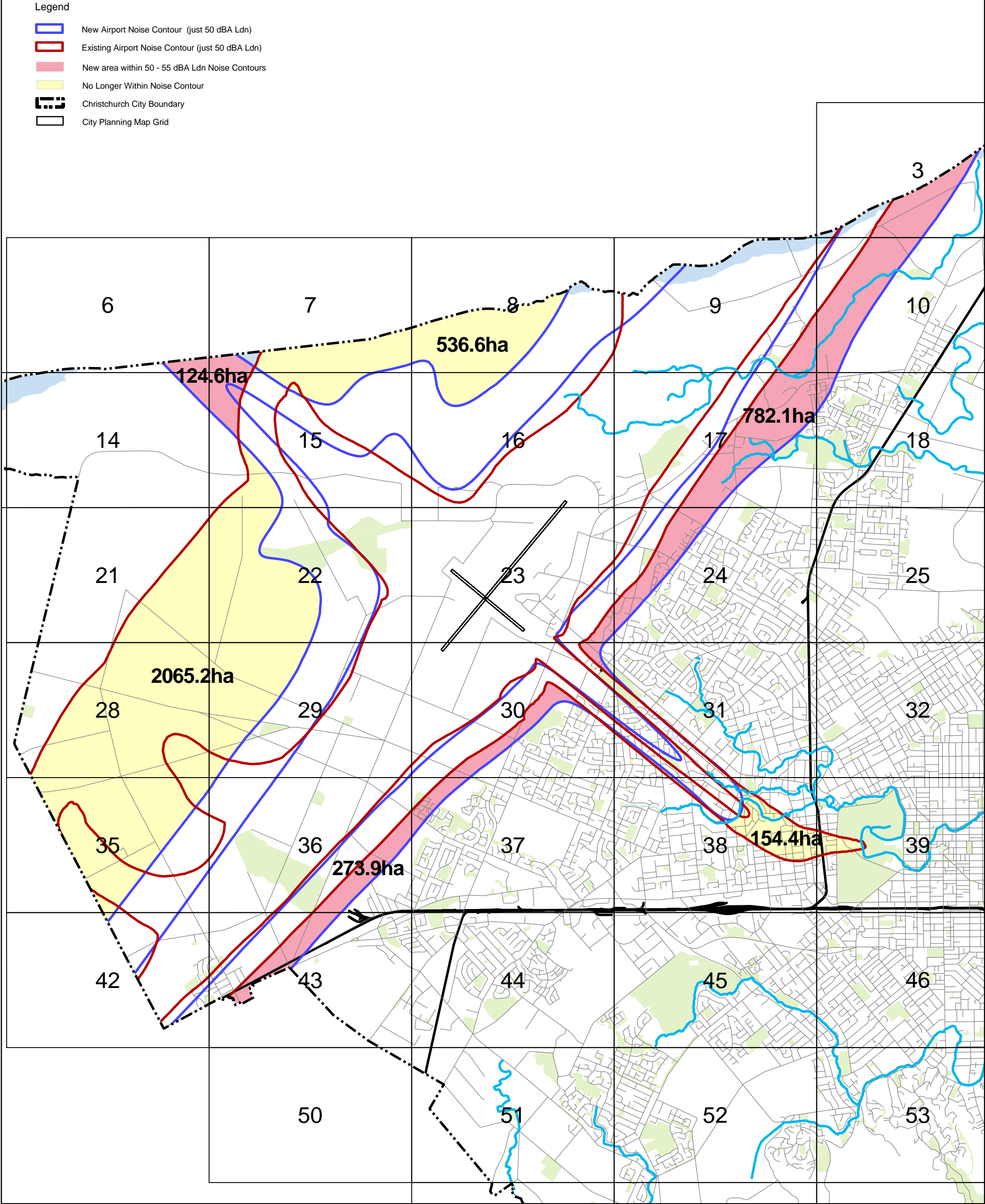
City Planning Map Grid

WAIMAKARIRI DISTRICT



SELWYN DISTRICT

Existing Airport Noise Contours in City Plan.



PLANNING COMMITTEE 20. 11. 2012

7. PROPOSED PRIVATE PLAN CHANGE 73 – REZONING OF 245 WOOLDRIDGE RD AND 6-62 STANLEYS RD, HAREWOOD, FROM RURAL 5 TO BUSINESS 4T AND 4

General Manager responsible:	General Manager Strategy and Planning, DDI: 941 8281
Officer responsible:	City Planning Unit Manager
Author:	Anita Hansbury, Policy Planner

PURPOSE OF REPORT

1. This report describes a request to the Council for a private Plan Change (PC73) proposing to rezone 245 Wooldridge Road and 6 – 62 Stanleys Road, Harewood, from Rural 5 to Business 4T and Business 4. It recommends the process for dealing with the request in terms of the Resource Management Act 1991 (RMA) provisions. A decision is sought from the Council, pursuant to clause 25 of Schedule 1 of the RMA, on whether the proposed plan change should be publicly notified, and under what status.

EXECUTIVE SUMMARY

2. PC73 seeks to rezone approximately 10.3 hectares of land (the site). The site comprises 8.37 hectares of land located at 245 Wooldridge Road and 32 – 62 Stanleys Road (Tait site), which is proposed to be rezoned from Rural 5 (Ru5) to Business 4T (B4T), as well as 1.96 hectares of land located at 6 Stanleys Road (Webster site), which is proposed to be rezoned from Rural 5 to Business 4 (B4). Refer to the attached aerial photograph and combined Planning Maps 23A and 24A (**Attachment 1**) for the location and extent of the rezoning.
3. The land subject to the plan change immediately adjoins a large area of B4 zone to the south and is contiguous with the existing Tait Communications factory/offices at 558 Wairakei Road. The proposed rezoning will facilitate consolidation of all Tait's operations, which are currently scattered over several sites, and allow for future growth. The Webster site at 6 Stanleys Road is already used in part for business operations for which resource consent has been obtained. The rezoning of this site to B4 will create a sensible and continuous zoning pattern. To the north and west, the plan change site is bordered by Ru5 zone, and to the east by Nunweek Park zoned Open Space 2 (O2).
4. Business 4T (Suburban Industrial - Technology Park) Zone is designed for technology industries developed to a higher amenity standard. It is characterised by a lower density of buildings, higher percentage of open space, substantial landscaping and setbacks from the roads. The zone is highly suitable to Tait's vision of creating a modern, sustainable, high amenity campus within a park-like setting reflective of the surrounding open space and rural environment.
5. The Business 4 (Suburban Industrial) Zone proposed for the Webster land at 6 Stanleys Road reflects the existing use of part of the site as a contractor's yard as well as the adjacent B4 uses to the south. The potentially more intensive use of the site will be buffered from the higher amenity of the nearby Ru5 zone by the proposed B4T zone of the adjacent Tait campus.
6. PC73 proposes an Outline Development Plan (ODP) for the site which is re-enforced by a set of site specific rules to ensure desired environmental outcomes are achieved. The ODP indicates eight building locations among extensively landscaped grounds of the Tait campus and a water feature combined with stormwater facilities set in a central open space. A walkway and cycleway providing links with Nunweek Park and the location of vehicle access points are also indicated on the ODP. The associated rules introduce a limit on building height and the overall floor area, increased road and internal boundary setbacks, reduced site coverage, and an increased amount of open space. For development over the first 10,000m² of floor area, PC73 proposes a reduced number of on-site car parks but that reduction is conditional on the success of the proposed Travel Management Plan and reduced demand for car parking. All the proposed amendments are appended to the Plan Change document (see **Attachment 2**).
7. The purpose of this report is not to consider the requested plan change on its merits. Rather, it is to recommend which of the options under clause 25(2)-(4) of Schedule 1 of the RMA is to apply to the processing of the plan change application. Consideration of merits of the proposal will occur after submissions have been received, as a part of the decision making process by the hearings panel or commissioner.

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8. The process options available to the Committee are set out in Schedule 1, clause 25, subclauses (2), (3) and (4) and clause 24 of the RMA, and are summarised below. The Committee may recommend to the Council that the requested private Plan Change 73 be either:
 - (a) Rejected in whole or in part on one of the limited grounds set out in the Act;
 - (b) Dealt with as if it were an application for a resource consent (in which case the provisions of Part 6 of the Act would apply accordingly);
 - (c) Modified with the agreement of the person who made the request (clause 24);
 - (d) Adopted in whole or in part, as if it were a plan change made by the Council itself (this means accepting the responsibility for and costs of processing it);
 - (e) Accepted, in whole or in part, and that the Council proceed to notify the request, or part of the request, under clause 26, at the cost of the applicant.
9. The implications of the options under clauses 24 and 25 of the first schedule of the Act are discussed below.

PROCESS OPTIONS**Option 1 – Resolve to reject Private Plan Change 73**

10. There are very limited grounds in the Act for rejecting an application. A plan change can be rejected if:
 - (a) It is frivolous or vexatious;
 - (b) The substance of the change has been dealt with by the Council or the Environment Court in the last two years;
 - (c) The change is not in accordance with sound resource management practice;
 - (d) The change would make the District Plan inconsistent with Part 5 of the Act (other policies or plans, such as Regional Policy Statement or Plan); or
 - (e) The District Plan has not been operative for more than two years.
11. Plan Change 73 cannot be said to be frivolous or vexatious. The applicants have invested significant time and financial resources in preparing the plan change and have made a case for the plan change that warrants consideration in the plan change process. The substance of the plan change has not been considered in the last two years and the relevant parts of the City Plan have been operative since November 2005. Both Council officers and external consultants have been involved in assessing various aspects of the proposal. No significant or fundamental issues have been raised that would suggest that the proposed change is so inappropriate that it could be considered not in accordance with sound resource management practice.

Option 2 - Resolve to deal with Private Plan Change 73 as if it were an application for resource consent

12. Under this option the Plan Change is converted to a resource consent application and is processed by the Council as such. The applicant bears all of the associated costs. Resource consent could provide for the establishment of the development with one approved design and layout. Any proposals to alter the buildings, site or car parking would require further resource consents. Should the site be developed incrementally, each stage would require a new resource consent. Furthermore, such fragmented development may not result in a coherent integrated whole. This alternative is not considered efficient and it does not allow for consideration of consistency with the City Plan objectives and policies or the benefits of other options.
13. In this case a change of zoning to more closely reflect the future use of the site may assist the Council in meeting its obligations to achieve integrated management of effects of activities under s31 of the Act. It also gives certainty to adjacent land owners. Moreover, the North West Area

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Review report, recently adopted by the Council, identified the site as one of a number of suitable sites for future business use. The report recommended that approximately 50 ha of land north of Wairakei Rd between Wooldridge Rd and Russley Rd, and which includes the PC73 land, be rezoned for industrial business purposes and developed in accordance with an Outline Development Plan. It is considered, therefore, that it remains appropriate for the Council to continue processing the plan change request, rather than place reliance on the resource consent process.

Option 3 - Resolve to modify Private Plan Change 73 with the agreement of the person who made the request

14. Section 24 of Schedule 1 of the RMA provides that as a result of further or additional information, commissioned reports, or other relevant matters, the Council may, within 30 working days of the receipt of that information, modify the request with the agreement of the person who made the request. Council officers considered the draft proposal and its site specific modifications to the City Plan rules during the pre-application discussions with the applicant as well as during the review of the lodged application. Certain modifications, considered appropriate by the Council officers, have been made to the application by the applicant. No further modifications were considered necessary prior to the plan change being notified. It should however be noted that further amendments to the policies and/ or rules may still occur following submissions, report and decision making processes.

Option 4 - Resolve to adopt Private Plan Change 73 and publicly notify it as if it were the Council's own plan change

15. Under this option Private Plan Change 73 would become a Council plan change. It would be notified, heard and decided in the same way as a plan change prepared by the Council. Adopting the plan change would mean that:
 - (a) The Council is indicating that the plan change has merit and that it generally supports the proposal; and
 - (b) The Council bears the costs of managing and processing the plan change.
16. Adoption of a private plan change application would generally only occur where there is a wider public good flowing from the plan change. A plan change promoting wider public good would normally be one that addressed an existing city wide or multiple zone-wide adverse environmental effect, for example, a change to a bulk and location control that avoids or mitigates adverse effects across the city.
17. This private plan change application creates a zone that facilitates a private development primarily benefiting the applicant. However, the proposal will have benefits to the public as well. Tait Communications, as well as being one of the largest private employers in the region, is a locally established industry important to Canterbury's economic recovery. Consolidation of Tait's business and partner companies on one site will provide additional employment opportunities in the area and potentially further increase the country's export earnings. Tait's ambition is to create an exemplary world class campus work environment, using a range of sustainable building techniques and renewable energy sources, which will attract top talent from around the world and contribute further to the region's economic growth. Other benefits include the creation of a public pedestrian and cycle link from Wooldridge Road and Nunweek Park to Stanleys Road and Tait's offer to make the car parking on the site available to the weekend sports park users.
18. In deciding whether or not to adopt this plan change, consideration needs to be given to the Council's appeal position on Proposed Change 1 (PC1) to the Regional Policy Statement (RPS) to the extent it affects this site. PC1 introduced Metropolitan Urban Limits (MUL) in order to contain and rationalise urban growth. The Commissioners' decision on PC1 confirmed that the North West Review Area (NWRA), including the Tait's site, is within the MUL but as a Special Treatment Area 1 (STA1). The Council appealed that part of the decision to the

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Environment Court and sought removal of STA1 from being within the MUL. In Council's view expressed in the appeal, the STA provisions "raise an inference of the potential urban use of an additional 981ha in STA1 and 2 alone, and are likely to create unrealistic expectations for land owners that urban development will occur". The appeal is yet to be resolved.

19. The pending appeal may potentially introduce some uncertainty with regard to Tait's site being within the MUL. In essence, the Council's current position means that the proposed plan change land could be considered to be outside of the MUL. There is, however, an agreement with the UDS partners that up to 100 hectares of additional business land can be provided within the NWRA, and this additional land would be deemed to be within the MUL.
20. The Council has undertaken extensive studies to identify how much land and where in the NWRA study area should be rezoned for business purposes. Subsequent report to the Council identified three areas as suitable for future urban business uses, one of which includes the Tait site. The report recommended that 100ha of land in total be rezoned to business through Council led plan changes. Therefore, adopting or accepting Plan Change 73 would not be inconsistent with the Council's appeal position.
21. The area recommended in the NWRA report, however, is significantly larger than the land proposed for rezoning by Tait Ltd. While it would be logical to introduce a Council led plan change covering the wider area, the Council is not in the position at the present time to do that. It is more advantageous to the applicant to enable them to progress their rezoning and development proposal, while ensuring that provisions are made to integrate their development with future business zoning where appropriate.

Option 5 - Resolve to accept Private Plan Change 73 and the Section 32 Assessment for public notification

22. Under this option Private Plan Change 73 would be notified in its current form as prepared by McCracken and Associates Ltd for Tait Ltd and Tait Foundation. Accepting the Plan Change means:
 - (a) Tait determine the nature of the plan change that is notified;
 - (b) The Council remains neutral as to its position on the proposal but is satisfied that the Change includes sufficient information to be publicly notified; and
 - (c) Tait bear the cost of the complete plan change process up until the point of any appeals.

All reasonable associated costs will be borne by the applicant.

23. Any concerns the Council may have regarding the Plan Change, such as the format of the amendments to the City Plan or ensuring completeness of technical information, can be raised in the officer's Section 42A Report.
24. The officer recommendation based on the analysis in the aforementioned options is to accept private Plan Change 73 – Rezoning of Ru5 land to B4T and B4, Harewood, for notification.

FINANCIAL IMPLICATIONS

25. Should the Council resolve to notify the plan change there are legal processes which must be followed in accordance with the First Schedule of the RMA. This is a standard process that all plan changes must follow and if the processes are correctly followed, no particular financial risks are foreseen.
26. There would be costs arising at various stages of the plan change process relating to the preparation of officer reports and a hearing in response to submissions. The scale of costs will depend on the level of complexity of the submissions received. As this is a private plan change, these costs are largely recoverable from the applicant. Costs associated with responding to any Environment Court appeals received are not recoverable, except in instances where the Court awards costs.

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27. Should the Council resolve to adopt the plan change as its own, it will need to absorb all the processing costs.
28. The 2012/13 budget for the District Planning work programme, adopted by the Council and provided for in the LTCCP, includes funding for processing this plan change. As this is a private plan change request, these costs are largely recoverable.

LEGAL CONSIDERATIONS

29. There is a legal process set out in the RMA which must be followed. It includes public notification of the plan change followed by submissions, reporting, hearings, decisions and possible appeals. Provided the process is followed correctly there are no particular legal risks associated with this plan change.

ALIGNMENT WITH THE 2009-19 LTCCP AND ACTIVITY MANAGEMENT PLANS

30. The proposal is part of the district planning levels of service in the LTCCP.

ALIGNMENT WITH STRATEGIES

31. Plan Change 73 proposal is consistent with:
 - The Greater Christchurch Urban Development Strategy which seeks greater intensification and development in and around existing urban centres. This plan change would enable intensification in the north west area. The site is within the urban limits described in the decision on Proposed Change 1 to the Regional Policy Statement. While this decision was appealed by the UDS partners, the subsequent NWRA report recommendations, discussed earlier in paragraphs 18 – 21, clarify the Council's position with regard to that land and UDS Action Plan implementation.
 - The Greater Christchurch Travel Demand Management Strategy (accepted by the Urban Development Strategy Implementation Committee) through a commitment to develop and implement a Travel Management Plan to encourage public transport use, cycling and walking, and consequently reducing the number of employee vehicle trips generated by the development on the site;
 - The Council's Pedestrian Strategy for Christchurch City by providing new pedestrian links between Nunweek Park, Wooldridge Road and Stanleys Road,
 - The Cycle Strategy for Christchurch City by encouraging cycling through Travel Management Plan, providing cycle parking, changing rooms and showering facilities on site;
 - The Parking Strategy for Christchurch City by meeting the minimum City Plan requirements for on-site car parking for the first stage of the development, reducing the risk of on-street parking, and maintaining a high level of amenity. The overall parking ratio is proposed to be reduced during the second phase of the development, provided the monitoring report on the success of the Travel Management Plan confirms the reduced need for on-site car parking.

CONSULTATION FULFILMENT

32. The applicant has directly contacted the owners of properties in the vicinity of the site. Consultation has also been initiated by the applicant with Environment Canterbury, CERA, Christchurch International Airport, Mahaanui Kurataiao Ltd and Ministry for the Environment. Further, submissions will be sought when the plan change is publicly notified.
33. The plan change proposal has also been presented at a Council workshop on 20 the August 2012 and to the Fendalton/Waimairi Community Board for information and feedback on 18 September 2012. Both presentations received positive feedback.

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STAFF RECOMMENDATION

It is recommended that the Planning Committee recommend to the Council that it:

- (a) Accept Private Plan Change 73 – Rezoning of 245 Wooldridge Rd and 6-62 Stanleys Rd, Harewood, from Rural 5 to Business 4T and 4 pursuant to Schedule 1, Clause 25(2)(b) of the Resource Management Act 1991 for public notification;
- (b) Accept the attached Section 32 assessment for public notification;
- (c) Note that in accordance with Council policy, the cost of processing the private plan change are to be borne by the applicant.

BACKGROUND AND DISCUSSION**The Private Plan Change Request**

- 34. Private Plan Change 73 (refer **Attachment 2**) is requested by Tait Ltd and Tait Foundation and seeks to rezone 245 Wooldridge Road and 6 – 62 Stanleys Road, Harewood, from Rural 5 to Business 4T and Business 4. The site is adjacent to the existing Business 4 (B4) zone to the south, Rural 5 (Ru5) to the north and west and Opens Space 2 (O2) to the east (Nunweek Park). Part of the B4 zone to the south-east contains the existing Tait Communications factory/offices. Refer to the attached Planning Map (23A and 24A) (**Attachment 1**) for the location and extent of the rezoning.
- 35. The Rural 5 (Airport Influences) Zone surrounds most of Christchurch International Airport and extends to include the majority of that area within the 50 dBA Ldn noise contour. This zone includes areas of mixed rural activities, and soils of varying versatility. The zone's purpose is primarily the continuation of primary production and other rural activities while managing land uses to avoid compromising airport operations and development and excluding noise sensitive activities.
- 36. Business 4T (Suburban Industrial - Technology Park) Zone is designed for technology industries developed to a higher amenity standard. It is characterised by lower density of buildings, higher percentage of open space, substantial landscaping and setbacks from the roads. The only other area of B4T zoning is located around Sir William Pickering Drive, south of Wairakei Road. The zone is highly suitable to Tait's vision of creating a modern, sustainable, high amenity campus within a park-like setting reflective of the surrounding open space and rural environment.
- 37. The Business 4 (Suburban Industrial) Zone is intended to accommodate light industrial activities, warehousing, service industries, some commercial activities like offices and limited retail activities. The zone contains standards which exclude or control activities with a potential to have an unduly detrimental impact on adjoining sensitive zones. Some limits are imposed on the scale of building development, noise and other potential nuisance effects. This zone is proposed for the Webster land at 6 Stanleys Road and reflects the existing use of part of the site as a contractor's yard as well as the adjacent industrial B4 uses immediately to the south. The potentially more intensive light industrial use of the site will be buffered from the higher amenity of the nearby Ru5 zone by the proposed B4T zone of the adjacent Tait campus.
- 38. The rezoning is required to facilitate consolidation of Tait Ltd operations, currently scattered over several sites, and allow for future growth and the changing needs of Tait's high-tech industry. The Webster site at 6 Stanleys Road is already used in part for business operations for which resource consent has been obtained. The rezoning of this site to B4 will create a sensible and continuous zoning pattern.

Description of the Site and the Proposal

- 39. The plan change covers four sites located north of the B4 zone on Wairakei Road, between Wooldridge Road and Stanleys Road. The site includes the Tait site comprising 245 Wooldridge Road (4.07ha) and 32-62 Stanleys Road (2.27ha plus 2.02ha), and the Webster site at 6 Stanleys Road (1.96 ha). The land is currently zoned Rural 5. The rural zoning restricts the extent to which business development is permitted on the site, therefore, the plan change request is seen as an appropriate method to facilitate the establishment of business activity on the land.

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40. Prior to being purchased by the applicant, the Tait site was used for horticultural activities. During the Canterbury earthquakes of 2010 and 2011 the tomato growing glasshouses, covering a substantial part of the site, were badly damaged and had to be demolished. Due to considerable fragmentation of the land the continuation of rural uses on the land was not considered economical. This provided an opportunity for Tait to purchase the land and consolidate their operations in one contiguous area.
41. The Webster site is currently used in part as a contractor's yard in conjunction with the adjoining B4 zoned business to the south of the site. That use was established through a resource consent. The other part of the site contains a substantial private dwelling and is used as a lifestyle property. Rezoning of this site to B4 will ensure a sensible and continuous business zoning of the entire area, therefore avoiding any potential reverse sensitivity issued which could arise if the site were to remain zoned rural among business zoned properties.
42. Tait's vision for the site is to create a modern, sustainable, high amenity campus within a park-like setting reflective of and which will integrate with the surrounding open space and rural environment. PC73 proposes an Outline Development Plan (ODP) for the site which is re-enforced by a set of site specific rules to ensure desired environmental outcomes.
43. The ODP indicates eight building locations among extensively landscaped grounds of the Tait campus and a water feature combined with stormwater facilities set in a central open space. A walkway and cycleway providing links with Nunweek Park and the location of vehicle access points are also indicated on the ODP. The associated rules introduce a limit on building height and the overall floor area, increased road and internal boundary setbacks, reduced site coverage, and increased amount of open space. The type of office activity permitted on the site is limited to those associated with high-tech communication industries, computing and information industry. For development over the first 10,000m² of floor area, PC73 proposes a reduced number of on-site car parks but that reduction is conditional on the success of the proposed Travel Management Plan and reduced demand for car parking. All the proposed amendments are appended to the Plan Change document (see **Attachment 2**). The proposed area of B4 zone will be subject to the current Business 4 Zone rules.

Description of Alternatives and Issues

44. The Section 32 Analysis (**Attachment 3**), including an Assessment of Environmental Effects, provides a detailed discussion of the proposal, the subject site, its surrounding environment, the potential effects of the proposal, and a costs/benefits analysis of different alternatives. These alternatives are summarised below.
45. Do nothing (status quo) – while retention of the Rural 5 (Airport Influences) zoning would allow the site to continue to be used for agricultural and horticultural uses, this option significantly limits any more efficient land uses and opportunities for urban business activity consolidation in an area identified as suitable for business uses through the NWRA study.
46. Rezoning to Business 4T – is consistent with the recommendations of the NWRA report which identifies the land north of the existing Wairakei Road B4 zone, between Wooldridge and Russley Roads, as suitable for urban business uses. The rezoning represents an efficient use of the site which, due to being within the 50dBA airport noise contour, is restricted to non noise sensitive activities. The rezoning will also allow for consolidation of business activities of Tait Ltd in the locality while creating a high amenity campus sensitive to and reflective of its immediate environment.
47. Rezoning to Business 4 – this option applies to the Webster site at 6 Stanleys Road only. The rezoning will allow to integrate the site with the existing B4 development immediately to the south and create a sensible continuous zoning pattern in the locality. The zone will be buffered from the more sensitive Ru5 zone by the higher amenity B4T zone on the Tait site. Such rezoning represents an efficient use of a land parcel which would otherwise be an isolated pocket of Ru5 zone potentially leading to reverse sensitivity issues.

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48. Resource consent – would provide for the establishment of the development with one approved design and layout. Any proposals to alter the buildings, site or car parking would require further resource consents. Should the site be developed incrementally, each stage would require a new resource consent which is not considered cost effective. Furthermore, such fragmented development may not result in a coherent integrated whole. This alternative is not considered efficient and it does not allow for consideration of consistency with the City Plan objectives and policies or the benefits of other options.
49. The Section 32 assessment analyses the above options as well as the option promoted by this plan change in further detail. It includes the costs/benefits and the efficiency/effectiveness comparison of all options. The report concludes that the proposed rezoning of the subject site to B4T and B4 is the most appropriate option.
50. Taking into account the proposed mitigation methods, the overall adverse effects of the rezoning are considered to be outweighed by the benefits created by the proposed rezoning. The Section 32 report concludes that the proposed B2P zoning is consistent with the City Plan objectives. The applicant considers that by enabling the rezoning, the plan change will better achieve the purpose of the Resource Management Act 1991.

OPTIONS

51. In order for the Council to decide whether to notify the plan change and with what status the Committee is directed to Schedule 1, Clause 25, subclauses (2), (3) and (4) of the RMA as set out below:

25. Local authority to consider request

(...)

(2) *The local authority may either—*

- (a) *adopt the request, or part of the request, as if it were a proposed policy statement or plan made by the local authority itself (...); or*
- (b) *accept the request, in whole or in part, and proceed to notify the request, or part of the request, under clause 26.*

(...)

(3) *The local authority may decide to deal with the request as if it were an application for a resource consent and the provisions of Part 6 shall apply accordingly.*

(4) *The local authority may reject the request in whole or in part, but only on the grounds that—*

- (a) *the request or part of the request is frivolous or vexatious; or*
- (b) *the substance of the request or part of the request has been considered and given effect to or rejected by the local authority or Environment Court within the last 2 years; or*
- (c) *the request or part of the request is not in accordance with sound resource management practice; or*
- (d) *the request or part of the request would make the policy statement or plan inconsistent with Part 5; or*
- (e) *in the case of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than 2 years.*

(...)

52. **Option 1**

Resolve to reject Plan Change 73 request pursuant to Clause 25(4) of the first schedule of the Resource Management Act 1991.

53. **Option 2**

Resolve to deal with Plan Change 73 request as if it were an application for resource consent pursuant to Clause 25(3) of the first schedule of the Resource Management Act 1991.

54. **Option 3**

Resolve to modify Plan Change 73 request with the agreement of the person who made the request pursuant to Clause 24 of the first schedule of the Resource Management Act 1991).

7 Cont'd**55. Option 4**

Resolve to adopt Plan Change 73 request and publicly notify it as if it were the Council's own plan change pursuant to Clause 25(2)(a) of the first schedule of the Resource Management Act 1991.

56. Option 5

Resolve to accept Plan Change 73 request and the Section 32 Assessment for public notification pursuant to Clause 25(2)(b) of the first schedule of the Resource Management Act 1991.

