

MEMORIAL BUSINESS PARK

Section 32 Analysis

**Plan Change Request pursuant to clause 20 of the
Canterbury Earthquake (Christchurch Replacement
District Plan) Order 2014**

MEMORIAL AVENUE INVESTMENTS LIMITED

AUGUST 2014

TABLE OF CONTENTS

| | | |
|-----|---|----|
| 1. | INTRODUCTION..... | 3 |
| 2. | TASK 1: SCOPING AND MANAGING AN EVALUATION REPORT | 5 |
| 3. | TASK 2: INTEGRATE THE EVALUATION WITH PLAN DEVELOPMENT | 5 |
| 4. | TASK 3: ASSESS SCALE AND SIGNIFICANCE | 6 |
| 5. | TASK 4: EVALUATE THE OBJECTIVES | 6 |
| 6. | TASK 5: IDENTIFY REASONABLE PRACTICABLE OPTIONS FOR ACHIEVING THE OBJECTIVES | 8 |
| 7. | TASK 6: IDENTIFY THE ENVIRONMENTAL, ECONOMIC, SOCIAL AND CULTURAL EFFECTS | 13 |
| 8. | TASK 7: ASSESS THE EFFICIENCY OF THE PROVISIONS..... | 13 |
| 9. | TASK 8: ASSESS THE EFFECTIVENESS OF THE PROVISIONS | 16 |
| 10. | TASK 9: ASSESS THE RISKS OF ACTING OR NOT ACTING | 20 |
| 11. | TASK 10: UNDERTAKE AN ASSESSMENT ACCORDING TO NATIONAL ENVIRONMENTAL STANDARDS | 21 |
| 12. | TASK 11: EXAMINE THE APPROPRIATENESS OF THE PROVISIONS | 21 |
| 13. | TASK 12: PUBLICATION OF THE EVALUATION REPORT AND FURTHER EVALUATION | 23 |
| 14. | CONCLUSION | 23 |
| 15. | CONSULTATION..... | 23 |
| 16. | CONCLUSION | 30 |

SECTION 32 ANALYSIS

1. INTRODUCTION

- 1.1 This document has been prepared to fulfil the requirements of Section 32 of the Resource Management Act 1991 (**RMA**) and clause 20(2)(b) of the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 in respect of the rezoning of the land on the corner of Russley Road and Memorial Avenue to Industrial Park (Memorial Avenue) zone.
- 1.2 The Land Use Recovery Plan issued under the Canterbury Earthquake Recovery Act 2011 and the Canterbury Regional Policy Statement direct that this site be zoned business. The issue for consideration is what are the most appropriate zone provisions for the rezoning to meet both the sustainable management purpose of the RMA and the requirements of the Land Use Recovery Plan, the Regional Policy Statement and the Canterbury Earthquake (Replacement Christchurch District Plan) Order 2014.
- 1.3 The owner of the majority of the land, Memorial Avenue Investment Limited (**MAIL**) is requesting a site specific Industrial Park zone as part of phase 1 of the review of the Christchurch City District Plan (**City Plan**) under the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014.
- 1.4 The plan change will rezone the land from the current Rural 5 (Airport Influences) Zone to a new site specific Industrial Park (Memorial Avenue) zone as part of the Industrial Chapter in the Replacement Christchurch District Plan (**Replacement Plan**).
- 1.5 Section 32 of the RMA prescribes the analysis which must be undertaken to assess the appropriateness of the rezoning. The requirements of section 32 and an assessment of the rezoning against those requirements are contained in this report. Because this rezoning was originally to be included in the Industrial Chapter of phase 1 of the District Plan Review, council staff prepared a draft 32 analysis for the Industrial Chapter. An edited version of that analysis (deleting irrelevant text for present purposes) dated 5 June 2014 is attached as **Appendix 1** to this report. That analysis is also adopted and included as part of this section 32 report.
- 1.6 Section 32 provides:
- a. Requirements for preparing and publishing evaluation reports
 - b. An evaluation report under this Act must –
 - i. examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and
 - ii. examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by:
 - (1) identifying other reasonably practicable options for achieving the objectives; and
 - (2) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and
 - (3) summarising the reasons for deciding on the provisions; and
 - (4) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.
 - c. An assessment under subsection (1)(b)(ii) must:

i. identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for –

- (1) economic growth that are anticipated to be provided or reduced; and
- (2) employment that are anticipated to be provided or reduced; and
- (3) if practicable, quantify the benefits and costs referred to in paragraph (a); and
- (4) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

ii. If the proposal (an amending proposal) will amend a standard, statement, regulation, plan, or change that is already proposed or that already exists (existing proposal), the examination under subsection (1)(b) must relate to –

- (1) the provisions and objectives of the amending proposal; and
- (2) the objectives of the existing proposal to the extent that those objectives –
- (3) are relevant to the objectives of the amending proposal; and
- (4) would remain if the amending proposal were to take effect.

...

1.7 This section 32 analysis has been undertaken in accordance with the Ministry for the Environment's interim guidance (December 2013). The Guidance sets out the main tasks involved in a section 32 evaluation. The 12 tasks are:

- a. Task 1: Scoping and managing an evaluation report.
- b. Task 2: Integrate the evaluation with plan development.
- c. Task 3: Assess scale and significance.
- d. Task 4: Evaluate the objectives.
- e. Task 5: Identify reasonable practicable options for achieving the objectives.
- f. Task 6: Identify the environmental, economic, social and cultural effects.
- g. Task 7: Assess the efficiency of the provisions.
- h. Task 8: Assess the effectiveness of the provisions.
- i. Task 9: Assess the risks of acting or not acting.
- j. Task 10: Undertake an assessment according to national environmental standards.
- k. Task 11: Examine the appropriateness of the provisions.
- l. Task 12: Publication of the evaluation report and further evaluation.

2. **TASK 1: SCOPING AND MANAGING AN EVALUATION REPORT**

- 2.1 The evaluation needs to be carried out to ensure that the new provisions being proposed will assist in achieving the relevant objectives of the proposed Replacement Plan and will not undermine them.
- 2.2 This rezoning application does not propose any changes to the objectives and policies of the Industrial Chapter of the proposed Replacement Plan. There is a need 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 proposed objectives and policies of the Replacement District Plan. In this respect, the principal issue is whether the outcomes sought by the Regional Policy Statement and Replacement Plan will be met through the rezoning of this site for an Industrial Park in the manner proposed. **Appendix 2** to this document provides an analysis of the proposed Plan Change against relevant planning provisions.
- 2.3 As addressed in this assessment, the proposed use of the land as an Industrial Park or equivalent purposes can readily comply with the majority of the relevant standards for the proposed Industrial Park zone. The general provisions will be supplemented by the inclusion of a comprehensive ODP and site specific rules which will respond to site specific characteristics, opportunities and constraints.
- 2.4 The question of whether the site should be rezoned from rural to business had been settled by Chapter 6 of the Regional Policy Statement and the Land Use Recovery Plan. Nonetheless, for completeness that issue is also addressed in this analysis.

