

6. NOTIFICATION OF PLAN CHANGE 27: RESIDENTIAL DENSITY IN NEW BRIGHTON

General Manager responsible:	General Manager Regulation and Democracy Services, DDI 941-8549
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PURPOSE OF REPORT

1. The purpose of this report is to seek a Council resolution on whether or not to proceed with public notification of proposed Plan Change 27 relating to residential density in New Brighton.

EXECUTIVE SUMMARY

2. In March 2006 the Council initiated a review of the City Plan provisions for New Brighton to investigate the potential for, and possible impacts of, an increase in building height and residential density. The study area encompassed much of the New Brighton Mall area, the foreshore adjacent to the pier, and the Living 3 zoned land from Rawhiti Domain in the north to Shackleton Street in the south.
3. Consultants were engaged to assist with this review, with the consultant team lead by Boffa Miskell Ltd. A number of technical reports were commissioned to look at a range of potential environmental effects that might result from an increase in building scale and residential density in the study area. The technical reports addressed:
 - The visual/landscape implications of a range of building heights and bulk;
 - Potential shading effects;
 - Potential wind tunnel effects;
 - Transport implications from increasing the number of households;
 - Geotechnical and natural hazard issues;
 - Infrastructure capacity eg water, sewer, electricity, storm water etc;
 - Capacity of community facilities eg primary school, library, parks;
 - The potential market demand and associated economic implications;
 - Social effects.
4. Consultation with the community was undertaken during the study, including:
 - A public meeting and presentation to the community to outline the intended study process on 21 March 2006;
 - Two public open days to present the findings of the technical reports and gain community feedback on 29 and 30 June 2006;
 - Provision of background information and technical reports on the Christchurch City Council website and at the New Brighton Library throughout a public feedback process that ran from the end of June until 22 September 2006. A total of 351 submissions from individuals and seven submissions from community and business groups were received directly by the Council, with a further 475 submissions received on a form initiated by the New Brighton Resident's Association.
5. Based on the findings of the various technical reports and feedback from the community, a package of broad Plan Change recommendations and an interim S.32 report was presented to a Council seminar on 31 October 2006. Following the October seminar and associated feedback from Councillors, further analysis was carried out on the plan change package and the specific proposed text changes to the Plan were drafted. This further analysis, updated S.32 report, and proposed Plan Change text was presented to a second Council seminar on 17 April 2007 and the Burwood/Pegasus Community Board on 18 April 2007. Since the April seminar the S.32 report and Plan Change text (attached) has been finalised, with this text including detailed design and appearance assessment matters that were not available at the April seminar.
6. The proposed package of changes to the City Plan include:
 - Retention of the existing Living 3 zoning in the southern and northern portions of the study area (but amending the current 11m development standard height limit to 14 metres as a critical standard);
 - Change in zoning of the Living 3 land north and south of the Mall, to Living 4C with a 20 metre building height limit;

- Change in zoning of the Business 2 land on the foreshore to Open Space 2, with associated amendments to the Open Space 2 zone rules to provide for a low scale of building development (bulk and location) and an appropriate range of activities consistent with a public use/recreation focus;
- Retention of the existing Business 2P zoning to the south of the Mall (8 metre building height limit if used for residential activity);
- Retention of the existing Business 2 zoning in the western part of the Mall area (20 metre building height limit);
- Retention of the Business 2 zoning for the Business 2 land in the eastern part of the Mall but with a change in the zone provisions to provide a 30 metre building height limit;
- Provision of a new rule requiring design and appearance controls (including wind assessment for buildings over 20m) on all development over 11m in height or providing three or more residential units in both the Living and Business zones;
- Provision of a new rule requiring compliance with shadowing protection provisions for all new buildings on the northern side of the Mall.

7. Section 32 of the Resource Management Act requires the Council to be satisfied that any proposed plan change is a more efficient and effective means of achieving the Plan's objectives and policies than the current provisions. The attached S.32 report concludes that this is the case for the proposed amendments to the City Plan. Should the Council resolve to publicly notify the proposed plan change then those changes will be available for the community to make submissions on, with submitters then able to present their submission at a public hearing, with the hearings panel then obliged to make a recommendation to the Council on whether or not the plan change should be accepted, amended or rejected.

FINANCIAL IMPLICATIONS

8. There are no direct financial considerations beyond staff time covered by existing unit budgets.

Do the recommendations of this report align with 2006-16 LTCCP budgets?

9. The costs of public notification are able to be covered by existing unit budgets.

LEGAL CONSIDERATIONS

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

10. S.32 of the Resource Management Act requires the Council to undertake an analysis of the costs and benefits of any potential plan change so that the Council can be satisfied that the proposed plan change is a more efficient and effective method for achieving the Plan's objectives and policies than the current provisions. The RMA requires all proposed Plan Changes to be publicly notified so that interested parties can make submissions on the proposed changes.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

11. Supports the LTCCP City Plan measure that 10 variations or plan changes be prepared and notified annually.

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

12. As above.

ALIGNMENT WITH STRATEGIES

13. The attached S.32 report demonstrates that the proposed plan change more effectively and efficiently meets the objectives and policies of the City Plan than the current provisions. The proposed plan change is also in alignment with the recently adopted Urban Development Strategy that has as one of its key tenets the management of urban growth through intensification of the existing urban area, with such intensification best located adjacent to district centres.

Do the recommendations align with the Council's strategies?

14. As above.

CONSULTATION FULFILMENT

15. Consultation has been undertaken in accordance with the requirements of S.32 and the Resource Management Act. It is noted that public notification of the proposed Plan Change will enable the community to have their say via submissions and a public hearing.

BURWOOD/PEGASUS COMMUNITY BOARD RECOMMENDATION

This report was considered by the Burwood/Pegasus Community Board at its meeting on 6 June 2007, when the Board resolved to recommend:

- (a) That the staff recommendations be adopted.
- (b) That the Council consider using more than one commissioner to hear the plan change.

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Adopt the attached assessment under Section 32 of the Resource Management Act.
- (b) Publicly notify Plan Change 27 to the City Plan.