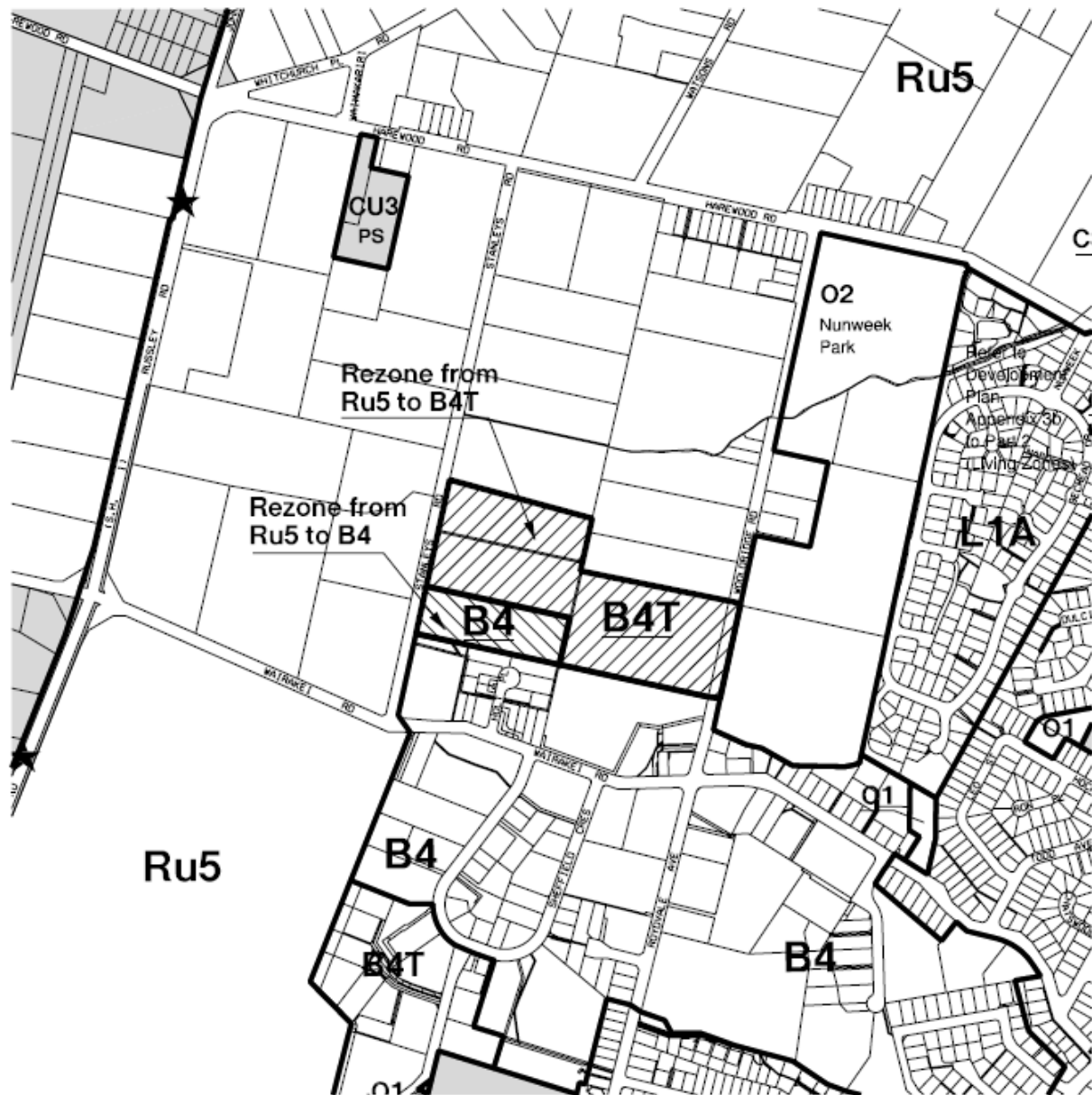
57. The options were discussed in detail in paragraphs 10 - 23 above. Having considered all the relevant matters, it is recommended that the Council accept the request in whole and proceed to notification.

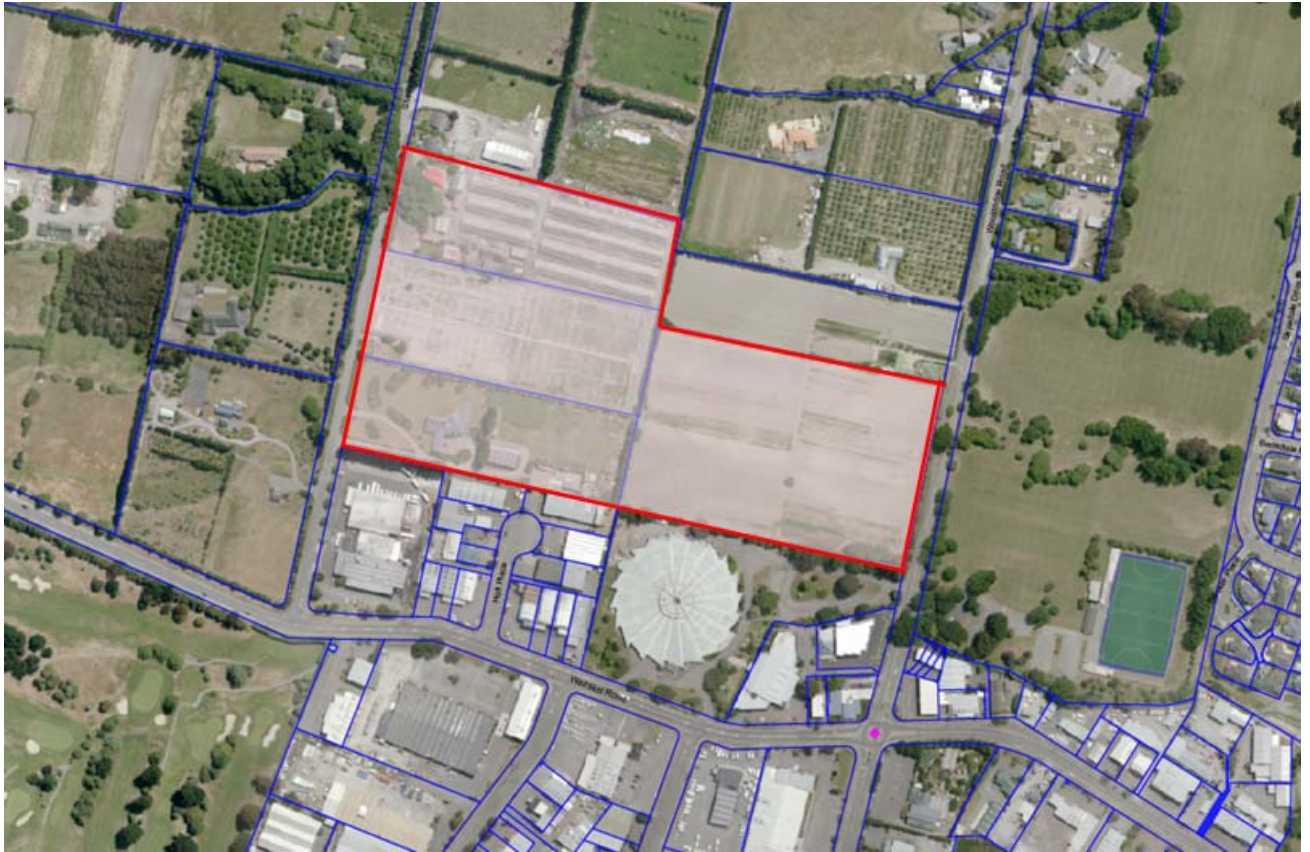
THE PREFERRED OPTION


58. The preferred option is **Option 5** - accept Plan Change 73 (Rezoning of 245 Wooldridge Road and 6-62 Stanleys Road, Harewood, from Rural 5 to Business 4T and 4) and its associated Section 32 Assessment in whole pursuant to Clause 25(2)(b) of Schedule 1 of the Resource Management Act 1991 and proceed to publicly notify it.

ATTACHMENT 1

Locality Map (Planning Maps 23A and 24A)

Proposed Plan Change 73. City Planning Maps 23A and 24A.



<div><div>Christchurch City Council</div><div></div></div>	<div>Resource Management Act 1991</div> <div>Christchurch City Council</div> <div>Christchurch City Plan</div> <div>Proposed Private Plan Change</div>	<div>73</div>
<div>NOTE: This privately requested Plan Change will have no legal effect until the Council gives public notice of its decision on the plan change and matters raised in submissions.</div> <div>REZONING OF LAND AT 245 WOOLDRIDGE ROAD AND 6 – 62 STANLEYS ROAD, HAREWOOD, FROM RURAL 5 TO BUSINESS 4 AND 4T ZONES</div> <div>Explanation</div> <div><p>The purpose of this private plan change, initiated by Tait Limited and the Tait Foundation, is to rezone approximately 10.3295ha of land from Rural 5 to Business 4 and 4T Zones. The site comprises 8,3710 hectares of land located at 245 Wooldridge Road and 32 – 62 Stanleys Road, which is proposed to be rezoned to Business 4T (B4T), as well as 1,9585 hectares of land located at 6 Stanleys Road, which is proposed to be rezoned to Business 4 (B4).</p><p>The land subject to the plan change adjoins a large area of B4 zone to the south and is contiguous to the existing Tait Communications factory/offices at 558 Wairakei Road. The proposed rezoning will facilitate consolidation of all Tait Ltd operations, currently scattered over several sites, and allow for future growth. The rezoning of the site at 6 Stanleys Road to B4 will create a continuous zoning pattern.</p><p>The applicant wishes to develop the B4T part of land for a modern, sustainable and high amenity business and technology campus within a park-like setting and in a manner which will integrate it with the immediate environment. To ensure the desired environmental outcomes the development will need to proceed in accordance with the proposed Outline Development Plan which is supported by a package of site specific B4T rules.</p><p>The Outline Development Plan identifies the location of key features for the development of the proposed B4T zoned site including:</p><ul style="list-style-type: none">• Provision for a low density built campus environment and general building location;• Integrated open space, walkway and cycleway links between Nunweek Park, Wooldridge Road and Stanleys Road;• Provision for on-site stormwater management and amenity waterway;• Retention of established trees and landscaped buffers;• Integrated access and off-street parking.<p>The supporting rules for the B4T (Tait Campus) Zone include controls on building design and appearance, building height, setbacks, landscaping, increased open space and site coverage, a limit on the total floor space and the type of office activity permitted on the site. The proposed area of B4 zone will be subject to the current Business 4 Zone rules.</p></div> <div><div>Continued</div></div>		
<div>Date Publicly Notified:</div>	<div>Date Operative:</div>	
<div>Plan Details: Vol. 3, Pts 3, 13, 14, Maps 23A-24A, File No: PL/CPO/3/73 TRIM: FOLDER 12/490</div>		

The Plan Change seeks the following **amendments**:

- Amend Volume 3, Part 3 (Business Zones), Sections 1.0 and 5.0, Clauses relevant to the Business 4T zone by adding site specific Business 4T (Tait Campus) zone rules relating to building design and appearance, building height, setbacks, landscaping, increased open space and site coverage, gross floor area of buildings, the type of office activities permitted, noise sensitive activities and road improvements;
- Amend Volume 3, Part 3, Sections 6.0 and 7.0 by adding relevant assessment matters and reasons for rules for Business 4T (Tait Campus) zone;
- Insert an Outline Development Plan for Business 4T (Tait Campus) zone as Appendix 23 in Volume 3, Part 3;
- Amend Volume 3, Part 13 (Transport), Clauses 2.2.1, 3.2.1 and 4.1 relating to on-site car parking provision;
- Amend Volume 3, Part 14 (Subdivision), by adding new Clauses 5.3.8, 30.1 – 30.3 and 31.37;
- Amend Planning Map 23A and 24A to identify the zoning of the subject site as Business 4 and Business 4T.

The details of the amendments are shown in the attached 'Proposed Amendments to the City Plan'

2. PROPOSED AMENDMENTS TO THE CITY PLAN

Note: for the purposes of this plan change, any text amended as a result of other decisions is shown as “normal text”. Any text proposed to be added by the plan change is shown as **bold underlined** and text to be deleted as **~~bold strikethrough~~**.

2.1 **Volume 3 - Part 3 : Business Zones**

2.1.1 **Amend** Zone Description Clause 1.12, Part 3, Volume 3 as follows:

- (i) **Add** the following new provisions to the Zone description and purpose and the Environmental results anticipated, Clause 1.12 Business 4T (Suburban Industrial – Technology Park) Zone as follows:

This zone **relates to** land in the Russley area in the north-west of the City (adjacent to Sir William Pickering Drive) which ~~is being~~ **has been** developed as a “technology park”. This industrial park was established under the previous Waimairi Plan with performance standards requiring development to be low density with a significant emphasis on open space and landscape treatments. There is already a higher standard of amenity than in other business Zones and there is an expectation that this locality will continue to be developed in this way. It is therefore appropriate for the Plan to ensure that these amenity values are not adversely affected or undermined by any future development. **The zone has been extended to include an area of land between Wooldridge Road and Stanleys Road covered by the Tait Campus Outline Development Plan, (refer Appendix 23, Part 3, Volume 3). This area will expand the opportunity for consolidation of the information, technology and research business community of the city while maintaining and promoting a higher standard of site and building design, landscaping and open space.** The emphasis of the zone is therefore to maintain the higher levels of landscape treatment and amenity. **Within that part of the zone covered by the Outline Development Plan (Tait Campus), the office activities are confined to the management, manufacture, research, development, data processing and storage for the high technology, information communication and computing**

building design will be encouraged.

Environmental results anticipated

- (a) A zone environment where the density and scale of building development is low with a “park-like” industrial character.
- (b) High standards of landscaping and visual amenity.
- (c) A street scene characterized by large setbacks.
- (d) Within the area of the zone covered by the Outline Development Plan (Tait Campus), shown in Appendix (23), Part 3, Volume 3:**
 - **business activity limited to the management, design, research, manufacture and data storage for the information, computing, communications and high technology industry;**
 - **an integrated site layout, with increased controls on building design to ensure an attractive and energy efficient built form and work environment.**

2.1.2 **Amend** Development Standards – Business 3, 3B, 4, 4P, 4T, 5, 6, 7 and 8 Zones as follows:

- (i) Rule 5.2.2 Open Space:

Add the following new provision:

The maximum percentage of the site area covered by buildings shall be:

Business 4T Zone	25%
------------------	-----

<u>Business 4T (Tait Campus) Zone,</u>	
<u>shown in Appendix 23, Part 3, Volume 3</u>	<u>35%</u>

Except that within the Business 4T (Tait Campus) Zone the maximum total area of building floor (Gross Floor Area) space shall be 50,000m².

Business 4P Zone	50%
------------------	-----

(...)

(ii) Rule 5.2.3 Street Scene:

Add the following new exception:

- (a) The minimum building setback from road boundaries shall be:
(...)

Business 4T Zone	15m
------------------	-----

Business 6 zone	15m
-----------------	-----

Except that

- (i) The minimum (...)

(v) In that part of the Business 4T (Tait Campus) Zone shown in Appendix (23), Part 3, Volume 3 the setback shall be 20m

- (vi)** In the Business 4 zoned sites fronting Blakes Road (...)

(iii) Rule 5.2.4 Separation from Neighbours:

Add the following new amendment and exception:

- (a) The minimum building setback from the boundary with a living zone shall be

(...)

Business 4T **(Sir William Pickering Drive)** Zone

on the western boundary of the zone	5m
-------------------------------------	----

(...)

(...)

- (b) The minimum building setback from internal boundaries shall be:

Business 4T <u>(Sir William Pickering Drive)</u> Zone	5m
--	----

<u>Business 4T (Tait Campus) Zone shown in Appendix (23), Part 3, Volume 3</u>	<u>10m</u>
---	-------------------

Business 4 Zone on the land known (...)	3m
---	----

- (iv) Rule 5.2.7 Landscape areas:

Amend subclause (a), **add** a new subclause (vii) and renumber subsequent clauses as follows:

- (a) Area and location of landscaping

The minimum percentage of the site to be set aside as a landscaped area shall be as follows:

(...)

Business 4T (Sir William Pickering Drive) and 4P Zones 20%

Business 4T (Tait Campus) Zone

shown in Appendix (23), Part 3, Volume 3 **30%**

and

(...)

- (vi) In the Business 4 zone on the land known as Musgroves

(...)

- (vii) In the Business 4T (Tait Campus) Zone, shown in Appendix (23), Part 3, Volume 3:**

- **All of the setback from road boundaries and the landscape buffer areas along internal boundaries shall be landscaped excluding road or pedestrian crossings;**
- **Provision of landscape areas and tree planting shall be in accordance with sub-clause (b) Trees below, the Green Network provisions of the Outline Development Plan (Tait Campus) shown in Appendix (23), Part 3, Volume 3, and the tree schedule, Volume 3, Part 3, Appendix 3.**

- (viii) (vii)** In the Business 4 Zone (...)

- (v) Rule 5.2.8 Outline Development Plans:

Add the following new **subclause (f)** to Clause 5.2.8 Outline Development Plans as follows and renumber subsequent clauses accordingly

(...)

5.2.8

- (e) Within the Business 4 Zone at Wrights Road (...)
- (f) Within the Business 4T (Tait Campus) Zone, as shown on the Outline Development Plan in Appendix (23), Part 3, Volume 3, the development of land in shall be in accordance with the site layout, general building location, setbacks, buffer and landscape areas, planting requirements, access points, location of internal circulation routes, stormwater management areas and any other requirements shown on the Outline Development Plan layer diagrams. Any development not in accordance with the Outline Development Plan will be a restricted discretionary activity with the Council's discretion limited to the relevant matters with which the development does not comply.**
- (f)-(g)** In the Business 7 Zone (...)

(vi) Rule 5.2.9 Height:

Add the following new provision for the Business 4T (Wooldridge Road Campus) Zone, Appendix (23), Part 3, Volume 3:

- (a) The maximum height of any building shall be:
(...)

Business 4 Zone at Ferrymead	11m
------------------------------	-----

Business 4T (Tait Campus) Zone

<u>shown in Appendix 23, Part 3, Volume 3</u>	<u>15m</u>
--	-------------------

except that

- (i) no building shall exceed 11m**
in height within 50m of the road boundary of
the site with Stanleys Road and Wooldridge Road

Business 8 Zone (within 50m of a living zone boundary or Pound Road) (...)	15m
---	-----

(b) In the Business 4 zoned land at (...)

(vii) Rule 5.2.14 Design and amenity for development in the Business 7 and 8 Zones:

Amend Clause 5.2.14 by including the Business 4T (Tait Campus) Zone as follows:

5.2.14 Design and amenity for development in the Business **4T (Tait Campus)**, 7 and 8 Zones.

The erection of new buildings and additions to existing buildings shall be a controlled activity, with the exercise of the Council's control limited to the design and amenity of the site and development thereon in **the Business 4T (Tait Campus) Zone, shown in Part 3, Appendix 23,** all of the Business 7 Zone, and on sites which have frontage to Pound Road in the Business 8 Zone.

(viii) Rule 5.2.15 Waterbodies and Birdstrike Risk

Amend clause 5.2.15 as follows:

In the Business 5 Zone at Sir James Wattie Drive, **Business 4T (Tait Campus) Zone shown in Appendix 23, Part 3, Volume 3,** and Business 8 Zones, because of the bird strike risk for Christchurch International Airport (...)

2.1.3 **Amend** Community Standards – Business 3, 3B, 4, 4P, 4T, 5, 6, 7 and 8 Zones as follows:

(i) Rule 5.3.3 Offices

Amend Clause 5.3.3 Offices as follows:

In any zone other than other than the Business 3B, 4, 4T, and 8 zone, (...)
bank ATM facilities;
except that

In the Business 4T Zone (Tait Campus) any office use shall be for the purposes of the management, manufacture, research, development, data storage and processing in association with the high technology communication, computing and information industry.

- (ii) Rule 5.3.6 Site Contamination and Landfill Gas

Amend Clause 5.3.6 Site Contamination and Landfill Gas as follows:

The construction of any building involving human occupancy in the **Business 4T (Tait Campus) Zone shown in Appendix 23, Part 3, Volume 3, and Business 7 Zones** shall be a restricted discretionary activity (...)

- 2.1.4 **Amend** Critical Standards – Business by adding Business 4T to the heading of the critical standards and amending rules 5.4.5 and 5.4.7 as follows:

- (i) 5.4 Critical standards - Business 4, **4T**, 5, 7 and 8 Zones
- (ii) Rule 5.4.5 Kennaway Park – Road Improvements

Amend as follows:

5.4.5 **Business 4 (Kennaway Park) and Business 4 and 4T (Tait Campus) Zones** – Road Improvements

- (i) **Business 4 (Kennaway Park)**

Not more than 10 hectares (...)

(...) of general traffic and cyclists

- (ii) **In the Business 4T (Tait Campus) shown in Appendix 23, Part 3, Volume 3 no more than 10,000m² of floor space (GFA) may be developed for business use until:**

(a) The Wairakei/Wooldridge Roads intersection improvements as agreed with the Council have been carried out;

(b) Notwithstanding any other provisions of this Plan that may separately make an activity permitted, controlled, restricted

resulting in more than 10,000m² within the area covered by the Outline Development Plan (Tait Campus) – Part 3, Appendix 23, shall be a non-complying activity until the upgrading of the intersection of Wairakei Road/Wooldridge Road (including traffic signals) has been agreed with the City Council; and

- (c) The extent of any contribution to the costs of Wairakei/Wooldridge Road intersection upgrading has been agreed with the Council.

OR – an alternative version:

- (ii) Business 4T (Tait Campus) shown in Appendix 23, Part 3, Volume 3

- (a) Notwithstanding any other provisions of this Plan that may separately make an activity permitted, controlled, restricted discretionary or fully discretionary, any development resulting in more than 10,000m² of gross floor area within the area covered by the Outline Development Plan shall be a non-complying activity until the Wairakei / Wooldridge Roads intersection improvements (as agreed with the Council) have been carried out; and

- (b) The extent of the developer's contribution to the costs of Wairakei / Wooldridge Roads intersection upgrading has been agreed with the Council.

In addition:

- (c) There shall be only one main vehicle access point to the Business 4T zoned part of the site. This access point shall be located on Wooldridge Road as indicated in Appendix 23. A second access point can be provided from Wooldridge Road but shall be limited to serving a maximum of 30 car parking spaces;
- (d) Upon the creation of vehicle access from the site to Stanleys Rd, new give-way markings on the Stanleys

be provided;

- (e) Three secondary access points, designed as 'low volume service access', may be provided to the Business 4T zoned part of the site in the general locations indicated on the Outline Development Plan;
 - (f) Footpaths along the Business 4T Zone frontage to Wooldridge and Stanleys Roads linking the site with Wairakei Road, and along the eastern side of Wooldridge Road with the bus stop shall be provided when the vehicle access points are formed; and
 - (g) All vehicle access point intersection works, internal roading and footpath improvements shall be carried out at the cost of the developer or their successor/s in title.
- (iii) In the Business 4 zone shown in Appendix 23, Part 3, Volume 3 the only main access point to the site shall be located on Stanleys Road. All vehicle access point intersection works, internal roading and footpath improvements shall be carried out at the cost of the developer or their successor/s in title.

- (iii) Rule 5.4.7 Noise Sensitive Activities

Amend as follows:

In the Business 4 and 4T (Tait Campus) Zones as shown in Part 3, Appendix 23 and the Business 8 Zone, no noise sensitive activities (....)

- 2.1.5 Volume 3, Part 3 Business Zones, 6.0 Assessment matters for resource consents, Clause 6.7 Business 3, 3B, 4, 4P, 4T, 5 (including the Business 5 zone at Sir James Wattie Drive), 6, 7 and 8 Zones

- (i) Clause 6.5.7 Outline Development Plans – Business 4, 4T, 5 and 8 Zones

Amend the clause heading, and **add** a new clause E after sub-clause D as follows, and renumber subsequent sub-clauses accordingly:

6.5.7 Outline Development Plans – Business 4, 4T, 5 and 8 Zones

(...)

E **In the area covered by the Business 4T (Tait Campus) Zone as shown in Appendix 23, Part 3, Volume 3.**

(a) Open Space and Character

- (i) The extent to which the design, layout and landscaping contributes to an open space environment compatible with the Nunweek Park recreation area and surrounding rural zones.
- (ii) The extent to which the site design, layout and landscaping provide for separation from and screening of buildings from Stanleys Road and the Nunweek Park recreation area and adjacent rural properties.
- (iii) The extent to which the design, layout and landscaping proposed provides for view shafts across the area.
- (iv) The extent to which the design, layout and landscaping creates a green corridor that will incorporate and enhance landscape and water features including provision for the retention of existing trees.
- (v) The extent to which building form, colour and location, allocation on the site mitigates the visual dominance of buildings when viewed from the rural-urban and open space boundaries.

(b) Landscaping

- (i) The extent to which provision is made for a transition between business activities and the surrounding rural zones through the use of attractive green edge

screening of business activities along the rural edge and which are in keeping with the rural character of the area.

- (ii) The quality and effectiveness of landscaping proposed along the Wooldridge Road and Stanleys Road frontages in creating an attractive green edge to the urban area.
- (iii) The extent to which stormwater basins open space and landscaped areas are co-located so as to maximize recreational and amenity opportunities.
- (iv) The effectiveness of any landscaping proposed to screen parking areas, service buildings and yards.
- (v) The effectiveness and quality of landscaping in providing screening around buildings.
- (vi) The degree to which any visual or outlook reverse sensitivity issues relating to the lawfully established nearby rural activities are avoided or mitigated.
- (vii) The suitability of planting along the water feature's edge to the local conditions and its effectiveness in discouraging bird species which may pose a bird strike risk from congregating on or around the water feature.

(c) Connectivity

- (i) The extent to which the connectivity of pedestrian and cycle movement across the site from Wooldridge Road to Stanleys Road and then to the wider transport network and Nunweek Park is incorporated within the design.
- (ii) The extent to which the principles of Crime Prevention through Environmental Design have been incorporated into the design of pedestrian and cycle ways.
- (iii) The extent to which the connectivity of pedestrian, cycle and vehicular access is incorporated within the landscape and planting design.

(iv) The provision for vehicle and pedestrian linkages between buildings within the site.

(d) Energy Efficiency and Sustainability

(i) The extent to which passive solar energy and access to daylight can be achieved through building orientation and design.

(ii) The use of timber technology for carbon absorption.

(iii) The extent of which ground water coupling and heat exchangers can be incorporated to provide both heating and cooling.

(iv) The ability to provide for ventilation through a combination of natural and mechanical means.

(e) Parking

(i) The visual effect of car parking areas both from within the site and as seen from outside the site, in particular from Nunweek Park and Stanleys Road, and the effectiveness of any mitigation on the amenity of those places through landscaping and design.

(f) Access

(i) The integration of the entrances to the site from Wooldridge Road and Stanleys Road as part of the landscape and planting design and amenity for those frontages.

(ii) The design and effectiveness of the external vehicle access points to Stanleys and Wooldridge Roads and their effect on the character, safety and efficiency of the adjoining road network.

(iii) The effectiveness and safety of pedestrian access to and from the site, including access to the public transport network.

(g) Stormwater

(i) The extent to which stormwater basins and open space are integrated to maximise recreational

development of habitat that would increase the risk of bird strike at the Christchurch International Airport.

- (ii) Clause 6.5.10 Offices

Amend Clause 6.5.10 by **adding** the following new sub-clause (b)

(a) The impact of (....) reverse sensitivity effects.

(b) Impact of any new office development on the redevelopment of the Central City.

- (iii) Clause 6.7.16 Design and Amenity for development in the Business 7 Zone and for sites fronting Pound Road in the Business 8 Zone.

Amend Clause 6.5.16 heading and **add** the following new sub-clause at the beginning of the clause:

6.5.16 Design and Amenity for development in the **Business 4T (Tait Campus)**, Business 7 Zones, and for sites fronting Pound Road in the Business 8 Zone.

Business 4T (Tait Campus) Zone as shown in Appendix 23, Part 3, Volume 3:

- (a) Any adverse effects of new buildings in terms of their scale and appearance on the adjoining rural area and Nunweek Park.**
- (b) The visual intrusion of buildings as seen from the nearby adjoining rural properties and open space.**
- (c) The relationship between the external appearance of the building and the character of the surrounding area including**
 - (i) the degree of variation in form, profile and height of the building and**
 - (ii) the avoidance of large expanses of wall or repetitious building forms**

- (d) The extent of landscape buffer treatment to mitigate the overall bulk and appearance of the buildings.
- (e) The quality of the architectural treatment of the building elevations including the design, architectural features and details, use of colour and building materials.
- (f) The extent to which the location of security fencing detracts from the visual amenity and landscape planting along the street frontage.
- (g) The extent to which any signage on buildings is integrated with a buildings architectural detail.
- (h) The extent to which the location of outdoor storage, loading and parking areas are sited away from public areas.

Business 7:

- (a) The quality of architectural treatment of main elevations including building design, architectural features and details, use of colour and building materials.
- (b) (...)

2.1.6 Volume 3, Part 3 Business Zones, 7.0 Reasons for rules, Clause 7.3
Business 3, 3B, 4, 4P, 4T, 5, 6, 7 and 8 Zones.

- (i) 7.3.1 Site density and open space

Add the following to paragraph three of the clause

(...) buffered from residential areas.