3. **TASK 2: INTEGRATE THE EVALUATION WITH PLAN DEVELOPMENT**

- 3.1 The section 32 evaluation process has been well integrated with development of the plan change. The evaluation has been linked to the proposed rezoning and associated actions such as issue identification, research, dealing with information uncertainties and consultation, and amendments have been made on an iterative basis. This has particularly been the case with the development of the outline development plan, urban design criteria, and the controls on office and retail developments.
- 3.2 Consultation about the rezoning has taken place intermittently over the last five years or so, and more specifically over the last five months. That consultation has been undertaken as part of the planning process. For the purpose of section 32, consultation has assisted in determining the appropriateness of various aspects proposed and has directly informed and tested assumptions and facts concerning environmental, economic, social and cultural effects.
- 3.3 The consultation has assisted by:
- a. identifying the range of environmental, economic, social and cultural effects that may arise from implementing the proposal, and
 - b. raising key section 32 questions, such as the benefits and costs of the effects (environmental, economic, social and cultural) that are anticipated from implementing the proposal, including opportunities for economic growth and employment.
- 3.4 This section 32 evaluation should not be considered as full and final. The RMA and the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 anticipate that the evaluation under section 32 of the RMA is an evolving process with a further evaluation required by the Hearing Panel before making any decision on the rezoning.

4. **TASK 3: ASSESS SCALE AND SIGNIFICANCE**

- 4.1 An evaluation report must... *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal* (section 32(1)(c)).
- 4.2 Section 32(1)(c) means that the scale and significance of the proposal is the key factor influencing the level of detail type required for a section 32 evaluation. It will also influence the choice of methods for assessing efficiency and effectiveness, the associated costs of the evaluation process, and how time and resource intensive it might be.
- 4.3 Scale essentially refers to scale or reach of the issue, the anticipated size or magnitude of the effects anticipated from the proposal, or both. Significance refers to the importance or impact of the issue that the proposal is intended to respond to, or the significance of the response itself. Because of the scale and significance of the proposal, the analysis and research has been detailed and extensive on a range of issues.
- 4.4 A number of detailed investigations and environmental assessments were undertaken to inform the section 32 analysis:
- a. Business land supply and office distribution
 - b. Retail demand and distribution
 - c. Hotel provision
 - d. Urban design
 - e. Landscape
 - f. Infrastructure and servicing
 - g. Transportation
 - h. Geotechnical conditions
 - i. Soil contamination
 - j. Groundwater
 - k. Noise
- 4.5 These matters are addressed in the various reports attached to and summarised in the Assessment of Effects on the Environment document.

5. **TASK 4: EVALUATE THE OBJECTIVES**

- 5.1 An evaluation report must... *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act* (section 32(1)(a)).
- 5.2 The evaluation involves six steps:
- a. Define expected outcomes.
 - b. Evaluate objectives in relation to the resource management issue.
 - c. Develop alternative objectives.

- d. Assess the appropriateness of the objectives.
- e. Following the assessment of provisions, re-examine the objectives to ensure they are achievable and reasonable.
- f. Summarise the reasons for adopting the objectives.

5.3 Task 4 relates to the first 4 of these steps.

Step 1 – Defining expected outcomes

- 5.4 Objectives are designed to achieve or contribute towards an outcome. The outcome will relate to sustainable management of natural and physical resources. It will also have other economic, social and cultural dimensions.
- 5.5 Section 32 (6) provides that "objectives" means, "*for a proposal that contains or states objectives, those objectives; for all other proposals, the purpose of the proposal*". This plan change does not seek any changes to the anticipated objectives of the Replacement Plan.
- 5.6 The purpose, or objective, of the plan change is to establish an appropriate business zoning for the site to give effect to Chapter 6 of the Regional Policy Statement and the Land Use Recovery Plan, while:
 - a. Maximising the social and economic wellbeing of the community through the rezoning;
 - b. Avoiding significant adverse effects on the CBD rebuild and on the functioning of Key Activity Centres; and
 - c. Properly addressing any potential adverse effects of development of the land.

Step 2 – Evaluate objectives in relation to the resource management issue.

- 5.7 It is necessary to determine the extent to which a proposed objective or objectives are the most appropriate to achieve the purpose of the RMA. This requires the objectives to be assessed against the Part 2 matters, including the purpose set out in section 5 and principles set out in sections 6, 7 and 8.
- 5.8 Rezoning to a business use is required by the Regional Policy Statement and the Land Use Recovery Plan. The Regional Policy Statement must be prepared in accordance with Part 2, and accordingly identification of the site as a greenfield business area is taken to achieve the purpose and principles of the RMA. The next step is to determine the specific content of that business zoning. The objective of this plan change is directed towards establishing appropriate provisions to achieve the sustainable management purpose of the RMA.

Step 3 – Develop alternative objectives.

- 5.9 This step involves identifying and considering alternative objectives. In many cases this will be an important means of demonstrating that the proposed objectives are the most appropriate way to achieve the purpose of the RMA. The alternatives may include 'do nothing' (the existing objective), 'do minimum' or 'do better'.
- 5.10 Rezoning the land to a business use is required by higher order planning documents. Any alternative objective would be inconsistent with s75(3) RMA and s23(1)(f) Canterbury Earthquake Recovery Act 2011.
- 5.11 An alternative to the first outcome would be to identify a business zoning without seeking to maximise the social and economic wellbeing of the community. That outcome would be

inconsistent with the purpose of the RMA and would fail to make the best use of the characteristics and opportunities presented by this site.

- 5.12 An alternative to the second outcome would be to rezone the site without seeking to avoid significant adverse effects on the CBD rebuild and the functioning of Key Activity Centres. That outcome would be inconsistent with the Regional Policy Statement, including Objective 6.2.5 and Policy 6.3.6.

Step 4 – Assess the appropriateness of the objectives.

- 5.13 Appropriateness requires that the objective is clear, well drafted, does not impose unreasonable costs to society, and is achievable with the resources and responsibilities available. Importantly it also needs to be directed towards achieving the purpose of the RMA.
- 5.14 It is considered that the purpose of the plan change set out in step 1 is appropriate in achieving the purpose of the RMA. It gives effect to the directions in the Regional Policy Statement and the Land Use Recovery Plan and is consistent with the objectives in both the operative City Plan and proposed Replacement Plan. Accordingly, the objective is taken to promote the sustainable purpose of the RMA.

6. TASK 5: IDENTIFY REASONABLE PRACTICABLE OPTIONS FOR ACHIEVING THE OBJECTIVES

- 6.1 An evaluation report must...*examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by — (i) identifying other reasonably practicable options for achieving the objectives* (section 32(1)(b)(i)).
- 6.2 Provisions are policies, rules or other methods that implement or give effect to the objectives of the proposed rezoning.
- 6.3 Following evaluation of the objectives, the next stage of the section 32 process is to establish the provisions that are most appropriate to achieve the objectives from among reasonably practicable options. The stage of the process should provide a set of preferred candidate policies for further consideration to proceed through the following remaining tasks for analysis in terms of efficiency and effectiveness. Unreasonable or impracticable options should be discarded at this stage.
- 6.4 The following alternatives are considered reasonably practicable:
- a. Do nothing;
 - b. Re-zone to Industrial Park with no site-specific modifications;
 - c. Re-zone to Industrial Park (Memorial Avenue) with specific rules applying to the site, including allowing some retail and office uses; or
 - d. Re-zone to some other business zone.

The evaluation of policy options will generally have two dimensions. One is the comparison of options. The other is an assessment of the likely effectiveness and efficiency of the preferred option. In practice, the results for the second will follow from the comparative analysis.

Option One: Status Quo: Leave the land zoned Rural 5 (R5)

- 6.5 This option has been included for the sake of completeness, although it does not achieve the objectives and is inconsistent with the directions in the Land Use Recovery Plan and the Canterbury Regional Policy Statement that the site must be zoned for business. It also fails

to maximise the economic and social wellbeing of the community. The status quo option is to retain the Rural 5 (Airport Influences) zoning of the site. Under this zoning the site will continue to be available for agricultural and horticulture use.

