

11. REPORT FROM REGULATORY AND PLANNING MEETING OF 20 APRIL 2012:
PLAN CHANGE 66 – TEMPLETON SPECIAL RURAL ZONE



General Manager responsible:	General Manager, Strategy and Planning DDI 941-8281
Officer responsible:	Programme Manager, District Planning
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PURPOSE OF REPORT

1. This report seeks a Council decision on whether or not to proceed to notification of proposed Plan Change 66 – Templeton Special Rural Zone (PC66). The recommendation is for the Council to notify the proposed plan change and Section 32 assessment (**Attachment 1**). The attachments for this report have been separately circulated.

EXECUTIVE SUMMARY

2. The plan change site is located one kilometre north of Templeton and is the bulk of the former Templeton Hospital site. The site is currently zoned Special Purpose (Hospital) (SP(H)) except that for uses not health-care related Rural 2 (Templeton – Halswell) zone provisions apply. Of the 66 hectare site, 60 hectares is proposed to be rezoned Templeton Special Rural Zone. The remaining 6 hectares would remain as Special Purpose (Hospital) zone. A location map is provided in **Attachment 2**. The site contains a significant number of buildings and internal roads related to the former hospital, and also the Westmount School and buildings.
3. Prior to the Council initiating this plan change, private Plan Change 23 (PC23), lodged by (the landowner) Rookwood Holdings Ltd (RHL) , sought to rezone the site to a new Business 4M (Maddison Park) zone, based largely on the Business 4T (Suburban Industrial - Technology Park) zone provisions. PC23 was declined because it was not the most appropriate way to achieve relevant objectives and policies of the City Plan, particularly those at Volume 2 Section 6 (Urban Growth). RHL appealed against the decision on PC23. The appeal is outstanding but RHL have agreed to withdraw it upon notification of an alternative plan change.
4. The Council resolved on 14 June 2011 to initiate a plan change to enable development of the site in a manner consistent with the rural character of the site and which would enable the re-use and remediation of the site. Staff have prepared PC66 in consultation with Rookwood Holdings Ltd, and in accordance with the Regional Policy Statement (RPS), particularly Chapters 12A (Development of Greater Christchurch) and 22 (Response to Canterbury Earthquakes). PC66 will facilitate development on 60 hectares of the former Templeton Hospital site through a proposed 'Templeton Special Rural Zone' (TSRZ).

FINANCIAL IMPLICATIONS

5. Should the Council resolve to proceed with notifying the plan change there are legal processes which must be followed in accordance with the First Schedule of the Resource Management Act (RMA) 1991. This is a standard process that all plan changes must follow and there are no particular issues or risks that would be incurred if the processes are correctly followed. There would be costs arising at various stages of the plan change process relating to the preparation of officer reports and a hearing in response to submissions. The scale of costs would depend on the level and complexity of the submissions received. There is the potential for costs associated with responding to any Environment Court appeals received. Funding is provided from existing budget as part of the District Planning work programme agreed by the Council.
6. The costs of preparing the plan change are shared between the Council and RHL, up to and including the decision on submissions. A formal agreement has been entered into by the parties. This agreement also requires RHL to withdraw their appeal on PC23 when PC66 is notified.

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

7. The recommendations and costs incurred align with the District Planning budget and work programme as provided for under the 2009-2019 LTCCP budget.

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LEGAL CONSIDERATIONS

8. There is a legal process which must be followed for plan changes in accordance with the First Schedule of the RMA. Proceeding in accordance with these procedures should create no particular risks.

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

9. The legal process to be followed in accordance with the First Schedule of the RMA is familiar to the Council through both the private plan change process and in respect of Council initiated plan changes.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

10. The process of Council initiated plan changes is provided for under the LTCCP and Activity Management Plans. This proposed plan change is specifically identified as a project within the Council's District Planning Work Programme.

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

11. The LTCCP identifies an ongoing programme of maintaining and reviewing the City Plan improvements in respect of enhancements to ensure an attractive built environment and to minimise adverse effects on the environment.

ALIGNMENT WITH STRATEGIES

12. The plan change aligns with: Greater Christchurch Urban Development Strategy (UDS) and the Regional Policy Statement (RPS). Specifically, the Regional Policy Statement at Chapter 12A defines rural activity and PC66 has been prepared to be consistent with this definition.