In the less intensively built up industrial zones, a site coverage technique is utilised. Both the Business 4P and 4T Zones are marketed as “park-like” business environments which need to be reflected in rules which distinguish them from industrial zones generally. **In the Business 4T (Tait Campus) Zone the site coverage is increased by five percent in order to provide greater flexibility in developing a low rise building campus environment. This is balanced against a compensating increase in the landscaped area and a limit on building height and floor space within the zone to ensure that development remains low density, does not**

limits the anticipated level of traffic generation to and from the site.

(ii) 7.3.2 Street Scene:

Add the following at the end of paragraph two

(...)

Large setbacks have been specified in the Business 4T, 4P and 6 zones, because these areas are located in or adjacent to environmentally sensitive areas, and in the case of the Business 4T and 4P Zones, have been established to provide an attractive environment. **In particular, larger setbacks are provided for in the Business 4T (Tait Campus) Zone, shown in Appendix 23, Part 3, Volume 3, to allow greater opportunity for landscaping along the boundaries with the Rural 5 zone and opposite Nunweek Park, and to reflect the open space and low density campus character sought for the land.**

Similarly, generous setbacks (...)

(iii) 7.3.3 Separation from neighbours:

Add a new paragraph following paragraph one;

(...) A larger setback is also required where the Business 4T Zone has boundaries with existing residential areas to reflect the special amenity characteristics of the zone. The setback is decreased on the western boundary of the zone as the developer of the living zone on this boundary has imposed an increased setback and future development of the residential area is expected to take account of the presence of the Business 4T Zone.

In addition, greater setbacks are required in the Business 4T (Tait Campus) Zone, shown in Appendix 23, Part 3, Volume 3, along the internal rural zone boundaries to provide for substantial planted buffers to reduce the visual impact of buildings and maintain the rural and open space character of the area.

A greater setback is also required for that area of the Business 4 Zone (.....)

(iv) 7.3.6 Landscaped areas:

Amend paragraph two as follows:

(...)

The extent of landscaping required is a reflection of the location and environmental sensitivity of zones. The Business 4P Zone was originally established to promote a “clean green” rural produce image, and the Business 4T Zone a range of high technology uses in a park like environment. **In particular, an increased central area of open space and landscaping is provided for within the Business 4T (Tait Campus) Zone Appendix 23, Part 3, Volume 3 to ensure a low density open space campus environment with attractive public pedestrian and cycle links across the site integrated within an extensively planted and landscaped setting to protect and enhance the rural and open space zone boundaries and on site amenity.** Accordingly, both zones require a high proportion of landscaping to maintain (.....)

(v) 7.3.7 Outline Development Plan:

Add the following new sub-clause after the second to last paragraph referring to Business 4 Zone at Wrights Road:

(....)

In relation to the Business 4 Zone at Wrights Road (being the land shown on the Outline Development Plan in Part 3, Appendix 20) the development plan is intended to:

- Achieve safe and efficient movement of traffic to and from the site and on Wrights Road through limiting the number of access points;
- Ensure the amenity values of the surrounding environment are enhanced through specific landscaping standards..

In relation to the Business 4T (Tait Campus) Zone, shown in Appendix 23, Part 3, Volume 3, the Outline Development Plan is intended to achieve the following objectives:

- (i) **A low building density within an extensively landscaped campus environment;**

- (ii) Identify important locations for open space and waterway-stormwater links and enhancement;
- (iii) Enhance the general relationship of buildings and planting with the surrounding area;
- (iv) Ensure safe and efficient movement of traffic to and from the site, and within the site;
- (v) Ensure an attractive pedestrian-cycle link to and through the site;
- (vi) Provide for a development form that reflects the landscape and open space public amenity of Nunweek Park and the adjacent rural zone;
- (vii) Provide the opportunity for shared parking for Nunweek Park users in the weekends
- (viii) Ensure any reverse sensitivity effects in terms of adjoining or nearby rural activities are mitigated by way of increased building setbacks, landscaping and a limit on building height.

- (vi) 7.3.10 Offices

Add the following new sub-clause

Standalone office (...) in other parts of the City.

In the Business 4T Zone (Tait Campus) office activities are limited to those associated with the high technology, data storage, communication, computing and information industry in order to protect the recovery of the Central City Zone.

- (vii) 7.3.19 Road Improvement Rule – Kennaway Park Only

Amend the title of the clause and **add** a new paragraph referring to B4T (Tait Campus) as follows:

7.3.19 Road improvement rules – Kennaway Park **only and Business 4T (Tait Campus) Zone**

The particular location of the Business 4 zoned land known as Kennaway Park (...) with the cooperation of the Council and the road controlling authority.

The development of the land within the Business 4T (Tait Campus) Zone, shown in Appendix 23, will potentially give rise to traffic effects particularly at the intersection of Wairakei Road-Wooldridge Road, that will require road improvements. A limited amount of development is provided for before the extent of road improvements is determined and carried out. The rule is designed to ensure that these improvements are implemented before the development on the land beyond the first 10,000m² of floor space takes place. The owner of the land or development at the time will need to agree the mechanism for the cost sharing of any road works, with the cooperation of the Council, as the road controlling authority.

(viii) 7.3.20 Height

Amend by including the following at the end of paragraph one

(...) downdraft effects and buildings that would compete with the central city skyline.

A height limit of 15m has been set for all of the Business 4T (Tait Campus) Zone, as shown in Part 3, Appendix 23. This is reduced to 11m within 50m of the road frontage with Stanleys Road and Wooldridge Road to ensure that buildings remain low level and in context with the visual amenity and outlook of the adjoining rural and open space zones.

A lower standard has been set for the (...)

(ix) 7.3.21 Design and amenity for development in Business 7 and 8 Zones:

Amend the title of the clause by adding B4T and **add** the following additional paragraph to the reasons:

7.3.21 Design and Amenity for Development in the Business **4T (Tait Campus)**, 7, and 8 Zones.

(...) This provision includes assessment matters to act as guidance for developers and for those assessing applications as to the appropriate level of amenity anticipated for developments in these areas.

In the Business 4T (Tait Campus) Zone, shown in Part 3, Appendix 23, controls have been applied to the design and appearance of buildings, and site layout to ensure development occurs in a manner which recognises both the on-site amenity sought for the zone and the lower density open landscape setting adjoining the rural zone and Nunweek Park.

(x) 7.2.22 Waterbodies and Birdstrike risk:

Add to the existing clause as follows:

The Business 8 Zone is located in proximity to the Christchurch International Airport Limited aircraft approach slopes. As such, it is important that the risk of birdstrike on Airport operations is minimised. Water features are therefore not anticipated within the Business 8 Zone, apart from any basins necessary for the management and disposal of stormwater. **The Business 4T (Tait Campus) Zone, shown in Appendix 23, Part 3, is also located in proximity of the Christchurch International Airport Limited aircraft approach slopes. Apart from basins necessary to manage and disperse stormwater, development in this zone may include small scale water features.** Such basins **and water features** are to be designed to minimise their attractiveness for bird species that potentially create a birdstrike risk. Proposals that do not comply with this rule are to be limited notified to Christchurch International Airport Limited so that CIAL can have the opportunity to respond to potential risk posed by such proposals.

2.1.7 Part 3, Business Zones – Appendices

Add the new Appendix 23 - Outline Development Plan (Tait Campus) (refer to **Attachment 1**) being:

(i) Land Use and Development

(ii) Green Network(iii) Blue Network(iv) Movement Network2.2 Volume 3, Part 13, Transport

2.2.1 Development Standards – Parking and loading

(i) Rule 2.2.1 Parking Space Numbers

Add the following new provision to Rule 2.2.1, Table 1, Minimum parking required in the all other zones.

Table 1 Minimum parking required in all other zones				
Activity	Car parking spaces		Cycle parking Spaces	Loading/unloading
	Residents/visitors	Staff		
Column 1	Column 2	Column 3	Column 4	Column 5
Offices Generally: (except Business 4T Zone)	5% of staff requirement (1 space minimum)	2.5 spaces/100m ² GFA	1 space/200m ² GFA	1 99% car bay/8000m ² GFA or part thereof + 1 HGV bay/8000m ² GFA (up to 16000m ² GFA), 1 HGV bay/20000m ² GFA after 16000m ² GFA
Business 4T Zone except that:	5% of staff requirement (1 space minimum)	4 spaces/100m ² GFA	1 space/200m ² GFA	As per general requirement
<u>For any development resulting in more than 10,000m² of GFA in the Business 4T (Tait Campus) Zone, Appendix (23) Part 3, Volume 3</u>	<u>5% of staff requirement (1 space minimum)</u>	<u>2.5 spaces/100m² GFA. Any such reduction is subject to resource consent as a discretionary activity</u>	<u>1.5 space/200m² GFA</u>	<u>As per general requirement</u>

2.2.2 3.0 Assessment Matters for Resource Consents

Add the following new assessment matter (d)(xiv) to Clause 3.2.1 Parking Space Numbers; Availability of parking spaces; Parking area location; Staff car parking; Parking space for people with disabilities:

(xiv) In the Business 4T (Tait Campus) Zone, shown in Appendix 23, Part 3, Volume 3, whether the provision of a monitored Transport Management Plan⁽¹⁾ for the site, prepared in association with the Christchurch City Council and Environment Canterbury has demonstrated a reduced demand for on-site car parking spaces; and
has not resulted in an increased demand for on-street parking in the vicinity; and
whether an ongoing comprehensive monitoring programme supports such the reduced on-site car parking provision over time.
⁽¹⁾ Transport Management Plan may include an incentives programme which will secure an increased use of other transport modes alternative to the private car.

2.2.3 Reasons for Rules – Clause 4.0

4.1 Parking space numbers; availability of parking spaces, parking area location, staff car parking, parking spaces for people with disabilities.

(a) **Add** the following new section at the end of Clause 4.1

(...) any expansion of Jade Stadium that increases its capacity over 39,000 seats will therefore need to demonstrate measures that will mitigate any additional potential adverse parking related effects on surrounding residential and commercial activities.

Within the Business 4T (Tait Campus) Zone, shown in Appendix 23, Part 3, Volume 3, provision is made by way of resource consent for a reduction in on-site car parking for any development resulting in more than 10,000m² of GFA in the zone. The Tait campus management is committed to implementing a Transport Management Plan which will

incentives for the use of public transport, walking and cycling. Any reduction in the on-site car parking provision is required to be supported by a comprehensive monitoring programme which demonstrates a sufficiently reduced demand for car parking that can be sustained over time.

2.4 Volume 3, Part 14, Subdivision

2.4.1 Following Critical standards, Clause 5.3.7 Special roading and access requirements - Musgroves site **add** the following new clause:

Add the following new Clause 5.3.8:

5.3.8 Special roading and access requirements – Business 4 and 4T (Tait Campus) Zones as shown in Part 3, Appendix 23

In the Business 4T (Tait Campus) zone as shown in Part 3, Appendix 23, Part 3, Volume 3 the development shall be in accordance with the provisions of the Outline Development Plan and specific roading and access requirements as follows:

- (a) Notwithstanding any other provisions of this Plan that may separately make an activity permitted, controlled, restricted discretionary or fully discretionary, any development resulting in more than 10,000m² within the area covered by the Outline Development Plan (Tait Campus) – Part 3, Appendix 23, shall be a non-complying activity until the upgrading of the intersection of Wairakei Road/Wooldridge Road (including traffic signals) has been carried out; and**
- (b) The extent of the contribution to the costs of upgrading Wairakei/Wooldridge Road intersection from the development have been agreed with the Council.**

In addition:

- (c) There shall be only one main vehicle access point to the Business 4T zoned part of the site. This access point shall**

Appendix 23. A second access point can be provided from Wooldridge Road but shall be limited to serving a maximum of 30 car parking spaces;

- (d) Upon the creation of vehicle access from the site to Stanleys Rd, new give-way markings on the Stanleys Rd approach to its intersection with Harewood Rd shall be provided;
- (e) Three secondary access points, designed as 'low volume service access', may be provided to the Business 4T zoned part of the site in the general locations indicated on the Outline Development Plan;
- (f) Footpaths along the business 4T Zone of Wooldridge and Stanleys Roads linking the site with Wairakei Road, and along the eastern side of Wooldridge Road with the bus stop shall be provided when the vehicle access points are formed;
- (g) All vehicle access point intersection works, internal roading and footpath improvements shall be carried out at the cost of the developer or their successor/s in title;

In the Business 4 zone shown in Appendix 23, Part 3, Volume 3 the only main access point to the site shall be located on Stanleys Road. All vehicle access point intersection works, internal roading and footpath improvements shall be carried out at the cost of the developer or their successor/s in title.

- 2.4.2 Following Clause 29.4, Subdivision in the Living G (North West Belfast) Zone **add** new clauses as follows and renumber subsequent clauses accordingly.

Add the following new Clause 30.0 and re-number subsequent clauses 30.0 – 30.36 to 31.0 – 31.36 accordingly.

30.0 Subdivision in the Business 4T (Tait Campus) Zone.**30.1 Development Standards**

The Business 4T Zone subdivision standards shall apply to subdivision within the area of the Business 4T (Tait Campus) Zone, as shown in Appendix 23, Part 3, Volume 3, except as required by Part 14, Critical Standards – Property Access, Clause 5.3.8 and Clause 30.2 Community Standards below.

30.2 Community Standards**30.2.1 Conformity with Outline Development Plan**

(a) Any proposed subdivision shall be in accordance with the following parts of the Outline Development Plan – Business 4T (Tait Campus) Zone, Appendix 23, Part 3, Volume 3:

- (i) Land Use and Development, Appendix 23(i);
- (ii) Green Network, Appendix 23(ii);
- (iii) Blue Network, Appendix 23 (iii); and
- (iv) Movement Network, Appendix 23 (iv)

and be designed to enable the achievement of the following:

- A low density, open campus environment designed around a series of individual buildings linked by walkways and landscaping;
- Integration of all modes of transport across the Outline Development Plan area having regard to Part 14, Clause 5.3.8 - Special roading and access requirements;
- Provision for substantial planting and landscaping along road frontages and site boundaries; and
- Integration of stormwater management with open space across the Outline Development Plan area.

30.3 Assessment matters for subdivision in the Business 4T (Tait Campus) Zone, as shown in the Outline Development Plan, Appendix 23, Part 3, Volume 3 shall include the following considerations:

(a) Quality

The extent to which the subdivision will be in accordance with and support the provisions of the Outline Development Plan (Tait Campus):

(b) Connectivity

The extent to which the proposal will be in general accordance with the Outline Development Plan (Tait Campus) provisions in terms of land use and the movement network;

(c) Access to outdoor space

The extent to which the proposal will be in general accordance with the Green Network diagram of the Outline Development Plan (Tait Campus):

(d) Trees

(i) The extent to which the retention and / or provision of trees provides a high level of visual amenity or buffer planting.

(ii) The extent to which the provision of trees recognises the context and scale of the area in which they are located, the significance of the road frontages and the character of adjoining properties.

(iii) Protection of the two Notable trees identified in Appendix 4, Part 10, 64 Stanleys Road (Lot 1, DP 25641).

(e) Stormwater

(i) That the stormwater measures adopted ensure the protection of ground water quality including treatment of discharges from roads and sealed car parking areas.

(ii) The extent to which the proposal will be in general accordance with the Blue Network diagram of the Outline Development Plan.

(f) Energy Efficiency

(i) The extent to which any subdivision ensures the opportunity for buildings and development to be located and designed to maximise an energy efficient built form.

(g) Street Scene

(i) The extent to which lot design and orientation will allow buildings to address but not dominate the street including areas of open space and planting.

- (ii) The extent to which consideration has been given to the potential use of slow lanes for vehicle access within the Outline Development Plan area.

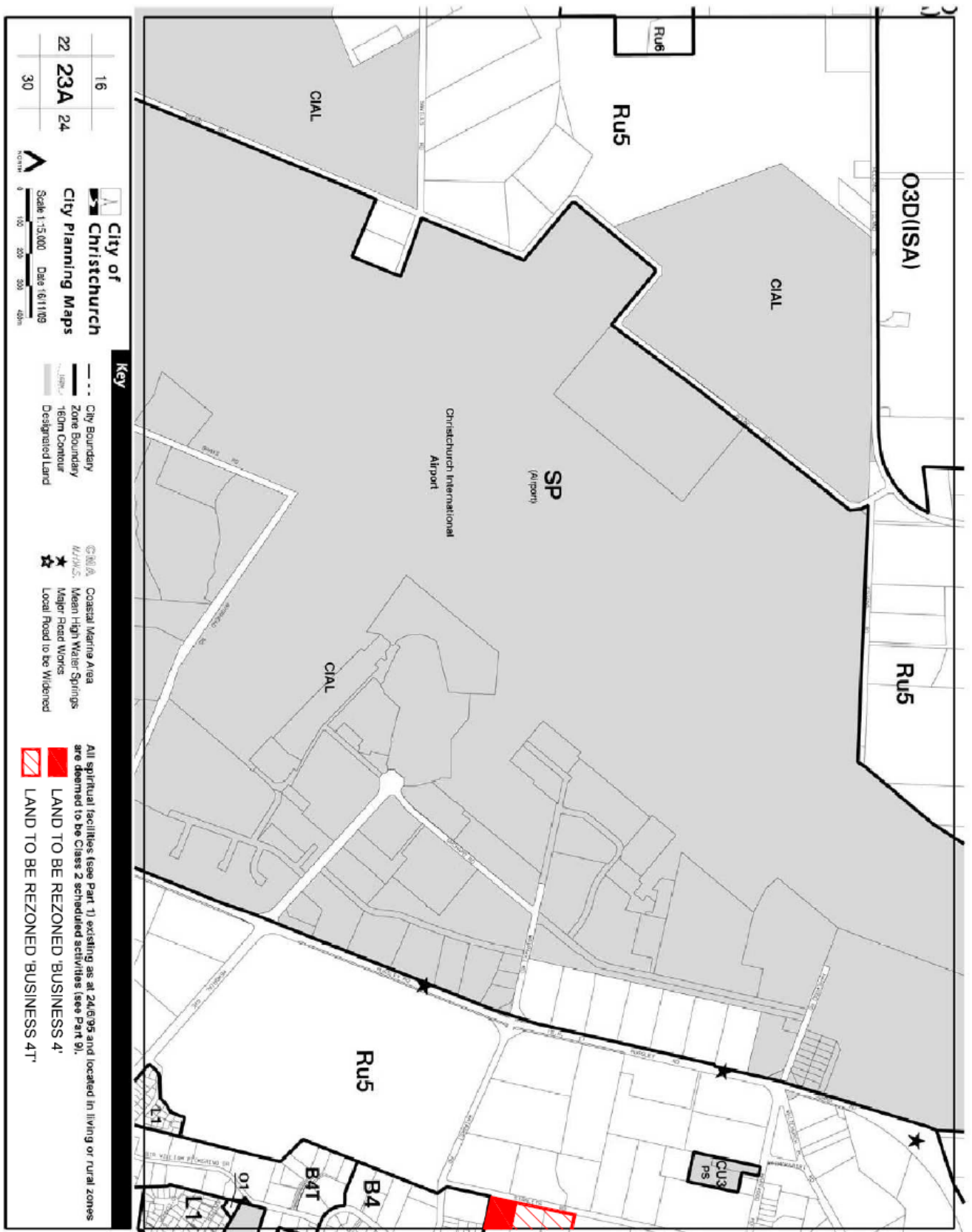
2.4.3 (30.0) Subdivision of Land – Reason for Rules

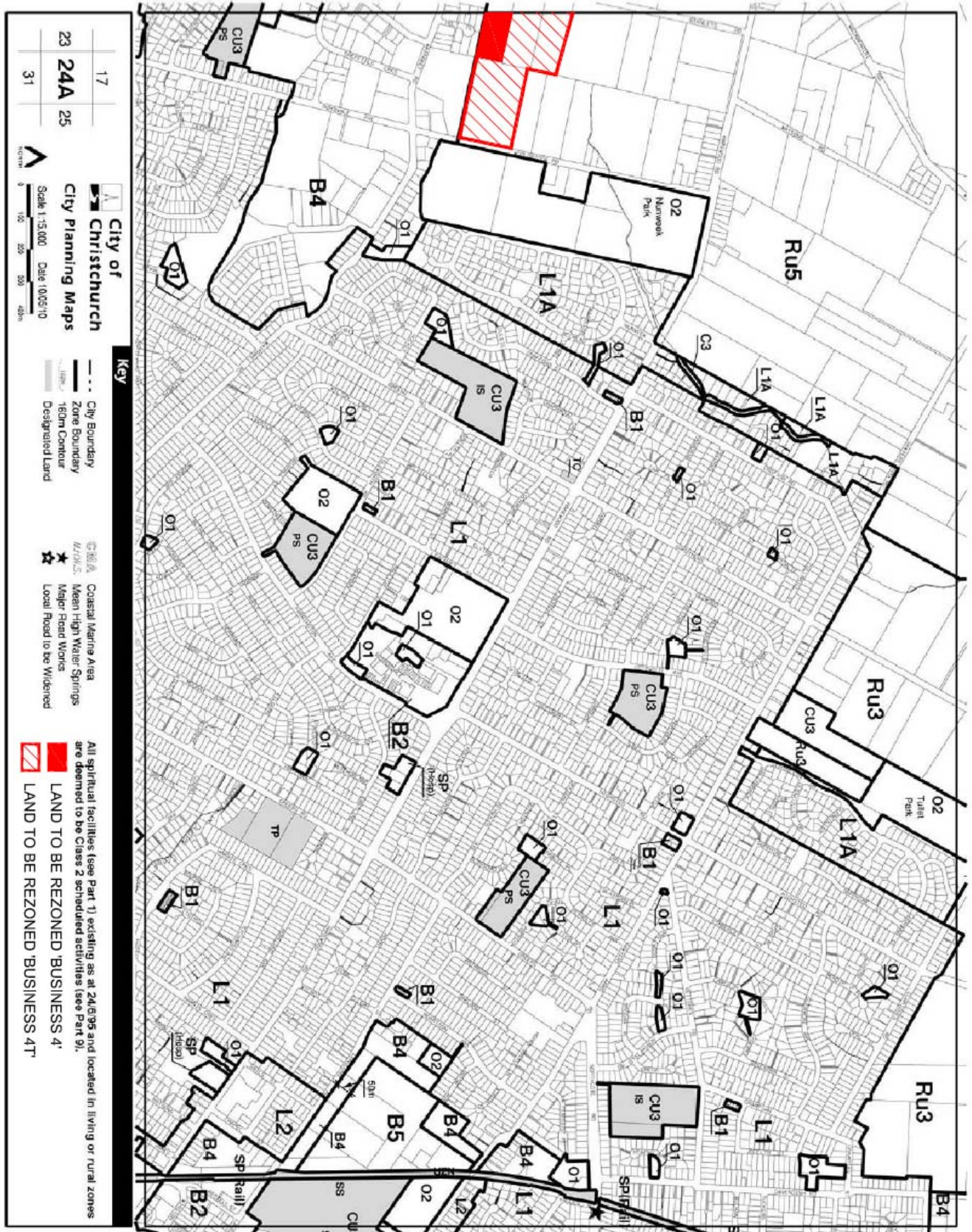
Following re-numbered Clause 310.36, add the following new Clause
31.37

31.37 Business 4T (Tait Campus) Zone

A comprehensive Outline Development Plan has been included for development within the Business 4T (Tait Campus) Zone Appendix 23, Part 3, Volume 3. The purpose of the Outline Development Plan is to assist the Council in managing the effects of the use and development of the site, while also ensuring the development of a low density open campus environment through the implementation of the Outline Development Plan and the associated Business 4T Zone provisions, including an assessment of building design and appearance. The provisions of the Outline Development Plan require a substantial area of the site to be landscaped in excess of the provision for any other business zone. It also identifies the general location of buildings, accessways, planting and stormwater management areas. This approach to the whole site was promoted by the landowner at the time the land was rezoned Business 4T and is an essential part of providing for a highly attractive environment for both employees and the wider community.

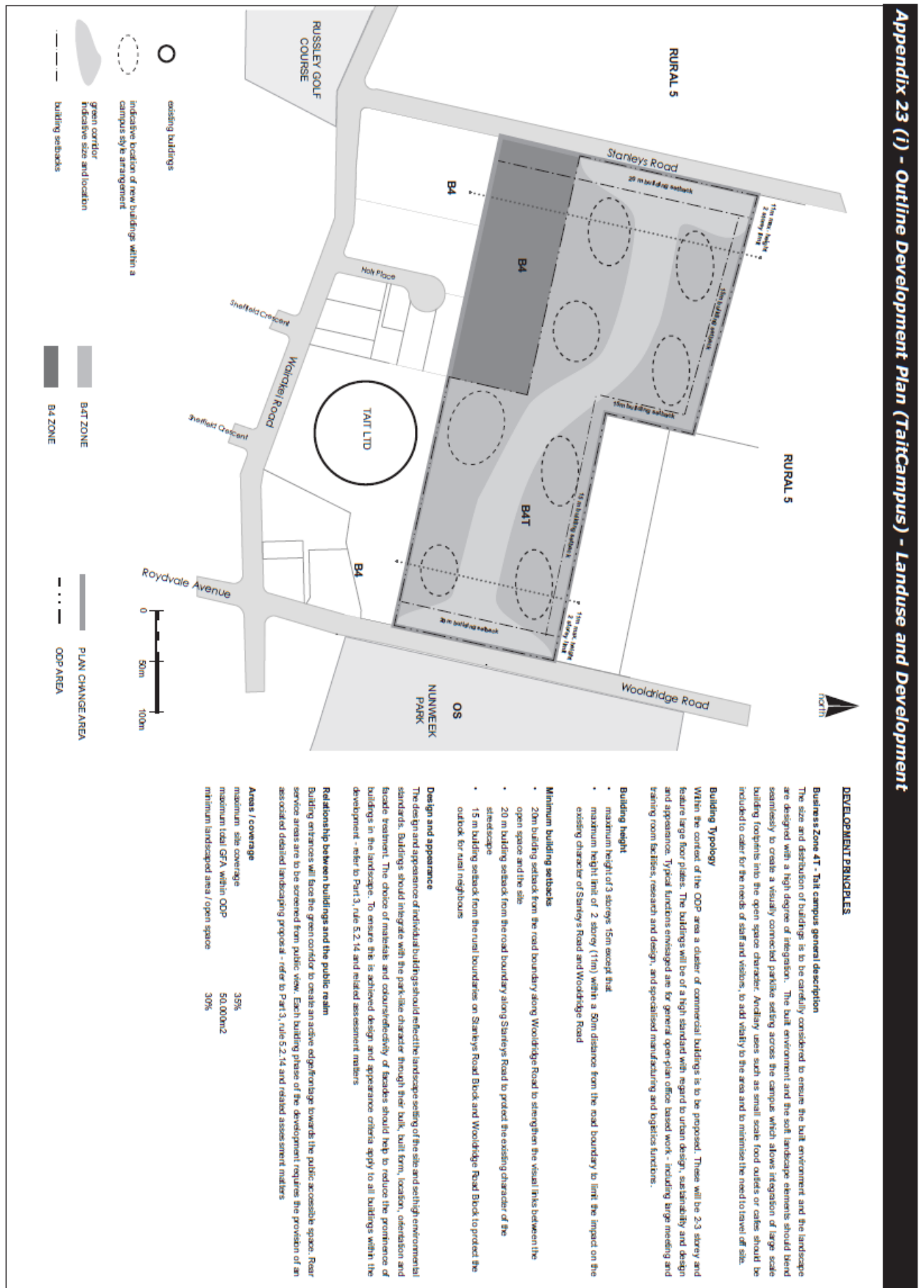
2.5 Amend City Planning Maps No. 23A and 24A as per the attached maps.