Option Two: Rezoning to Industrial Park with no site specific rules

- 6.6 This option involves applying the proposed Industrial Park zone to the site with no substantive changes to the Industrial Park zone provisions. This option would achieve the result of a business zoning on the site.
- 6.7 While this option would also address in part the effects of the development, it would do so in a generic way that does not respond to the specific characteristics of the site and its surrounding environment.
- 6.8 This option would also have adverse implications for the social and economic wellbeing of the community. The report by Telfer Young concludes that the best use for the site is a mixed use of light industrial, office, retail, travellers' accommodation and community uses. Importantly, that same report concludes that there is an adequate supply of industrial land available in this part of the City, and that this site's characteristics are such that other uses are appropriate if they can be accommodated in a manner that addresses potential adverse effects, such as CBD recovery. Preventing retail, office and travellers' accommodation uses with the Industrial Park would mean that the site would fail to realise its potential and that, consequently, the economic and social wellbeing of the community would be significantly reduced from what it would otherwise be.

Option Three: Rezoning the land to Industrial Park Zone (Memorial Avenue) with specific rules to apply

- 6.9 The Industrial Park Zone (Memorial Avenue) is being established to provide for activities that seek a high amenity environment which, overall, is dominated by well-designed open space and landscaping. It would achieve a business zoning for the site while addressing effects of the development on the surrounding environment, particularly in relation to urban design and amenity.
- 6.10 The proposal accords with the general development structure and goals of the proposed Industrial Park zone in the Replacement Plan. More specifically, it accords with the draft Industrial Park (Memorial Avenue) zone prepared by the Council and subjected to a positive section 32 analysis.
- 6.11 Consistent with the Industrial Park (Memorial Avenue) zone provisions developed by council staff, a number of changes are proposed to the provisions of the standard Industrial Park zone rules to recognise the particular character, opportunities and constraints presented by the site. These relate to status of activities including retail, office and guest accommodation, building height, site coverage, setbacks from the zone boundary, urban design, signage, hours of deliveries, and required sewer upgrades and cycleways.
- 6.12 These site specific rules have been developed as an integrated package together with the Outline Development Plan. The site is to be developed in a comprehensive manner providing a much better opportunity to integrate buildings, open space and setbacks. Rather than simply providing open space on private sites, dedicated areas of open space and setbacks have been identified and secured by the Outline Development Plan. This will ensure a better setting for the buildings, respond to potential effects on adjacent environments or land users, and concentrate open space in particular areas of the site where it can contribute to public amenity such as the road frontages and pedestrian and cycle linkages.
- 6.13 The provisions developed by Council particularly provided for a number of non-industrial activities, including:

- a. Guest accommodation, up to 200 rooms – Provision for this activity is supported by the report by TRC Tourism, which concludes that the site is suitable for guest accommodation and that a hotel of up to 200 rooms or a motel of up to 50 units could be accommodated on the site without impacting on CBD recovery. Provision of guest accommodation is restricted to the Special Amenity Area in the northwest of the site, reflecting that buildings for guest accommodation have a greater permitted height, so should be located away from areas where such height may dominate over the surrounding urban form, have a high amenity design which would be best appreciated from Memorial Avenue and
- b. Office activity, up to 5000m² glfa within the zone – The assessment by Telfer Young identifies that the highest and best use of the site is for mixed business activities, including offices. To avoid potential adverse effects on CBD recovery, Telfer Young identify that offices could be controlled by type (identifying those which would be suited to locating at MBP and not within the CBD) or by a limit on the quantum of general office activities. Telfer Young considered a staged provision for general office activities resulting in 12,000m² glfa within the zone after 2022, and concluded that such provision would not adversely affect recovery of the CBD. In respect of the provision for 5,000m² of office activities proposed by the plan change, Telfer Young confirmed that this was conservative and would not result in adverse effects on the recovery of the CBD.

6.14 The following table compares the Council's draft version against the version of the zone proposed by this plan change.

6.15 In comparison to a standard Industrial Park zone, the site specific rules provide for:

- a. a broader range of permitted activities to provide for the social and economic wellbeing of the community;
- b. setbacks appropriate to each edge condition;
- c. controls on activities along the sensitive Memorial Avenue boundary (including warehousing and industrial uses, fast food outlets, signage and carparking); and
- d. a requirement for a design and amenity assessment of buildings within 50m of the Memorial Avenue, Russley Road or Avonhead Road frontage.

6.16 The following table compares the draft site specific provisions prepared by the Council and those proposed by MAIL

| Subject | Summary of Proposed Rules for Industrial Park (Memorial Avenue) Zone as prepared by Council officers | Assessment of amendments sought by this plan change |
|--------------------------------------|---|--|
| 16.4.2.1 Activity specific standards | Lists activities which are permitted, restricted discretionary, discretionary or non-complying | <p>All activities retained, this plan change includes the following additional activities:</p> <ul style="list-style-type: none"> a. Provision for 4100m² of retail, which is equivalent to the provision in the Special Purpose (Airport) Zone. There are additional assessment criteria for retail activities above this level to ensure there are no retail distributional effect. Telfer Young identify that the best use of the site is for a mixed business use, including retail. Insight have considered existing retail centres, growth in retail turnover and potential retail distribution effects arising from retail development on the site. They conclude that a significantly greater level of retail development could occur on the site than is permitted by this rule with minor adverse effects; b. Parking lots are permitted with the proposed Runway End Protection Area. Activities in this area would remain subject to the designation sought by CIAL if confirmed. It is anticipated that other activities within the Runway End Protection Area will be governed by the designation sought by CIAL. A limited range of activities are likely to be acceptable to CIAL under the REPA (for example, no buildings) so it is appropriate to reflect anticipated uses in this location. This provision for onsite carparking also addresses concerns regarding carparking provision raised during consultation; c. Amendment to the restriction on food and beverage outlets within 50m of Memorial Avenue or Russley Road to apply only to those with drive-through facilities, to better reflect the intent of this control; d. Specific non-complying activities within 50m of Memorial Avenue or Russley Road to achieve the urban design outcomes sought for this location, including a high quality urban edge that enhances the gateway image and celebrates the memorial heritage of this location, and improved public realm, permeability and interaction within these zone boundaries. <p>Amendments have been made to P7, P14 and RD4 to reflect those which Council officers advise will be made elsewhere in the Replacement Plan in response to comments received from the Minister for Canterbury Earthquake Recovery and the Minister for the Environment.</p> |

| | | | |
|---------|--|--|--|
| 3-5.2.8 | Development Plan | Compliance with Key Structuring Elements required | No change to the rule. Amendments to ODP provide greater certainty of design outcome. |
| 2 | Height | Maximum is 15m generally, or 12m within 50m of Memorial Avenue, and 20m for Guest Accommodation | No change. |
| 3 | Building Coverage | Maximum coverage – 50% | No change. |
| 4 | Building setback from road boundaries | Specific minimum building setbacks from road boundaries | As proposed by Council staff, except that 10 metres rather than 20 metres is proposed along Memorial Avenue. This will ensure a better urban design outcome by encouraging positive interaction between the built form and Memorial Avenue, providing an area with dimensions which facilitate a public walkway and memorial interpretation signage or public art, and meeting Crime Prevention Through Environmental Design principles. |
| 5 | Minimum separation from boundary of a sensitive area | 20m | No change. |
| 6 | Sunlight and Outlook at boundary with a sensitive area | Recession plane requirements | Amended in accordance with Council officers advice of changes to be made in response to comments received from the Minister for Canterbury Earthquake Recovery and the Minister for the Environment. |
| 7 | Outdoor storage and car parking | (a) Outdoor storage not within setbacks And (b) Car parking at rear of sites | No change. |
| 8 | Landscaped Areas | A range of specific requirements for the minimum percentage of landscaping within a site, landscaping strips along road frontages and tree planting. | No change |
| 9 | Signage adjacent to Memorial Avenue | Specific restrictions | No change |

