

10. CANTERBURY REGIONAL POLICY STATEMENT PROPOSED CHANGE NO 1 – DEVELOPMENT OF GREATER CHRISTCHURCH

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PURPOSE OF REPORT

1. The purpose of this report is to gain endorsement of the Canterbury Regional Policy Statement Proposed Change No 1 – Development of Greater Christchurch and to consider two Memoranda of Understanding between the UDS partners relating to two matters requiring ongoing dialogue and agreement.

EXECUTIVE SUMMARY

2. The Canterbury Regional Policy Statement (RPS) Proposed Change No 1 – Development of Greater Christchurch is the first Greater Christchurch Urban Development Strategy (UDS) action (one of the top 20 actions). This change enables key elements of the UDS to be reflected in the RPS and provide Resource Management Act regulatory weight to the UDS settlement pattern. Once the RPS is operative, Councils are required to give effect to the change through their District Plans.
3. The change identifies a number of issues and sets out Objectives and Policies to address that issues. The full change document, map and S32 are shown in Attachments 1, 2 and 3. The key features for Christchurch are:
 - Urban Limit – an urban limit has been established around the parts of Christchurch City and Lyttelton Harbour basin included in the RPS change which will accommodate growth out to 2041.
 - Intensification – maps in the RPS identify all areas currently zoned L2, 3, 4 and Central City. From these, areas will be selected for additional initiatives by the Council to promote and encourage intensification. The remaining areas in these zones will continue to be redeveloped at higher densities by the market.
 - Key activity centres and commercial activities - key activity centres are identified which reflect the hierarchy of the City Plan and the commercial strategy. The RPS change provides for additional activity centres but not key centres (no more sub-regional centres).
 - Urban form, infrastructure & sequencing – the change allocates growth to greenfield and intensification areas and reflects the targets agreed in the UDS.
 - Business land – the change identifies areas for new business growth, particularly at Belfast and in the South-west.
 - Greenfields – the change recognises the Council's area plans process and provides for those processes to continue and to be augmented by more detailed outline development plans, which in most cases will be prepared by developers in consultation with the Council. The RPS endorses growth centred on South West Christchurch and Belfast
 - Strategic Transport Infrastructure and Reverse Sensitivity – the change recognises the importance of the port, airport and land transport network (incl rail) and the need to protect them from restrictions due to incompatible new landuses.
 - Residential density for new development, as agreed in the UDS, is embedded in RPS policy. For Christchurch this means:
 - Greenfields density increases to 15 hh/ha
 - Intensification areas – 30 hh/ha for that which occurs in L2, 3 and 4; 50 hh/ha for the central city
 - Growth in the surrounding districts is balanced with growth in Christchurch City and the development of employment opportunities.

Submissions to the Regional Policy Statement

4. It is likely that that RPS will receive a number of submissions; the high interest generated in the UDS and the fact that this is the first implementation process to be progressed will ensure significant attention. This will mean that Christchurch City staff will be involved in inputting to the RPS officer reports, advice throughout the statutory process. Christchurch City will also need to make a submission in support of the RPS to ensure that the Council is party to any challenge and therefore resolution process. There may also be a need for Christchurch City to submit to make minor adjustments which become apparent post-notification. A process was established around the draft UDS consultation process whereby partners discussed possible points for submission prior to any submission being made. It is recommended a similar process is followed here.

Issues still to be resolved

5. During the preparation of the RPS change, two issues have arisen which cannot be resolved in time to meet the 28 July 2007 notification date. The two issues involve either Resource Management Act processes already in progress or require public consultation as part of the resolution.
6. The first issue relates to the setting of urban limits around Woodend, Kaiapoi and Rolleston. In the case of Kaiapoi and Rolleston, RMA processes currently underway mean that defining the urban limit for these settlements in the RPS is premature. For Woodend, Transit NZ and Waimakariri District Council need to undertake further public consultation to identify the preferred route for the Woodend bypass. For all of these townships the issue is not about urban capacity, which has been established within the RPS, but about the urban limit and the form on the accompanying map.
7. The second issue relates to the preparation of new airport noise contours; these contours arise out of appeals to the Selwyn District Plan which has resulted in remodelling of the contours. At this stage the contours are simply remodelled versions and have no legal status. To have status the contours need to be included in the RPS and the District Plans and it is likely to be two-three years before that status is resolved and confirmed.
8. To address these outstanding issues it is proposed that two Memoranda of Understanding (MoU) are established between the UDS partners; in the case of the noise contours Christchurch International Airport Limited would also be a signatory to the MoU – they have indicated their preference to work collaboratively to resolve this issue. These memoranda are shown in Attachments 4 and 5. These MoU have been discussed by the UDSIC at its 20 July meeting and the recommendations from their discussions will be reported at the meeting.

FINANCIAL IMPLICATIONS

9. There are financial implications with the RPS. Once operative the City Plan will need to give effect to the RPS, which will mean further changes to the City Plan. It is anticipated that the RPS will take two-three years to become operative, which will enable the 2009-2019 LTCCP to reflect the required City Plan changes. There will also be a need to consider changes to the Capital Works Programme to align it with the staging and sequencing of growth provided for in the RPS Change. This was reported to the Council previously as part of the UDS adoption report.
10. In the short term there will be a need to: commit staff to the RPS process; engage legal advice; and make submissions – all of which will have financial and legal implications.
11. The financial impact will be unknown until submissions are received. However, current expenditure will be absorbed where possible. Any further budget would be separately requested.

Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

12. The recommendations in this report will require some realignment of budgets and as described above can be reflected in the 2009-2019 LTCCP.

LEGAL CONSIDERATIONS

13. There are legal considerations relating to the Resource Management Act 1991 and relevant case law which have been considered as part of the preparation of the RPS change.

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

14. The document has been drafted by Council staff in collaboration with staff from Environment Canterbury, Waimakariri and Selwyn District Councils and Transit NZ. Environment Canterbury have sought legal advice throughout the drafting process and that has been part of the collaborative approach. Legal advice will be required during the RPS submission and possible Environment Court process. Legal advice will be required when the City Plan is changed to give effect to the RPS

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

15. As noted above the LTCCP and activity management plans will need to be amended to align with the RPS change.

Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?

16. The implementation of the Regional Policy Statement will impact on current and future Council programmes.

ALIGNMENT WITH STRATEGIES

17. The RPS change reflects the settlement pattern and aligns with the principles outlined within the Greater Christchurch Urban Development Strategy and is identified as one of the Top 20 Actions in the UDS.

Do the recommendations align with the Council's strategies?

18. See above.

CONSULTATION FULFILMENT

19. There is no requirement for CCC to undertake consultation as part of the preparation of the Regional Policy Statement change. Environment Canterbury have undertaken RMA Schedule 1 consultation as part of the RPS change preparation. Once notified on 28 July, the change will be open for submission until the end of October 2007. Thereafter standard RMA processes – further submissions, hearings, lodgement of appeal and possible Environment Court procedure will occur.

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Endorse the Proposed Change No 1 (Development of Greater Christchurch) of the Canterbury Regional Policy Statement.
- (b) Adopt Memorandums of Understanding No 1 and No 2.