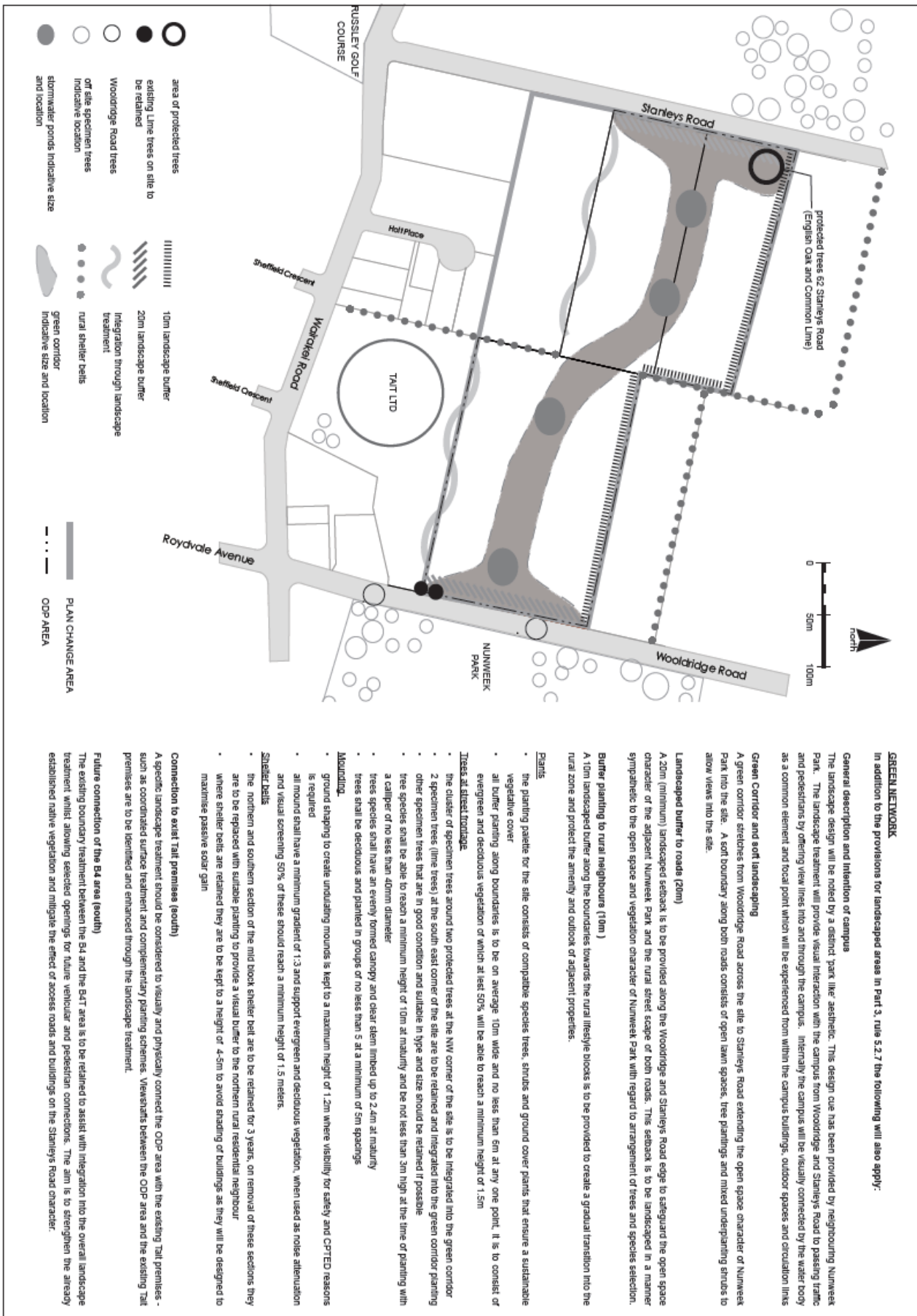


ATTACHMENT 1

Appendix 23(i) – (iv) - Outline Development Plan (Tait Campus)



Appendix 23 (ii) - Outline Development Plan (Tait Campus) - Green Network



GREEN NETWORK

In addition to the provisions for landscaped areas in Part 3, rule 5.2.7 the following will also apply:

General description and intention of campus

The landscape design will be noted by a distinct park like aesthetic. This design cue has been provided by neighbouring Nunweek Park. The landscape treatment will provide visual interaction with the campus from Woodridge and Stanley's Road to passing traffic and pedestrians by offering view lines into and through the campus. Internally the campus will be visually connected by the water body as a common element and focal point which will be experienced from within the campus buildings, outdoor spaces and circulation links.

Green Corridor and soft landscaping

A green corridor stretches from Woodridge Road across the site to Stanley's Road extending the open space character of Nunweek Park into the site. A soft boundary along both roads consists of open lawn spaces, tree plantings and mixed under-planting shrubs to allow views into the site.

Landscaped buffer to roads (20m)

A 20m (minimum) landscaped setback is to be provided along the Woodridge and Stanley's Road edge to safeguard the open space character of the adjacent Nunweek Park and the rural street scape of both roads. This setback is to be landscaped in a manner sympathetic to the open space and vegetation character of Nunweek Park with regard to arrangement of trees and species selection.

Buffer planting to rural neighbours (10m)

A 10m landscaped buffer along the boundaries towards the rural lifestyle blocks is to be provided to create a gradual transition into the rural zone and protect the amenity and outlook of adjacent properties.

Plants

- the planting palette for the site consists of compatible species trees, shrubs and ground cover plants that ensure a sustainable vegetative cover
- all buffer planting along boundaries is to be on average 10m wide and no less than 6m at any one point. It is to consist of evergreen and deciduous vegetation of which at least 50% will be able to reach a minimum height of 1.5m

Trees at street frontage

- the cluster of specimen trees around two protected trees at the NW corner of the site is to be integrated into the green corridor
- 2 specimen trees (lime trees) at the south east corner of the site are to be retained and integrated into the green corridor planting
- other specimen trees that are in good condition and suitable in type and size should be retained if possible
- tree species shall be able to reach a minimum height of 10m at maturity and be not less than 3m high at the time of planting with a caliper of no less than 40mm diameter
- tree species shall have an evenly formed canopy and clear stem limbed up to 2.4m at maturity
- trees shall be deciduous and planted in groups of no less than 5 at a minimum of 5m spacings

Mounding

- ground shaping to create undulating mounds is kept to a maximum height of 1.2m where visibility for safety and CRTED reasons is required
- all mound shall have a minimum gradient of 1:3 and support evergreen and deciduous vegetation, when used as noise attenuation and visual screening 50% of these should reach a minimum height of 1.5 meters.

Shelter belts

- the northern and southern section of the mid block shelter belt are to be retained for 3 years, on removal of these sections they are to be replaced with suitable planting to provide a visual buffer to the northern rural residential neighbour
- where shelter belts are retained they are to be kept to a height of 4-5m to avoid shading of buildings as they will be designed to maximise passive solar gain

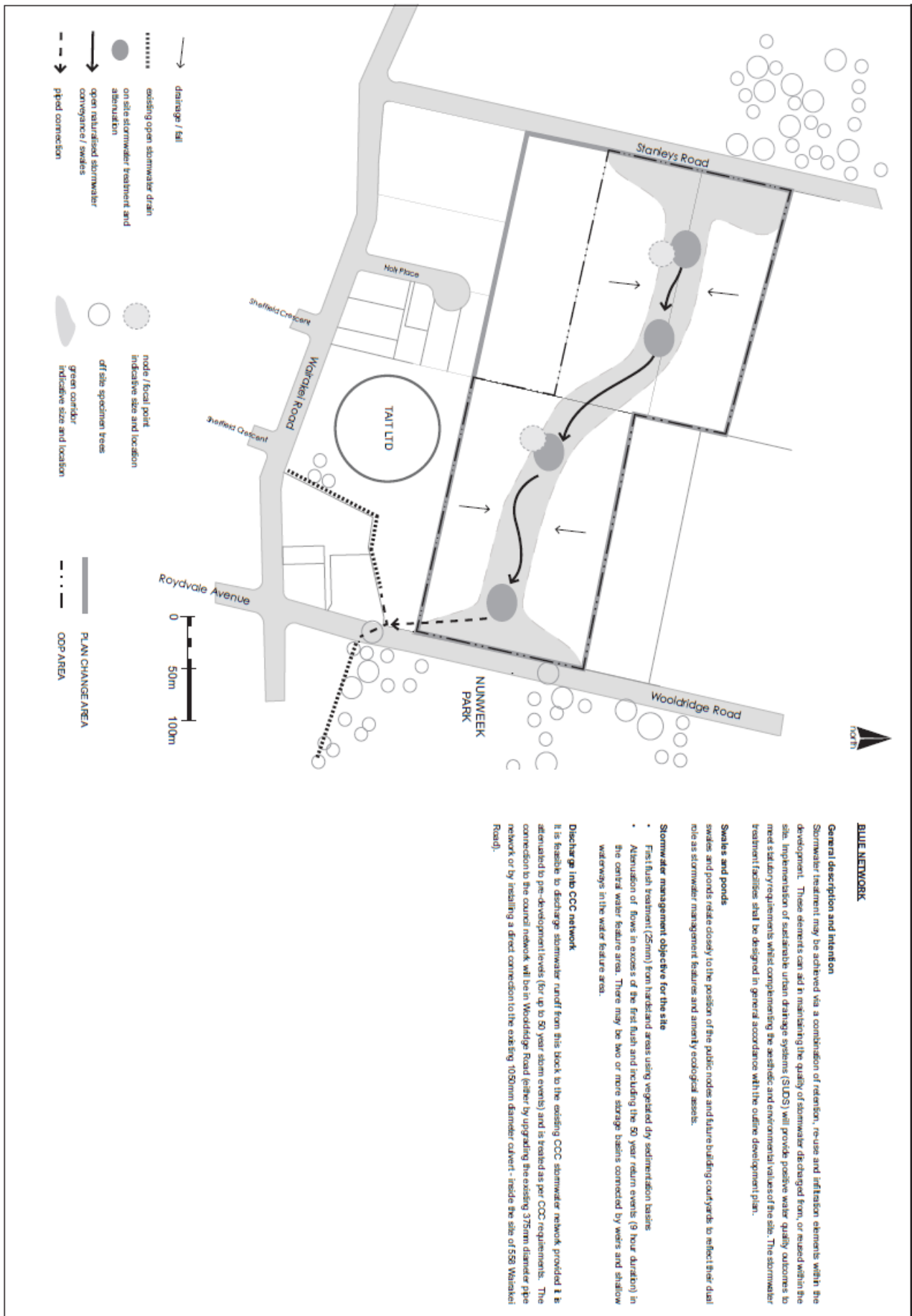
Connection to exist Tait premises (south)

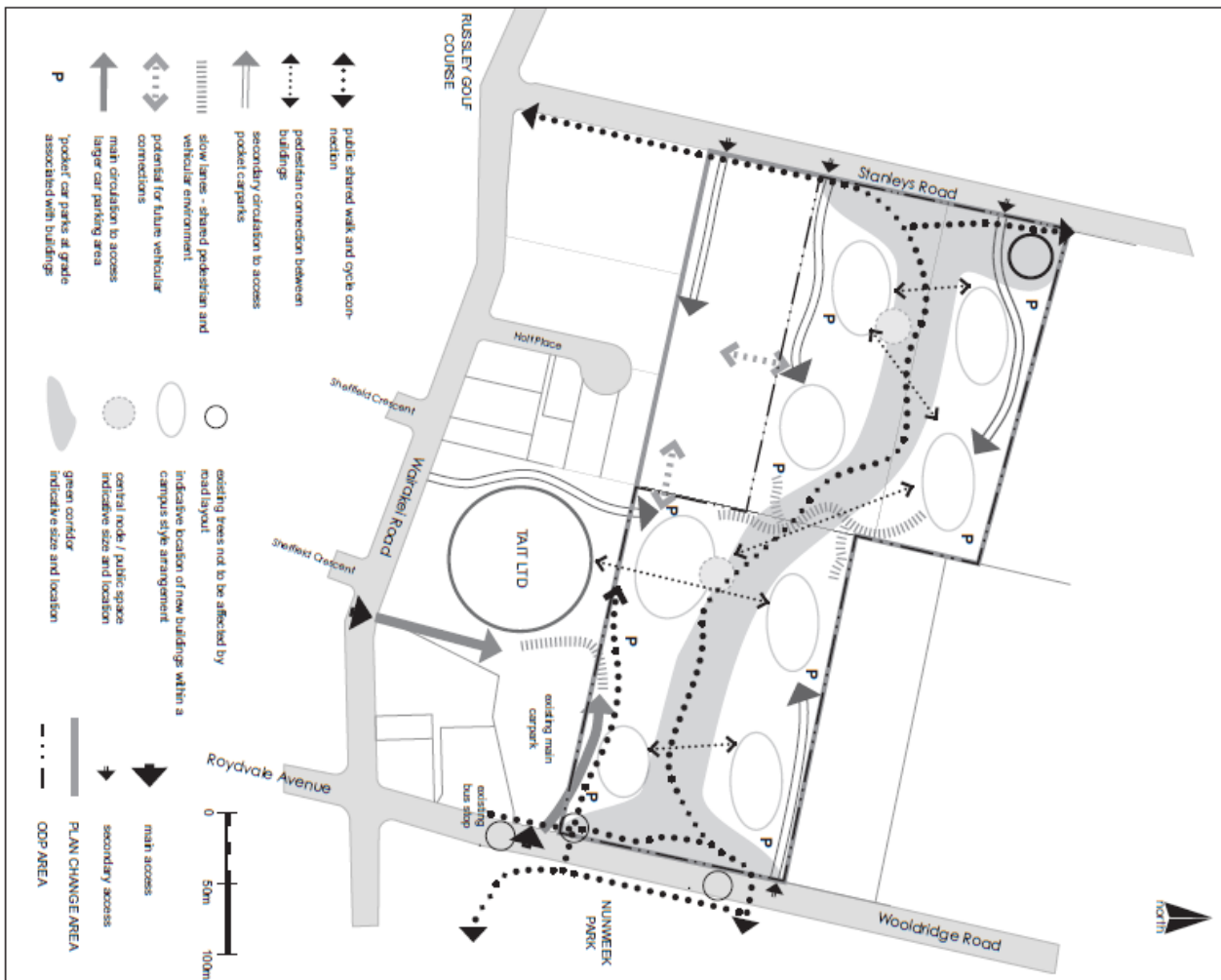
A specific landscape treatment should be considered to visually and physically connect the OCP area with the existing Tait premises - such as coordinated surface treatment and complementary planting schemes. Viewsheds between the OCP area and the existing Tait premises are to be identified and enhanced through the landscape treatment.

Future connection of the B4 area (south)

The existing boundary treatment between the B4 and the B4T area is to be retained to assist with integration into the overall landscape treatment whilst allowing selected openings for future vehicular and pedestrian connections. The aim is to strengthen the already established native vegetation and mitigate the effect of access roads and buildings on the Stanley's Road character.

Appendix 23 (iii) - Outline Development Plan (Tait Campus) - Blue Network





MOVEMENT

Road Typology and Hierarchy - general description

The internal streets will be designed to strengthen the proposed road hierarchy. Vehicular movement will be pushed onto the perimeter of the site to enable access to buildings and leave the green corridor as a predominantly pedestrian and cycling environment. The design and landscape treatment to internal roadways will give clear priority to pedestrians and create a slow road environment within the site for vehicles. This will be achieved by:

- overlaying shared surfaces for vehicle, pedestrian and cycle to allow equal access to and around all campus buildings
- using parking patterns, kerb design, road narrowing, limiting carriage way widths and providing bollards in the streetscape to help reduce vehicle speed and create a safe and legible environment for pedestrians
- using curved road alignments to follow landscape patterns and restrict sight lines

Internal link

The proposed internal link will cross the green corridor in a north-south direction and be shared by pedestrians, cyclists and cars. This link forms an integral part of the pedestrian network and a strong connection between the Starleys and Woodbridge Roads. The meandering nature of the link will provide a slow vehicular connection and focus on the pedestrian use with regard to design and surface treatment. Vehicular use of the link will be secondary and controllable through access narrowing and clear design indicators to reinforce the primary pedestrian and cycling function.

Access

Main access to the site will be off Woodbridge Road (south) using the existing carpark entry and off Watkiss Road through the existing Tait premises. Secondary entry points will be off Woodbridge Road (1) and Starleys Road (2) using already existing access points. The design and width of these access points shall be in keeping with the rural character of the adjacent Road and reflect their low traffic volumes. The northern access off Starleys Road is to be set back sufficiently from the protected trees to ensure roots will not be damaged. Access to the north of the site off Woodbridge Road is to be carefully considered to avoid any negative effect on the large trees within the Woodbridge Road reserves.

Pedestrian / Cycle connection

The campus will be connected by a series of public walkways and paths through the green corridor that will offer a range of experiences from purely functional to recreational. A shared min. 2.5m wide cycle and footpath corridors through the OOP area from Woodbridge Road access to Starleys Road. Smaller internal pathways provide direct north-south connections between the future building locations. Pathways shall be created along Woodbridge Road connecting to Nunweek Park, and along new connections to the existing Tait building to the south. The internal pedestrian and cycle network should connect directly with the external pedestrian and cycle network. Extensions to the external network shall be agreed with the Christchurch City Council.

Nodes

Two public nodes provide focal points adjacent to concentrated areas of circulation and create an active area associated with major buildings.

Public transport

Roadside existing Woodbridge Road bus stop further north to align better with the new pedestrian network
Bus stops located along Watkiss Road are within walking distance

Parking

The OOP provides a limited number of car parking spaces. These should be located under or within buildings, allowing only a limited number of parking spaces to occur at grade. At grade pocket car parks should be provided for disabled car parks, visitor car parks and a small number of staff car parks totaling no more than 30 car parks per pocket car park. All car parking will need to be screened and landscaped to ensure it is not visible from Nunweek Park, Woodbridge Road or Starleys Road.

Crime prevention through environmental design

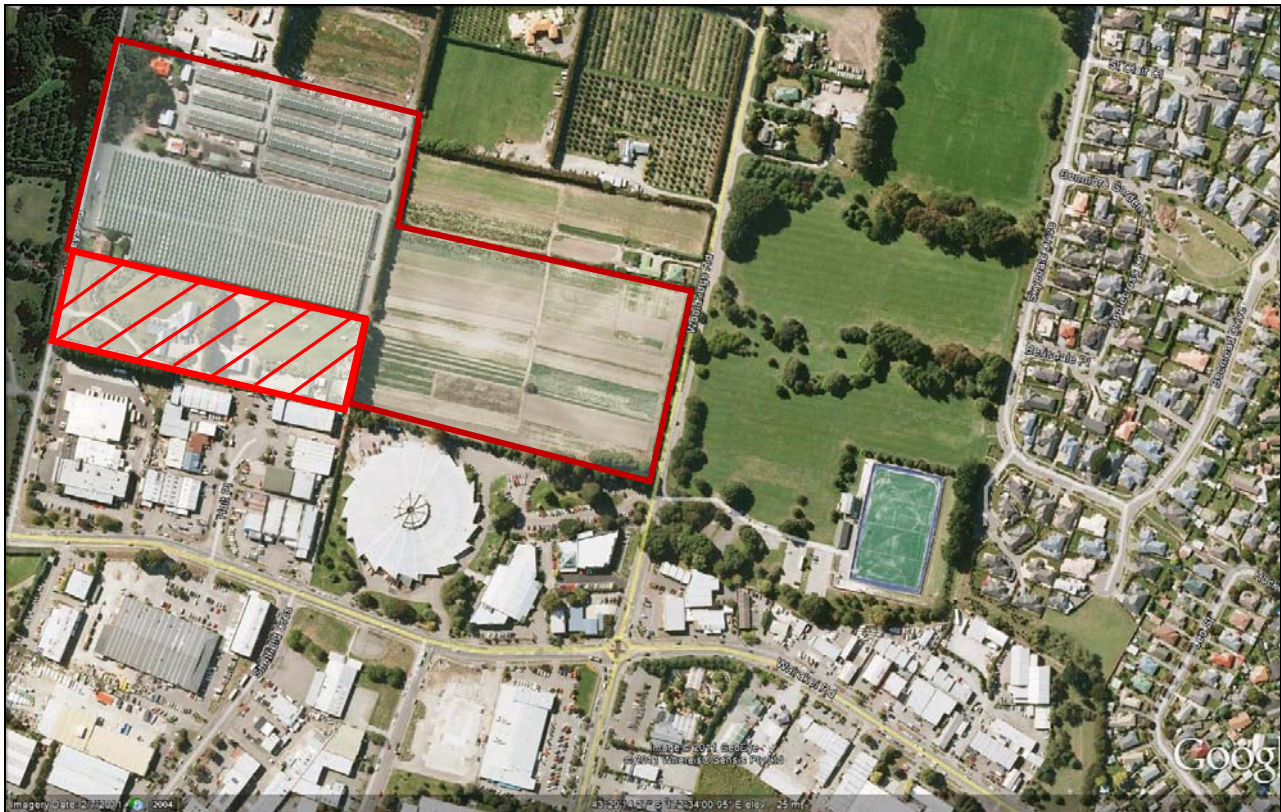
CEPT principles shall be applied to all public areas with a particular focus on lighting along pathways, roads, building entrances/entrances, car parking areas and outdoor spaces. Any pedestrian and cycle way through or within the site shall be illuminated to a level between 2 and 10 lux to ensure safety and convenience, subject to the provisions of Part 11, clause 2.3.1.

Resource Management Act 1991

Christchurch City Council

Christchurch City Plan

Privately Requested Proposed Plan Change



Proposed Business 4 and 4T Zones Wooldridge Road, Stanleys Road, Christchurch

Tait Limited and The Tait Foundation

**REQUEST TO CHANGE THE CHRISTCHURCH CITY PLAN UNDER CLAUSE 21 OF THE
FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991**

REQUEST BY: **Tait Limited and The Tait Foundation**
 C/- McCracken & Associates Limited, P O Box 2551, Christchurch,
 8140 Attn. Kim McCracken

TO: The Christchurch City Council

INVOLVING THE: The Christchurch City Plan

1. The location to which this application relates is:

An area of approximately 10.31ha located at 245 Wooldridge Road and 6, 32 and 62 Stanleys Road, Burnside, Christchurch.

2. The names of the owners and occupiers of the land to which this application relates are as follows:

Description	Area	Title Reference	Address
Lot 1, DP 27034	4.07 ha	CB8K/1081	245 Wooldridge Road
Lot 1, DP 25641	2.02 ha	CB7B/835	62 Stanleys Road
Lot 2, DP 25641	2.27ha	CB7B/836	32 Stanleys Road
Lot 1, DP 4323	1.95ha	CB8K/1081	6 Stanleys Road

The titles are attached as **Appendix 1** to this Plan Change request.

3. The Proposed Plan Change seeks to rezone the subject land from Rural 5 to Business 4 and 4T Zones and includes the following changes to the City Plan and Maps:

- Amend the Christchurch City Plan Planning Maps 23A and 24A to rezone the subject land from Rural 5 to Business 4 and 4T Zones
- The inclusion of new rules for the site being:
 - (i) an Outline Development Plan for the area of the Business 4T Zone
 - (ii) controls on building design and appearance for the area of Business 4T Zone

- (iii) specific controls on building height, open space and site coverage in the Business 4T Zone and
- Consequential changes to text where necessary, including but not limited to the renumbering of clauses as appropriate.



Signed:

Kim McCracken

for and on behalf of Tait Limited and The Tait Foundation

Dated: September, 2012

Telephone: (03) 977 7714

Email: office@rgmc.co.nz

Tait Limited and The Tait Foundation


PO Box 1645

Christchurch

Attention: Mr A Ridgway

Telephone: (03) 358 6688

Email: alastair.ridgway@taitradio.com

	<p>Resource Management Act 1991</p> <p>Christchurch City Council</p> <p>Christchurch City Plan</p> <p>Proposed Private Plan Change</p>	<p>73</p>
<p>NOTE: This privately requested Plan Change will have no legal effect until the Council gives public notice of its decision on the plan change and matters raised in submissions.</p> <p>REZONING OF LAND AT 245 WOOLDRIDGE ROAD AND 6 – 62 STANLEYS ROAD, HAREWOOD, FROM RURAL 5 TO BUSINESS 4 AND 4T ZONES</p> <p>Explanation</p> <p>The purpose of this private plan change, initiated by Tait Limited and the Tait Foundation, is to rezone approximately 10.3295ha of land from Rural 5 to Business 4 and 4T Zones. The site comprises 8,3710 hectares of land located at 245 Wooldridge Road and 32 – 62 Stanleys Road, which is proposed to be rezoned to Business 4T (B4T), as well as 1,9585 hectares of land located at 6 Stanleys Road, which is proposed to be rezoned to Business 4 (B4).</p> <p>The land subject to the plan change adjoins a large area of B4 zone to the south and is contiguous to the existing Tait Communications factory/offices at 558 Wairakei Road. The proposed rezoning will facilitate consolidation of all Tait Ltd operations, currently scattered over several sites, and allow for future growth. The rezoning of the site at 6 Stanleys Road to B4 will create a continuous zoning pattern.</p> <p>The applicant wishes to develop the B4T part of land for a modern, sustainable and high amenity business and technology campus within a park-like setting and in a manner which will integrate it with the immediate environment. To ensure the desired environmental outcomes the development will need to proceed in accordance with the proposed Outline Development Plan which is supported by a package of site specific B4T rules.</p> <p>The Outline Development Plan identifies the location of key features for the development of the proposed B4T zoned site including:</p> <ul style="list-style-type: none"> • Provision for a low density built campus environment and general building location; • Integrated open space, walkway and cycleway links between Nunweek Park, Wooldridge Road and Stanleys Road; • Provision for on-site stormwater management and amenity waterway; • Retention of established trees; • Integrated access and off-street parking. <p>The supporting rules for the B4T (Tait Campus) Zone include controls on building design and appearance, building height, setbacks, landscaping, increased open space and site coverage, a limit on the total floor space and the type of office activity permitted on the site. The proposed area of B4 zone will be subject to the current Business 4 Zone rules.</p> <p style="text-align: right;"><i>Continued</i></p>		
<p>Date Publicly Notified:</p> <p>Plan Details: Vol. 3, Pts 3, 13, 14, Maps 23A-24A, File No: PL/CPO/3/73 TRIM: FOLDER 12/490</p>	<p>Date Operative:</p>	

The Plan Change seeks the following **amendments**:

- Amend Volume 3, Part 3 (Business Zones), Sections 1.0 and 5.0, Clauses relevant to the Business 4T zone by adding site specific Business 4T (Tait Campus) zone rules relating to building design and appearance, building height, setbacks, landscaping, increased open space and site coverage, gross floor area of buildings, the type of office activities permitted, noise sensitive activities and road improvements;
- Amend Volume 3, Part 3, Sections 6.0 and 7.0 by adding relevant assessment matters and reasons for rules for Business 4T (Tait Campus) zone;
- Insert an Outline Development Plan for Business 4T (Tait Campus) zone as Appendix 23 in Volume 3, Part 3;
- Amend Volume 3, Part 13 (Transport), Clauses 2.2.1, 3.2.1 and 4.1 relating to on-site car parking provision;
- Amend Volume 3, Part 14 (Subdivision), by adding new Clauses 5.3.8, 30.1 – 30.3 and 31.37;
- Amend Planning Map 23A and 24A to identify the zoning of the subject site as Business 4 and Business 4T.

The details of the amendments are shown in the attached ‘Proposed Amendments to the City Plan’

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1. PURPOSE OF THE PLAN CHANGE REQUEST

1.1 Introduction

This is a request by Tait Limited and The Tait Foundation (TL) to change parts of the Christchurch City Plan (City Plan) pursuant to section 73(2) and Part 2 (Clause 21(1) and 22) of the First Schedule of the Resource Management Act 1991 (RMA).

The request relates to the rezoning of land at 245 Wooldridge Road and 6, 32 and 62 Stanleys Road, Christchurch (the "Site"). The request seeks to have approximately 10.31ha of Rural 5 zoned land rezoned Business 4 (Suburban Industrial) and 4T (Suburban Industrial-Technology Park). The Plan Change also includes an Outline Development Plan which covers the larger part of the land subject to the plan change request.

The land is principally in two parcels. The area of the land owned and controlled by the applicant (TL) occupies approximately 8.36ha and will be subject to an Outline Development Plan and a number of site specific development controls. The area of land located at 6 Stanleys Road (1.96ha) will be rezoned Business 4 and be subject to the provisions of that zone as currently set out in the City Plan.

The applicant wishes to develop the larger part of land for a business and technology campus in a manner which will integrate with and consolidate the established and developing business and information and technology industry in Christchurch, and which supports the consolidation of the north west Christchurch area for further business activity. The changes being proposed to the City Plan are detailed in Section 2 of this document.

Section 74 of the RMA requires that the Council, when changing its Plan, has regard to the provisions of Part II of the RMA, its functions under Section 31 and its duties under Section 32. Accordingly, an assessment of the potential effects on the environment and a Section 32 assessment have been completed as part of this Plan Change Request, as detailed in Sections 4 and 5 of this document.

The applicant (TL) proposes to change the City Plan by rezoning the subject land from its existing Rural 5 zoning to B4 and B4T Zone. The business zoning will

provide for a range of business, research and manufacturing activity but with particular regard to the applicant's activity in this area of the City. The current rural zoning restricts the extent to which business development is permitted on the site, and therefore the plan change request is seen as the appropriate method to facilitate the establishment of business activity on the land.

The site is identified on Plan 1 (over) and on the title plans Appendix 1 to the Plan Change.

1.2 The Applicant

Tait Limited is a global organisation, having developed business from its core expertise in mobile radio communications. The company was established in 1962 under the name of Tait Electronics Limited but was changed to Tait Limited in January 2012 reflecting the transition from electronics manufacturer to global communications solutions provider, delivering leading edge communications systems and solutions into over 100 countries worldwide. The organisation has had significant global success in technology leadership in the radio communication business. Tait has over 5,000 customers in Europe, North and South America, Eastern and Western Europe, Middle East, UK, Russia, Australia, the wider Asia Pacific, Pacific and Caribbean Islands with a specific focus on two segments being public safety (power, fire service and emergency response) and utilities.

The company is committed to the Canterbury and New Zealand economy, with a strategic plan focused on delivering growth through a commitment to investment in research, people and technology in a very high quality, energy efficient and low environmental impact campus workplace.

