

## 10. SUBMISSIONS ON DRAFT SYDENHAM MASTER PLAN

<b>General Manager responsible:</b>	General Manager Strategy and Planning, DDI 941-8281
<b>Officer responsible:</b>	Programme Manager Healthy Environment
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### PURPOSE OF REPORT

1. The purpose of this report is:
  - (a) to inform the Spreydon/Heathcote Community Board of the community's response to the draft Sydenham Master Plan (the Plan);
  - (b) to seek the Community Board's recommendation to Council whether or not submissions on the Plan should be heard (in accordance with the Council's resolution on 27 October 2011); and
  - (c) to provide an indication of the initial staff response to the submissions and proposed direction for finalising the Plan, in the event the Council decides not to hear the submissions.

### EXECUTIVE SUMMARY

2. The Plan was approved as a project by the Council in June 2011 to provide a vision, framework and action implementation plan to support the recovery and rebuild of the Sydenham suburban centre, which was badly damaged in the Canterbury earthquakes.
3. Initial direction for the Plan was obtained via a series of focus groups and public workshops held in late May and early June 2011. The resulting concepts were tested through a series of community feedback presentations in July 2011, which drew 36 submissions, after which the Plan was developed. Having been approved by the Council for public notification in October, the Plan was subject to public consultation over a four-week period from mid November 2012. The Plan drew 43 formal submissions from both individuals and organisations within the community.
4. The 43 submissions were collated and analysed and the overall summary of findings is provided as **Attachment 1**. This shows that far more submissions expressed a liking for the draft actions (244) than a dislike (19). **Attachment 2** lists the actions referred to by the 17 (40%) submitters who wish to be heard and whether they like or dislike them. **Attachment 3** contains a concise summary of all 25 actions and other matters covered in submissions, and staff comments as to how the Plan should be amended in relation to each action.
5. In general, given the high level of support, staff consider that the draft actions can be retained, but with some further amendments to address the matters raised through submissions. Staff do not consider any additional actions are required.
6. On balance, due to the level of community participation in the preparation of the draft Plan, the support for the draft actions, the need for expediency in finalising the Plan and the opportunity for further engagement in the implementation stage it is recommended that hearings are not held.

### FINANCIAL IMPLICATIONS

7. Preparation of the Plan within the Strategy and Planning Group's budget was confirmed through the 2011/12 Annual Plan process. Funding for implementation of the Plan will be considered through the 2012/13 Annual Plan process, and subsequent Long Term Plan reviews.

### Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

8. Yes, funding for preparation of the Plan has been provided within the Strategy and Planning Group's 2011/12 budget.

## LEGAL CONSIDERATIONS

9. There are no immediate legal considerations, other than having undertaken consultation in accordance with *S.82 Principles of consultation* of the Local Government Act 2002 (LGA). In summary, these require that, in relation to any decision or other matter:
- (a) affected persons should have reasonable access to relevant information in a manner and format appropriate to their preferences and needs;
  - (b) affected persons should be encouraged to present their views;
  - (c) affected persons should be given clear information concerning the purpose of the consultation and the scope of the decisions to be made following consideration of the views presented;
  - (d) affected persons who wish to have their views considered should be provided with a reasonable opportunity to do so in a manner and format appropriate to their preferences and needs;
  - (e) the views presented should be received with an open mind and given due consideration;
  - (f) affected persons who present their views should be provided with information concerning the decision/s and reasons for the decision/s.

The Council is to observe these principles in whatever manner it considers appropriate in the circumstances.

10. Staff have met with officials from CERA and will continue to do so to ensure that the work on the Plan is informed by and consistent with the Recovery Strategy and Recovery Plans. There is no requirement under *S. 19 Development of Recovery Plans* of the Canterbury Earthquake Recovery Act 2011 for Recovery Plans for areas outside the CBD to be subject to public hearings.

### **Have you considered the legal implications of the issue under consideration?**

11. Yes, as above.

## ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

12. Yes, completion of the Plan is provided for within Activity Management Plan *1.0 City and Community Long-Term Policy and Planning* updated as at 1 July 2011.

