Proposed Plan Change 4 - Zone Change for Lot 1 DP 81062 from O2 to B4

(City Planning Map 55A)
SECTION 32 ASSESSMENT

This report assesses the proposed Plan Change 4 ("the Plan Change") in terms of the Resource Management Act 1991. Section 74 of the Resource Management Act requires that the Council, when changing its Plan, have regard to, amongst other things, the provisions of Part II of the Act, its functions under Section 31 and its duties under Section 32.

The Plan Change

The purpose of the Plan Change is to rezone Lot 1 DP 81062 (known as 64 Port Hills Rd) from Open Space 2 (District) to Business 4 (Suburban Industrial). See location Map (Appendix 1).

The owner of the site has requested the zone change as it is considered that the subject site was incorrectly zoned, when the plan was proposed in 1995. A large industrial building occupies the site and the owner is concerned that this likely mistake could impact on any future use of the building.

Business 4 is considered the most appropriate zone as:

- The site has always been used for an industrial purpose;
- The site is privately owned, whereas O2 (District Parks) zoning generally applies to Council owned park land;
- The existing building is partly built over adjoining Business 4 zoned land (which shares the same title); and
- Investigations show that the subject site’s original zoning was most likely industrial.

Investigations show that the subject site’s original zoning was most likely “Industrial”. The reasons are as follows:

- Under the Heathcote County Council Review of the Heathcote District Scheme (31 May 1978) (see Attachment 4), the site was identified as part of the “South Island Main Trunk Railway” designation with an underlying zone of Industrial 3.
• It is considered, that under the former Heathcote County District Planning Scheme 1985, that the subject site was part of the “South Island Main Trunk Railway”. This designation had an underlying zone of Industrial 2 (see Attachment 3).

• It was used for grain storage as part of the Canterbury (NZ) Malting Co. Ltd site. It has been leased for many years to a business that produces and stores malt vinegar.

The subject site is considered to have been zoned incorrectly, in the City Plan, when the former Railway designation was lifted. The current Open Space 2 zoning was assumed as:

• It was unclear from past zoning maps what the underlying zoning was. The “South Island Main Trunk Railway” was incorrectly identified in the Heathcote County District Planning Scheme 1985, under the listed designations, as only being on Map 5C when it appeared to also extend to Map 4C (see Attachment 3);

• That the unusual shape of the site meant that an assumption was made by the Council cartographer that the site was part of the adjoining publicly-owned park land to the west rather than as a dogleg of the privately-owned land to the North; and

• The resulting zoning had been included in the 1995 publicly notified City Plan, however the mistake was not picked up at the time and no submissions seeking to correct the mistake were lodged.

Site Description

The site is 2,566m2 and slopes steeply from the west to the east. A steel framed hanger occupies the majority of the site. The immediate surrounding uses are:

• East of the site is railway designated land;
• West is the Heathcote Tennis Club and to the south is a carpark. These are zoned Open Space 2 (district) and located on land above the site;
• North is the old “Malt Works” (now used for a film studio). The subject land was used as a storage shed for these malt works and shares the same title.
• South of the site is open space.

The closest residential areas are approx 120m from the site.

Existing Plan Provisions and the Need for Plan Change

The City Plan currently identifies the subject land as Open Space 2. There is a need for a Plan Change to correct the subject sites current zoning to “Business 4” which is more fitting to its prior industrial use as part of the “malt works” and its current existing use for vinegar manufacturing. It is also considered that its original zoning was likely to be Industrial.

In addition, the site is privately owned, whereas Open Space 2 (District Parks) zoning generally applies to Council owned park land.
SECTON 32 ANALYSIS

Before adopting any objective, policy, rule or other method within a proposed Plan Change, Section 32 of the Resource Management Act requires the Council to prepare an evaluation of the Plan Change.

The evaluation must examine-

(a) the extent to which each objective is the most appropriate way to achieve the purpose of the 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.

This variation does not intend to alter the objectives of the City Plan. The method taken is to evaluate two options. These are whether to rezone the subject site to Business 4 or to retain the “status Quo”

Overall Assessment of Options

The proposed variation will assist in achieving the relevant Plan objectives in relation to business zone

Section 32(4) of the Act states that this 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.

It is proposed to amend the zoning of the site on planning map 55A from Open Space 2 to Business 4.

The following Table assesses the benefits and costs of the proposal:

<p>| Option 1: Rezone the Land from Open Space 2 (District) to Business 4 (Suburban) |</p>
<table>
<thead>
<tr>
<th>Benefits/Advantages</th>
<th>Costs/Disadvantages</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The site is being used for industrial purposes. The rezoning would formalise this situation.</td>
<td>• Costs associated with the Plan Change process.</td>
</tr>
<tr>
<td>• Is unlikely to adversely affect the amenity (noise, visual etc) of the surrounding residential area, as the site is surrounded by non residential uses and is currently used for a B4 purpose under existing use rights.</td>
<td></td>
</tr>
<tr>
<td>• Is unlikely to adversely affect the enjoyment of the neighbouring open space as this space is already located next to a B4 zoning.</td>
<td></td>
</tr>
</tbody>
</table>

In addition to the Plan Change, the following alternative means or methods have been considered in terms of addressing the resource management issues, achieving the purpose of the Act, the environmental outcomes sought and their costs and benefits.
The advantages and disadvantages of doing nothing are shown in the following table:

<table>
<thead>
<tr>
<th>Benefits/Advantages</th>
<th>Costs/Disadvantages</th>
</tr>
</thead>
<tbody>
<tr>
<td>• No costs associated with the plan change process.</td>
<td>• That it would remain privately owned space with an existing use for industrial but with a zoning more suited for recreation uses. This could impact on the future use of the building.</td>
</tr>
</tbody>
</table>

The costs/disadvantages of doing nothing outweigh the benefits and therefore the Status Quo (‘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 Plan.