Plan 1



Over 90% of TL Limited's business revenue is export driven and the company relies heavily on transportation by air to deliver its products and services in a timely and cost effective manner. The close proximity of the Tait facility to the airport and its close working relationship with the airport has been of significant benefit to the organisation and its global customers.

The international business success of the company has had a significant impact on the New Zealand economy through the continued expansion and growth in employee numbers with the company now employing over 660 people in Christchurch and 250 overseas.

The applicant's operation is about technology leadership and in 2011 the company re-invested 14.4% of revenue in Research and Development, dramatically exceeding the New Zealand and global average for Research and Development by technology companies. The table below illustrates the NZ\$ investment undertaken by Tait in Research and Development.

2008	2009	2010	2011
\$19,273K	\$22,287K	\$23,542K	\$29,846K

Over the past decade, Tait has invested in excess of NZ \$100m to develop a complete range of new digital products and systems targeted primarily at the public safety market.

Tait uses more than 500 local suppliers for raw materials, services, capital equipment and on-costs. Growth in the company has had direct benefit to local suppliers resulting in further employment within the NZ economy. The company spends in excess of \$40m annually with over 300 New Zealand organisations.

In order to deliver on its vision to become a world leading communications business, the company has embarked on a development change which will lead to significant growth which the existing Tait campus will not be able to sustain. The move from product line manufacturing and sales to becoming a total solutions provider will result in a significant increase in employees with exceptional skills in service, research and development.

TL is committed to developing a new business environment which will support the growth of the organisation as well as provide a leading edge centre of excellence for the Tait business and partner companies.

A purpose designed work environment is essential in competing for, attracting and retaining employees who are part of the global services, research and technology employment market.

The Tait operation currently occupies several sites in the area. In particular, the company operates from 558 Wairakei Road being the adjoining Tait “sawtooth” building. This complex is accessed from both Wairakei Road and Wooldridge Road with the principal car parking located at the Wooldridge Road entrance. The company also occupies office space in Roydvale Avenue all provided with off-street parking.

The vision for the Business 4T Zone part of the site is a low-level, well landscaped campus complex with buildings developed on an environmentally and energy sustainable basis. In particular, it is the objective of the plan change to establish:

- A work environment set in a low building density office campus;
- To develop new buildings using New Zealand based timber technology;
- To provide a work place capable of retaining and attracting staff in a competitive global employment market; and
- To add amenity and facilities of value to and supportive of the community.

The balance area of the land will be subject to the Business 4 Zone provisions and link with the adjoining Business 4 Zone activities to the immediate south.

1.3 Description of the Site, Locality and Land Use

The site is located between Wooldridge Road and Stanleys Road in Russley-Burnside with established access points to both Wairakei Road and Wooldridge Roads. Access also exists to Stanleys Road. The land is currently zoned Rural 5 and adjoins a commercial and business hub of over 100ha at Burnside which is zoned both Business 4 and Business 4T.

The application site is in four titles and is currently either vacant or used for low level horticultural and market garden activity with a part of the site (Stanleys Road end) formerly used for glasshouse production. A substantial dwelling and outbuildings exist on the property at 6 Stanleys Road (Rural 5 Zone).

Land to the immediate south of the site is zoned Business 4 and includes the offices, research, manufacturing and car parking of Tait Limited and a number of established business activities serviced from Wairakei Road, Stanleys Road and Holt Place. Part of the southern boundary of the site will include retention of some existing established trees. The land to the south of Wairakei Road comprises a mixture of commercial, technology, office, storage, manufacturing and retail businesses and is zoned Business 4 and Business 4T.

Land to the immediate north of the site is zoned Rural 5 and has been used for horticulture and glasshouse production. The northern boundary of the site has a line of established shelter belt trees and native flax and toi-toi planting.

The western boundary of the site (Stanleys Road) has a line of shelter belt trees and faces a number of well-established residential dwellings on larger sites across Stanleys Road.

Wooldridge Road forms the east boundary of the site and there is an unformed vehicle access at the north eastern corner to the "site". Land to the immediate east across Wooldridge Road is zoned Open Space 2 Zone (O2 Nunweek Park) while the land beyond Nunweek Park to the east (some 220m from the Site) is zoned Living 1A. To the south east of the Site, on the opposite side of Wooldridge Road and running to the corner of Wairakei and Wooldridge Roads, the land is zoned Business 4 including office activities adjoining Nunweek Park.

The site and surrounding area has a generally flat contour, (Refer Appendix 10). Wooldridge Road has an open character where it bisects the rural zone and Nunweek Park, in contrast to the built up urban business character where it passes through the existing B4 Zone. A dominance of vegetation, shelter belt trees and the open space of Nunweek Park contribute to the amenity of Wooldridge Road. The road narrows along the park frontage and there are no footpaths within the rural sector of Wooldridge Road. Stanleys Road opposite the site has an enclosed rural character, narrow carriageway (6m) and no footpath.

The site is located between the 50 and 55dBA air noise contours (Christchurch International Airport Limited), as identified in the Proposed Canterbury Regional Policy Statement - Development of Greater Christchurch, Chapter 12A. (Refer Plan 2 over)

1.4 **Sustainable Development**

The plan change and the development outcomes it will provide for have been designed to achieve a high level of environmental sustainability and energy efficiency having regard to the principles set out in both the Christchurch City Plan and the Canterbury Regional Policy Statement. Those principles can be summarised as follows:

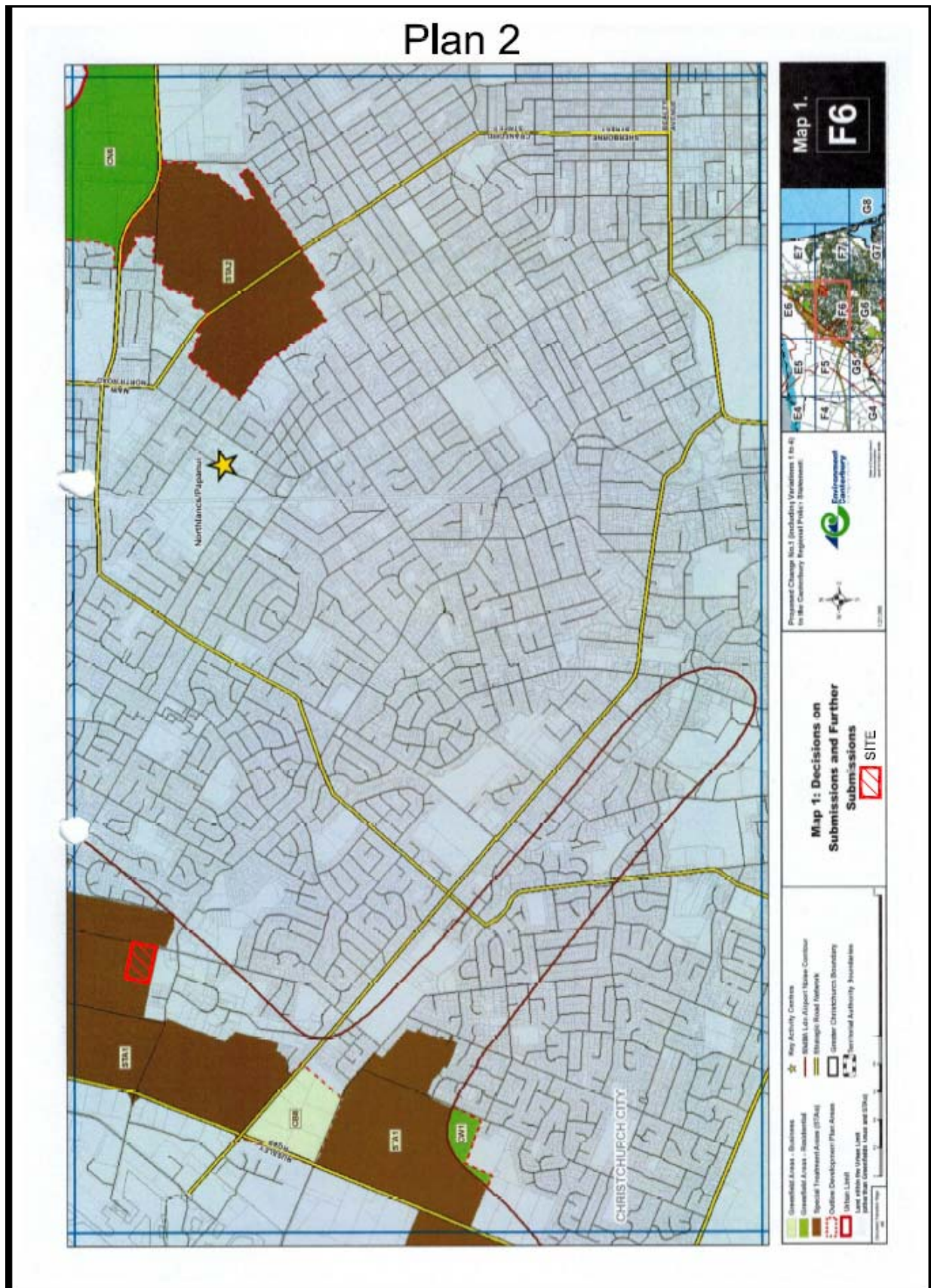
- Urban consolidation;
- Energy efficient transport
- Energy efficiency through building design
- Use of planting to encourage carbon sinks; and
- Use of infrastructure.

1.4.1 Urban Consolidation

The site is located adjacent to the applicant's business, the established B4 and B4T Zones and in close proximity of the Airport, the applicant's principle mode of freight transport. The land is well integrated with the applicant's current business activities and in association with the proposed area of B4 zoning will consolidate the business and employment node in this area of the City. It also sits within an area of the City identified as potentially suitable for expanded urban or business activity as now identified in the City Council's North West Area Review. Urban consolidation is the principal objective of both plans (City Plan and Regional Policy Statement) directed at achieving a sustainable urban growth outcome.

1.4.2 Transport

The land is accessible to a wide range of transport modes, including good access to public transport. The plan change outcome will improve local transport accessibility through expanded pathways, walkways and cycleways and by providing parking for



the public recreation area of Nunweek Park, making efficient use of the parking resource for both the applicant and the community.

In addition, the applicant is working to develop a transport strategy for the Business 4T part of the site designed to significantly expand access to the site by walking, cycling and public transport including high quality on-site amenities to make those modes of transport more attractive to staff. Provisions are included within the plan change to incentivise the delivery of that outcome and to reduce private car usage and improve energy efficiency.

1.4.3 Building Design

Provisions are included with the plan change to encourage and improve building and site design both in terms of energy efficiency and as an attractive environmentally sustainable built form and work environment. The assessment matters encourage buildings which are developed with good access to sunlight, solar heating, timber technology, recycling of heat and water and natural ventilation.

1.4.4 Landscape and Planting

The landscape and planting provisions for the wider site have been designed to increase sustainability, with plant species chosen to minimize the need for irrigation and fertilizer. Where irrigation is required, it will be supplemented by roof collection. Stormwater treatment will take place through vegetated swales with water used in the amenity areas returned to ground water.

1.4.5 Infrastructure

The plan change and resulting activity has been located and designed to make efficient use of existing infrastructure, be it the waste water or stormwater systems, roading infrastructure or public transport. To the extent any infrastructure may require upgrading this will largely be limited to improvements in the local road network which will be required, not just because of the outcome of the plan change but also because of changes to the wider land use patterns and transport networks in the area.

Overall, the land and resulting development will represent a very high level of compliance in terms of the City and Regional Council's objectives for environmental sustainability and energy efficiency.

1.5 Background and Strategic Considerations

1.5.1 Proposed Regional Policy Statement (RPS) – Chapter 12A (C12A)

Chapter 12A to the Proposed Regional Policy Statement sets out the objective and policy framework for how future urban growth is to be accommodated over the next 35 years within the Greater Christchurch area.

The site is within the Metropolitan Urban Limits (MUL) identified in C12A, (in particular Policy 12), Special Treatment Areas (STA1). The subject land is located in STA1 where the policy provides for the future of the land to be assessed in terms of a medium to long-term sustainable future. The commissioner's report (decision) on Chapter 12A noted the following in respect of STA1.

Taking all of those various factors into account in weighing the risks and benefits it does not seem to us to be an appropriate resource management treatment to leave this land exclusively as rural land over the next 35 years.

In our view, the long term future for this area lies in some form of urban activity. In some parts of it that is probably preferably in higher quality business accommodation, such as the technology park to the north east of Memorial Avenue/Johns Road intersection. We have heard detailed evidence in relation to such a proposal from Memorial Avenue Investments Limited on the other side of Memorial Avenue. It is our view that well-planned development of that type is appropriate, and needs to be provided for by this area being including within the Urban Limits and marked as Special Treatment Area for a different purposes, ie not residential.

Our view is that the evidence before us, with the exception of the Memorial Avenue Investments proposal, was insufficient for us to be able to conclude in a s.32 sense what was the preferable long-term use of those areas, and in any event we think that that is a function of the city Council not the regional

council What we have firmly concluded, though, is that in a s.32 assessment sense to leave this land unable to be developed for any urban purposes over the next 35 years it illogical, and not an appropriately long-term resource management planning approach to the use of the land. It would constitute an island of rural land squeezed between urban activities serving no particular purpose and with an inability to be further used for intensive residential development.

Having regard to the above, the proposed plan change accords with the purpose and direction of that decision.

1.5.2 North West Review Area (NWRA)

During the hearings process on Plan Change 1 to the RPS (Proposed Chapter 12A) the decision of the commissioners (December 2011) identified that, while residential zoning for the area is considered inappropriate because of reverse sensitivity concerns regarding the operation of the Christchurch International Airport, similarly there were also limitations on the ability to conduct productive rural economic activity in the area. The recommendation of the commissioner's report was that the "north west" area of the city required further investigation as to how the area is to be developed and addressed in the City Plan and confirmed that some of the land in the "north west" may be suitable for high quality business/office activity. As a result the area is identified in the RPS as part of the NWRA subject to Policy 12 of the Regional Policy Statement, Chapter 12A. The City Council has initiated the North West Area Review (NWRA) to implement the first step in identifying appropriate future land use activity in this sector of the City.

The NWRA comprises approximately 880ha of land generally situated between the airport and the city's urban edge and includes the application site. The area is strategically significant in that it forms part of the gateway to Christchurch and provides key linkages to the CBD, international airport and the State Highway network.

At present the area is typical of many urban fringe locations. Agriculture, horticulture and lifestyle blocks are the predominant land uses, although urban activities have increasingly started to influence the character of the area. These include the airport, sporadic business development, rural residential lifestyle

dwellings and a number of small commercial and tourist activities. There is limited infrastructure currently available within the area, although those services do exist in close proximity of the application site.

The NWRA has now been completed and adopted by the City Council and in terms of industrial land has identified both a demand and suitable locations for such in north west Christchurch. The applicant participated in the consultative process with the City Council regarding the NWRA including the appropriateness or suitability of the plan change site (as part of the wider locality) being identified for future urban (business) activity. The proposed plan change accords with the findings and provisions of the NWRA and in particular is located within an area of approximately 50ha identified for business purposes north of Wairakei Road between Wooldridge Road and Russley Road.

1.6 Approach and Key Features of the Plan Change

The zoning proposed for the site is Business 4 (Suburban Industrial) and Business 4T (Suburban Industrial - Technology Park) a zoning regime already established in this particular area of the City.

1.6.1 Business 4T Zone

The objective of the Business 4T Zone is to provide for a range of sustainable and integrated business, employment and research outcomes in an attractive, open, sustainable work and research environment being:

- *A zone environment where the density and scale of building development is low within a park-like industrial character;*
- *High standards of landscaping and visual amenity;*
- *A street scene characterised by significant landscaped setbacks but principally to ensure higher levels of landscape treatments and amenity;*

While applying the provisions of the Business 4T Zone for the larger part of the site, additional methods are proposed which will address resource management issues specific to the applicant's desired development outcome. In particular, the following matters have been recognised through the regulatory framework:

- reverse sensitivity effects on activities within the adjoining Rural 5 Zone,
- effects on landscape and amenity
- integration with the adjoining business land to the south
- effects on the transport network; and
- the timing of infrastructure works

To address those issues, a number of amendments have been made to the general provisions for the Business 4T Zone including:

- a) The provision of an Outline Development Plan (ODP) to provide for the integration of buildings, car parking, vehicle and pedestrian circulation, support and amenities for the local community, landscaping, planting, stormwater management and access;
- b) Provision for new buildings to be subject to an urban design assessment; and
- c) Specific provisions in relation to building height, open space and building coverage.

The Outline Development Plan (ODP) will be the key method to ensure the integration of development and achieve the proposed environmental outcomes. The ODP covers all of the land controlled by the applicant for the plan change but currently excludes the land at 6 Stanleys Road (Proposed area of Business 4 Zone) although new linkages to that land are provided for. The purpose of the ODP is to:

- create an open and permeable development that fits comfortably on the site
- support the underlying physical and visual qualities of the site
- create a strong connection to the existing Tait premises to the south
- build a strong relationship with the adjacent open space; and
- integrate buildings and associated functions into the landscape.

There are four principal elements to the ODP. These are:

- the movement network, being to create a slow road environment giving priority to pedestrians and cyclists within a comprehensively landscaped setting
- to carefully consider the distribution of buildings to ensure integration of the built environment within the landscape setting
- a green corridor within a distinct 'park like' setting with strong visual links and views through the site and to Nunweek Park. This will be supported by extensive boundary and road frontage landscaping; and

- the creation of a central water feature incorporated as part of the stormwater system.

The benefits of utilising the major area of the land for a business campus are significant and include:

- A larger part of the site is in single ownership and can be developed in an integrated, sustainable and comprehensive manner
- The land is well suited to the use and will not impact adversely on any neighbouring activities;
- The land is located alongside adjoining established areas of business zoning and in close proximity of a wide range of amenities;
- The site has excellent and immediate access to support facilities and employment;
- The area is well served by all forms of transport be it the airport, road network, bus services, walking or cycling, with good access to recreation and open space;
- It will give support to a number of other Christchurch businesses and facilities;
- It can be developed in a manner which will improve wider community amenity in the area through walking access, a landscape and site design compatible with Nunweek Park, overflow car parking for the park and a meeting place for the community; and
- The activity will make a major contribution to the economic, employment, social and cultural recovery of Christchurch post earthquake.

The result will be to consolidate an important economic activity of benefit to both the city and the country undertaken in highly innovative buildings and expansive landscape setting and which is attractive to a worldwide employment market.

1.6.2 Business 4 Zone

The area of land to be rezoned Business 4 can integrate with and form a logical and consolidated extension to the established adjoining Business 4 Zone. In addition, the proposed area of Business 4 Zoning can link and be integrated with the proposed area of Business 4T Zoning expanding opportunities for integrated vehicle access, landscaping and general site development.

2. PROPOSED AMENDMENTS TO THE CITY PLAN

Note: for the purposes of this plan change, any text amended as a result of other decisions is shown as “normal text”. Any text proposed to be added by the plan change is shown as **bold underlined** and text to be deleted as ~~**bold strikethrough**~~.

2.1 Volume 3 - Part 3 : Business Zones

2.1.1 Amend Zone Description Clause 1.12, Part 3, Volume 3 as follows:

- (i) Add the following new provisions to the Zone description and purpose and the Environmental results anticipated, Clause 1.12 Business 4T (Suburban Industrial – Technology Park) Zone as follows:

This zone relates to land in the Russley area in the north-west of the City (adjacent to Sir William Pickering Drive) which ~~is-being~~ has been developed as a “technology park”. This industrial park was established under the previous Waimairi Plan with performance standards requiring development to be low density with a significant emphasis on open space and landscape treatments. There is already a higher standard of amenity than in other business Zones and there is an expectation that this locality will continue to be developed in this way. It is therefore appropriate for the Plan to ensure that these amenity values are not adversely affected or undermined by any future development. The zone has been extended to include an area of land between Wooldridge Road and Stanleys Road covered by the Tait Campus Outline Development Plan, (refer Appendix 23, Part 3, Volume 3). This area will expand the opportunity for consolidation of the information, technology and research business community of the city while maintaining and promoting a higher standard of site and building design, landscaping and open space. The emphasis of the zone is therefore to maintain the higher levels of landscape treatment and amenity. Within that part of the zone covered by the Outline Development Plan (Tait Campus), the office activities are confined to the management, manufacture, research, development, data processing and storage for the high technology, information communication and computing

industry and where a high level of energy efficient and sustainable building design will be encouraged.

Environmental results anticipated

- (a) A zone environment where the density and scale of building development is low with a “park-like” industrial character.
- (b) High standards of landscaping and visual amenity.
- (c) A street scene characterized by large setbacks.

(d) Within the area of the zone covered by the Outline Development Plan (Tait Campus), shown in Appendix (23), Part 3, Volume 3:

- **business activity limited to the management, design, research, manufacture and data storage for the information, computing, communications and high technology industry;**
- **an integrated site layout, with increased controls on building design to ensure an attractive and energy efficient built form and work environment.**

2.1.2 **Amend** Development Standards – Business 3, 3B, 4, 4P, 4T, 5, 6, 7 and 8 Zones as follows:

- (i) Rule 5.2.2 Open Space:

Add the following new provision:

The maximum percentage of the site area covered by buildings shall be:

Business 4T Zone	25%
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<u>Business 4T (Tait Campus) Zone,</u>	
<u>shown in Appendix 23, Part 3, Volume 3</u>	<u>35%</u>

Except that within the area of the Business 4T (Tait Campus) Zone, shown in Appendix (23), Part 3, Volume 3, the maximum total area of building floor (Gross Floor Area) space shall be 50,000m².

Business 4P Zone	50%
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(ii) Rule 5.2.3 Street Scene:

Add the following new exception:

- (a) The minimum building setback from road boundaries shall be:
(...)

Business 4T Zone	15m
Business 6 Zone	15m

Except that

- (i) The minimum (...)

- (v) In that part of the Business 4T (Tait Campus) Zone shown in Appendix (23), Part 3, Volume 3 the setback shall be 20m**

- (vi)** In the Business 4 zoned sites fronting Blakes Road (...)

(iii) Rule 5.2.4 Separation from Neighbours:

Add the following new amendment and exception:

- (a) The minimum building setback from the boundary with a living zone shall be
(...)
Business 4T **(Sir William Pickering Drive)** Zone
on the western boundary of the zone 5m
(...)

(...)

- (b) The minimum building setback from internal boundaries shall be:
Business 4T **(Sir William Pickering Drive)** Zone 5m
Business 4T (Tait Campus) Zone
shown in Appendix (23), Part 3, Volume 3 15m
Business 4 Zone on the land known (...) 3m

(iv) Rule 5.2.7 Landscape areas:

Amend subclause (a), **add** a new subclause (vii) and renumber subsequent clauses as follows:

- (a) Area and location of landscaping

The minimum percentage of the site to be set aside as a landscaped area shall be as follows:

(...)

Business 4T **(Sir William Pickering Drive)** and 4P Zones 20%

Business 4T (Tait Campus) Zone

shown in Appendix (23), Part 3, Volume 3 **30%**

and

(...)

- (vi) In the Business 4 Zone on the land known as Musgroves

(...)

(vii) In the Business 4T (Tait Campus) Zone, shown in Appendix (23), Part 3, Volume 3:

- **All of the setback from road boundaries and the landscape buffer areas along internal boundaries shall be landscaped excluding road or pedestrian crossings;**
- **Provision of landscape areas and tree planting shall be in accordance with sub-clause (b) Trees below, the Green Network provisions of the Outline Development Plan (Tait Campus) shown in Appendix (23), Part 3, Volume 3, and the tree schedule, Volume 3, Part 3, Appendix 3.**

(viii)(vii) In the Business 4 Zone (...)

- (v) Rule 5.2.8 Outline Development Plans:

Add the following new **subclause (kf)** to Clause 5.2.8 Outline Development Plans as follows and renumber subsequent clauses accordingly

(...)

5.2.8

- (e) Within the Business 4 Zone at Wrights Road (...)

(kf) Within the Business 4T (Tait Campus) Zone as shown on the Outline Development Plan in Appendix (23), Part 3, Volume 3, the development of land in shall be in accordance with the site layout, general building location, setbacks, buffer and landscape areas, planting requirements, access points, location of internal circulation routes, stormwater management areas and any other requirements shown on the Outline Development Plan, Appendix 23(i) – (iv). Any development not in accordance with the Outline Development Plan will be a restricted discretionary activity with the Council's discretion limited to the relevant matters with which the development does not comply.

(f)-(g) In the Business 7 Zone (...)

(vi) Rule 5.2.9 Height:

Add the following new provision for the Business 4T (Wooldridge Road Campus) Zone, Appendix (23), Part 3, Volume 3:

(a) The maximum height of any building shall be:

(...)

Business 4 Zone at Ferrymead	11m
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Business 4T (Tait Campus) Zone

<u>shown in Appendix 23, Part 3, Volume 3</u>	15m
--	-----

except that

(i) no building shall exceed 11m

in height within 50m of the road boundary of

the site with Stanleys Road and Wooldridge Road

Business 8 Zone (within 50m of a living zone boundary or Pound Road) (...)	15m
--	-----

(b) In the Business 4 zoned land at (...)

(vii) Rule 5.2.14 Design and amenity for development in the Business 7 and 8 Zones:

Amend Clause 5.2.14 by including the Business 4T (Tait Campus) Zone as follows:

5.2.14 Design and amenity for development in the Business **4T (Tait Campus)**, 7 and 8 Zones.

The erection of new buildings and additions to existing buildings shall be a controlled activity, with the exercise of the Council's control limited to the design and amenity of the site and development thereon in **the Business 4T (Tait Campus) Zone, shown in Part 3, Appendix 23,** all of the Business 7 Zone, and on sites which have frontage to Pound Road in the Business 8 Zone.

(viii) Rule 5.2.15 Waterbodies and Birdstrike Risk

Amend clause 5.2.15 as follows:

In the Business 5 Zone at Sir James Wattie Drive, **Business 4T (Tait Campus) Zone shown in Appendix 23, Part 3, Volume 3,** and Business 8 Zones, because of the bird strike risk for Christchurch International Airport (...)

2.1.3 **Amend** Community Standards – Business 3, 3B, 4, 4P, 4T, 5, 6, 7 and 8 Zones as follows:

(i) Rule 5.3.3 Offices

Amend Clause 5.3.3 Offices as follows:

In any zone **other than the Business 3B, 4, 4T and 8 Zones** (....) bank ATM facilities

Except that in the Business 4T (Tait Campus) Zone any office use shall be for the purposes of the management, manufacture, research, development, data storage and processing in association with the high technology communication, computing and information industry.

- (ii) Rule 5.3.6 Site Contamination and Landfill Gas

Amend Clause 5.3.6 Site Contamination and Landfill Gas as follows:

The construction of any building involving human occupancy in the **Business 4T (Tait Campus) Zone shown in Appendix 23, Part 3, Volume 3, and Business 7 Zones** shall be a restricted discretionary activity (...)

- 2.1.4 **Amend** Critical Standards – Business by adding Business 4T to the heading of the critical standards and amending rules 5.4.5 and 5.4.7 as follows:

- (i) 5.4 Critical standards - Business 4, **4T**, 5, 7 and 8 Zones
- (ii) Rule 5.4.5 Kennaway Park – Road Improvements

Amend as follows:

5.4.5 **Business 4 (Kennaway Park) and Business 4T (Tait Campus) Zones**
– Road Improvements

- (i) **Business 4 (Kennaway Park)**

Not more than 10 hectares (...)
(...) of general traffic and cyclists

- (ii) **Business 4T (Tait Campus) Zone shown in Appendix 23, Part 3, Volume 3:**

(a) Notwithstanding any other provisions of this Plan that may separately make an activity permitted, controlled, restricted discretionary or fully discretionary, any development resulting in more than 10,000m² of gross floor area within the area covered by the Outline Development Plan shall be a non-complying activity until the Wairakei/Wooldridge Roads intersection improvements (as agreed with the Council) have been carried out; and

- (b) the extent of the developer's contribution to the costs of Wairakei/Wooldridge Roads intersection upgrading has been agreed with the Council.

In addition:

- (c) There shall be only one main vehicle access point to the Business 4T zoned part of the site. This access point shall be located on Wooldridge Road as indicated in the Appendix 23 Outline Development Plan. A second access point can be provided from Wooldridge Road but shall be limited to serving a maximum of 30 car parking spaces;
- (d) Upon the creation of vehicle access from the site to Stanleys Rd, new give-way markings on the Stanleys Rd approach to its intersection with Harewood Rd shall be provided;
- (f) Three secondary access points, designed as 'low volume service access points', may be provided to the Business 4T (Tait Campus) Zone part of the site in the general locations indicated on the Outline Development Plan;
- (g) Footpaths along the Business 4T Zone frontage to Wooldridge and Stanleys Roads linking the site with Wairakei Road, and along the eastern side of Wooldridge Road with the bus stop shall be provided when the vehicle access points are formed; and
- (h) All vehicle access points, intersection works, internal roading and footpath improvements shall be carried out at the cost of the developer or their successor/s in title.
- (iii) In the Business 4 Zone shown in Appendix 23, Part 3, Volume 3 the only main access point to the site shall be located on Stanleys Road. All vehicle access point intersection works, internal roading and footpath improvements shall be carried out at the cost of the developer or their successor/s in title.