Option Four: Rezone to another business zone

- 6.17 This option involves applying another business zone, such as the Business 4 Zone in the operative City Plan. The City Plan currently contains fourteen different business zones. 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.
- 6.18 Existing business zones were assessed in detail for application to the site. None of these options provided an appropriate fit with the purpose of the plan change explained above. Utilisation of an existing business zone (other than Industrial Park) with specific amendments for the site is possible but is not considered to be a preferable option. Whilst some elements of the existing zone planning frameworks (e.g. building controls for the Business Retail Park Zone) are approximately appropriate, none respond to the specifics of the subject land, which had unique characteristics, and which dictate that a highly specific and sensitive planning framework is put in place. The application of other business zones would be likely to result in lower levels of amenity and urban design. The closest zone would be a modified B4 zone in the operative City Plan.

7. TASK 6: IDENTIFY THE ENVIRONMENTAL, ECONOMIC, SOCIAL AND CULTURAL EFFECTS

- 7.1 An evaluation report must...*assess the efficiency and effectiveness of the provisions in achieving the objectives* (section 32(1)(b)(ii)).
- 7.2 An assessment under section 32(1)(b)(ii) must...*identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
- (i) economic growth that are anticipated to be provided or reduced; and*
 - (ii) employment that are anticipated to be provided or reduced (section 32(2)(a)).*
- 7.3 The efficiency and effectiveness of the provisions are to be assessed in relation to their appropriateness in achieving the objectives. Prior to undertaking the efficiency and effectiveness analysis, the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions need to be identified. This will include identifying opportunities for economic growth and employment that are anticipated to be provided or reduced.
- 7.4 The environmental, economic, social and cultural effects are addressed in detail in the accompanying technical reports and in the Assessment of Effects on the Environment document, and are summarised in tasks 7 and 8 below.

8. TASK 7: ASSESS THE EFFICIENCY OF THE PROVISIONS

- 8.1 An evaluation report must...*assess the efficiency and effectiveness of the provisions in achieving the objectives* (section 32(1)(b)(ii)).

An assessment under section 32(1)(b)(ii) must...

- (a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - (i) economic growth that are anticipated to be provided or reduced; and*
 - (ii) employment that are anticipated to be provided or reduced (section 32(2)(a)).*
- (b) if practicable, quantify the benefits and costs referred to in paragraph (a).*

8.2 Comparing the benefits and costs of provisions is the means of determining the relative efficiency of options. The most efficient provision will achieve the greatest benefit relative to the costs incurred.

8.3 Assessing efficiency for the purpose of section 32 will involve six main steps:

- a. Identify the resource management issue.
- b. Identify the baseline and its effects.
- c. Identify the effects of the provisions.
- d. Identify the benefits and costs of the effects.
- e. If practical, quantify the benefits and costs of the effects.
- f. Evaluate the benefits and costs to establish efficiency.

These steps are all addressed in the Assessment of Effects on the Environment document. A summary of the benefits and costs of the options identified follows.

Status Quo – Rural 5 zone

| Benefits | Costs |
|---|--|
| <ul style="list-style-type: none"> • Some operative City Plan rural objectives would be maintained. • Retention of open space and grazing land. | <ul style="list-style-type: none"> • Loss of a significant economic and employment opportunity for the city. • Contrary to the RPS and the LURP in terms of future business activity in this part of the city. • Use of the site with the current zoning is inefficient and uneconomic. |

Industrial Park – no changes to likely zone rules

| Benefits | Costs |
|--|---|
| <ul style="list-style-type: none"> • Achieves urban growth and consolidation on land in a locality suitable for such. • Not inconsistent with the direction and approach set out for new urban development in the RPS and the LURP. • A location which has access to public transport, the road network and air freight services. • Is generally self-sufficient and will be able to be serviced in respect of infrastructure. • Will improve the economic wellbeing of the Christchurch and New Zealand community better than if the land remained rural. • Supports and will contribute to the recovery of Greater Christchurch in terms of the Land Use Recovery Plan (LURP). | <ul style="list-style-type: none"> • Fails to use an opportunity for greater social and economic benefit by preventing retail and office uses except where ancillary to other permitted activities. • Fails to obtain an integrated development and higher amenity outcome by inclusion of an outline development plan and design controls. • Risks underutilisation of land by an oversupply of general light industrial land in this part of Christchurch. • Loss of a significant economic and employment opportunity for the city. • Less likely to promote the sustainable development of the city. • Potential benefits of integrated development are lost. • Loss of open space • Loss of grazing land |

Industrial Park (Memorial Avenue) Zone – as proposed by this plan change

| Benefits | Costs |
|---|---|
| <ul style="list-style-type: none"> • Achieves urban growth and consolidation in a location suitable for such. • Accords with the direction and approach set out for new urban development in the RPS and the LURP. • Ensures a supply of business land able to accommodate a range of complementary activities in a manner which will enhance the ability to attract investment and staff both locally and internationally. • Provides for contained development of retail and office uses not otherwise provided for in this part of the city. Does not adversely impact on the urban form or function of the CBD, Key Activity Centres or neighbourhood centres. • Will improve the economic wellbeing of the Christchurch and New Zealand community better than if the land | <ul style="list-style-type: none"> • Loss of an open space • Loss of grazing land |

| | |
|--|--|
| <p>remained rural or any other zoning.</p> <ul style="list-style-type: none"> • The use of an ODP reduces uncertainty and gives security in terms of environmental outcomes. • Site specific standards will ensure a high level of urban design and amenity and will respond to the site context, opportunities and constraints. • A location which has access to public transport, the road network and air freight services. • Is generally self-sufficient and will be able to be serviced in respect of infrastructure. • Will improve the economic wellbeing of the Christchurch and New Zealand community better than if the land remained rural or any other zoning. | |
|--|--|

Other business zones (existing Business 4 zone)

| Benefits | Costs |
|---|---|
| <ul style="list-style-type: none"> • Achieves urban growth and consolidation on land in a locality suitable for such. • Accords in part with the direction and approach set out for new urban development in the RPS and the LURP. • 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. • Will improve the economic wellbeing of the Christchurch and New Zealand community better than if the land remained rural. | <ul style="list-style-type: none"> • Fails to use an opportunity for greater social and economic benefit by limiting retail uses. • Fails to obtain an integrated development and higher amenity outcome by inclusion of an outline development plan and design controls • Risks impacts on CBD recovery and Key Activity Centres by not limiting office development. • Less likely to promote the sustainable development of the city. |

9. TASK 8: ASSESS THE EFFECTIVENESS OF THE PROVISIONS

- 9.1 An evaluation report must...*assess the efficiency and effectiveness of the provisions in achieving the objectives* (section 32(1)(b)(ii)).
- 9.2 Effectiveness generally refers to the ability of a provision to produce the desired outcome or result. The fundamental question for assessing effectiveness is whether the provisions will achieve the outcome sought by the objective, or will go part way to achieving the objective relative to other provisions. An important consideration relating to this is the ability to directly attribute the outcomes to the implementation of the policy or method, rather than as a result of some other factor.

