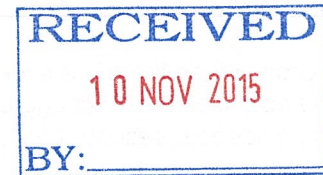


10 November 2015

District Plan Submissions
Christchurch City Council
PO Box 73001
Christchurch 8154



By email: dpreview@ccc.govt.nz

**SUBMISSION ON PROPOSED CHRISTCHURCH DISTRICT PLAN –
SOUTH MASHAM OUTLINE DEVELOPMENT PLAN**

Introduction

The submissions of Fulton Hogan Limited (hereafter referred to as Fulton Hogan) on the Proposed Christchurch District Plan (PCDP) as they relate to the South Masham Outline Development Plan (ODP) and accompanying narrative for the South Masham Residential New Neighbourhood, are set out in this letter and the attached submission table in Appendix A.

These submissions relate primarily to land Fulton Hogan owns at 50 Roberts Road (being comprised of Lot 3 DP 9514 and Part Lot 4 DP 2934, and Lot 5 DP 369835) and do not seek to take precedence over any other submissions made by Fulton Hogan on the PCDP, but are intended to sit alongside any such submissions.

In 2014, Fulton Hogan obtained resource consents from the Canterbury Regional Council (CRC) and the Christchurch City Council (the Council) to undertake quarrying on 19.5 hectares of the property at Roberts Road.

Background

Fulton Hogan previously lodged submissions in respect of this matter through Stage 1 of the PCDP review. That submission specifically sought changes to Planning Maps 29 and 36, Policy 8.1.2.9 and Appendix 8.6.5.

A key focus of this submission was that a new policy matter be added, which would enable the extraction of aggregate from within the ODP area prior to the (re)development of residential areas in appropriate circumstances.

Evidence was presented on behalf of Fulton Hogan to the Independent Hearings Panel (IHP) in respect of the submitted Policy amendments from both company and planning witnesses. No decision has been released in respect of these matters. Subsequently, the IHP directed the Council to re-notify a detailed outline plan South Masham Residential New Neighbourhood (RNN) zoning to which this submission relates.

This consent referred to above, is now reflected in the narrative for the South Masham Residential New Neighbourhood which states "a quarry is to be established which will include part of the western edge of the neighbourhood".

Interests of Fulton Hogan

As set out in the original submission, Fulton Hogan is a quarry operator and also a significant residential land developer. Accordingly, they recognise the potential that exists for the extraction of aggregates from the site, as well as the future potential of land for urban (re)development.

It is important to realise that quarrying is by its nature a temporary activity and upon its completion, a wide range of other activities can establish on a site.

To extract aggregate from a site prior to any future development occurring enables the aggregate resource to be realised, while still allowing future development of the site to take place (although potentially at a reduced ground level).

Fulton Hogan therefore seeks that the ODP and accompanying narrative be amended to recognise the potential to extract aggregate prior to future urban development occurring. This is consistent with the evidence presented on behalf of Fulton Hogan to the IHP.

Additionally, since the hearing on the RNN provisions, Fulton Hogan has had the opportunity to further consider the economic feasibility of the proposed residential zoning on its land. Fulton Hogan considers that there is a high likelihood that it may not be economically viable to develop the area within the ODP for residential purposes by 2022, as envisaged by the Land Use Recovery Plan (LURP) and the PCDP.

Fulton Hogan considers that this should be reflected in the narrative that accompanies ODP. An alternative option as also sought by Fulton Hogan, could be to delete or defer the RNN zoning that applies to the area within the ODP.

Reasons for submission

The reasons for this submission are:

- (a) That, without the amendments proposed by Fulton Hogan in **Appendix A**, the ODP and accompanying narrative:
 - i) will not promote sustainable management of resources, and will not achieve the purpose of the Resource Management Act 1991 ("Act");
 - ii) is contrary to Part II and other provisions of the Act;
 - iii) will not meet the reasonably foreseeable needs of future generations;
 - iv) will not enable social, economic and cultural wellbeing;
 - v) is otherwise contrary to the purposes and provisions of the Act and other relevant planning documents;
 - vi) is inappropriate and inconsistent with the purpose and principles of the Act;
 - vii) does not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of other available means and are therefore not appropriate in terms of s32 and other provisions of the Act;
 - viii) in particular, but without limiting the generality of the above, for those additional reasons set out in **Appendix A** attached.

Relief Sought

Fulton Hogan seeks the following decision from the Council on the ODP and accompanying narrative:

- that the ODP be amended to address the concerns set out in **Appendix A** to this submission so as to provide for the sustainable management of Christchurch's natural and physical resources and thereby achieve the purpose of the RMA.
- such further or other consequential relief as may be necessary to fully give effect to the relief sought in this submission and **Appendix A**.

Fulton Hogan could not gain an advantage in trade competition through this submission.