- (iii) Rule 5.4.7 Noise Sensitive Activities

Amend as follows:

In the Business **4 and 4T (Tait Campus) Zones as shown Appendix 23, Part 3 and the Business 8 Zone**, no noise sensitive activities (....)

2.1.5 Volume 3, Part 3 Business Zones, 6.0 Assessment matters for resource consents, Clause 6.7 Business 3, 3B, 4, 4P, 4T, 5 (including the Business 5 zone at Sir James Wattie Drive), 6, 7 and 8 Zones

(i) Clause 6.5.7 Outline Development Plans – Business 4, **4T**, 5 and 8 Zones

Amend the clause heading, and **add** a new clause E after sub-clause D as follows, and renumber subsequent sub-clauses accordingly:

6.5.7 Outline Development Plans – Business 4, **4T**, 5 and 8 Zones
(...)

E In the area covered by the Business 4T (Tait Campus) Zone as shown in Appendix 23, Part 3, Volume 3.

(a) Open Space and Character

(i) The extent to which the design, layout and landscaping contributes to an open space environment compatible with the Nunweek Park recreation area and surrounding rural zones.

(ii) The extent to which the site design, layout and landscaping provide for separation from and screening of buildings from Stanleys Road and the Nunweek Park recreation area and adjacent rural properties.

(iii) The extent to which the design, layout and landscaping proposed provides for view shafts across the area.

(iv) The extent to which the design, layout and landscaping creates a green corridor that will incorporate and enhance landscape and water features including provision for the retention of existing trees.

- (v) The extent to which building form, colour and location, allocation on the site mitigates the visual dominance of buildings when viewed from the rural-urban and open space boundaries.

(b) Landscaping

- (i) The extent to which provision is made for a transition between business activities and the surrounding rural zones through the use of attractive green edge landscaped buffers providing effective visual screening of business activities along the rural edge and which are in keeping with the rural character of the area.
- (ii) The quality and effectiveness of landscaping proposed along the Wooldridge Road and Stanleys Road frontages in creating an attractive green edge to the urban area.
- (iii) The extent to which stormwater basins open space and landscaped areas are co-located so as to maximize recreational and amenity opportunities.
- (iv) The effectiveness of any landscaping proposed to screen parking areas, service buildings and yards.
- (v) The effectiveness and quality of landscaping in providing screening around buildings.
- (vi) The degree to which any visual or outlook reverse sensitivity issues relating to the lawfully established nearby rural activities are avoided or mitigated.
- (vii) The suitability of planting along the water feature's edge to the local conditions and its effectiveness in discouraging bird species which may pose a bird strike risk from congregating on or around the water feature.

(c) Connectivity

- (i) The extent to which the connectivity of pedestrian and cycle movement across the site from Wooldridge Road to Stanleys Road and then to the

wider transport network and Nunweek Park is incorporated within the design.

(ii) The extent to which the principles of Crime Prevention through Environmental Design have been incorporated into the design of pedestrian and cycle ways.

(iii) The extent to which the connectivity of pedestrian, cycle and vehicular access is incorporated within the landscape and planting design.

(iv) The provision for vehicle and pedestrian linkages between buildings within the site.

(d) Energy Efficiency and Sustainability

(i) The extent to which passive solar energy and access to daylight can be achieved through building orientation and design.

(ii) The use of timber technology for carbon absorption.

(iii) The extent of which ground water coupling and heat exchangers can be incorporated to provide both heating and cooling.

(iv) The ability to provide for ventilation through a combination of natural and mechanical means.

(e) Parking

(i) The visual effect of car parking areas both from within the site and as seen from outside the site, in particular from Nunweek Park and Stanleys Road, and the effectiveness of any mitigation on the amenity of those places through landscaping and design.

(f) Access

(i) The integration of the entrances to the site from Wooldridge Road and Stanleys Road as part of the landscape and planting design and amenity for those frontages.

(ii) The design and effectiveness of the external vehicle access points to Stanleys and Wooldridge Roads and their effect on the character, safety and efficiency of the adjoining road network.

(iii) The effectiveness and safety of pedestrian access to and from the site, including access to the public transport network.

(g) Stormwater

(i) The extent to which stormwater basins and open space are integrated to maximise recreational opportunities and amenities and to minimise the development of habitat that would increase the risk of bird strike at the Christchurch International Airport.

(ii) Clause 6.5.10 Offices

Amend Clause 6.5.10 by **adding** the following new sub-clause (b)

(a) The impact of (...) reverse sensitivity effects.

(b) The impact of any new office development on the redevelopment of the Central City.

(iii) Clause 6.5.16 Design and Amenity for development in the Business 7 Zone and for sites fronting Pound Road in the Business 8 Zone.

Amend Clause 6.5.16 heading and **add** the following new sub-clause at the beginning of the clause:

6.5.16 Design and Amenity for development in the **Business 4T (Tait Campus)**, Business 7 Zones, and for sites fronting Pound Road in the Business 8 Zone.

Business 4T (Tait Campus) Zone as shown in Appendix 23, Part 3, Volume 3:

- (a) Any adverse effects of new buildings in terms of their scale and appearance on the adjoining rural area and Nunweek Park.**
- (b) The visual intrusion of buildings as seen from the nearby adjoining rural properties and open space.**
- (c) The relationship between the external appearance of the building and the character of the surrounding area including**
 - (i) the degree of variation in form, profile and height of the building and**
 - (ii) the avoidance of large expanses of wall or repetitious building forms**
- (d) The extent of landscape buffer treatment to mitigate the overall bulk and appearance of the buildings.**
- (e) The quality of the architectural treatment of the building elevations including the design, architectural features and details, use of colour and building materials.**
- (f) The extent to which the location of security fencing detracts from the visual amenity and landscape planting along the street frontage.**
- (g) The extent to which any signage on buildings is integrated with a buildings architectural detail.**
- (h) The extent to which the location of outdoor storage, loading and parking areas are sited away from public areas.**

Business 7:

- (a) The quality of architectural treatment of main elevations including building design, architectural features and details, use of colour and building materials.
- (b) (...)

2.1.6 Volume 3, Part 3 Business Zones, 7.0 Reasons for rules, Clause 7.3 Business 3, 3B, 4, 4P, 4T, 5, 6, 7 and 8 Zones.

- (i) 7.3.1 Site density and open space

Add the following clause to paragraph three

(...) buffered from residential areas.

In the less intensively built up industrial zones, a site coverage technique is utilised. Both the Business 4P and 4T Zones are marketed as “park-like” business environments which need to be reflected in rules which distinguish them from industrial zones generally. **In the Business 4T (Tait Campus) Zone the site coverage is increased by five percent in order to provide greater flexibility in developing a low rise building campus environment. This is balanced against a compensating increase in the landscaped area and a limit on building height and floor space within the zone to ensure that development remains low density, does not visually dominate the adjoining rural and open space amenities and limits the anticipated level of traffic generation to and from the site.**

(ii) 7.3.2 Street Scene:

Add the following at the end of paragraph two

(...)

Large setbacks have been specified in the Business 4T, 4P and 6 zones, because these areas are located in or adjacent to environmentally sensitive areas, and in the case of the Business 4T and 4P Zones, have been established to provide an attractive environment. **In particular, larger setbacks are provided for in the Business 4T (Tait Campus) Zone, shown in Appendix 23, Part 3, Volume 3, to allow greater opportunity for landscaping along the boundaries with the Rural 5 zone and opposite Nunweek Park, and to reflect the open space and low density campus character sought for the land.**

Similarly, generous setbacks (...)

(iii) 7.3.3 Separation from neighbours:

Add a new paragraph following paragraph one;

(...) A larger setback is also required where the Business 4T Zone has boundaries with existing residential areas to reflect the special amenity characteristics of the zone. The setback is decreased on the western boundary of the zone as the developer of the living zone on this boundary has

imposed an increased setback and future development of the residential area is expected to take account of the presence of the Business 4T Zone.

In addition, greater setbacks are required in the Business 4T (Tait Campus) Zone, shown in Appendix 23, Part 3, Volume 3, along the internal rural zone boundaries to provide for substantial planted buffers to reduce the visual impact of buildings and maintain the rural and open space character of the area.

A greater setback is also required for that area of the Business 4 Zone (.....)

(iv) 7.3.6 Landscaped areas:

Amend paragraph two as follows:

(...)

The extent of landscaping required is a reflection of the location and environmental sensitivity of zones. The Business 4P Zone was originally established to promote a “clean green” rural produce image, and the Business 4T Zone a range of high technology uses in a park like environment. **In particular, an increased central area of open space and landscaping is provided for within the Business 4T (Tait Campus) Zone Appendix 23, Part 3, Volume 3 to ensure a low density open space campus environment with attractive public pedestrian and cycle links across the site integrated within an extensively planted and landscaped setting to protect and enhance the rural and open space zone boundaries and on site amenity.** Accordingly, both zones require a high proportion of landscaping to maintain (.....)

(v) 7.3.7 Outline Development Plan:

Add the following new sub-clause after the second to last paragraph referring to Business 4 Zone at Wrights Road:

(....)

In relation to the Business 4 Zone at Wrights Road (being the land shown on the Outline Development Plan in Part 3, Appendix 20) the development plan is intended to:

- Achieve safe and efficient movement of traffic to and from the site and on Wrights Road through limiting the number of access points;
- Ensure the amenity values of the surrounding environment are enhanced through specific landscaping standards.

In relation to the Business 4T (Tait Campus) Zone, shown in Appendix 23, Part 3, Volume 3, the Outline Development Plan is intended to achieve the following objectives:

- (i) A low building density within an extensively landscaped campus environment;**
- (ii) Identify important locations for open space and waterway-stormwater links and enhancement;**
- (iii) Enhance the general relationship of buildings and planting with the surrounding area;**
- (iv) Ensure safe and efficient movement of traffic to and from the site, and within the site;**
- (v) Ensure an attractive pedestrian-cycle link to and through the site;**
- (vi) Provide for a development form that reflects the landscape and open space public amenity of Nunweek Park and the adjacent rural zone;**
- (vii) Provide the opportunity for shared parking for Nunweek Park users in the weekends**
- (viii) Ensure any reverse sensitivity effects in terms of adjoining or nearby rural activities are mitigated by way of increased building setbacks, landscaping and a limit on building height.**

(vi) 7.3.10 Offices

Add the following new sub-clause

Standalone office (....) in other parts of the City.

In the Business 4T Zone (Tait Campus) office activities are limited to those associated with the high technology, data storage, communication, computing and information industry in order to protect the recovery of the Central City Zone.

(vii) 7.3.19 Road Improvement Rule – Kennaway Park Only

Amend the title of the clause and **add** an new paragraph referring to B4T (Tait Campus) as follows:

7.5.19 Road improvement rules – Kennaway Park ~~only~~ **and Business 4T (Tait Campus) Zone**

The particular location of the Business 4 zoned land known as Kennaway Park (...) with the cooperation of the Council and the road controlling authority.

The development of the land within the Business 4T (Tait Campus) Zone, shown in Appendix 23, will potentially give rise to traffic effects particularly at the intersection of Wairakei Road-Wooldridge Road, that will require road improvements. A limited amount of development is provided for before the extent of road improvements is determined and carried out. The rule is designed to ensure that these improvements are implemented before the development on the land beyond the first 10,000m² of floor space takes place. The owner of the land or development at the time will need to agree the mechanism for the cost sharing of any road works, with the cooperation of the Council, as the road controlling authority.

(viii) 7.3.20 Height

Amend by including the following at the end of paragraph one

(...) downdraft effects and buildings that would compete with the central city skyline.

A height limit of 15m has been set for all of the Business 4T (Tait Campus) Zone, as shown in Part 3, Appendix 23. This is reduced to 11m within 50m of the road frontage with Stanleys Road and Wooldridge Road to ensure that buildings remain low level and in context with the visual amenity and outlook of the adjoining rural and open space zones.

A lower standard has been set for the (....)

- (ix) 7.3.21 Design and amenity for development in Business 7 and 8 Zones:

Amend the title of the clause by adding B4T and **add** the following additional paragraph to the reasons:

7.3.21 Design and Amenity for Development in the Business **4T (Tait Campus)**, 7, and 8 Zones.

(...) This provision includes assessment matters to act as guidance for developers and for those assessing applications as to the appropriate level of amenity anticipated for developments in these areas.

In the Business 4T (Tait Campus) Zone, shown in Part 3, Appendix 23, controls have been applied to the design and appearance of buildings, and site layout to ensure development occurs in a manner which recognises both the on-site amenity sought for the zone and the lower density open landscape setting adjoining the rural zone and Nunweek Park.

- (x) 7.3.22 Waterbodies and Birdstrike risk:

Add to the existing clause as follows:

The Business 8 Zone is located in proximity to the Christchurch International Airport Limited aircraft approach slopes. As such, it is important that the risk of birdstrike on Airport operations is minimised. Water features are therefore not anticipated within the Business 8 Zone, apart from any basins necessary for the management and disposal of stormwater. **The Business 4T (Tait Campus) Zone, shown in Appendix 23, Part 3, is also located in proximity of the Christchurch International Airport Limited aircraft approach slopes. Apart from basins necessary to manage and disperse stormwater, development in this zone may include small scale water features.** Such basins **and water features** are to be designed to minimise their attractiveness for bird species that potentially create a birdstrike risk.

Proposals that do not comply with this rule are to be limited notified to

Christchurch International Airport Limited so that CIAL can have the opportunity to respond to potential risk posed by such proposals.

2.1.7 **Part 3, Business Zones, Appendices**

Add the following new Appendix 23 - Outline Development Plan (Tait Campus) being:

(i) Land Use and Development

(ii) Green Network

(iii) Blue Network

(iv) Movement Network

2.2 **Volume 3, Part 13, Transport**

2.2.1 Development Standards – Parking and loading

(i) Rule 2.2.1 Parking Space Numbers

Add the following new provision to Rule 2.2.1, Table 1, Minimum parking required in the all other zones.

Table 1 Minimum parking required in all other zones				
Activity	Car parking spaces		Cycle parking Spaces	Loading/unloading
	Residents/visitors	Staff		
Column 1	Column 2	Column 3	Column 4	Column 5
Offices Generally: (except Business 4T Zone)	5% of staff requirement (1 space minimum)	2.5 spaces/100m ² GFA	1 space/200m ² GFA	1 99% car bay/8000m ² GFA or part thereof + 1 HGV bay/8000m ² GFA (up to 16000m ² GFA), 1 HGV bay/20000m ² GFA after 16000m ² GFA
Business 4T Zone except that:	5% of staff requirement (1 space minimum)	4 spaces/100m ² GFA	1 space/200m ² GFA	As per general requirement
<u>For any development resulting in more than 10,000m² of GFA in the</u>	<u>5% of staff requirement (1 space minimum)</u>	<u>2.5 spaces/100m² GFA. Any such reduction is subject to</u>	<u>1.5 space/200m² GFA</u>	<u>As per general requirement</u>

<u>Business 4T (Tait Campus) Zone, Appendix (23) Part 3, Volume 3</u>		<u>resource consent as a discretionary activity</u>		
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2.2.2 3.0 Assessment Matters for Resource Consents

Add the following new assessment matter (d)(xiv) to Clause 3.2.1 Parking Space Numbers; Availability of parking spaces; Parking area location; Staff car parking; Parking space for people with disabilities:

(xiv) In the Business 4T (Tait Campus) Zone, shown in Appendix 23 etc etc

2.2.3 3.0 Assessment Matters for Resource Consents

Add the following new assessment matter **(d)(xiv)** to Clause 3.2.1 Parking Space Numbers; Availability of parking spaces; Parking area location; Staff car parking; Parking space for people with disabilities:

d(xiv) In the Business 4T (Tait Campus) Zone shown in Appendix 23, Part 3, Volume 3, the provision of a monitored Transport Management Plan⁽¹⁾ for the site prepared in association with the Christchurch City Council and Environment Canterbury for the site and which demonstrates a reduced demand for off-street car parking spaces, has not resulted in an increased demand for off-street parking in the vicinity and provides for an on-going comprehensive monitoring programme which supports the reduced on-site car parking provision over time.

⁽¹⁾ **The Transport Management Plan may include an incentives programme which will secure an increased use of the transport modes.**

2.2.4 Reasons for Rules – Clause 4.0

4.1 Parking space numbers; availability of parking spaces, parking area location, staff car parking, parking spaces for people with disabilities.

(a) **Add** the following new section at the end of Clause 4.1

(...) any expansion of Jade Stadium that increases its capacity over 39,000 seats will therefore need to demonstrate measures that will mitigate any additional potential adverse parking related effects on surrounding residential and commercial activities.

Within the Business 4T (Tait Campus) Zone, shown in Appendix 23, Part 3, Volume 3, provision is made by way of resource consent for a reduction in on-site car parking for any development resulting in more than 10,000m² of (GFA) in the zone. The Tait Campus management is committed to implementing a Transport Management Plan which will ensure the greater use of alternative transport modes and provide incentives for the use of public transport, walking and cycling. Any reduction in the on-site car parking provision is required to be supported by a comprehensive monitoring programme which demonstrates that the reduced demand can be sustained over time.

2.3 **Volume 3, Part 14, Subdivision**

2.3.1 Following Critical standards, Clause 5.3.7 Special roading and access requirements - Musgroves site **add** the following new clause:

Add the following new Clause 5.3.8:

5.3.8 Special roading and access requirements – Business 4 and 4T (Tait Campus) Zones as shown in Appendix 23, Part 3.

In the Business 4T (Tait Campus) Zone as shown in Part 3, Appendix 23, Volume 3 the development shall be in accordance with the provisions of the Outline Development Plan and specific roading and access requirements as follows:

(a) Notwithstanding any other provisions of this Plan that may separately make an activity permitted, controlled, restricted discretionary or fully discretionary any development resulting in more than 10,000m² of GFA within the area covered by the Outline Development Plan (Tait Campus), Appendix 23, Part 3, shall be a

non-complying activity until the upgrading of the intersection of Wairakei/Wooldridge Roads has been carried out; and

- (b) The extent of the contribution to the costs of upgrading the intersection from the development has been agreed with the Council

In addition:

- (c) There shall be only one main vehicle access point to the Business 4T zoned part of the site. This access point shall be located on Wooldridge Road as indicated in Appendix 23, Part 3, Volume 3. A second access point can be provided from Wooldridge Road but is limited to serving a maximum of 30 car parking spaces;
- (d) Upon the creation of vehicle access from the site to Stanleys Rd, new give-way markings on the Stanleys Rd approach to its intersection with Harewood Rd shall be provided;
- (e) Three secondary access points, designed as 'low volume service access points', may be provided to the Business 4T (Tait Campus) Zone in the general locations indicated on the Outline Development Plan;
- (f) Footpaths along the Business 4T Zone frontage of Wooldridge and Stanleys Roads linking the site with Wairakei Road, and along the eastern side of Wooldridge Road with the bus stop shall be provided when the vehicle access points are formed;
- (g) All vehicle access points, intersection works, internal roading and footpath improvements shall be carried out at the cost of the developer or their successor/s in title;

In the Business 4 Zone shown in Appendix 23, Part 3, Volume 3, the only main access point to the site shall be located on Stanleys Road. All vehicle access point intersection works, internal roading and footpath improvements shall be carried out at the cost of the developer or their succession in title.

2.3.2 Following Clause 29.4, Subdivision in the Living G (North West Belfast) Zone

add new clauses as follows and renumber subsequent clauses accordingly.

Add the following new Clause 30.0 and re-number subsequent clauses 30.0 – 30.36 to 31.0 – 31.36 accordingly.

30.0 Subdivision in the Business 4T (Tait Campus) Zone.

30.1 Development Standards

The Business 4T Zone subdivision standards shall apply to subdivision within the area of the Business 4T (Tait Campus) Zone, as shown in Appendix 23, Part 3, Volume 3, except as required by Part 14, Critical Standards – Property Access, Clause 5.3.8 and Clause 30.2 Community Standards below.

30.2 Community Standards

30.2.1 Conformity with Outline Development Plan

(a) Any proposed subdivision shall be in accordance with the following parts of the Outline Development Plan – Business 4T (Tait Campus) Zone, Appendix 23, Part 3, Volume 3:

- (i) Land Use and Development, Appendix 23(i);**
- (ii) Green Network, Appendix 23(ii);**
- (iii) Blue Network, Appendix 23 (iii); and**
- (iv) Movement Network, Appendix 23 (iv).**

and be designed to enable the achievement of the following:

- A low density, open campus environment designed around a series of individual buildings linked by walkways and landscaping;**
- Integration of all modes of transport across the Outline Development Plan area having regard to Part 14, Clause 5.3.8 - Special roading and access requirements;**
- Provision for substantial planting and landscaping along road frontages and site boundaries; and**

- Integration of stormwater management with open space across the Outline Development Plan area.

30.3 Assessment matters for subdivision in the Business 4T (Tait Campus) Zone, as shown in the Outline Development Plan, Appendix 23, Part 3, Volume 3 shall include the following considerations:

(a) Quality

The extent to which the subdivision will be in accordance with and support the provisions of the Outline Development Plan (Tait Campus);

(b) Connectivity

The extent to which the proposal will be in general accordance with the Outline Development Plan (Tait Campus) provisions in terms of land use and the movement network;

(c) Access to outdoor space

The extent to which the proposal will be in general accordance with the Green Network diagram of the Outline Development Plan (Tait Campus);

(d) Trees

(i) The extent to which the retention and or provision of trees provides a high level of visual amenity or buffer planting.

(ii) The extent to which the provision of trees recognises the context and scale of the area in which they are located, the significance of the road frontages and the character of adjoining properties.

(iii) Protection of the two Notable trees identified in Appendix 4, Part 10, 64 Stanleys Road (Lot 1, DP 25641).

(e) Stormwater

(i) That the stormwater measures adopted ensure the protection of ground water quality including treatment of discharges from roads and sealed car parking areas.

- (ii) The extent to which the proposal will be in general accordance with the Blue Network diagram of the Outline Development Plan.
- (f) Energy Efficiency
 - (i) The extent to which any subdivision ensures the opportunity for buildings and development to be located and designed to maximise an energy efficient built form.
- (g) Street Scene
 - (i) The extent to which lot design and orientation will allow buildings to address but not dominate the street including areas of open space and planting.
 - (ii) The extent to which consideration has been given to the potential use of slow lanes for vehicle access within the Outline Development Plan area.

2.3.3 (30.0) Subdivision of Land – Reason for Rules

Following re-numbered Clause ~~310~~.36, add the following new Clause 31.37

31.37 Business 4T (Tait Campus) Zone

A comprehensive Outline Development Plan has been included for development within the Business 4T (Tait Campus) Zone Appendix 23, Part 3, Volume 3. The purpose of the Outline Development Plan is to assist the Council in managing the effects of the use and development of the site, while also ensuring the development of a low density open campus environment through the implementation of the Outline Development Plan and the associated Business 4T Zone provisions including an assessment of building design and appearance. The provisions of the Outline Development Plan require a substantial area of the site to be landscaped in excess of the provision for any other business zone. It also identifies the general location of buildings, accessways, planting and stormwater management. This approach to the whole site was promoted by the landowner at the time the land was rezoned

Business 4T and is an essential part of providing for a highly attractive environment for both employees and the wider community.

2.4 **Amend** City Planning Maps **No. 23A** and **24A** as per the attached maps.

3. STATUTORY FRAMEWORK

3.1 Introduction

This report has been prepared in accordance with s.32 of the Resource Management Act 1991 (RMA) and assesses the alternatives, benefits and costs of allowing the establishment of a Business 4 and 4T Zones on the subject land. (Refer also Section 5 of this application – s32 analysis).

TL has sought a privately requested plan change to allow 10.31ha of land currently zoned Rural 5 to be rezoned for business purposes. This is in recognition of the particular physical and locational circumstances of the site including its limited ownership, ability to consolidate a significant established business activity in close proximity of a wide range of support facilities and amenities including the University, accessible to all transport modes, and to establish a globally significant business campus which will support, retain and encourage employment in a competitive worldwide market.

The site is zoned Rural 5 and no special notations in terms of the City Plan affect the site apart from two protected trees. Given the surrounding uses and activities, namely the configuration of the adjacent business zones, the airport, nearby parks, service facilities and the proximity of, and good access to all transport modes, then the site represents a logical and sustainable area of land for business activity both Business 4 and 4T Zones.

This section 32 evaluation (Section 5 of this report) should not be considered as full and final. The RMA anticipates the evaluation under section 32 of the Act as an evolving process with a further evaluation required by the Council before making any decision on a Plan Change (s32(2)(a)). Additional evaluations may also be required if the Council considers amendments to the provisions of the proposed Plan Change are needed before the Change is formally presented to the Council for adoption.

This Plan Change application does not propose any significant changes to the current objectives and policies of the City Plan. The analysis to which these methods have already been put, particularly the Business 4 and 4T Zone provisions, avoids the need for further evaluation as part of this Plan Change. There is a need

however, to examine the extent to which the methods chosen, being the Business 4 and 4T Zone, including the proposed ODP and applicable rules, is the most appropriate way of achieving the existing objectives and policies of the City Plan. In this respect, the key issue is whether the existing outcomes sought in the City Plan will continue to be met through the rezoning of this site for a business campus.

The proposed use of the land for business zone purposes can generally comply with all the expected outcomes sought for a Business 4T Zone environment, supported by the provision of a comprehensive ODP which will reinforce the importance of urban consolidation, enhanced urban design, sustainable development and the integration of all the essential service elements necessary for urban business growth.

Where particular environmental issues have been identified these have been addressed to ensure no adverse effects. In particular, the ODP is augmented by additional provisions to address stormwater and methods to improve the performance and quality of site planning and building development.

A number of detailed investigations and environmental assessments were undertaken in support of the s32 analysis and these are set out in the Appendices to the Plan Change and form part of the Assessment of Effects on the Environment.

3.2 Requests for Changes to Plans

Section 73(1A) of the Resource Management Act 1991 ("the Act") gives a territorial authority the right to change its District Plan. In addition, section 73(2) enables any person to request a territorial authority to change a District Plan in the manner set out in the First Schedule of the Act. This Plan Change request has been prepared in accordance with Schedule 1, Clause 21 of the Act.

Under Clause 22 of the First Schedule, a plan change request must:

- a) Explain the purpose and reasons for the request;
- b) Assess the environmental effects in such detail as corresponds with the scale and significance of actual and potential effects anticipated from the implementation of the plan change;
- c) Contain an evaluation under s32 of the objectives, policies, rules or other methods proposed.

In making a determination on the request under Clause 25 (2) the Council may adopt the request, or part of the request, as if it were a proposed plan by the territorial authority, or accept the request, in whole or part, and proceed to notify.

It is concluded that there are no reasons to reject the request and that the request be notified in accordance with Clause 25(2)(b).

The process for dealing with a Plan Change once it has been publicly notified and submissions received is set out in the First Schedule of the Act. In the case of a private plan change request, the procedure in Part 1 of the First Schedule will, with all necessary modifications, apply except as set out in sub-clauses (2) to (9) of Clause 29 of Part 2 of the Schedule. In this case, the following is necessary:

- d) There needs to be a hearing into submissions on the proposed Plan Change (Clause 8(b) Part I);
- e) The person who made the request for the Plan Change has the right to appear at the hearing under Clause 8(b);
- f) After considering the Plan Change the local authority may decline, approve, or approve with modifications the Plan Change and shall give reasons for its decision;
- g) The decision to decline or approve shall be served on every person who made a submission and the person who made the request; and
- h) Every person who made a submission on the Plan Change and the person who made the request may refer the decision to the Environment Court.

3.3 Section 74 and 75 – Matters to be considered

The matters to be considered in respect of a Plan Change are set out in sections 74 and 75 of the Act. In summary, before a plan change can be incorporated into a District Plan, the key matters that need to be addressed are:

- (a) Consistency with other provisions of the district plan;
- (b) Whether it gives effect to the regional policy statement and any relevant regional plans;
- (c) The functions of a territorial authority under section 31;
- (d) Whether the plan change will lead to the most appropriate outcome under s32;

- (e) Actual and potential adverse effects anticipated from the implementation of the Plan Change; and
- (f) The purpose and principles within Part 2 of the Act.

Each of the above matters is addressed below.

3.4 The Christchurch City Plan

The purpose of the Plan Change is to provide for business zoned land in the north west area of Christchurch, principally to accommodate the existing and future development of the applicant's and related businesses. No changes to the principal City Plan objectives and policies are proposed. The existing City Plan objectives (Volume 2), including those for Urban Growth (Part 6) and Business (Part 12) of the City Plan set the policy context or framework for an assessment of the Plan Change.