CONSULTATION FULFILMENT

13. PC66 has been developed in conjunction with RHL, with input from technical experts as necessary. Council staff have discussed the plan change with the Council, Regulatory and Planning Committee, and the Riccarton-Wigram Community Board. Staff have also met with ECan, the Christchurch International Airport Limited (CIAL) and two adjoining landowners who made submissions in opposition to the previous plan change (PC23).
14. Some amendments were made to PC66 to address concerns, particularly from ECan and CIAL in relation to noise sensitive activities (education and residential), and it is considered that no party has any significant outstanding concerns. Should the plan change be notified, a submissions and hearings process will follow, enabling interested and affected parties to comment formally on the proposal.

STAFF RECOMMENDATION

That the Council adopts proposed Plan Change 66 (Templeton Special Rural Zone) and assessment under section 32 of the Resource Management Act 1991 and proceed to publicly notify it in accordance with clause 5 of Schedule 1 of Act.

COMMITTEE RECOMMENDATION

The Regulatory and Planning Committee considered this report at its meeting of 20 April 2012. The recommendation from the Committee will be forwarded to the Council.

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BACKGROUND

15. The former Templeton Hospital is located one kilometre north of Templeton and is 66 hectares in size. It is located near the intersection of Kirk and Maddisons Roads, between State Highways 1 and 73, as shown on the location map (**Attachment 2**). The main trunk rail line adjoins State Highway 1 at Templeton. The site is surrounded by both rural and institutional uses, including the Christchurch Men's and Women's Prisons, Nova Trust Drug and Alcohol Rehabilitation Centre, Waitaha Learning Centre, Templeton Chapel, and the Brackenridge Residential Estate (full-time residential care for disabled people).
16. The site is currently zoned Special Purpose (Hospital) except that for uses not health-care related, the provisions for the Rural 2 (Templeton – Halswell) Zone apply. It contains a significant number of buildings and internal roads related to the former hospital, including the Westmount School buildings.
17. Prior to this plan change, PC23 sought to rezone the site to a new Business 4M (Maddison Park) zone, based largely on the Business 4T (Suburban Industrial - Technology Park) zone provisions. PC23 was declined because it was not consistent with relevant objectives and policies of the City Plan, particularly those at Volume 2 Section 6 (Urban Growth). The site is also outside the urban limit as delineated in what was then Proposed Change 1 (PC1) to the Regional Policy Statement (RPS), and is now the operative Chapter 12A of the RPS.
18. RHL appealed against the decisions on both PC23 and PC1. The appeal on PC1 is now void following the deletion of PC1 and insertion of Chapters 12A and 22 into the Regional Policy Statement. RHL have agreed to withdraw its appeal on PC23 upon notification of PC66.
19. Following discussions with RHL, officers have developed a framework for re-zoning the site which is considered appropriate for the site and surrounds and which gives effect to the RPS. The Council resolved on 14 June 2011 to initiate a plan change and PC66 has been prepared on that basis.
20. PC66 will facilitate development of 60 hectares of the former Templeton Hospital site through a proposed 'Templeton Special Rural Zone' (TSRZ). The remaining 6 hectares in the south of the site and adjacent to Brackenridge Residential Estate will retain the SP(H) zoning. Activities will be limited to small-scale rural land-uses, those that support rural land-uses, and those associated with strategic infrastructure.
21. The zone is split into three precincts to ensure the outcomes sought can be achieved. In general terms, the zone seeks to achieve a low density rural development with a large amount of landscaping, and the retention of the rural character of the area. The Rural Business 1 precinct covers the bulk of the site. It provides a balance between building footprint and open space, to enable retention of the rural character of the site and create viable business opportunities. Anticipated land uses in this precinct might include plant for processing agricultural or horticultural produce, farm machinery sales or hire, rural contracting business, warehousing of rural produce or supplies, strategic infrastructure and depots, light engineering and mechanical repairs, and similar uses.
22. The Rural Business 2 Precinct provides for activities which require larger ratio of open space to building footprint. Uses might include vet clinic, small scale horticulture or agriculture, landscape supplies, sand and gravel sales, depots for strategic infrastructure, and similar uses.
23. The Community Facilities Precinct caters for the existing, pool/gym, and hall. Other facilities might include a small diary or café servicing the zone. The rest of the precinct is likely to develop similarly to the Rural Business 2 precinct.

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24. The following table provides an overview of the bulk and location provisions for each precinct.

