

4. AWATEA VARIATION DATE

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The purpose of this report is to advise on progress with a variation to the zoning at Awatea, in accordance with a resolution of the Annual Plan Subcommittee.

The City Plan contains a Special Purpose (Awatea Zone). This was adopted in 1999 as a result of submissions on the City Plan. The zone is intended to be temporary. The rules for the Rural 2 zone apply in the interim, but for special recognition of the Meadow Mushrooms factory at Wilmers Road. The Plan contains a statement that a variation should be notified by 1 October 1999 rezoning the land for urban purposes, conditional on the investigation and resolution of a number of issues. The provisions of the City Plan relating to Awatea are set out in the attached Appendix 1.

The zoning provisions are not the subject of any Environment Court references. However, there are some relevant references relating to:

- Noise controls for the Carrs Road Raceway,
- Noise controls relating to Wigram Airfield,
- Meadow Mushrooms Ltd who seek Business 4 and 5 Zoning for their site.

DISCUSSION

When the City Plan provisions were adopted in 1999 it was anticipated that the nine outstanding issues should be able to be resolved and a Variation introduced by 1 October 2001. Consultation with affected parties, particularly landowners commenced around that time and a number of broad principles have been developed. Several reports to Council in 2001 reported optimistically on progress. The Awatea Residents Association has produced some conceptual outline Development Plans and some work has been carried out developing detailed Plan provisions to put this into place. However, in the last 12 months a difference of opinion has developed between the landowners and the Council staff as to the degree to which the nine major issues have been resolved, as set out below. Council staff have had numerous discussions with the representatives of the Awatea Landowners Association in the last twelve months. Although these discussions have been positive and helpful there remains a difference in opinion as to whether the variation should proceed at this time.

“(a) The relocation of the Carrs Road Raceway (a noisy activity) on a basis satisfactory to the Club, the Council and local residents.”

Intensive investigations were carried out into a proposal that an exchange of land be entered into with Fulton Hogan Limited whereby a site would be acquired adjoining the Ruapuna Raceway which, following excavation, could be utilised to house the Kart Club. To achieve this however, there were a number of procedural matters that had to be implemented. This process was discontinued following representations made to Council, at the Council meeting of 27 September 2001. The Council deferred further consideration, pending consideration of the Awatea variation, which has created a rather circular situation as the relocation was supposed to be arranged first.

It was originally assumed that the variation would provide mostly Living Zoning. With no progress at all on the relocation of the Raceway, it has been assumed more recently that the majority of the area would be zoned Business 4 or a variant of that, which would be less sensitive to noise. However, some Living Zoning remains in the current proposals that could be affected by the Raceway in an area adjacent to proposed development at Wigram. The existing Living development at Westlake continues to be affected.

In terms of the Plan provision, this matter has not been resolved at all and the question that remains is whether, if a variation goes ahead in the short term, the noise effects on the Living component would be acceptable.

“(b) The potential impact of Wigram Airfield operations on part of the zone.”

This should be able to be resolved in the next few months, through a reference about the noise contours. The Wigram airfield is to cease operating in approximately seven years, and is already operating at a much-reduced level with the withdrawal of the Air Force. What is required is agreement on some reduced noise contours for the remaining life of the airfield. Negotiations are at an advanced stage.

“(c) Acceptable means of addressing the volume and quality of stormwater discharges likely upon development of the zone and effects on the Halswell and Heathcote River catchments.”

Much of the Awatea area drains to the Nottingham Stream which is a tributary of the Halswell River. This river is mostly rural, but has its headwaters in Christchurch City. It flows to Lake Ellesmere and is very sensitive to changes in both quantity and quality. Development at Awatea will have to be designed to avoid any changes to the quantity and quality of water discharged. Options for dealing with this include either:

- temporary on-site storage, pre-treatment and delayed release of stormwater; or
- Soakage to ground.

The systems to provide this have to be compatible with the design of the Southern Arterial which will pass through the area.

The remainder of the area drains to the Heathcote River, where similar issues arise.

Soakage to ground would avoid problems arising with regard to the Halswell River, but may be unacceptable to Environment Canterbury in terms of protecting groundwater (see (iv) below). The latest concept plan from the owners includes temporary storage and controlled release. This needs to be assessed and by the Parks and Waterways Unit. The owners' concept does not show how this water would be handled beyond the boundaries of the site, other than being discharged to existing drains. As Council is developing an overall Area Plan for Southwest Christchurch over the next 12 months, the preference of the Parks and Waterways Unit is that the Awatea Variation not proceed, at least until the concepts for the adjacent downstream areas have been decided. It is critical that the Council avoids allowing development to go ahead without these effects being fully understood, to avoid expensive remedial actions having to be taken, as has recently occurred with the Aidanfield development.

