

Notice of Submission on Proposed Plan Change 66

Resource Management Act 1991 – Form 5

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This is a submission on proposed Plan Change 66.

Environment Canterbury neither supports nor opposes the application.

Environment Canterbury has assessed the proposed Plan Change and wishes to highlight a number of matters to assist consideration of the proposal by the Council.

The reasons for our submission are:

Direction in the Canterbury Regional Policy Statement (CRPS)

Chapter 6 (Recovery and Rebuilding of Greater Christchurch) seeks that development is located and designed in way that achieves consolidated and coordinated urban growth that integrates with the provision of infrastructure.

The site is located within the projected infrastructure boundary shown on Map A within Chapter 6 but is not identified as Greenfield Priority Areas (GPAs) for Business. The plan change request is therefore considered to be inconsistent with the land use and infrastructure framework of Objective 6.2.1 (3) which “*avoids urban development outside*

of existing urban areas or greenfield priority areas for development, unless expressly provided for in the CRPS”.

However, Environment Canterbury acknowledges that planning decisions must now also give effect to the National Policy Statement on Urban Development (NPS-UD) gazetted in July 2020. Policy 8 of the NPS-UD requires local authorities to be responsive to unanticipated or out-of-sequence plan change proposals and give particular regard to proposals that would add significantly to development capacity and contribute to well-functioning urban environments that are well-connected along transport corridors.

Environment Canterbury is currently working with local councils to develop criteria to be inserted into the CRPS (to meet Policy 8 Part 3, subpart 2, clause 3.8(3)) in relation to determining what plan changes will be treated as adding significantly to development capacity. To assist local authorities the Ministry for the Environment released guidance on this matter in September 2020¹. As well as the scale of a development proposal this guidance identifies fulfilling identified demand as a factor that would influence an assessment as to its significance.

Our Space 2018-2048 was endorsed by the Greater Christchurch Partnership in June 2019 and subsequently adopted by each partner council, including Environment Canterbury and Selwyn District Council. It is the future development strategy for Greater Christchurch as required by the NPS-UD (and at that time the NPS Urban Development Capacity). *Our Space 2018-2048* did not recommend any Future Development Areas (FDAs) for Business be advanced through changes to the CRPS. The associated capacity assessment findings were that sufficient industrial land was already zoned across Greater Christchurch to meet anticipated demand through to 2048.

The Assessment of Economic Impacts included as part of the proposed Plan Change identifies potential benefits if the rezoning attracts industrial activities that would otherwise not be located within the Selwyn District. It highlights the ability to extend the rail siding in a straight line through the site as a special characteristic that cannot be feasibly replicated on other industrial land areas, however it does not consider whether at a Greater Christchurch or regional level the rezoning would generate additional economic benefits or simply transfer demand from one district to another.

When considering the significance of the proposed Plan Change under Policy 8 of the NPS-UD, and in the absence of adopted criteria in the CRPS, the Council should be satisfied that it meets an identified business demand.

¹ <https://www.mfe.govt.nz/publications/towns-and-cities/understanding-and-implementing-responsive-planning-policies>

Flooding

Policy 11.3.1 requires that new subdivision, use and development of land in high hazard areas is avoided unless certain specified circumstances apply. Policy 6.3.3 relating to Outline Development Plans also requires ODPs to “*show how the adverse effects associated with natural hazards are to be avoided, remedied or mitigated as appropriate and in accordance with Chapter 11 and any relevant guidelines*”.

Environment Canterbury acknowledges that the proposed Plan Change inserts a new rule for the site area, requiring floor levels to be raised where a 200 year ARI flood hazard event risk is identified. However, reviewing the rain-on-grid flood modelling carried out by Selwyn District Council we have identified two well-defined overland flow paths carrying reasonable flows during the 200 and 500 year ARI events. The water depth and flow speeds in the western channel are such that this area would meet the definition of a high hazard area in Chapter 11 of the CRPS so any development in this part of the site should ideally be avoided.