	Site coverage (community std)	Site coverage (critical std)	Outdoor storage	Landscape	Front setback	Side and rear setback	Height
RB1 (west boundary)	20%	30%	20%	20% or 2000m2 (the lesser)	10m	5m	9m
RB2 (north end)	10%	20%	30%	20% or 2000m2 (the lesser)	15m	10m	9m
CF (Kirk Rd boundary)	20%	30%	15%	20% or 2000m2 (the lesser)	15m	10m	9m

SUMMARY OF ISSUES

Existing Buildings

25. The site currently contains a large number of former hospital buildings and associated infrastructure (i.e. water, sewer, roads). Most of the buildings are in reasonable condition. The existing infrastructure is old and the bulk of it is unlikely to meet current Council standards. It is unlikely that the buildings and infrastructure would be re-used under the current zoning regime and their gradual decline in condition can be anticipated. This issue was specifically identified in the Commissioners' decision on PC1 in relation to this site (and two former freezing works sites at Islington and Belfast). Allowing development of the site as proposed by PC66 would fund and encourage rehabilitation of the site, thereby avoiding potential adverse visual effects and the risk of failure of private infrastructure on the site.
26. Some of the former hospital buildings are used by the Westmount School, and the site is also used for a driver training course. The site is useful for driver training largely because there is no traffic, and it is likely that the driver training would relocate if the site was developed. The plan change does not specifically promote or protect the driver training activity.
27. The Westmount School has been advised that it will need to relocate, because education activities are considered noise sensitive under both the City Plan and the RPS, as discussed below. The School has a temporary resource consent until April 2016.

Chapter 12A of the Regional Policy Statement

28. Chapter 12A to the RPS (essentially the former PC1), includes an urban limit. The site is outside the limit and therefore is restricted in use to rural activities as defined in Ch12A (below). PC66 takes this into account and seeks to promote activities which fit this definition. The City Plan and changes to it (including PC66) must give effect to the RPS and staff have discussed PC66 with Canterbury Regional Council (ECan) officers to ensure that it does so.

Rural Activities: means

- Rural land use activities such as agriculture, aquaculture, horticulture and forestry
- Businesses that support rural land use activities
- Large-footprint parks, reserves, conservation parks and recreation facilities
- Residential activity on lots of 4 ha or more
- Quarrying and associated activities
- Strategic Infrastructure outside the urban limits.

29. Volume 2 Section 6 (Urban Growth) of the City Plan seeks similar outcomes as Chapter 12A. The effects of large scale development outside the urban area on transport, services, and urban form are a significant driver in the preparation of PC66 and the rationale for a low density development. The rules seek to control density, bulk and location in order to achieve these outcomes.

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30. The rules also seek to retain the bulk of existing trees and shelterbelts, a significant landscaping component, and large building setbacks. These rules to help retain the character of the area.

Chapter 22 of the Regional Policy Statement

31. The site is within the air noise contours shown in the City Plan and Chapter 22 of the RPS. ECan and Christchurch International Airport Ltd (CIAL) are concerned to ensure that land-uses within the contours are not noise-sensitive. They consider that creating residential units within the air noise contour would be inconsistent with the RPS.
32. PC66 proposes 15 custodial units over the 60 hectares site, at an average of 1 per 4 hectares. This is commensurate with Rural 2 provisions in the City Plan where 4hectares rural-residential allotments (each with a dwelling) are permitted. It is also considered by Council staff not to be inconsistent with the definition of rural activities in Chapter 12A which provides for residential activity on lots 4hectares or more.
33. ECan and CIAL have indicated that this level of residential activity is not a significant issue for them. Acoustic insulation would be required for residential activities at the plan change site through amendments proposed by PC66 to Rule 2.5.7 (Volume 3 Part 4).
34. PC66 proposes a Facilities precinct within which the existing school would be located. The plan change does not actively promote education facilities because a school is considered to be a noise sensitive activity and the site is within the Christchurch International Airport air noise contour.
35. The school has consent to remain at the site until April 2016.

Stormwater

36. A Report from Barnett and MacMurray Ltd (reviewed for the Council by e2 Environmental Engineers Ltd and Mr Roy Eastman, Council's stormwater engineer) indicates that the site is considered to be suitable for on-site stormwater disposal. A rule addressing stormwater provision is proposed by PC66, and the ODP provides guidance on this matter also.