**Consultation**

Consultation was undertaken with Council officers of the “Greenspace Unit”, which look after open space areas. They have no issue or reasons against rezoning the subject site to B4 (suburban industrial).

**Overall Conclusion**

Based on the assessment above, the overall conclusion is that the “Benefits and Advantages” of proposed the plan change outweigh costs of retaining “status quo”. Furthermore, it is considered if Council retains the “Status Quo” there maybe costs/disadvantages to the owner as it limits the future use of the building.

**Recommendation**

1. That Council support the rezoning of Lot 1 DP 81062 (known as 64 Port Hills Rd) from Open Space 2 (District) to Business 4 (Suburban Industrial); and
2. Notify the plan to affected parties.

**Attachments**

1. Location Plan
2. Current zoning map (Christchurch City Council City Plan)
3. Heathcote County District Planning Scheme 1985
<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Reference</th>
<th>Area</th>
<th>Zone</th>
<th>Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>25.</td>
<td>Christchurch City Council Water Reservoir, Erewhon Terrace</td>
<td>1/DP 12005</td>
<td>1012 sq.m</td>
<td>Residential Hillside</td>
<td>4D</td>
</tr>
<tr>
<td>26.</td>
<td>Christchurch Drainage &amp; Board Pumping Station Opawa Road</td>
<td>1/DP 19457</td>
<td>607 sq.m</td>
<td>Residential 1</td>
<td>5C</td>
</tr>
<tr>
<td>27.</td>
<td>Lyttelton Borough Council Reservoir and pipelines</td>
<td>Pt.R.S. 19, 77 &amp; 104 Pt.CT. 9A/482</td>
<td>7300 sq.m (approx)</td>
<td>Rural</td>
<td>4C</td>
</tr>
<tr>
<td>28.</td>
<td>Existing Public Reserve for Recreation Purposes Martindale Road (Library)</td>
<td>R 5172</td>
<td>842 sq.m</td>
<td>Residential 1</td>
<td>4C</td>
</tr>
<tr>
<td>29.</td>
<td>Post Office Heathcote Valley</td>
<td>35, Pt. 36/DP 26</td>
<td>726 sq.m</td>
<td>Commercial</td>
<td>4C</td>
</tr>
<tr>
<td>30.</td>
<td>Heathcote Valley Post Office</td>
<td>Pt.R.S. 271</td>
<td>7805 sq.m</td>
<td>Residential 1</td>
<td>4C</td>
</tr>
<tr>
<td>31.</td>
<td>South Island Main Trunk Railway</td>
<td></td>
<td></td>
<td>Industrial 2</td>
<td>5C</td>
</tr>
<tr>
<td>32.</td>
<td>Heathcote County Council Reservoir Mt Pleasant</td>
<td>Pt.44 DP 3416</td>
<td></td>
<td>Rural</td>
<td>4B</td>
</tr>
<tr>
<td>33.</td>
<td>Christchurch City Council Water Reservoir Mt Pleasant</td>
<td>1,4,5/DP</td>
<td>940 sq.m</td>
<td>Rural</td>
<td>4B</td>
</tr>
<tr>
<td>34.</td>
<td>Heathcote County Council Rubbish Tip</td>
<td>1/DP 42625</td>
<td>9.96ha</td>
<td>Rural</td>
<td>5C</td>
</tr>
<tr>
<td>35.</td>
<td>Christchurch Drainage Board Pumping Station Truscotts Road</td>
<td>SO 9125</td>
<td>607 sq.m</td>
<td>Ferymead Historic Park Zone</td>
<td>4C</td>
</tr>
<tr>
<td>36.</td>
<td>Lyttelton Borough Council Waterworks Pumping Station Wells and Ancillary Works</td>
<td>Pt.RS 77 CT 9A/482 Pt. RS 77 CT 431/101 Pt. RS 329 Pt.CT 144/78</td>
<td>1.85ha (approx)</td>
<td>Rural</td>
<td>4C</td>
</tr>
<tr>
<td>37.</td>
<td>Lyttelton Borough Council &amp; MED Substation</td>
<td>SO 10805 Pt CT 144/78</td>
<td>8260 sq.m</td>
<td>Rural</td>
<td>4C</td>
</tr>
<tr>
<td>38.</td>
<td>Existing Public Reserve for Recreation Purposes Thorington Road</td>
<td>R 4405 2/DP 28523</td>
<td>3053 sq.m</td>
<td>Residential</td>
<td>5D</td>
</tr>
</tbody>
</table>

HeC 03.85 - 102 -
Subject site
Attachment 4 - Heathcote County Council Review of the Heathcote District Scheme (31 May 1978).