- 9.3 The provisions can either be assessed separately (i.e., each policy, rule or other method can be assessed against the criteria) or a bundle of provisions can be assessed together. Which approach is taken should be informed by the scale and significance of the effects of the provisions. As this plan change does not propose amendments to the anticipated objectives or policies of the Replacement Plan, the rules have been assessed as a package against the criteria set out below.

Effectiveness Matrix

| | Option 1 (status quo) is not directed towards | Option 2 (general Industrial Park zone) | Option 3 (site specific Industrial Park zone as proposed by MAIL) | Option 4 (other business zone) |
|--|--|---|---|---|
| Directed towards achieving the objectives | <ul style="list-style-type: none"> Is not achieving the objectives. | <ul style="list-style-type: none"> Generally directed towards achieving the objectives. Not directed towards objective of maximising economic and social benefit. | <ul style="list-style-type: none"> Is directed towards achieving the objectives. | <ul style="list-style-type: none"> Generally directed towards achieving the objectives. May not properly address adverse effects |
| Meet principles for writing sound provisions | <ul style="list-style-type: none"> Is clear and understandable. | <ul style="list-style-type: none"> Is clear and understandable. | <ul style="list-style-type: none"> Is clear and understandable. | <ul style="list-style-type: none"> Is clear and understandable, but would need to be redrafted to fit within the Replacement Plan structure |
| Will effectively guide decision-making | <ul style="list-style-type: none"> Will not assist decision making because the site will have pressure to develop for urban uses. | <ul style="list-style-type: none"> Yes. | <ul style="list-style-type: none"> Yes. | <ul style="list-style-type: none"> Partially, existing zones lack clarity on status of activities, resulting in development not originally anticipated within the zone |
| Assumptions made | <ul style="list-style-type: none"> Rural zoning is inconsistent with the RPS and the LURP. | <ul style="list-style-type: none"> Offices and retail uses are inappropriate and inconsistent with the LURP. | <ul style="list-style-type: none"> Maximising overall benefit to the city is an important outcome. | <ul style="list-style-type: none"> Zone provisions should apply without modification. |
| | <ul style="list-style-type: none"> Uncertainty about future use and loss of opportunity. | <ul style="list-style-type: none"> Poor amenity outcomes. Loss of significant economic and employment opportunities. Need to rezone in the | <ul style="list-style-type: none"> Risk of not achieving the outcomes. | <ul style="list-style-type: none"> Loss of significant economic and employment opportunities. |

| | | | | |
|--|---|--|--|--|
| | | future because the land is not utilised. | | |
| Within Councils functions and powers | <ul style="list-style-type: none"> No, this is inconsistent with the RPS and LURP | <ul style="list-style-type: none"> Yes. | <ul style="list-style-type: none"> Yes. | <ul style="list-style-type: none"> In its current format, this is inconsistent with the direction to prepare a Replacement Plan |
| Within the scope of available tools and resources | <ul style="list-style-type: none"> Yes. | <ul style="list-style-type: none"> Yes. | <ul style="list-style-type: none"> Yes. | <ul style="list-style-type: none"> Yes. |
| Can be complied with and enforced (for rules) | <ul style="list-style-type: none"> Unlikely. Will face pressure to develop irrespective of rural zoning. | <ul style="list-style-type: none"> Yes. | <ul style="list-style-type: none"> Yes. | <ul style="list-style-type: none"> Yes. |
| Degree of uncertainty in the ability to achieve the objectives | <ul style="list-style-type: none"> Will not achieve the outcomes. | <ul style="list-style-type: none"> Will partially achieve the outcomes. | <ul style="list-style-type: none"> Will achieve the outcomes. | <ul style="list-style-type: none"> Will partially achieve the outcomes. |

Summary

- 9.4 The purpose of the rezoning is to provide for business zoned land as required by the Canterbury Regional Policy Statement and the Land Use Recovery Plan. The proposed objectives for “business” set the policy framework for the Industrial Park zone. An assessment of the relevant Replacement Plan and Regional Policy Statement objectives and policies is discussed in Appendix 1, and the outcomes sought by the rezoning are assessed as achieving these objectives and policies.
- 9.5 The provisions of the Industrial Park zone with appropriate modifications proposed are the preferred option for the land. This site specific zoning reflects the outcomes and resulting amenity sought for a high quality industrial, business and innovation park in this part of the City. Furthermore, the anticipated objectives and policies of the Industrial Park zone do not require any amendment to accommodate the desired outcomes for the land, while sustainable solutions exist for stormwater management, wastewater and transport infrastructure.
- 9.6 The proposed provisions established for the Industrial Park (Memorial Avenue) zone proposed by MAIL, including a comprehensive Outline Development Plan and building design criteria, are designed to deliver higher and better infrastructure and amenity outcomes than a general Industrial Park zone having regard to the wider strategic urban form and amenity goals sought by the proposed Replacement Plan and the Regional Policy Statement.
- 9.7 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:
- a. Confirmation and implementation of the urban consolidation objectives of the City Plan and the RPS (Chapters 6 and 12A);
 - b. A business and employment outcome of significant value to the community’s social, employment and economic wellbeing;
 - c. A high quality urban design development, along Memorial Avenue in particular;
 - d. A development outcome, including retail and office uses, which will provide for self-sufficiency within the zone and will also include elements of benefit to the public;
 - e. The opportunity for integrated stormwater management; and
 - f. Development in an area which will sustain and utilise all forms of transport and in particular energy efficient public transport, walking and cycling.
10. **TASK 9: ASSESS THE RISKS OF ACTING OR NOT ACTING**
- 10.1 An assessment under (section 32(1)(b)(ii)), must...*assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*
- 10.2 Part of the efficiency and effectiveness assessment is to identify if there is uncertain or insufficient information about the subject matter of the provisions. If there is uncertain or insufficient information, local authorities to need assess the risk of acting or not acting in terms of the provisions.
- 10.3 For section 32 evaluations, risk assessment should involve:
- a. determining just how certain and sufficient the information about each issue really is
 - b. identifying those provisions which relate to any issues about which there is uncertain or insufficient information

- c. identifying the costs of the policies and methods proposed in relation to those issues
 - d. identifying the costs associated with the 'do nothing' or 'status quo' option
 - e. assessing the likelihood of those costs occurring with the provisions proposed and (separately) without the provisions proposed (i.e., the cost of the 'do nothing' option).
- 10.4 In this case, there is sufficient information to allow the environmental effects of the proposed re-zoning to be fully assessed. Required infrastructure upgrades to service the site are programmed, and a rule has been included to ensure an upgrade of wastewater infrastructure (or alternative arrangements) prior to development of the site.
- 10.5 Given the information provided, the objectives and policies of the proposed Replacement District Plan and the Regional Policy Statement 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 rezoning. 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.

11. **TASK 10: UNDERTAKE AN ASSESSMENT ACCORDING TO NATIONAL ENVIRONMENTAL STANDARDS**

- 11.1 A preliminary site assessment in accordance with the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("the NES") has been undertaken and is attached. It confirms that it is highly unlikely for contamination to exist in concentrations significant to exceed human health screening criteria. The proposed change in land use of the site is therefore considered to be a permitted activity under the NES.