The objectives and policies of the City Plan are taken as giving effect to the Canterbury Regional Policy Statement. Accordingly, any methods that implement and achieve those objectives and policies of the City Plan will give effect to the Canterbury Regional Policy Statement including Chapter 12A Development of Greater Christchurch, of the Regional Policy Statement. This is addressed separately.

A number of consents may be required in relation to the development of this land. These could include subdivision and land use consents from the City Council, and consents from Environment Canterbury (i.e. discharge consents). The processes associated with the management and discharge of stormwater are being undertaken at the same time as this plan change request.

Section 32(3)(a) requires a Plan Change to be assessed in terms of which objectives and policies are the most appropriate means of achieving the purpose of the Act. The proposed rezoning does not introduce any significant new or untested planning methods to the City Plan or allow for a type of development not provided for within the City Plan. To this end, the provisions relating to business development have already been tested against Part II of the Act. This assessment is directed at the implementation of a particular type of business zone as the most appropriate method of achieving the purpose of the Act, when compared to other options. In this case

the rezoning sought will allow a greater level of business development to occur than the present zoning. Whether or not the proposed change is necessary to achieve the purpose of the Act ultimately turns on the adverse effects of the proposal. Such effects have been evaluated and are set out in detail in Part 4 of the Plan Change document and the relevant Appendices.

Appendix 2 provides a detailed assessment of the Plan Change against the relevant objectives and policies of the City Plan.

3.5 Regional Policy Statement

The RPS and Proposed Chapter 12A to the RPS are relevant matters and these are addressed in Appendix 2. Of particular relevance, is Chapter 12A – Development of Greater Christchurch and the critical matter is whether the rezoning as proposed would make the City Plan inconsistent with the RPS. The land is within the Metropolitan Urban Limits (MUL) and is part of an area being considered for urban development, including possible future business land. (Refer Policy 12, Special Treatment Area (STA1).

It also adjoins the Business 4 Zone at Burnside and has good access to all modes of transport, including private vehicle, public transport, cycling and walkways, and is located with access to a wide range of community facilities. Chapter 12A is about “consolidation” as the principal policy direction or method to achieve a more sustainable urban form. By providing business opportunities in the form proposed, the plan change is concluded to be highly consistent with Chapter 12A of the RPS.

3.6 Regional Land Transport Strategy (RLTS)

The RLTS (2008-18) supports the greater use of public passenger transport which is assisted by encouraging new development to locate and be designed with good and efficient access to public transport. There is often a difficult balance between locating development in positions which are highly accessible to all the major transport modes and networks. However, this site is located where the opportunity exists for comprehensive access for all modes of transport and achieves this outcome at a very high level, particularly in terms of pedestrian and cycle access.

There are existing bus services within close proximity of the site and the potential exists to create improved pedestrian access to, through and from the site as well as to community facilities at Burnside.

The location of the site is ideal for utilising all transport modes and providing for an enhanced energy efficient and sustainable business and employment community. The development, by way of the ODP, provides the basis for the consolidation of urban activity with the potential for increased public transport use. As a consequence, the outcome proposed is concluded to be highly supportive of Policy 4.1 (Location and Land Use), Policy 4.3 (Integrating Transport and Land Use) and Policy 4.4 (Economic Development) of the RLTS. (Refer Appendix 2)

3.7 Natural Resources Regional Plan (NRRP)

Preliminary investigations have been undertaken to ensure a solution exists to address stormwater management. An application has been made for resource consent to discharge stormwater which consent will be addressed at the same time as the plan change request. Any future development will also be serviced by reticulated sewerage and water systems and this will not cause a conflict with the NRRP. (Refer Appendix 5).

3.8 North West Review Area (NWRA)

The Council has completed the NWRA report which addresses, amongst other matters, the need and desirability of additional business land in the north west area of the City. The review is a response to the decision on Proposed Plan Change No. 1 to the Regional Policy Statement and addresses the legal, financial and processing implications of any changes to the land use pattern in this area of the City. Of significance to this plan change request is that the NWRA includes the subject land within one of the areas identified for future urban business growth.

3.9 Recovery Strategy for Greater Christchurch

The Recovery Strategy is the reference document to guide and coordinate work and recovery plans under the Canterbury Earthquake Recovery Act. The Vision and Goals for Recovery (Section 04) of the strategy includes:

- leading and working with strategic partners in both the public and private sector;
- restoring the confidence of the business sector;
- renewing the region's reputation as a safe and desirable place to live;
- ensuring a range of employment options to attract and retain a high calibre workforce;
- enabling a business friendly environment that retains and attracts business;
- aligning provision of education and training; and
- ensuring secure, innovation and technology supports recovery and growth

as well as

- supporting innovative design;
- efficiently using infrastructure;
- developing sustainable transport systems, and
- zoning sufficient land for recovery needs.

The outcome of the Plan Change will be to provide a positive response across a broad range of the recovery strategy goals. The applicant is a major employer seeking to expand employment opportunities in the City. It will provide employment at a very skilled level and supports the education sector through its involvement with the University. It is a world leader in communication technology and systems and has identified land for the expansion of its business activities in an area generally recommended by the NWRA as suitable for future business growth.

3.10 Section 31 – Consistency with RMA Functions

The functions of the Council are outlined in section 31 of the Act. The following functions are of particular relevance to the Plan Change:

- (a) *the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of the land and associated natural and physical resources of the district;*
- (b) *the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of:*
 - (i) *the avoidance or mitigation of natural hazards; and*
 - (ii) *the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances;*

- (iia) *the prevention or mitigation of any adverse effects of the development, subdivision or use of contaminated land*
- (d) *the control of the emission of noise and the mitigation of the effects of noise*

3.11 Integrated Management – section 31 (a)

Section 31 makes it clear that integrated management relates to both the management of effects at the site level and the integrated management of a district's natural and physical resources at a wider strategic level. At the site level then regard must be had to the integration with and regard for adjoining activities and in particular the amenity of the adjoining open space and rural land resource. It must also have regard to the roading network and essential infrastructure. At a strategic level regard must be had to the wider city infrastructure and any adverse impacts thereon but also to the ability to integrate the plan change activity with the adjoining B4 Zone and related activities. The Plan Change takes an integrated approach to rezoning, having regard to the site, its environs and the wider planning policy context.

3.12 Avoidance or Mitigation of Natural Hazards – section 31 (b) (i)

The site is not identified as having any natural hazards. A separate geotechnical assessment is provided in Appendix 6.

3.13 The prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances – section 31 (b) (ii)

No significant storage of hazardous substances is proposed. Rules limiting the quantities of such substances within the Business 4T Zone are already included in the City Plan while the area of Business 4 Zoning will be subject to the established applicable rules for that zone.

3.14 Prevention or Mitigation of Contaminated Land – section 31 (b) (iia)

The assessment (Appendix 7) of this document concludes that there is no risk of contamination in a manner which would mitigate against development.

3.15 Emission of Noise – section 31 (d)

Refer to the discussion on noise and reverse sensitivity in the assessment of effects, Section 4 of this request.

3.16 Section 32 Evaluation

Section 32 sets out the manner by which any proposed objective, policy, rule or other method is to be evaluated. This evaluation is set out in detail in Section 5 and Appendix 2 of this plan change request.

3.17 Adverse Effects on the Environment

The actual and potential adverse effects on the environment that are anticipated from the implementation of the Plan Change are discussed in the assessment of effects, Section 4 of this request with, where relevant, specific reference to the various assessments and reports attached as appendices.

3.18 Part 2 – Purpose and Principles of the Act

3.18.1 Section 5(1)

Under section 5(1), the overall purpose of the Act is to promote the sustainable management of natural and physical resources. The proposed zone promotes the sustainable management of natural and physical resources by providing for an appropriate use of the land given its proximity to strategic infrastructure, the principal objectives of the RPS, including to make provision for some additional business land in the north west area of the City, proximity to the existing Business 4 Zone and the needs of the applicant, Tait Limited to accommodate future growth as part of its established Christchurch and worldwide operation.

Continued use of the site for any significant horticultural purposes is constrained by the Site's location and proximity to the existing B4 zone. Given the goal of providing for business land in the north west area of the City, retaining the existing rural zoning of the site is not the best or most sustainable use of the land. Extending urban business zoning to the site will better achieve the purpose of the Act and significantly enhance the economic and social wellbeing of both the applicant and the City.

The proposed zoning promotes the sustainable management of physical resources. Any adverse effect of the development on the roading network is considered short term and infrastructure can be provided for in a manner that efficiently utilises the systems already in place for the growth of north west Christchurch, minimizing the need for additional major new services. Previous use of part of the site in a manner which is likely to have resulted in minor ground contamination can be mitigated.

3.18.2 Section 5(2) (a) – (c)

Section 5(2) defines “sustainable management” as:

Managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while-

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;*
and
- (b) Safeguarding the life supporting capacity of air, water, soil and ecosystems;*
and
- (c) Avoiding, remedying, mitigating any adverse effects of activities on the environment.*

Utilising the land for business activity will help meet some of the future greenfield business land needs in Christchurch. It will also support a choice of business environments in the city, a supply of appropriately located business land within reasonable proximity of, and with access to strategic infrastructure (road network, the airport, University and other related services), and provide the opportunity to create an attractive urban environment and work place necessary to attract and retain staff. The Plan Change request and resulting provisions address the landscape, urban design and on-site amenity objectives and provide for an integrated zoning outcome, while avoiding or mitigating any adverse effects on the rural character of the land to the north and west or the open space amenity of Nunweek Park.

The adverse effects of development of the site under the proposed B4T zoning are outlined in Section 4 of this request, which concludes that all adverse effects can be appropriately managed and will be less than minor.

3.19 Section 7 – Other Matters

The relevant “other matters” under section 7 include the following:

- (b) *the efficient use and development of natural and physical resources;*
- (ba) *the efficiency of the end use of energy;*
- (c) *the maintenance and enhancement of amenity values;*
- (f) *maintenance and enhancement of the quality of the environment;*
- (g) *any finite characteristics of natural and physical resources;*
- (i) *the effects of climate change; and*
- (j) *the benefits to be derived from the use and development of renewable energy.*

In considering the “efficiency” of the site for the proposed zoning, the following factors are paramount:

- *the desirability of providing for a well located supply of business land;*
- *the ability to achieve a well-planned and integrated urban business environment;*
- *the proximity to strategic infrastructure;*
- *the efficient and sustainable extension and provision of services such as roads, wastewater, stormwater, water supply and flood protection;*
- *restricted ability for the site to be used reasonably and economically for rural activity; and*
- *the opportunity to develop a business environment in an energy efficient and sustainable manner.*

The general area is identified at a strategic level in the RPS as a potential option for the extension of business activity. The site will supply business land for the anticipated growth of the applicant's activities which are a significant element of the Christchurch and New Zealand business economy, as well as community wellbeing. The area can readily integrate with the land to the south, and the ODP covering the greater part of the site provides for efficient and well planned connections to the road network and infrastructure. The site can be connected to all the essential services. The development outcome is consolidated and integrated by way of the small extension to the Business 4 Zone.

Under sections 7(c) and 7(f), particular regard must be had to the maintenance and

enhancement of amenity values and the maintenance and enhancement of the quality of the environment. The amenity of the existing rural environment will be changed, but the plan change provides for a sensitive development outcome that mitigates the effects on the adjoining rural character and open space activities, with the requirement for landscape treatment and setbacks from the land to the north, south and east, the provision of an ODP with expanded landscaping, and resource consent provisions to deal with the design and appearance of new buildings on the site. Given the type of activity proposed, noise is not anticipated to be an issue and can be addressed by the imposition of the B4 and B4T Zone noise standards of the City Plan.

Under section 7(g) the Act requires particular regard to be had to any finite characteristics of natural and physical resources. The rural resource is finite, although in this case the subject land cannot be efficiently maximised as a rural resource because of the size of the lots and the restrictions the City Plan places on intensive farming activities close to residential activity. It is also important to recognise that the City Plan, Section 13, Rural - Objective 1.1 states that the rural resource is to be managed to achieve a number of outcomes including scope for the extension of urban activities.

In terms of section 7(i) and (j) the outcome represents an energy efficient and sustainable outcome for new business activity both at a macro level in terms of urban consolidation and use of infrastructure, and at a micro level where new development within the Business 4T Zone area will enhance all forms of transport, expand open space and provide for an assessment of new building in terms of the energy efficient design.

3.20 Section 6 and 8 – Matters of National Importance / Treaty of Waitangi

There are no matters of national importance or in respect of the Treaty of Waitangi that will be impacted by the plan change.

3.19 Conclusion

Having regard to the above, it is concluded that the objectives and policies of the City Plan are met and the Proposed Plan Change will achieve the principles and purpose

of the Act for the following reasons:

- The use of the site in the manner proposed would be more efficient than the current rural zoning given both the City Plan and Regional Policy Statement objectives for urban activity and business growth;
- Development of the site as proposed does not present any environmental risk;
- The site is situated in a location which can provide for integrated and sustainable development for business activities including all the necessary servicing and infrastructure for those activities, as well as access to all transport nodes be it private car, cycle, bus or walking. The methods proposed will enhance the opportunity for business use and the critical amenity considerations necessary for an attractive business and research compass;
- The proposed rezoning will allow positive benefits to accrue to the local , regional and national economy;
- The development can be designed in a manner which will ensure an integrated outcome for future urban growth; and
- The outcome will make a valuable contribution to earthquake recovery.

In summary, the conclusion of the s.32 assessment (Part 5) is that the proposed Plan Change is the most appropriate method relative to other means of achieving the purpose of the Act.

4. ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

4.1 Introduction

The Assessment of Effects on the Environment (AEE) has been prepared in accordance with the provisions of Part 2 of the First Schedule of the Resource Management Act 1991. The Act requires that where environmental effects are anticipated, then the plan change request must identify and address those effects at a level that reflects the scale or significance of the effect. The introduction summarises the critical effects which are addressed in the specialist reports, being:

- (i) Urban Design and Visual Impact Assessments
- (ii) Infrastructure Assessments
- (iii) Transport Assessment
- (iv) Geotechnical and Ground Conditions Assessment
- (v) Contamination Assessment

4.2 The Site

The site occupies approximately 10.31ha of land located in the Rural 5 Zone on the north-west side of Christchurch. The site is flat and used for low level horticulture and a substantial residential holding at 6 Stanleys Road. The site is bounded in the east by Nunweek Park, in the north by rural activity, in the south by the existing B4 Zone premises of Tait Limited and other business activities, and in the west by Rural 5 Zoned land across Stanleys Road.

The site has frontage to Wooldridge and Stanleys Roads, and access to Wairakei Road. The area is immediately adjacent to public transport routes and is in a locality where there is a significant potential for these services to be increased with the expanded urbanisation of the north west area of Christchurch.

The site is located within the "Metropolitan Urban Limits" boundary as set out in the Regional Policy Statement – Proposed Chapter 12A and is within an area identified as potentially suitable for future urban activity and currently being assessed for such through the NWAR.

The site comprises the following allotments:

Legal Description	CT/Appendix 1	Owner	Area (ha)
Lot 1, DP 27034	CB8K/1081	Tait Limited	4.20
Lot 1, DP 25641	CB7B/835	Tait Limited	2.02
Lot 2, DP 25641	CB7B/836	Tait Limited	2.27
Lot 1, DP 43230	CB21F/1054	A A Webster	1.95

4.3 The Proposal

The Plan Change request seeks to rezone the site from Rural 5 to Business 4 and 4T. The purpose of the Business 4T Zone is set out in the City Plan and seeks the following specific Environmental Results:

- (a) *A zone environment where the density and scale of building development is low with a “park-like” industrial character.*
- (b) *High standards of landscaping and visual amenity.*
- (c) *A street scene characterised by large setbacks.*

The above matters provide direction and guidance for the outcomes necessary if the subject land is to be rezoned Business 4T. All of these matters have been considered in the preparation of the Plan Change, and reflect the activities, built form and amenity the site will achieve when developed. This in turn forms the basis for the Outline Development Plan and the controls on building design and appearance.

In addition, the applicant is seeking to achieve a very high standard of building and site design within the area of the Business 4T Zone as well as a building complex and site design which is energy efficient and environmentally sustainability.

The objective of the Business 4 Zone is to provide for more conventional business activity and the Environmental Results are:

- (a) *A diverse range of light industrial activities, some office and commercial service activities and limited retail activities, with frontages of larger industrial enterprises set aside for parking, landscaping and offices.*
- (b) *A zone environment with a high density and scale of industrial, office and commercial service buildings. Some limited retail activity buildings*

establishing at a small to medium scale in reflection of traditional established activities. A proportion of smaller sites developed intensively.

- (c) Relatively high levels of traffic generation with standards for access and manoeuvring to mitigate adverse effects.*
- (d) Noise outcome limited at living zone boundaries to levels consistent with adjacent living zones and standards of amenity.*
- (e) A visually mixed environment, with a predominantly industrial character but with standards on development to improve and enhance street scene character, with requirements for frontage landscaping and street setbacks for buildings to mitigate building scale and storage areas as development and redevelopment takes place.*
- (f) Concentration of office or residential accommodation on site frontages, to enhance the visual impact of industrial and other activities.*
- (g) Residential occupation confined to on site management or security in reflection of the higher level of impacts from the dominant activities, and which is limited in scale and to protect the extent and operation of adjoining business activities. Provided that at 2 Waterman Place at Ferrymead greater provision is made for residential activity.*

The land to be rezoned Business 4 will achieve all of these outcomes and can integrate with the established adjoining B4 Zone activities to the south. It will also complete a more sustainable outcome for business zoning in the immediate area and link to and share servicing and access opportunities with the proposed area of the B4T Zone.

4.4 Assessment of Effects : Overview

Section 6 – Urban Growth, Volume 2 of the Operative City Plan identifies a number of matters or considerations which need to be taken into account when assessing the impact of urban growth. In respect of this particular plan change request, the following matters are relevant:

- effects on groundwater;
- geotechnical considerations;
- ground contamination;
- effects on adjoining properties and reverse sensitivity;
- stormwater management;

- visual impact and the effect on rural character;
- traffic effects;
- employment and economic activity;
- infrastructure servicing; and
- construction effects.

4.5 Stormwater and Groundwater Quality

An assessment of the groundwater conditions of the site has been undertaken. The site will be connected to the nearby Council stormwater network with on-site stormwater attenuation required to pre-development levels. The connection to the Council network will be in Wooldridge Road. The assessment undertaken (Refer Appendix 5) confirms that there is expected to be only a very low concentration of nutrients in the stormwater runoff. An application for stormwater discharge has been made to Environment Canterbury to be addressed at the same time as the plan change.

4.6 Geotechnical Considerations

Detailed site investigations have been undertaken by Eliot Sinclair and Partners and Lewis and Barrow Engineers. The reports assessed the ground conditions and confirm that there are no findings which would preclude development on the site subject to the need for the appropriate foundation design. The investigations did not encounter anything adverse with regards to ground conditions in terms of building requirements. These findings are supported by ten deep boreholes, 25 test pits and 24 scala penetrometric tests and concluded that from a geotechnical perspective the site is suitable for the proposed plan change. (Appendix 6)

4.7 Contamination

Preliminary site investigation reports were undertaken in accordance with the Contaminated Land Management Guidelines No. 1 (MFE, October 2011).

The completed environmental investigations are included. (Refer Appendix 7)

4.8 Adjoining Properties and Reverse Sensitivity

There is potential for reverse sensitivity effects to be experienced from adjoining rural and residential properties. Adjoining rural land does and will still function alongside the various Business 4 Zones, and the inclusion of the subject land within the Business 4 and 4T Zones does not alter that position. The subject site, although zoned Rural 5, will be largely accessed from the existing road network and in part through the existing adjoining business zones on land already owned by the applicant. Provision is also made to improve the access opportunities between the proposed area of Business 4 and 4T Zoned land by way of new or shared access links. These are identified on the ODP.

The larger part of the site will be subject to a comprehensive Outline Development Plan which specifically addresses the impacts on the surrounding rural zone and adjoining neighbours. The larger part of the land will be subject to a range of controls on site coverage, building height, open space and internal connectivity so as to minimize any impact on the adjoining rural neighbours. The small area of Business 4 Zone will largely be separated from any rural neighbours by the amenity provisions and building setbacks of the Business 4T Zone.

More specifically the Outline Development Plan consolidates the principal road access points to Wooldridge Road and Wairakei Road with limited access to Stanleys Road. It significantly increases the area of landscaping as against the current city plan standards and will provide for better integration of the built form along the rural boundary by way of increased building setbacks, a height limit, an assessment process for the design of new buildings and a recommended planting regime.

4.9 Effect on Rural Character

The Urban Design and Landscape assessment (Appendix 3) identifies that the existing landscape environment has a low to moderate level of amenity value because of land use fragmentation and lack of visual coherence. The assessments identify and consider the landscape values of the site and locality and the objectives of the City Plan. The conclusion is that the development is appropriate within the local setting and that the preparation and implementation of the Outline Development Plan and the landscape and urban design provisions of that plan for the Business 4T

Zone area will enhance visual coherence and amenity in this sector of the city. In particular, regard must be had to the integration of the applicant's site, (Wooldridge Road frontage) and Nunweek Park. Significant areas of complimentary planting are proposed on this frontage with buildings kept to a maximum of 11m in height within a 50m setback from the road frontages, a building setback minimum of 20m from the Wooldridge Road frontage and 10m from other boundaries. The area of the proposed B4T Zone will consolidate an attractive amenity boundary to the urban area and buffer the area of B4 Zoning from much of the adjoining rural property.

4.10 Visual Impact and Urban Design

The character of the area is diverse but with a significant concentration of business activity and nearby lifestyle properties, open space and residential activities.

The purpose of the urban design assessment is to describe the existing environment of the site and locality, the changing character of the area, the nature of the rezoning and to assess any potential adverse effects of business activity on the site and surrounding area.

The impact of the development on Wooldridge Road will be to largely enhance the visual character of the site and neighbourhood with an increased area of open space and new planting. Some areas of existing mature vegetation will be retained. The outlook from Wooldridge Road will be to a substantial area of landscaped amenity accessible to the public and which will relate well to the open space of Nunweek Park. The character and visual amenity of Stanleys Road will also be retained through increased street frontage setbacks for buildings and low density built form across the major part of the site.

The urban design assessment has had regard to the mixed character of the surrounding environment and concluded that the proposed rezoning can effect a significant improvement on the visual amenity in the neighbourhood.

The proposed ODP will introduce requirements for building density, open space, the movement network and integration with the adjoining community.

There will also be a significant improvement in the built form in this part of the City particularly as it relates to the adjoining rural lifestyle and open space uses in the area. This will further enhance business activity, community wellbeing, transport, connectivity and provide for a safer community.

For the above reasons, it is concluded that any actual or potential adverse effects of the proposed plan change on the area and the established activities, or on the interface with the rural activity will be no more than minor. The existing environment is already significantly influenced by established (and likely to be expanded) business activity as well as access to a wide range of urban amenities.

4.11 Traffic

A detailed assessment of the traffic issues associated with the proposed plan change is set out in Appendix 4. That report has concluded that the additional traffic expected to be generated as a result of the rezoning can be accommodated on the adjacent road network recognising that upgrades are likely to be required in the near future as a consequence of a number of land use changes, including this proposed plan change taking place or proposed for the area. The site has good access to all principal transport modes. The upgrades that may be required over the medium term include:

- improvements to the intersection of Wooldridge Road, Roydvale Avenue and Wairakei Road;
- the introduction of traffic management measures at the Stanleys Road intersection with Wairakei Road; and
- consideration of traffic management measures at the Wooldridge Road intersection with Harewood Road; and

These matters are addressed in the transport assessment and provisions made in the rules to enable those improvements to occur in line with the development of the Business 4T Zone.

It is also relevant to note that a lower off-street parking ratio is being proposed for the first part of the development within the B4T Zone (Tait Campus) area but that will only be sustained if and when a comprehensive transport strategy is prepared and agreed with Council, the purpose of which will be to significantly reduce the use of

the private car and encourage and incentivise other transport modes be it walking, cycling, public transport or park and ride.

Business development of the site is concluded to be highly supportive of the Canterbury Land Transport Freight Action Plan given that the operation relies heavily on air freight and is located with easy access to the airport freight handling operations.

4.12 Noise

In rezoning the site it is important to ensure that the adjacent rural and residential properties continue to maintain their health, well-being and a level of operating amenity consistent with those activities.

The site will be subject to the amenity and noise requirements of the Business 4 and 4T Zones as well as the City Plan requirements for situations where business activities abut the Rural 5 Zone. No adverse noise or reverse sensitivity effects will result with all of the boundaries adjoining rural and residential activities requiring a minimum 10m setback and to be landscaped.

4.13 Glare

The site is located between the Business 4 Zone, Rural 4 Zone and the Open Space 2 Zone. Given the sensitive nature of the adjoining rural activities and the receiving environment of such, the applicant supports the provisions of the City Plan (Group 1 and 2) glare standards as part of the zoning outcome. The applicant has also consulted with the Christchurch International Airport Limited in regard to lighting and is satisfied that the development accords with the outcomes sought by the Civil Aviation Authority and the Airport Company.

4.14 Employment and Economic Activity

The outcome of the plan change will be the consolidation of a major employment node in Christchurch with the opportunity to significantly expand the economic and local wellbeing of the City. The applicant company currently employs 660 people within the Christchurch complex with expectations that this will increase significantly

over the next five to ten years. The economic and employment value of the applicant can be summarised as follows:

- (i) Tait Limited is New Zealand's leading electronics and technology company.
- (ii) Tait Limited is Canterbury's largest private sector employer.
- (iii) Tait Limited exports to over 100 countries.
- (iv) Tait Limited has invested over \$100 million to develop a complete range of new digital products targeted at the public safety market.
- (v) Tait Limited uses more than 500 local suppliers for materials, services and equipment.
- (vi) Tait Limited has a significant relationship and commitment to the University of Canterbury as an investment "chair" partner in the Engineering Department, as well as involvement with the Christchurch Polytechnic and other New Zealand educational institutions promoting technology and career opportunities. TL was a founding investor in the NZi3 innovation institute at Canterbury University.

In addition, the small extension to the Business 4 Zone consolidates the areas of business activity in this sector of the City and can be integrated into the site development outcomes sought for the B4T Zone and contribute to the economic well-being and opportunity for the business community in the city.

4.15 Servicing Infrastructure

A detailed assessment has been undertaken in terms of essential infrastructure (Refer Appendix 5). Those assessments have concluded, in consultation with the City Council, that:

- a connection to the Council water supply can be achieved;
- a gravity connection to the Council sewer network is practicable but not before mid 2012; and
- a connection to the Council stormwater network is available, subject to the need for a stormwater discharge consent from Environment Canterbury.

4.16 Construction Effects

Any potential adverse effects resulting from construction activities will be managed by the appropriate construction management plan at the time of construction. The principal effects are noise and dust. A number of mechanisms exist to manage dust nuisance (damping down, planting) while noise nuisance is unlikely to be unreasonable or noticeable given the current traffic and nearby industrial environment.

4.17 Conclusion

The Plan Change will result in a number of beneficial effects most particularly by providing a zoning outcome which is consistent with the objectives and policies of the City Plan, is generally supportive of the outcomes of the RPS (Proposed Chapter 12A) and can include the more detailed outcomes sought by the RPS in terms of new greenfield development and urban design, Policy 7 (Development Form and Design) and Policy 8 (Outline Development Plans and Changes of Zoning in District Plans.)

The land is not being utilised for its most productive or efficient purpose and can provide for a more sustainable range of activities in terms of the City's natural and physical resources through the proposed zoning outcome. It will contribute significantly to the economic and social wellbeing of the community delivering a consolidated business and employment opportunity in a location which is highly accessible to a large residential workforce.

Use of the land in the manner proposed does not conflict with, or necessitate any significant changes to the critical and relevant city plan objectives and policies, and will satisfy a principal objective of the City Plan, being to provide for a range of business environments, accessible to employment, and developed to achieve a very high standard of site amenity.

The Proposed Plan Change is considered to be the most appropriate method of achieving the objectives and policies of the City Plan. All environmental effects, to the extent they have the potential to be adverse, can be mitigated and will allow business activity to be located and developed in a sustainable manner. Having regard to the Environmental Results anticipated for the Business 4 and 4T Zones, then the conclusion is:

- the outcome will be a substantial contribution to the city (and countries) social, economic, employment, research and educational well-being and the built environment;
- the site will provide for a high quality campus development in a landscaped setting with additional provisions to mitigate any adverse visual effects resulting from the scale of new building activity;
- the site has good access to the road and air freight networks essential to its wellbeing, and is capable of meeting all of the City Plan (Section 13) on-site traffic requirements;
- the site will generate additional noise but this is either compatible with existing or proposed business activities, or alternatively mitigated by additional amenity controls;
- the overall site and street scene will be enhanced by increased building setbacks, expanded landscape requirements, a limitation on building heights and the implementation of the ODP;
- activities requiring the storage of hazardous substances are controlled by an existing set of comprehensive City Plan controls; and
- that the area of B4 Zoning will make both a valuable economic contribution to city wellbeing plus integrate the wider B4T Zone proposed with the established business activity.