### **Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?**

13. Yes, as above.

## ALIGNMENT WITH STRATEGIES

14. The Plan is consistent with relevant strategies, including the objectives of the Urban Development Strategy.

### **Do the recommendations align with the Council's strategies?**

15. Yes.

## CONSULTATION FULFILMENT

16. The Council has endeavoured to ensure the Plan encapsulates the community's vision for Sydenham's rebuild and recovery, by:
- Proceeding on a community-specific basis for master plan-related community consultation, taking into consideration the size and nature of each suburban centre.
  - Flagging early and often throughout the process that there would be three phases of community consultation.
  - Seeking ideas from stakeholders early in the process, including the Spreydon/Heathcote Community Board, property and business owners, social and environmental interests and the community generally. Nearly 120 people participated in these focus group and public meetings in May 2011.
  - Presenting the analysis of the ideas received and starting a dialogue to test with the community whether the concepts arising reflected what they want in late July 2011. Around 150 people attended the community feedback presentation. People could choose to provide feedback via the feedback form provided or by email or letter. People had three weeks from the presentations on the 19 July 2011 until the deadline for feedback on 12 August 2011 to do this. Thirty six submissions were received, all of which informed preparation of the Plan.
  - Having ongoing meetings and dialogue with individuals and organisations from the community.
  - Having the Plan considered by the Spreydon/Heathcote Community Board in October 2011 prior to going to Council.
  - Included in this consultation phase;
    - a four-week submission period, from 19 November until 19 December 2011;
    - publicising the details via newspapers, the radio, posters and local networks
    - delivery of:
      - a cover letter explaining the process to date, process forward and consultation details (what, where, when and how), a 24 page summary of the Plan (including how to access it) and a submission form to all land and business owners and anyone who had attended the consultation meetings or who had expressed an interest in the master plan process.;
      - a cover letter, the full Plan and a submission form to community groups; and
      - a cover letter and submission form to remaining land owners within the Sydenham industrial area and the wider residential area south of Brougham Street extending south towards Cashmere.
  - The submission form asked submitters to state which actions they liked, disliked and why; which actions they considered the most important; of those, which actions they considered the most urgent; any other comments they had about any aspects of the Plan or process; if submissions are heard, whether they wish to be heard; and, if they wish to assist with the implementation of any actions, and which ones. Written submissions were also accepted via the Council's Have Your Say website and emails or letters.
  - Placing of hard copies of the summary Plan, full Plan and submission form at all Council libraries and service centres open, Café 363 and Underground Coffee at The Colombo mall, and the Honey Pot Café, Sydenham.
  - Two drop-in display sessions at The Colombo Mall on 26 November and 8 December 2011 (i.e. on both a weekday and weekend and neither too early nor too late into the submission period).
  - Obtaining key tangata whenua values and objectives to consider in the final version of the Plan from Mahaanui Kurataiao Ltd (MKT).
17. The Plan drew 43 submissions from both individuals and organisations within the community.

**STAFF RECOMMENDATION**

It is recommended that the Community Board:

- (a) note the overall summary of findings in the Summary of Submissions on the Draft Sydenham Master Plan and the staff comments in relation to each action therein; and
- (b) recommend to the Council not to hear the 17 submissions received that wish to be heard and endorse amendment of the Draft Sydenham Master Plan in accordance with the staff comments in relation to each action before it is presented to Council for adoption at a later date.

**CHAIRPERSON'S RECOMMENDATION**

For discussion.