However, it is possible that surface water management options can be significantly progressed over the next few months as the Area Plan develops.

“(d) Any impacts of likely land uses on unconfined aquifers.”

The Awatea area lies over the unconfined aquifers underlying Christchurch. Unconfined aquifers are those where there is no layer of dense materials such as clay preventing surface water from soaking through into the groundwater. All urban development has the potential to cause pollution of the aquifers from which Christchurch draws its drinking water. Industrial development is more risky than Living, because industrial premises store and handle more hazardous materials. Therefore, the move from Living to Business because of the Carrs Road noise situation increases the risk.

This issue is largely the responsibility of Environment Canterbury, although the Council will have a role in regulating land use to achieve its own, and Environment Canterbury's objectives and policies. There are a number of options for dealing with it, ranging from:

- preventing further development over the unconfined aquifers,
- encouraging Living development only, or
- managing the effects through design techniques and conditions of approval, such as for storage and handling of hazardous materials.

Work to date has been on the last point, and that is what the Landowners Association would urge on the Council. The point has not been accepted by Environment Canterbury which is currently opposing references seeking Business Zoning on 3 sites in the vicinity, Meadow Mushrooms, Musgrove Bros Ltd and Wigram Airfield.

Environment Canterbury is in the final stages of preparing its Natural Resources Regional Plan (NRRP) which will deal with this issue. At this stage Environment Canterbury is unable to inform the Council what its attitude to this issue is going to be, because it has not yet finalised it. The NRRP is due for public notification about March 2004, and there has been regular liaison with ECAN about the draft objectives and policies of the Plan, although not yet the rules. If the Council introduces an Awatea variation at this time it is almost inevitable that ECAN would oppose it. That might not occur if the final form of the NRRP is to permit industrial activity subject to conditions on development.

The issue is also of considerable importance to the Christchurch City Council. The City's water is drawn from the underground aquifers. At present the water is untreated and is of high quality.

- “(e) The identification of important natural values associated with waterways and other water bodies, any sites of significance to Tangata Whenua and opportunities for green corridors and recreation within the zone.”*

The Awatea block is a significant piece of land that can be expected to develop rapidly once rezoned. Prior to rezoning, it is necessary to identify what areas the Council requires for Open Space, including for recreation, landscape enhancement, cycleways and walkways, and ecological restoration. Linkages to existing open space and future open space in the area are required.

The area contains a historic waka Portage route that links the upper reaches of the Halswell and Heathcote Rivers. Use of these rivers and the short portage route enabled tangata whenua to avoid the long journey around Banks Peninsula.

Open Space will be acquired by reserves contribution, financial contribution, and possibly direct acquisition and environmental compensation. Concept plans prepared to date show an outline of an open space concept. It remains to be seen if this proposal is satisfactory to the Council. An important issue is how it will link to other existing and future open space in the area. To some extent this is linked to surface water management and roading design, and points to the need for more progress with the overall Area Plan.

- “(f) Identification of an appropriate zoning pattern within the Special Purpose Zone, also recognising the needs of existing activities such as Meadow Mushrooms and the SPCA, and their protection from incompatible activities.”*

The current concept plan contains a mixture of industrial, residential activities and open space. The industry is in the western and southern parts of the site reflecting proximity to existing activities such as Meadow Mushrooms and the SPCA base, and the Carrs Road Raceway. The resolution of this issue is not seen as particularly difficult once other major issues are addressed. Some work has already been done on it.

- “(g) The establishment of appropriate roading patterns with particular regard to the Southern Arterial.”*

When the Council adopted the Special Purpose Zoning and the suggested October 2001 date for the variation, it was expected that the Southern Arterial would be constructed commencing in about 2005. Transit has now deferred this until 2012, for completion in 2014. Transit's programme is not certain, with projects able to be advanced or delayed on an annual basis. This means a six year expectation in 1999 has gone to a none year possibility in 2003. This is considered too uncertain to be relied on, especially since Transit's original proposal was not to include it on its ten-year forward programme at all because of the demand for roading funds for the Auckland region. Far from being resolved, this issue has gone backwards since 1999.