Water and Wastewater

37. Reports from Eliot Sinclair Ltd (reviewed by Mr Eoghan O'Neill, Council's Water and Wastewater Engineer) finds that some upgrade would be required. Mr O'Neill also noted that the site is located on the periphery of the Council's system. Existing subdivision rules will ensure this occurs in a timely and appropriate manner.

Transport

38. A report was received in relation to the previous PC23 from Traffic Design Group Ltd (TDG), and was reviewed by Abley Transport Engineers Ltd. A subsequent report from TDG reviews their findings in light of the significant differences in density of development and the range of anticipated activities provided by PC66. TDG found that because of the density reduction, activity range, and identified road upgrade projects (Christchurch Southern Motorway and the Barbers Road / SH1 intersection), there are no significant road safety or road network issues. TDG find that Levels of Service at these intersections will be acceptable, and generally in accordance with what is anticipated under the Christchurch Transport Model.
39. It is noted that the upgrade to the Barbers Road / SH1 intersection is not yet part of any work programme, and the Stage 2 of the Christchurch Southern Motorway ('CSM2') is not designated and the route has yet to be formally selected. The CSM2 is the major upgrade in the area and it is likely its construction (scheduled to commence in 2015) will coincide with development of the plan change site, mitigating concerns with Levels of Service at intersections near the plan change site.

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Open Space

40. The site currently includes large areas of open space, including recreation facilities such as a cricket oval, swimming pool, gym, and hall. Advice from Council's reserves planners is that the Council does not need additional facilities in the Templeton area, but that at least 3000 metre square of passive open space should be provided at the plan change site. PC66 provides 1.7 hectare of open space, encompassing the existing sports oval.

Environmental Health Considerations

41. Two land contamination reports have been provided by Pattle Delamore and Partners Ltd (PDP). The first was desk-top only and identified a number of sources of 'potential human health and environmental issues' including fuel storage tanks, landfill and waste disposal stockpiles, and areas previously used for cropping. The second report includes on-site investigation and found minor contamination, such as can be readily remediated.
42. The issue of spray drift from adjoining farming properties was raised during the Hearing for the preceding private Plan Change 23 and again in discussions with the adjoining landowner to the west of the site. Although control of spraying activities is not within the ambit of the City Plan, PC66 proposes a 20 metre buffer area around the perimeter of the site and a rule requiring the retention and improvement of existing shelterbelts within the buffer. These requirements are proposed in order to address a number of issues, including spray drift. Discussions with the owners of the farmland adjoining the site indicate that these measures are sufficient to allay their concerns.

Geotechnical Considerations

43. Subsequent to the significant seismic activity from late 2010, the Council's requirements in terms of geotechnical advice have become more stringent. To avoid rezoning land which is not suitable for the anticipated outcomes, a geotechnical report was commissioned for PC66. A significant number of test pits were excavated and assessed across the site and bore logs kept. The report, from Eliot Sinclair, found that the site contains some minor uncontrolled fill, and that soils in the upper layers have variable bearing strengths. New buildings will require specific design but overall Eliot Sinclair conclude that the site is suited to the proposed zone. The report is attached to the s32 report and is compliant with the requirements of the recent Department of Building and Housing guidelines.

THE OPTIONS

44. A range of options were considered during the preparation of this proposed plan change. This includes options of doing nothing, the 'status quo', as well as various specific methods of amending the Plan provisions. The Section 32 assessment should be referred to for more detail in this regard.

PROCESSING OF COUNCIL INITIATED PLAN CHANGES

45. This is a Council initiated plan change and is subject to the provisions of the First Schedule of the RMA. If the Council decides to notify the plan change then it would be notified in accordance with the provisions of this Schedule. The proposed plan change and Section 32 would be made available for submissions and further submissions. Submitters would then have the right to present their submission at a public hearing. The Council decision must then be notified. A right of appeal to the Environment Court would be available, for any person who made a submission on the proposed plan change.

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SUMMARY

46. Overall, the proposed change is considered to be the most appropriate in terms of efficiency and effectiveness in achieving the Plan's objectives. PC66 makes efficient use of the existing resources at the site and achieves a balance between economically viable land use and retaining rural character in the area. Officers consider the plan change to be adequately researched and addresses the relevant issues to the extent necessary prior to public notification. This does not preclude the possibility of other matters being raised during the submissions process. It is recommended that the proposed plan change is accepted in its entirety for public notification.