Fulton Hogan wishes to be heard in support of its submission.

Submitter: Fulton Hogan Limited



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Date: 10 November 2015

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Attachments:

Appendix A: Submission Table

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Proposed District Plan Provision	Submission	Decision Sought
<p>Introduction to the Narrative</p>	<p>Fulton Hogan seeks amendments to the Introduction to recognise the potential to provide for quarrying of Lot 5 DP 369835 prior to residential development occurring.</p> <p>This will enable the aggregate resource to be extracted prior to development of the land, thus avoiding a situation where the aggregate becomes 'sterilised' once residential dwellings are constructed.</p> <p>This in turn will result in the efficient use of the site's natural resources.</p> <p>The amendment is consistent with the proposed addition that Fulton Hogan have previously sought to Policy 8.1.2.9, through evidence, specifically:</p> <p><i>vi. provides for extraction of aggregate from greenfield sites prior to urban development occurring, in circumstances where extraction of the aggregate resource and subsequent site redevelopment is practicable and continues to enable urban development in accordance with the provisions of this Plan.</i></p>	<p style="text-align: right;">D1</p> <p>Amend the Outline Plan Introduction as follows: <i>Within the vicinity are a number of activities which need to be taken into account in the design of the residential community. A poultry farm is located immediately to the north west. High voltage transmission lines run to the south west and east of the neighbourhood. The Islington substation and National Grid Operating Centre is located on the south side of Roberts Road. A quarry is to be established which will include part of the western edge of the neighbourhood. To the north is Christchurch International Airport and the 50DBA air noise contour forms the western boundary to the neighbourhood. A quarry is to be established which will include part of the western edge of the neighbourhood. Expansion of the current quarry prior to residential development taking place may be appropriate within the residential development area subject to the management of effects on the surrounding residential neighbourhood and provided extraction of the aggregate resource and subsequent site redevelopment is practicable and continues to enable future urban development.</i></p>
<p>Section 3: Density</p>	<p>It is considered that the extent of the "Residential development area with greater development constraints" in the South Masham Outline Development Plan should be extended to include the entire area currently consented for quarrying.</p> <p>This should be reflected within the narrative.</p>	<p style="text-align: right;">D2</p> <p>Amend Section 3 of the narrative as follows: <i>The transmission lines, quarry, and poultry farm will place restrictions on development which may limit residential development capacity at least in the short term.</i></p>
<p>Section 8: Staging</p>	<p>Fulton Hogan seeks amendments to Section 8: Staging to provide for the quarrying of Lot 5 DP369835 prior to residential development.</p> <p>This will enable the aggregate resource to be extracted prior to development of the land, thus avoiding a situation where the aggregate becomes 'sterilised' once residential dwellings are constructed.</p> <p>The quarrying of the site will result in the sustainable use of the</p>	<p style="text-align: right;">D3</p> <p>Amend Section 8 of the narrative as follows: <i>Development is anticipated to commence from Buchanans Road. The development of the south western area of the neighbourhood will be delayed until quarrying ceases.</i> <i>Residential development on Lot 5 DP 369835 should be staged to enable the extraction of the underlying aggregate resource and subsequent site redevelopment, providing such redevelopment is practicable and continues to enable future urban development.</i></p>

Proposed District Plan Provision	Submission	Decision Sought
	<p>site's natural resources. It should also be recognised that it may not make economic sense to develop Lot 5 DP</p>	<p><i>It is recognised that owing to economic considerations, development of Lot 5 DP369835 for residential purposes may not occur within the timeframes specified in the LURP.</i> } }</p>
<p>Appendix 8.6.5 New Neighbourhood South Masham Outline Development Plan</p>	<p>It is considered that the extent of the "Residential development area with greater development constraints" in the South Masham Outline Development Plan should be extended to include the entire area currently consented for quarrying. While this area can be rehabilitated to be utilised for future development, there is no specific requirement that currently exists that this must occur. Accordingly the proposed extension is considered appropriate.</p>	<p>Amend Appendix 8.6.5 New Neighbourhood South Masham Outline Development Plan so that the area currently consented for quarrying is included within the "Residential development area with greater development constraints" } } D4</p>
<p>Appendix 8.6.5 New Neighbourhood South Masham Outline Development Plan</p>	<p>As an alternative to the above submissions, Fulton Hogan seeks the deletion of the Outline Development Plan and associated narrative, or the reduction of the extent of the residential development area so that Lot 3 Deposited Plan 9514, Part Lot 4 Deposited Plan 2934 and Lot 5 DP369835 are no longer included within the Residential Development Area.</p>	<p>Remove Lot 3 Deposited Plan 9514, Part Lot 4 Deposited Plan 2934 and Lot 5 DP 369835 from Appendix 8.6.5 New Neighbourhood South Masham Outline Development Plan } } D5</p>