Significant additional development in the Awatea and Wigram areas is dependent on the construction of the Southern Arterial. Without it there is likely to be severe and unacceptable congestion on the existing road network, including Halswell Junction Road, Main South Road, Blenheim Road and Halswell Road. If development in these areas is to be considered before the Arterial, then there should be additional traffic modelling to assess this impact prior to any rezoning. The Council intends to carry out such modelling, but is awaiting the outcome of current discussions with Ngai Tahu on the Wigram Block, which is similarly affected.

It is probable that if the Arterial remains delayed, the only way rezoning could occur at Awatea and Wigram would be with substantial deferments, until say the start of construction of the Arterial. Until construction commences, Christchurch remains vulnerable to further delays or cancellation of the project.

The uncertainties over the Southern Arterial are a crucial reason why rezoning of the Awatea lands should not commence.

If rezoning were to be reconsidered, very substantial deferment would be required. This is unlikely to be acceptable to the owners. Their representatives have suggested a short deferral of say five years may be acceptable. However, to be effective, any deferral should be until the Council is certain that the road is about to be built.

“(h) The identification and rehabilitation of any contaminated sites or former landfills.”

It is known that there were a number of landfills in the Awatea Block. These landfills have the potential to contaminate surface and ground water. Some investigation was carried out by Transit New Zealand, but this was confined to the route of the Southern Arterial. The Council is currently investigating what information is held by various organisations, in particular Environment Canterbury, and on-site investigations may be required. If development takes place and the land is later found to be contaminated, there is potential for environmental pollution and there could be significant legal and financial liability for the Council.

This is another critical issue that remains to be resolved.

“(i) The development of suitable rules or other methods to ensure that particular areas identified for living, business or recreational purposes achieve a high standard of amenity.”

Good progress has been made with this in discussions between the Council and the landowners. This is not expected to be a major problem by itself once other issues have been resolved.

SUMMARY OF CRITICAL ISSUES

Of the nine important issues listed in the City Plan for resolution prior to rezoning the Awatea land, the following are considered to be critical and are not resolved.

- Roading, especially the Southern Arterial.
- Landfills and contaminated land.
- The unconfined aquifer issue.
- Surface Water Management.
- The Open Space Network.

Other issues are likely to be able to be resolved if these major matters are attended to. The Carr's Road Raceway issue may have to be resolved in a different way to that anticipated in the Special Purpose Zone, ie by more Business Zoning instead of relocation of the Raceway.

THE SOUTH WEST CHRISTCHURCH AREA PLAN

The Council has resolved to prepare a set of Area Plans for the various growth areas around the fringe of Christchurch. Area Plans set out the development opportunities and constraints for growth areas, and the various infrastructure and other facilities that will be required for integrated and high quality urban growth.

Area Plans are non-statutory Plans that enable forward planning by affected organisations. They are implemented by land use controls decisions within the City Plan, and by investment decisions by the Council and other agencies in fields such as water and waste, roading, open space, the natural environment, leisure facilities and libraries and commercial facilities.

The largest and most urgent of the Area Plans is South West Christchurch, which extends from Cashmere to Yaldhurst around the fringes of the city. It incorporates the headwaters of the Halswell River and the Heathcote River including the Cashmere Stream.

The Southwest Christchurch Area Plan is programmed to investigate and consider all of the outstanding issues discussed above. The programme calls for preliminary investigations to be completed and a draft plan prepared by 1 August 2004. It is a very large study. There are a number of subcatchments within it, including Awatea, where local proposals may occur before the Area Plan is completed. It may be that sufficient investigations have been completed to allow such proposals to proceed within the wider framework.

In the case of Awatea, the relevant wider issues include roading network, surface water management and the open space network. It is important that development at Awatea is fully compatible with other areas with regard to these issues.

Staff

- Recommendation:**
1. That the Awatea Variation be deferred pending the development of the South-west Christchurch Area Plan, the resolution of the nine assessment matters stated in the City Plan, and the public notification of the Environment Canterbury's Natural Resources Regional Plan (NRRP).
 2. That this deferment be kept under continuous review by the staff. If sufficient progress occurs on the outstanding issues through the Area Plan process, the NRRP process or any other means then a further report should be brought forward.
 3. That a further progress report be made in April 2004.

Chairman's

Recommendation: That the officers recommendations be supported.