12. **TASK 11: EXAMINE THE APPROPRIATENESS OF THE PROVISIONS**

- 12.1 An evaluation report required under this Act must...*examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by...(iii) summarising the reasons for deciding on the provisions...*(section 32(1)(b)(iii)).
- 12.2 Choosing the most appropriate policies and methods to achieve the objective requires an overall assessment of their efficiency, effectiveness, and risk. This will entail taking the results from the separate assessments of efficiency and effectiveness (including any economic analysis), and combining them in a way that enables an overall assessment of appropriateness to be undertaken.
- 12.3 Undertaking the overall assessment will involve a relative ranking of the effectiveness and efficiency of each policy and method where a number of policies and methods have been identified as being potentially suitable.

Matrix for evaluating appropriateness of provisions

| | Option 1 (status quo) | Option 2 (general Industrial Park zone) | Option 3 (site specific Industrial Park zone as proposed by MAIL) | Option 4 (other business zone) |
|--|--|---|--|---|
| Effectiveness in achieving the objectives and purpose of the RMA | Not effective. | Partially effective. | Effective - will achieve sustainable management. | Partially effective. |
| Efficiency | Inefficient. | Efficient. | Efficient. | Partially efficient. |
| Risk of acting or not acting | High risk of failing to provide for economic and social wellbeing. | Medium risk of failing to maximise economic and social wellbeing. | Low risk of failing to maximise economic and social wellbeing. | Medium risk of failing to maximise economic and social wellbeing. |
| Appropriateness | Inappropriate. | Does not fully support the outcomes. | Most appropriate option. | Does not fully support the outcomes. |

12.4 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 suitable for business activity.

12.5 The most appropriate zoning is a site specific Industrial Park (Memorial Avenue) zoning which provides for mixed uses, including offices and retail, and which provides for an ODP and controls on urban design.

13. **TASK 12: PUBLICATION OF THE EVALUATION REPORT AND FURTHER EVALUATION**

13.1 An evaluation report required under this Act must...*examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by...(iii) summarising the reasons for deciding on the provisions...*(section 32(1)(b)(iii)).

13.2 This section 32 report will form part of the documentation for the consideration of the plan change.

14. **CONCLUSION**

14.1 The preferred approach is to rezone the site from Rural 5 to Industrial Park Zone (Memorial Avenue) with specific rules which recognise the significance of the site and provide for a controlled mixed use outcome. This outcome is the most efficient and effective method when compared to all other options. In particular, rezoning the site a site specific Industrial Park zone enables a more strategic approach with additional and higher environmental outcomes for the land than other business zones or a general Industrial Park zone without specific rules applying to the site. In summary:

- a. The proposal applies an appropriate Business Zone.
- b. The zone can be established within the anticipated objective and policy framework of the Replacement Plan;
- c. Any potential adverse environmental effects can be appropriately managed, avoided or mitigated;
- d. The proposed zoning will strengthen the city's economy and employment base.
- e. The proposed zone is a more efficient use of the land given the restrictions on primary production and rural activity located in close proximity to urban activity;
- f. The proposed controls on office and retail uses ensure that there will be no adverse effects on the function or urban form of the CBD, Key Activity Centres or district centres.
- g. The zone provisions proposed maximise the economic and social wellbeing of the community, thereby promoting the sustainable management of the city.

15. **CONSULTATION**

Introduction

15.1 MAIL originally proposed that the rezoning of the site would be progressed by way of private plan change. While there is no specific requirement under section 32 of the Act to undertake consultation as part of formulating a private plan change proposal, MAIL chose to undertake

advance consultation concerning its proposal with as many potentially affected parties and known key stakeholders in the local area as possible, reflecting MAIL's desire to interact with the local and wider community in as collaborative and constructive a manner as possible. That initial consultation was initiated prior to the earthquakes.

- 15.2 Information sheets and an example schematic showing a possible layout of activities were developed to provide a basis for consultation. In 2009 meetings were held with key stakeholders in the area, namely Te Rūnanga o Ngāi Tahu, Christchurch International Airport Company, New Zealand Transport Agency, Copthorne Commodore Hotel, Gary McVicar and Russley Golf Club. At these meetings a discussion of the proposed plans for the site as contemplated by the proposed Plan Change occurred together with identification of any concerns or issues the stakeholder might have. The information sheet and schematic were provided and formed the platform for the discussions at these meetings. Continuing consultation and ongoing dialogue was offered and in some cases started to occur with some of these key stakeholders prior to the earthquakes.
- 15.3 In 2009 letters were written to immediately adjacent local residents and affected parties detailing general information concerning the then proposed plan change, and providing contact details and an invitation to meet to discuss the proposed plan change and any concerns or issues they may have.
- 15.4 The Proposed Change 1 process between 2007 and 2011 which included full details of MAIL's proposal was widely publicised and was an open public statutory process. Many stakeholders did become involved and were able to make comment on MAIL's original proposal and participated in the statutory process. MAIL has been able to adjust its rezoning proposal in light of the PCI process.

Te Rūnanga o Ngāi Tahu

- 15.5 Following an initial approach and introduction to Te Rūnanga o Ngāi Tahu ("Ngāi Tahu") a meeting was arranged in 2009 with the appropriate Ngāi Tahu contact, Andrea Lobb, Kaiārahi – General Manager, Mahaanui Kurataiao Ltd. At this meeting MAIL discussed its proposed plans for the site and provided the information sheet and schematic which formed the platform for the discussion.
- 15.6 In the course of the discussions at the meeting MAIL sought to identify with Ngāi Tahu any particular concerns or issues concerning its plans they might have. Ngāi Tahu indicated that on the basis of this preliminary information there was nothing raised that was of particular concern to them at that stage, but noted the following are key areas of interest and concern to them generally regarding all such proposed developments:

Landscaping

- a. They would prefer to see the use of native species, although not necessarily exclusively, and would be open to the use of exotics for example down the Avonhead Road frontage or within the site;
- b. It would be their particular preference to make a showcase feature of native species on the Memorial Avenue frontage, and they would be very supportive of this approach in this key area of the site.

Cultural Significance

- c. They are not aware on a preliminary basis that the site has any particular cultural significance for them, but would need to verify this by checking with the appropriate internal Ngāi Tahu resources in this area (following subsequent discussion by Ms Lobb with Te Ngāi Tūāhuriri Rūnanga, no issues of cultural significance were identified);
- d. The principal significance of the site to Ngāi Tahu is as the gateway to a place where they as a people have historically been and still are;
- e. In this regard they would be interested in exploring the possibility of placing an iconic Ngāi Tahu work of art or sculpture on the site;
- f. MAIL indicated that they are receptive to the placement of an iconic Ngai Tahu work of art or sculpture on the site.

Swales / Streams

- g. Ngāi Tahu favour the use of swales and natural streams in land development (MAIL advised that while the use of swales is contemplated on the site, open water is not possible in view of the bird strike risk posed as a result of proximity to the airport);
- h. Ngāi Tahu also favour the use of stands of native bush as part of the swales.

Stormwater / Groundwater / Wastewater

- i. These are significant issues of Ngāi Tahu.
- j. MAIL advised that the analysis undertaken and reported on by its consultants had confirmed that the impact of any development contemplated by the proposed Plan Change upon site ground water is assessed to be minimal.

Earthworks

- k. The commencement of earthworks is a standard notification requirement for Ngāi Tahu and this was noted by MAIL.