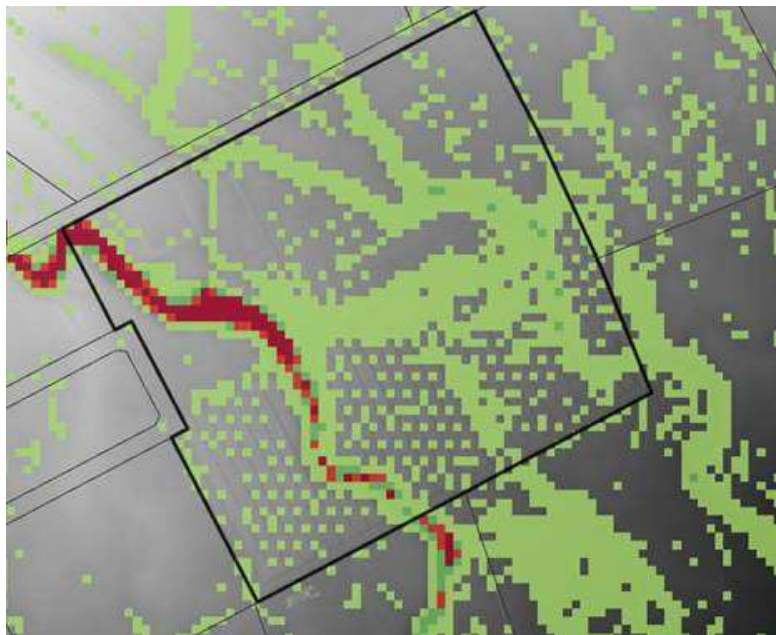


Figure 1: High Hazard flow path (shown in red)

Should the rezoning be approved Environment Canterbury would wish to see development undertaken in such a way that these channels were maintained in their current form (or realigned so that water could still enter and exit the site in the same fashion that it would currently – with sufficient capacity to avoid overflows onto other areas and address potential diversion issues from associated earthworks).

Transport

Policy 6.3.5 seeks to ensure that the nature, timing and sequencing of new development is co-ordinated with the development, funding, implementation and operation of transport and other infrastructure.

The Transport Assessment included with the proposed Plan Change concludes that the effects of additional traffic generated by the site will be mitigated by planned upgrades for the Hoskyns Road/Jones Road and SH1/Hoskyns Road intersections. The applicant highlights that these intersections already operate poorly and states that upgrades are scheduled to be completed by Waka Kotahi NZTA by 2025.

Environment Canterbury has some concern that mitigation of transport effects is reliant on planned intersection upgrades that may not eventuate as scheduled and that the phasing of development for the site is not linked to their completion in any way.

Highly Productive Land

The land is identified on Canterbury Maps as Land Use Capability Class 2 using the New Zealand Land Resource Inventory data set from Manaaki Whenua Landcare Research. The Rolleston Structure Plan identifies the soils as Templeton deep silt loam and silt loam on sand.

This means that the area would likely be identified as highly productive land under the (as yet not gazetted) National Policy Statement on Highly Productive Land (NPS-HPL). The purpose of the pNPS-HPL is to protect highly productive land for primary production and although an exemption is proposed for areas already identified for future urban development in district plans this site is currently zoned for rural activities.

Policy 5.3.12 only relates to the maintaining versatile soils that contribute to Canterbury's overall rural productive economy within the wider region (i.e. outside of Greater Christchurch). Environment Canterbury will however be considering this matter as part of the review of the CRPS and will need to take into account any national direction at that time.

Soil Contamination

Chapter 17 addresses soil contamination and the development of contaminated land. Aerial imagery for the site shows two agricultural buildings that appear to have been there for some time. Remnants of yards are visible so although the site is not listed in the Listed Land Use Register confirmation that no sheep or stock dipping had taken place in the area historically is advised with an investigation if required to evidence this.

The decision we would like the Council to make is:

1. To give careful consideration through the hearing process and the section 32 analysis to whether the proposed Plan Change will add significant development capacity and contribute to a well-functioning urban environment that is well-connected along transport corridors in the Greater Christchurch area.
2. To give careful consideration through the hearing process and the section 32 analysis to ensure that if any rezoning proceeds that an appropriate rules package is incorporated so that the layout and phasing of development addresses the matters raised in this submission, particularly in relation to flood hazard and impacts on the wider transport network.

We do not wish to speak in support of our submission.

A handwritten signature in black ink, consisting of a large, stylized 'A' followed by a long horizontal stroke.

Andrew Parrish⁷
Planning Section Manager

(Authorised under delegation from the Canterbury Regional Council)

Date 25/02/2021