## THE HEARING OF SUBMISSIONS

18. In normal circumstances, the Council would consider hearing submissions on a plan of this nature in order to maintain community confidence and encourage ownership of the plan. In considering the question of whether to hold hearings staff have taken into account the following matters:
- The extent and nature of consultation undertaken to date: As noted in paragraph 14, there has been considerable opportunity for both verbal and written community input into and feedback on the Plan. The community consultation undertaken in Sydenham was comprehensive resulting in 244 likes and 19 dislikes of the actions identified to achieve the vision overall, clear majority support for the Plan is evident. The Plan anticipates further community consultation being undertaken during its implementation, to develop the detail around projects, and for actions being implemented by local organisations, either separately or in conjunction with the Council and other partner organisations.
  - The number and proportion of submitters wishing to be heard: Of the 43 submissions received on the Plan, 17 (40 per cent) of submitters wished to be heard if hearings are held, 14 (32 per cent) don't wish to be heard and 12 (28 per cent) didn't say either way.
  - Who wished to be heard: Notable submitters wishing to be heard include The Hon Ruth Dyson, The Sydenham Business and Community Association and various organisations such as Adult Reading Assistance Scheme, the Sydenham Heritage Trust, Spokes Canterbury, The Royal Foundation for the Blind and the Problem Gambling Foundation.
  - The number and nature of actions and submission points on which submitters wish to be heard: In total the 17 submitters wish to be heard on 120 submission points which cover all of the 25 Plan actions. This is detailed in **Attachment 2**.
  - The actions on which submitters most frequently wish to be heard: There were six actions identified as wishing to be discussed at hearings by a minimum of six submitters, in some cases these actions were disliked as well as liked in other cases there was only support for these actions however many comments included suggested changes or refinements to these actions:
    - M1: Road corridor review including public transport;
    - E4: Former Sydenham School site development framework;
    - M4: Cycle infrastructure;
    - C2: Support the return of full Sydenham based postal services;
    - M2: Parking investigations in the commercial area;
    - M3: Pedestrian improvements;
  - The level of support (like/dislike) for the actions on which submitters wish to be heard: Of the 120 submission points from submitters that want to be heard, 113 indicated that they liked the draft actions, whilst 7 disliked them. There were six actions that either one or two submitters clearly disliked who wished to be heard, these being:
    - E3: Pilot redevelopment project of a multiple ownership site;
    - E4: Former Sydenham School site development framework;
    - E5: Railway site opportunities;
    - M4: Cycle infrastructure;
    - N3: Buchan Park remodel;
    - B2: Building Setbacks;
  - The circumstances which currently justify a more streamlined approach than the hearing of submissions for the Suburban Centres Programme master plans. These include:
  - Availability of resources: A Hearings Panel of elected representatives would need to be appointed. For the four draft master plans that have completed their final consultation phase, it is estimated that seven working days would be required for the holding of hearings and deliberation on the submissions, of which one day would be required in respect to Sydenham. This assumes that each submitter would only have 10 minutes to verbally present their submissions, similar to the **Annual Plan process**. **The likely** timing for hearings also presents a timetabling difficulty as it clashes with the hearings schedule for the Annual Plan. There would also be implications for Council staff administering the process.

- Alignment with the Annual Plan process: In order to progress the implementation of the master plans, the Council needs to confirm its work programme and funding for 2012/13 before the end of June 2012. Failure to include implementation projects within the 2012/13 Annual Plan could cause a 12 month delay, prior to the next opportunity to programme projects in the Long Term Plan review in 2013.
  - Expediency: Finalising the master plans quickly will provide property owners and the community with more certainty over the context for the rebuild of their centre.
19. The tables in **Attachment 2** summarise the actions the subject of submissions by the 17 (40 per cent) of submitters who wish to be heard.
  20. On balance it is recommended that submissions should not be heard. This is because there has been considerable opportunity for both verbal and written community input into and feedback on the Plan, from which clear majority support for the Plan is evident. Further community consultation is anticipated during implementation of the Plan. The 40 per cent of submitters who wish to be heard raised submission points relating to all 25 actions. Twelve of those submitters identified only actions they liked and only five submitters identified actions they disliked. In all instances these actions gathered significantly more support than objection.
  21. Should the Council decide to hear submissions a Hearings panel will need to be appointed and arrangements made for the hearing including timetabling and circulation of the officer report. Both the hearing format and officer report are likely to be similar to those regarding area plans.

#### **STAFF COMMENTS**

22. The tables in **Attachment 3** summarise the submissions on the draft actions and staff comments as to how the Plan should be amended in relation to each draft action. These comments deal with suggestions to the plan where both positive and negative comments concerning an action have been raised. In general, given the high level of support, staff consider that the draft actions can be retained with some further consolidation and/or refinement to address the matters raised through submissions. Staff do not consider any additional actions are required.