Christchurch International Airport

- 15.7 Christchurch International Airport Limited ("CIAL") is a large and significant stakeholder in the area, and MAIL accordingly took the opportunity to meet with CIAL immediately upon its acquisition of the site and before commencement of the preparation of its then proposed Plan Change.
- 15.8 The initial meeting took place in late 2008 with CIAL's Property Manager and solicitor to discuss broadly MAIL's plans for the site, and for MAIL to gain an understanding of CIAL's general concerns and issues. At this meeting CIAL identified the following as its key issues concerning any proposed development in the area:

Bird Strike Risk

- a. The serious nature of the risk to public safety means that CIAL will oppose the establishment of any of the following in the area surrounding the airport (which includes the MAIL site):
 - i. Open water, streams, waterways, pools or water features of any kind;
 - ii. The plating of plant or tree species known or likely to attract birds.

Residential Development

- b. As a result of the low altitude at which planes are flying as they come in to land at the airport in the immediate area CIAL are opposed to the construction or development any new:
 - i. Residential subdivisions or buildings
 - ii. Facilities for long term accommodation.

Noise Sensitive Activities

- c. As a result of the inherent noise generating activities arising from the operation of an international airport, CIAL are opposed to:
 - i. The establishment of noise sensitive businesses or activities unless proper management of related risk is appropriately provided for;
 - ii. The construction of buildings which are not built to appropriate acoustic protection standards.

- 15.9 CIAL indicated to MAIL that it otherwise has no particular opposition to development in the area generally or to MAIL's broad aspirations to develop the site as discussed at that time, subject to these key issues.
- 15.10 Further meetings between CIAL and MAIL personnel occurred throughout 2009 to discuss traffic modelling undertaken in the area, CIAL's draft landscape protocol, CIAL's strategic plan for development, and two meetings at which CIAL's CEO was present to discuss, and update progress on, MAIL's proposed private Plan Change.
- 15.11 MAIL provided CIAL with a copy of its private plan change upon lodgement in 2009, and undertook to continue ongoing dialogue with CIAL.
- 15.12 In 2014 MAIL met again with CIAL to advise them on the arrangement with Council staff that the rezoning of the site be part of Phase 1 of the District Plan Review, rather than continuing with the previous Plan Change 35. As a result of that, the earlier meeting with CIAL, and CIAL's request for modification of the airport designation to include the Runway End Protection Area across the site, it is proposed that:
 - a. The proposed Runway Extension Protection Area designation sought by CIAL in the proposed Replacement Plan is identified in the Outline Development Plan;
 - b. Consent is required for the creation of any surface water management structure within 3km of the outer edge of the runways;
 - c. Noise sensitive activities are not provided for; and
 - d. Specific controls on Guest Accommodation will ensure appropriate acoustic insulation.

New Zealand Transport Agency

- 15.13 MAIL first met with NZTA in late 2008 at the time of acquiring the site and has continued to have regular meetings with NZTA since then. MAIL has discussed with NZTA its broad aspirations for the rezoning and development of the site, and has latterly (in February 2014) provided general information as to the nature and intent of the rezoning it wishes to see. Discussions have also been held with NZTA about ensuring that the rezoning is integrated with NZTA's requirement for a designation and its plans for roading upgrades in the area, including the likely requirement for acquisition of part of MAIL's land.

- 15.14 MAIL provided NZTA with a copy of its private plan change upon lodgement, and undertook to continue ongoing dialogue with NZTA. MAIL has at the same time continued discussions and negotiations with NZTA concerning its requirements for acquisition for part of MAIL's land.

Copthorne Commodore Hotel / Patterson Family

- 15.15 The Copthorne Commodore Hotel / Patterson Family ("the Commodore") is a key stakeholder in the context of the rezoning by virtue of both the inclusion of part of their land in the area covered by the rezoning, and the immediate proximity of their land to the MAIL site.
- 15.16 MAIL accordingly first met with the Commodore early in 2009 shortly after acquiring the site to engage in early dialogue concerning its aspirations for the site, and to facilitate as far as possible collaborative discussions going forward. A subsequent meeting occurred and further dialogue continued throughout 2009, initially directly with the Commodore and latterly through their solicitor. The purpose of this dialogue was principally to provide more detailed information to the Commodore concerning the detail of MAIL's then proposed plan change.
- 15.17 A further meeting specifically for the purpose of formally consulting with the Commodore and providing them with more detailed information concerning the then proposed plan change and to better understand their issues and concerns occurred in late 2009. The Commodore's key issue and concerns regarding MAIL's proposed plan change on the basis of the preliminary information able to be made available to date include the following:
- a. That access to and egress from their site are not negatively impacted;
 - b. That the existing views from the site are preserved as far as possible;
 - c. That the existing setbacks and height restrictions are not compromised;
 - d. That the detail of the rules proposed by the Plan Change are acceptable and advantageous to them.
- 15.18 MAIL provided the Commodore with a copy of its private Plan Change upon lodgement in 2009.
- 15.19 In May 2014, MAIL met with owners of the Commodore to update them on the district plan review, and a representative of the Commodore also attended MAIL's public meeting in April 2014. The issues raised related to:
- a. The hotel market in terms of more local competition if MAIL's land was rezoned; and
 - b. Concerns over reverse sensitivity
- 15.20 In response to the issue raised, the plan change has been amended to:
- a. Provided that buildings on the land owned by the Commodore are non-complying activities to preserve existing views of the site as far as practicable;
 - b. Provide generous setback rules from the boundary with the Residential 5 land.
- 15.21 It is noted that Commodore will have existing use rights in relation to the current residential activity on land within the plan change area.
- #### **Gary McVicar**
- 15.22 Gary McVicar is a key stakeholder in the rezoning by virtue of both the inclusion of part of his land in the area covered by the rezoning, and the immediate proximity of his land to the MAIL site.

- 15.23 MAIL engaged in dialogue with Mr McVicar throughout 2009 concerning the then proposed plan change. A further meeting specifically for the purpose of formally consulting with Mr McVicar and providing him with more detailed information concerning the proposed Plan Change and to identify any issues and concerns he may have occurred in late 2009.
- 15.24 MAIL provided Mr McVicar with a copy of its private plan change upon lodgement in 2009, and has had continuing dialogue with him about the process and MAIL's aspirations. The latest contact was update discussions with Mr McVicar's advisor, Mr Govan in April 2014 where Mr Govan indicated Mr McVicar's general support for MAIL's proposal.

Russley Golf Club

- 15.25 The Russley Golf Club ("RSC") is a key stakeholder in the rezoning by virtue of the proximity of their land to the MAIL site.
- 15.26 MAIL initially met with RGC's General Manager in 2009 to discuss the then proposed plan change and provided the information sheet and schematic which formed the platform for discussion. Subsequently MAIL made a presentation to the RGC Board and provided additional and updated information and engaged in further discussion concerning the then proposed plan change.
- 15.27 The principal concern raised by RGC following the meetings and discussions to date is any potential increased of risk of golf balls hitting vehicles travelling a reduced speed entering or leaving the MAIL site.
- 15.28 MAIL provided RGC with a copy of its private plan change upon lodgement in 2009, and undertook to continue ongoing dialogue.