5. SECTION 32 ASSESSMENT – CONSIDERATION OF ALTERNATIVES, BENEFITS AND COSTS

5.1 Introduction

This assessment has been prepared in fulfillment of the requirements of Section 32 (1)(d) of the Act which requires the person who made a request for a Plan Change under Clause 25(2)(b) of Part 2 of Schedule 1 to consider alternatives, benefits and costs in an evaluation as stated in Clauses 32(3) to 32(6) of the Act.

This section 32 evaluation should not be considered as full and final. The RMA anticipates that the evaluation under section 32 of the Act is an evolving process with a further evaluation required by the Council before making any decision on a Plan Change. Additional evaluations may also be required if the Council considers amendments to the provisions of the proposed Plan Change are needed before the Change is formally presented to the Council for adoption.

This Plan Change application does not propose any significant changes to the objectives and policies of the City Plan. The analysis to which these provisions have been put avoids the need for further evaluation as part of this Plan Change. There is a need however, to examine the extent to which the methods chosen (rezoning, including the Proposed Outline Development Plan and applicable rules) are the most appropriate way of achieving the existing objectives and policies of the City Plan. In this respect, the principal issue is whether the existing outcomes sought by the City Plan will continue to be met through the rezoning of this site for a business campus.

As addressed in this assessment, the proposed use of the land for Business 4 and 4T Zone purposes can readily comply with the majority of the relevant standards for those zones. Furthermore, the existing provisions will be supplemented by the inclusion of a comprehensive ODP which will reinforce the importance of the visual amenity at the rural-urban, urban-open space interfaces and enable the higher standard of amenity and urban design outcomes sought by the City Plan and the Regional Policy Statement to be achieved.

A number of detailed investigations and environmental assessments were undertaken in support of the s32 analysis and these are set out in the Appendices to

the Plan Change documentation and the Assessment of Effects on the Environment.

Section 32(3) of the Act requires that an evaluation must examine:

- a. *the extent to which each objective is the most appropriate way to achieve the purpose of the Act; and*
- b. *having regard to their efficiency and effectiveness, the policies, rules or other methods need to be assessed to determine whether they are the most appropriate for achieving the objectives.*

5.2 Methodology

Section 32 of the Resource Management Act 1991 does not require a comparison of options. The objective of the section 32 assessment is to provide an evaluation of provisions, rather than a comparison of options which endeavour to identify a 'winner'. Therefore, this s32 evaluates the Proposed Plan Change provisions against the relevant objectives and policies. (Refer Appendix 2).

The proposed Plan Change does not introduce any significant new objectives, but is seeking additions to the existing policy and rule framework, within the context of an additional area of Business 4 and 4T zoning and the provisions that apply thereto and an Outline Development Plan. The relevant part of section 32 is:

- (3) *An evaluation must examine:*
 - (b) *whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*
- (4) *For the purposes of the examinations referred to in subsection (3) ..., an evaluation must take into account:*
 - (a) *the benefits and costs of policies, rules, or other methods; and*
 - (b) *the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*

Accordingly, this section 32 assessment is concerned with the efficiency and effectiveness of proposed policies and rules and if these are appropriate for achieving the existing objectives of the City Plan.

For the purposes of this report, the terms “*appropriateness*”, “*efficiency*” and “*effectiveness*” are addressed in the following way:

Appropriateness – *being the relevancy, usefulness, achievability, or reasonableness.*

Efficiency – *ensuring that the benefits will outweigh the costs, either immediately or over time.*

Effectiveness - *being how successful a particular option will be in achieving the stated objective either immediately or over time.*

In addition to the above s32 requirements, this assessment also undertakes a comparison between planning techniques in terms of achieving the outcomes sought by the Proposed Plan Change, being the Proposed Plan Change, alternative zoning options and the resource consent process.

5.3 Alternative Options - Cost and Benefits

5.3.1 Option One: Status Quo: Leave the land zoned Rural 5 (R5)

This option involves retaining the Rural 5 (Airport Influences) zoning. Under this zoning the site will continue to be available for agricultural and horticulture use. The Rural 5 Zone's purpose is principally for the continuation of primary production while managing land use activities to avoid compromising airport operations and development.

The site area is 10.31ha. The land area is small and does not provide for any significant productive farming activity while its proximity to the urban area of the City will likely restrict more intensive primary production and commercial farming operations. The zone forms part of the Christchurch-West Melton ground water recharge area with consequences for those land use activities involving either discharges to, or abstraction of ground water. This will limit some primary productive activity including more intensive horticultural production.

Given the site's proximity to the urban area and the existing Business 4 Zone, retaining the rural zoning would not maximise the benefits to be derived from the locational advantages of the land or represent an efficient use of the land resource. Maintaining the landscape, rural outlook and low built form may better achieve the Rural 5 Zone objectives. However, the site has no significant landscape value in terms of the City Plan and has been identified as an area suitable for future urban growth, and already reflects urban as much as rural amenity given the nearby and adjoining urban land uses, be it business activities, the park or nearby residential activity.

Retaining the R5 zoning will result in an inefficient use of the land in comparison to other parts of the R5 zone which do not have the economic, transport and infrastructure advantages of this site, including proximity to the Airport, the strategic road network and the adjoining B4 and nearby B4T zoning.

Benefits	Costs
<ul style="list-style-type: none"> • No requirement to notify plan change. • No costs associated with the plan change process. • Some City Plan rural objectives would be maintained. 	<ul style="list-style-type: none"> • Limitations on the types of development. • Pressure on other "less appropriate" rural land to meet the demand for urban growth-business zoned land. • Potential benefits of integrated development are lost. • Use of the site with the current zoning is inefficient and uneconomic. • Will raise significant uncertainty over the future use of the site given its location and surrounding zoning. • Loss of a significant economic and employment opportunity for the City. • Less likely to achieve the outcomes of the RPS in terms of future business activity in the NWRA of the city.

In summary, the current rural zoning of the site is a reflection of the City Plan process carried out through the early 1990s. Since that time, the infrastructure, use and amenity of this sector of the city has changed, and has now been recognised as potentially suitable, at least in part, as a sustainable location for urban and business activity.

The costs or disadvantages of doing nothing outweigh the benefits and therefore the "do-nothing" option is not considered to be the best means of achieving the purpose of the Act or the objectives and policies of the City Plan.

5.3.2 Option Two: Rezoning Part of the land to Business 4T (Suburban Industrial - Technology Park)

The Business 4T Zone was established on land in close proximity of the site with the specific purpose of providing for a technology park within a campus or highly landscaped setting. The objective was to provide for those businesses wishing to become part of the technology and information industry to be grouped in a manner which would provide synergy and support within that sector of the business world. The outcome has in part been fulfilled but would be significantly strengthened and enhanced by the outcome of the current plan change application. In making the assessment, it is important to understand how well the applicant's proposal accords with the general development structure and goals of the existing Business 4T Zone.

Current Business 4T Zone Requirements

3-5.2.1 Site Density		N/A.
3-5.2.2 Open Space	Maximum coverage – 25%	It is proposed to lift this to 35% on the subject site but this will be done against an increased area of landscaping, integrated stormwater management and coordinated landscape regime.
3-5.2.3 Street Scene	Minimum building setback from road boundaries, 6 m	The site can achieve this outcome but increased setbacks are proposed along Wooldridge and Stanleys Roads – 20m.
3-5.2.4 Separation from Neighbours	(a) Minimum building setback from a boundary with a living zone. (b) Internal boundaries – 5m	There are no living zones bounding this site and no conflict will arise. 10m proposed.
3-5.2.5 Sunlight Outlook and for Neighbours	There is no recession plane requirement for sites located in the Business 3, 3B, 4, 4P, 4T, 5, 6 or 7 Zone that adjoin only sites that are not zoned Living, Cultural, Conservation or Open Space or that adjoin sites within the Special (Wigram) or (Hospital) Zone where living zone standards do not apply.	There are no living zones bounding this site.
3-5.2.6 Visual Amenities	(a) Offices and showrooms	Will comply.

	<p>(except on rear sites/ shall be located at the front of buildings facing the street,</p> <p>And</p> <p>(b) Outdoor storage shall be located behind the setbacks specified in 5.2.3.</p>	<p>Will comply.</p>
3-5.2.7 Landscaped Areas	<p>(a) Area and location of landscaping.</p> <p>Minimum percentage of the site set aside for landscaping is 20%</p> <p>And</p> <p>A landscaping strip with a minimum average width of 1.5 metres and a minimum width of 0.6 metres shall be provided along all road frontages except across vehicle crossings.</p> <p>(b) Trees</p> <p>(i) Sites with road frontages of at least 10 metres shall be planted with a minimum of one tree, plus one additional tree for every 10 metres of road frontage.</p> <p>(iii) one tree shall be planted for every 5 parking spaces required on the site.</p> <p>(c) Protection of trees and Landscaping</p> <p>(ii) No more than 10%</p>	<p>An area equal to 30% is provided for in the overall site layout for landscaping (refer ODP) and the minimum percentage of landscape areas is increased from 20% to 30%.</p> <p>Will comply and be increased to 10m.</p> <p>The site can achieve these outcomes and will exceed these provisions.</p> <p>The site can achieve these outcomes and will exceed this provision.</p>

	of any landscaping strip (see Clause (a)) and planting protection area shall be covered with any impervious surfaces.	
3-5.2.8 Development Plan	No Development Plan restrictions specified for the Business 4T Zone.	A new ODP is proposed which will greatly enhance environmental outcomes and mitigation as required.
3-5.2.9 Height (and 5.4.3)	The maximum height restriction is 15m and 20.	18m proposed.
3-5.4.2 Wastewater Discharge	Present limitations on capacity.	Can connect after April 2012.

In making the evaluation, a small number of changes are proposed to the provisions of the current Business 4T Zone rules to recognise the particular character and opportunities provided by that part of the site proposed for B4T zoning and the applicant's objectives for development on that area of land. These relate to open space (maximum coverage), landscaped areas, urban design, street and internal setbacks and off-street car parking.

The increase in the maximum coverage results from a detailed analysis of the development options for the site and is concluded as having no adverse effect for a number of reasons. Firstly, the site is to be developed in a comprehensive manner across approximately 8ha providing a much better opportunity to integrate buildings and open space and to develop that open space in a coordinated manner which will ensure both a better setting for the buildings, and be concentrated in particular areas of the site where it can contribute to public amenity such as the road frontages, pedestrian and cycle linkages and linkages to the adjoining open space.

Secondly, the area of landscaping required within the proposed Business 4T zone area of the site has been increased to 30% and thirdly, the outcome in terms of an integrated site development is secured by the Outline Development Plan. Fourthly, all buildings will be subject to an urban design assessment which will allow buildings to be designed and located in a manner that will mitigate any adverse visual effects and be integrated within the open space setting. Finally all buildings are subject to significantly increased street and internal boundary setbacks.

In respect of off-street parking, the amended standard reflects the ability to provide for integrated parking areas across the entire site, ensuring better access and use of the parking pool rather than pockets of dislocated parking with little or no integration. In addition, the site is highly accessible to public transport and is likely to involve an element of longer working days with reduced peak pressure on the parking resource. The applicant is currently working on a Transport Plan for the larger part of the site in order to reduce the level of off-street car parking and expand the use of public transport, walking and cycling. That plan will advance incentives for the use of all transport modes other than private car, designed to achieve wider City and Regional Council energy efficiency and sustainability goals. As a consequence, the plan change provides for the first 10,000m² of floor space within the proposed B4T Zone area to provide for car parking at the rate 2.5 spaces/100m² of floor space (for which there is some surveyed support, refer Appendix 4) and for any floor space beyond that level to provide for car parking at the rate of 4 spaces/100m². In addition, assessment matters are included to allow for the possible reduction in that higher rate of car parking requirement dependent on the provision of a comprehensive transport plan for the site which supports any such reduction.

The overall conclusion is that the land is of a size and dimension such that all of the principal Business 4T Zone environmental outcomes and standards can be met or exceeded, without the need for a change to the objectives and policies which guide development in the Business 4T Zone.

Benefit and Costs – Business 4T Zoning

Benefits	Costs
<ul style="list-style-type: none"> • Achieves urban growth and consolidation on land in a locality suitable for such. • Accords with the direction and approach set out for new urban development in the City Plan. • Provides for a comprehensive and defined area of business campus activity. • Is designed to integrate with existing development and achieve a high level of amenity. • A location which has access to public transport, the road network and air freight services. 	<ul style="list-style-type: none"> • Limited cost to Council recognizing that the greater cost of preparation and process will be met by the developer. • Reduction in an area of rural land which could be used for rural purposes. • Short term development impact on neighbouring properties until development is completed.

<ul style="list-style-type: none"> • Is generally self-sufficient and will be able to be serviced in respect of infrastructure. • Costs of infrastructure met by the development. • Will provide for a more efficient and sustainable outcome for the land than any alternative use. • Includes provisions to carefully manage stormwater. • In terms of locality, accords with the direction for urban business growth set out in Chapter 12A of the Regional Policy Statement. • The objectives, policies and rules of the Business 4T Zone have been tested through the statutory process and are appropriate in this locality. • The zone purpose is well understood. • The use of an ODP reduces uncertainty and gives security in terms of environmental outcomes. • Will improve the economic wellbeing of the Christchurch and New Zealand community better than if the land remained rural. • Ensures an ongoing supply of business land able to accommodate the applicant's business requirements in a manner which will enhance the ability to attract staff both locally and internationally. • Accords with the outcomes of the NWRA assessment; and • Supports and will contribute to the recovery of Greater Christchurch in terms of the Recovery Strategy (CER Act). 	
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The existing Business 4T Zone is well tested as an instrument to accommodate the type of activity proposed by the applicant. The Business 4T Zone is already well established in the locality and provides some synergy with the applicant's objectives for the area.

The suitability of the subject land for future business use is, in part, confirmed by Proposed Chapter 12A of the RPS and the preliminary assessments undertaken for the NWAR.

The proposed rezoning represents an efficient use of the site's resources. There is sufficient capacity in the water supply system to meet any additional demand while

solutions exist to address wastewater disposal. To this end, no inefficient extensions of any reticulated services are required. The costs of connecting to these services will be met by the applicant.

The plan change proposes a form of development that is already well established in the area. There will be a loss of rural zoned land but this is in a location where the long term best use of the land will be for integrated and sustainable business activity.

The establishment of connections to reticulated services will protect groundwater quality. Appropriate stormwater retention systems will be implemented. Business activities developed on the site will be done so in accordance with the City Plan Rules and a comprehensive Outline Development Plan which will ensure the amenity values of the adjacent properties including the rural environment and maintained or enhanced.

5.3.3 Option Three: Rezone to Business 4 (Suburban Industrial)

This option involves applying the Business 4 Zone standards to an area of 1.95ha of the site located alongside the existing B4 Zone and able to be integrated with that zone and the proposed B4T Zone. The Business 4 (Suburban Industrial) Zone covers light industrial, office and servicing areas in the city generally located within or adjoining suburban living areas. The zone's purpose is to provide for light industry, warehousing and service industries, and some commercial activities such as offices.

The site is well located to provide an extension for the existing B4 zone and to consolidate a logical pattern of urban development integrated efficiently with the B4T zone. In particular, it accords well in terms of the environmental results anticipated by that zone, namely:

- (a) *A diverse range of light industrial activities, some office and commercial service activities and limited retail activities, with frontages of larger industrial enterprises set aside for parking, landscaping and offices.*
- (b) *A zone environment with a high density and scale of industrial, office and commercial service buildings. Some limited retail activity buildings establishing at a small to medium scale in reflection of traditional established activities. A proportion of smaller sites developed intensively.*

- (c) *Relatively high levels of traffic generation with standards for access and manoeuvring to mitigate adverse effects.*
- (e) *A visually mixed environment, with a predominantly industrial character but with standards on development to improve and enhance street scene character, with requirements for frontage landscaping and street setbacks for buildings to mitigate building scale and storage areas as development and redevelopment takes place.*
- (f) *Concentration of office or residential accommodation on site frontages, to enhance the visual impact of industrial and other activities.*

Benefits and Costs – Business 4 Zoning

Benefits	Costs
<ul style="list-style-type: none"> • Would allow the activity to proceed. • Is consistent with the adjoining development. • Zoning methods are well tested. • The land is no longer suitable for rural use and was all of the same serving location and access benefits for the B4T Zone. 	<ul style="list-style-type: none"> • Limited or no cost to the Council. • Reduction in area of Rural land activity.

An assessment of the land in terms of the Business 4 Zone environmental outcomes must, by definition, be about whether activity can be developed in accordance with the zone purpose and rules without any adverse environmental effects. The land is located and the zone contains, the development standards and methods capable of achieving a small consolidated extension to the B4 Zone in this area of the City in a manner which will not detract from the surrounding established activities or zones.

5.3.4 Option Four: Apply for resource consents for the proposed development

Land use consent to establish buildings for office business, technology, research and development on the larger part of the site would be a Non-Complying Activity under Rule 2.5.5 Site coverage. The City Plan specifically seeks to protect the potential of rural land to be used for rural activities and ensure the protection of the visual amenity and the landscape character of rural sites. Site coverage rules for non-rural activities have been set at a significantly lower level than for rural activities, in order to discourage such uses, without assessment through a resource consent process.

The proposal to seek rezoning provides both flexibility for the landowners in terms of what occurs within the parameters of the Business 4 and 4T Zones, as well as providing certainty for the community. Resource consents do not provide long term certainty and would find little support within the policy framework of the City Plan.

Benefits	Costs
<ul style="list-style-type: none"> • Applications for non-complying activities would be considered on their merits against the relevant City Plan objectives and policies. • Council may have the ability to place stricter controls through consent conditions. 	<ul style="list-style-type: none"> • Administration would be costly and time consuming. • Potential for the property to be under utilised, • Development would occur on an ad hoc basis. • Limited opportunity to enhance the natural environment or improve mitigation in terms of stormwater management. • Minimal integration or management of the critical site resource issues or solutions.

5.3.6 Preferred Option: Rezone the land to Business 4 and 4T

The preferred approach is to rezone the site from Rural 5 to Business 4 and 4T. This outcome is considered the most efficient and effective method when compared to all other options. In particular:

- Rezoning the site enables a more strategic approach with additional and higher environmental outcomes for the land within the City Plan as part of an appropriate regulatory framework
- Applies Business Zones within an area identified as strategically appropriate for such by way of Proposed Chapter 12A to the RPS and the NWRA
- Can be established within the existing objective and policy framework of the City Plan
- The size and configuration of the land enables opportunities to integrate it efficiently into the existing B4 and B4T Zone objectives, policies, activities and infrastructure.
- Any potential adverse environmental effects can be appropriately managed, avoided or mitigated.
- It will strengthen the city economy and employment base;
- It is a more 'efficient' use of the land given the restrictions on primary production and rural activity located in close proximity to urban activity,
- It will provide the opportunity to establish an internationally recognized and developed business campus, and

- It accords with and supports the recovery strategy for Greater Christchurch.

5.3.6 Summary of Options

The purpose of the Plan Change is to provide for business zoned land that ensures a sustainable interface with both the adjoining urban and rural activities and provides a logical and efficient extension of the business zoned land to the south. The existing objectives for “business” set the policy framework for the B4 and B4T Zones. An assessment of the relevant City Plan and Regional Policy Statement objectives and policies is discussed in Appendix 2, and the outcomes sought by the plan change are assessed as achieving these objectives and policies at a very high level.

The provisions of the Business 4 and 4T Zones are the preferred option for the land. These zones reflect the outcomes and resulting amenity particularly for a new technology based business campus in this part of the City. Furthermore, the objective and purpose of the Business 4T Zone does not require any significant amendments to accommodate the desired outcomes for the land, while sustainable solutions exist for stormwater management, the treatment of wastewater and transport infrastructure. The location of the site provides the opportunity to consolidate an efficient business and employment outcome which will not undermine the viability or amenity of nearby activities.

The proposed Business 4 Zoning for a small part of the site will integrate well with the adjoining business zoning in the area.

The limited ownership of the land provides the opportunity to develop an integrated outcome in terms of activity, infrastructure and amenity. The principles established for the Business 4T Zone in particular, including a comprehensive Outline Development Plan, are designed to deliver higher and better infrastructure and amenity outcomes, notably in terms of consolidating high technology business use in an attractive campus environment having regard to the wider strategic urban form and amenity goals sought by the City Plan and the Regional Policy Statement.

All the costs in respect of development undertaken in accordance with the proposed zoning will be met by the developer. However, the zoning will deliver benefits to the wider community including:

- Confirmation and implementation of the urban consolidation objectives of the City Plan and the RPS (Proposed Chapter 12A)
- Achieve a business and employment outcome of significant value to the community's social, educational, employment and economic wellbeing.
- Provide a development outcome which will include elements of benefit to the public (eg additional off-street parking for public use, public walkway and cycle links and general social amenities).
- Provide the opportunity for integrated stormwater management; and
- Locate development in an area which will sustain and utilise all forms of transport and in particular energy efficient public transport, walking and cycling

5.4 Evaluation of Risk

Section 32 requires an evaluation of the risk of not acting in circumstances where there is uncertain or insufficient information about the subject matter in terms of policies, rules or other methods. In this case, there is sufficient information and no uncertainties regarding that information, to allow the environmental effects of the proposed re-zoning to be fully assessed. Given the information provided, the objectives and policies of the City Plan and the RPS in terms of consolidated sustainable and integrated urban growth, then the evaluation is that there is sufficient information and no risk of acting in the manner sought by the plan change. Rather, the risk of not acting is that the opportunity for new urban growth (business) does not result with a consequential loss of benefits in respect of community wellbeing be it health, the economy, amenity or an integrated attractive business and work environment.

5.5 Conclusion

Having regard to the above assessment, the overall conclusion is that the proposed Business 4 and 4T Zoning of the subject land will be a more effective and efficient method of achieving the City Plan objectives and policies than the existing zoning.

To leave the land zoned Rural 5 would represent a missed opportunity in terms of enhancing local, regional and national economic well being through the provisions of an expanded employment opportunity in close proximity to a comprehensive range of services and amenities, existing and proposed.

Applying for resource consents to establish the business activity would create inconsistencies with the objectives and policies and provide longer term uncertainty for both the applicant and the community.

Rezoning to Business 4 and 4T provides an effective and efficient method with significant social, economic and community benefits through new employment, sustainable transport, proximity to services and minimising any adverse environmental effects.

It is concluded that the present proposal will better achieve the purpose of the Act than the current rural zoning and is a more effective and efficient method of achieving the City Plan objectives than the current zoning.

6. CONSULTATION

The Fourth Schedule specifies that an AEE include:

Identification of the persons affected by the proposal, the consultation undertaken, if any, and any response to the views of any person consulted (Clause 1(h)).

This is further clarified by Clause 1AA of the Fourth Schedule:

To avoid doubt, clause 1(h) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not oblige the applicant to consult with any person; or create any ground for expecting that the applicant will consult with any person.

Prior to lodging of the request, the applicant undertook some very preliminary consultation with a view to obtaining feedback from parties before finalising the content of the request.

6.1 Christchurch City Council

Preliminary discussions were held with the City Council in respect of the plan change request and the potential to use on the site for the purposes proposed. The principle issues raised at that time related to geotechnical/ground conditions, contamination, urban consolidation and access to transport. In response to this, a detailed urban design study and masterplan for the site have been completed. The studies looked at the most sustainable outcome in terms of the built form having regard to the desire to provide for an attractive energy efficient and sustainable work environment. In addition, a traffic impact study has been concluded and identified that although the locality will be subject to a number of strategic network changes over the next five to ten years, the development can be accommodated within the capacity of the road network. The site is also well serviced by public transport and close to a large residential community with easy access to the airport, a matter of critical importance to the applicant.

A geotechnical study has been completed for the site which confirms that the land is suitable for the purpose proposed. This is provided in Appendix 6.

In addition, a major assessment of ground contamination has been undertaken and confirms there are no impediments to development. (Appendix 7)

6.2 Clause 3 of the First Schedule

In terms of Clause 3 of the First Schedule of the RMA, consultation has been initiated with:

- The Ministry for the Environment
- Mahaanui Kurataiao Limited
- The University of Canterbury
- Environment Canterbury
- Christchurch International Airport
- CERA, and
- The owners of all the adjoining and generally surrounding properties to the Plan Change site.

7. CONCLUSION

- 7.1 Rezoning the land to provide for both a small increase in the area of B4 Zoning and for a B4T Zone encompassing a campus environment to deliver innovation and technology to a global market represents the most appropriate way for the City Plan to achieve the purpose of the RMA.
- 7.2 In terms of the proposed area of B4T Zone, then the change will enable the establishment of an attractive and innovative building complex within an open park setting in close proximity to other elements critical to the applicant's business be it employment, the airport, the road network or the University.
- 7.3 The outcome will be to consolidate an activity of high economic and social value to the community with the potential to expand its level of business innovation and production and the economic return to the community.
- 7.4 The existing Business 4T Zone provisions are designed to deliver a high quality low density business environment in an open, spacious, park like setting. The proposed rezoning adopts the Business 4T Zone provisions with some modifications which will ensure better integration of development, transport, built form and open space across the site, being the Outline Development Plan, increased landscaping, controls on building design and appearance and the opportunity to better integrate the car parking resource. It will also add to community amenity through facilities available to the community (eg overflow car parking, meeting places) as well as incorporate a public cycle/pedestrian link across the site which has the potential to link to other land in the future.
- 7.5 The proposed rezoning will increase the opportunity for employment, both locally given its accessibility to the residential community, and globally given the quality of the work environment. The expansion could give rise to adverse effects in terms of the adjoining rural area and open space but these matters are all addressed by the controls on building development, the expanded requirements for on-site open space, increased building setbacks and the integration of all the essential elements of the on-site development.

- 7.6 The area of B4 rezoning is not large but will return value to the community being located so as to provide for a small and logical extension to the B4 Zone and to better integrate the wider proposed B4T Zone with the existing business community. The supporting assessments to the plan change request have determined that the extension to the B4 and B4T Zones can be supported in terms of built form, landscape, amenity, impact on neighbours, traffic, access to infrastructure and suitable ground conditions for building. Given the potential value of the expansion in terms of employment and to the economy, and in part as a base for a world leading technology company, it is concluded that the proposed B4 and B4T Zones are consistent with the purpose of the City Plan. As such, it is argued that the proposed plan change is the most effective and efficient method of achieving the City Plan objectives and the purpose of the RMA.

Appendix 1:

Certificates of Title

Appendix 2:

Objectives and Policies

Appendix 3:

Urban Design Assessment

Appendix 4:

Transportation Assessment

Appendix 5:

Wastewater and Stormwater Assessment

Appendix 6:

Geotechnical Assessment

Appendix 7:

Contamination Assessment

Appendix 8:

Topographical Survey Plan

PLANNING COMMITTEE

SUPPLEMENTARY AGENDA

TUESDAY 20 NOVEMBER 2012

AT 3PM

IN COMMITTEE ROOM 2, CIVIC OFFICES, 53 HEREFORD STREET

Committee: Councillor Sue Wells (Chairperson),
Councillors Peter Beck, Sally Buck, Jimmy Chen, Aaron Keown, Glenn Livingstone and
Claudia Reid.

Principal Adviser
Mike Theelen
Telephone: 941-8281

Committee Adviser
Megan Pearce
Telephone: 941-8140

PART A - MATTERS REQUIRING A COUNCIL DECISION
PART B - REPORTS FOR INFORMATION
PART C - DELEGATED DECISIONS

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PART C	9.	RESOLUTION TO EXCLUDE THE PUBLIC	2

8. RESOLUTION TO BE PASSED – SUPPLEMENTARY REPORT

Approval is sought to submit the following report to the meeting of the Planning Committee on 20 November 2012 as a Public Excluded item.

- Judicial review weathertight claim

The reason, in terms of section 46(vii) of the Local Government Official Information and Meetings Act 1987, why the report was not included on the main agenda is that it was not available at the time the agenda was prepared.

It is appropriate that the Planning Committee receive the report at the current meeting.

RECOMMENDATION

That the report be received and considered at the meeting of the Planning Committee on 20 November 2012.

PLANNING COMMITTEE 20. 11. 2012

RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, Local Government Official Information and Meetings Act 1987.

I move that the public be excluded from the following parts of the proceedings of this meeting, namely item 9.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
JUDICIAL REVIEW WEATHERTIGHT CLAIM)) GOOD REASON TO) WITHHOLD EXISTS) UNDER SECTION 7)	SECTION 48(1)(a)

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

ITEM	REASON UNDER ACT	SECTION	PLAIN ENGLISH REASON	WHEN REPORT CAN BE RELEASED
9.	To protect the privacy of natural persons	7(2)(a)	The legal process of resolving weathertight claims is conducted in confidence	Never

Chairperson's

Recommendation: That the foregoing motion be adopted.

Note

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):

- (a) Shall be available to any member of the public who is present; and
- (b) Shall form part of the minutes of the local authority.”