Russley, Avonhead and Memorial Residents Association

- 15.29 In 2009 MAIL wrote to and subsequently met with the President and other representatives of the Russley, Avonhead and Memorial Residents Association ("the Association"). MAIL provided the information sheet and schematic to the President and other Association representatives which formed a platform for the discussion of MAIL's then proposed plan change. MAIL provided the Association with a copy of its private plan change upon lodgement, and undertook to continue ongoing dialogue with them. MAIL hosted a presentation the Association in 2009 to ensure local residents who wish to do so have the opportunity to be fully informed as to the detail of what is proposed.
- 15.30 MAIL representatives spoke with the Chairman on two separate occasions in April 2014 where the revised project and the process were discussed in some detail. An invitation was extended to attend the public meeting.
- 15.31 MAIL is also aware that representatives of the Association have made deputations to the Council about the proposal to include the MAIL rezoning as part of Phase 1 of the District Plan Review.

Avonhead Residents

- 15.32 In 2009 MAIL wrote to all residents immediately facing the Avonhead Road frontage detailing general information concerning the then proposed plan change, and provided contact details and an invitation to meet to discuss the proposed plan change and any concerns or issues they may have.
- 15.33 As at the time of the original lodging of the proposed plan change in 2009 contact was only made by one Avonhead Road resident. MAIL met with the resident concerned and provided the information sheet and schematic to him as a platform for the discussion of MAIL's then proposed plan change with him. An additional copy was also provided for sharing with other residents.

Public meeting

- 15.34 On Tuesday 15 April 2014, the MAIL owners held a public workshop to discuss their proposed plans for the site. Members of the community were invited to take part in a comprehensive discussion of the plans with the expert team responsible for the development concepts, traffic management studies and design.
- 15.35 The event was held at the same venue, Russley Golf Club, to provide consistency for the local community. Thirty-eight people, including Cr Jaime Gough and representatives of the local Community Board, attended the event.
- 15.36 Despite the short time frame, an extensive promotional campaign was carried out to make local residents aware of the event. In the fortnight prior to the event, two public notices were published in The Press newspaper detailing the event. Local residents were invited through a letterbox drop of over 500 leaflets covering the surrounding area. Local primary schools were also engaged as a means of communicating with parents, with artwork designed for use as posters or school newsletter inserts provided to 14 local primary schools.
- 15.37 Personal invitations were also extended by phone to the chairmen of the Russley, Avonhead and Memorial Residents' Association and the Avonhead Residents Group, and information was provided to them to include on their websites or email to members. Representatives of Council and the Community Board were also directly invited.
- 15.38 The presentations on behalf of MAIL comprised an introduction to the site and the overall concept of a business park for the area by Managing Director Andrew Mason. This was followed by a comprehensive look at the appropriateness of the concept for the site as well as details of the planning by landscape architect and urban designer, Craig Pocock. Traffic engineer, Andy Carr, provided an introduction to the traffic management planning and modelling undertaken to date. A summary of the presentation is attached.
- 15.39 After the presentations, the attendees were invited to have questions answered and provide feedback on the concepts. In addition, attendees were asked to fill out a questionnaire indicating their preferred use of the site and invited to provide their details to be included on a database for follow-up information.
- 15.40 The key areas of feedback from the residents included:
- Questions around the District Plan process and the use of the land
 - The need for the management of traffic flows and the management of parking onsite
 - Concerns around building heights and the obstruction of the flight path for Christchurch Airport's North West runway
 - Concerns about the edge conditions in relation to Memorial Avenue and Avonhead Road, with regard to set-backs, landscaping and fencing
- 15.41 Seventeen feedback forms were completed by the group. Of those that indicated a preference for business or industrial use of the site (10 in total), 100% preferred a business park to industrial use.
- 15.42 In response to these issues and the concerns raised by the Residents Association and residents who attended the meeting, MAIL has amended its proposal in the following ways:
- a. Included limited retail and office use to ensure a mixed use development;
 - b. Required consents and imposed detailed urban design assessment criteria for all buildings with 50 metres of Memorial Avenue, Russley Road and Avonhead Road;
 - c. Ensured adequate parking will be provided within the site for all activities, and provided for even more additional parking within the proposed Runway Extension Protection Area;

- d. Extensively modelled predicted traffic generation and circulation in conjunction with City Council traffic engineering advisors and designed the layout, including the proposed signalised intersection to appropriately manage traffic;
 - e. Imposed restrictions on buildings and activities which may attract birds within the Proposed Runway Extension Protection Area;
 - f. Imposed specific set back and height standards for buildings facing Avonhead Road.
- 15.43 MAIL is also planning to host a further community presentation following acceptance by the Panel of the proposed Plan Change to ensure local residents who wish to do so have the opportunity to be fully informed as to the detail of what is proposed ahead of the notification process.

Returned Services Association

- 15.44 Initial discussions have been held with the President of the Christchurch RSA, Mr Peter Dawson. Mr Dawson indicated that the RSA is interested in being involved in a project committee considering how to recognise the memorial aspect of the site's frontage to Memorial Avenue.

Christchurch City Council and Environment Canterbury

- 15.45 MAIL engaged with both Christchurch City Council ("CCC") and Environment Canterbury ("ECan") in late 2008 as soon as MAIL became involved with the site to broadly discuss with them MAIL's plans for the site.
- 15.46 MAIL has a number of meetings with both local authorities following its initial engagement, and has had ongoing dialogue with CCC throughout 2009, ahead of lodgement of its proposed Plan Change. Further discussions were held in 2010 including requests for further information. Following the earthquakes and the revision of the ODP and rules, meetings with the CCC recommenced in 2013, and it was agreed that the most appropriate process was for the rezoning to be progressed via a review of the district plan, rather than as a private plan change. MAIL and its consultants have been involved in detailed consultation with CCC regarding appropriate provisions for the site. The provisions included in this plan change predominantly reflect those recommended by Council officers for the site.

16. CONCLUSION

- 16.1 The site is located at the high profile intersection of Russley Road (State Highway 1) and Memorial Avenue. This is an important site for visitors arriving in and leaving Christchurch via the international airport. The current Rural 5 (Airport Influences) Zoning has undermined the potential of the land, and it has remained in an underutilised pastoral state for a number of years.
- 16.2 The proposed rezoning is required by the Regional Policy Statement and the Land Use Recovery Plan. It should be integrated into the overall Industrial Chapter of the proposed Replacement City Plan and the rezoning responds to all the relevant constraints and opportunities and the planning history of the site. It presents a well-rounded, site specific development concept that implements the Regional Policy Statement and the Land Use Recovery Plan. Specifically the zoning proposes a mixed business development within a high quality landscaped setting.
- 16.3 The rezoning will result in a number of beneficial effects, most particularly by providing a zoning outcome which is consistent with the objectives and policies of both the Operative and proposed Replacement City Plan, is supportive of the outcomes of the RPS (Chapters 6 and 12A) and 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.)

- 16.4 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.
- 16.5 Use of the land in the manner proposed does not conflict with, or necessitate any significant changes to the critical and relevant operative or proposed City Plan objectives and policies, and will satisfy a principal objective of the operative and proposed City Plans, being to provide for a range of business environments, accessible to employment, and developed to achieve a very high standard of site amenity.
- 16.6 The proposed zone rules will ensure that the development permitted by the zoning will not adversely affect the function and urban form of the CBD, Key Activity Areas or district centres.
- 16.7 The site specific rezoning proposed by MAIL is an appropriate and efficient method of achieving the objectives and policies of the City Plan. It is more efficient and effective than a general Industrial Park zone which does not have substantive provision for retail and offices. 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. The outcome will be a substantial contribution to the city's social, economic, employment and social well-being and the built environment.