

**The Resource Management Act 1991
Christchurch City Council**

Application for Land Use Consent

The Car Distribution Group

711 Johns Road, Christchurch

June 2017 (original application March 2017)

Reference: 811002

Revision FINAL



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**Form 9: Application for Resource Consent
Under Section 88 of the Resource Management Act 1991**

TO: The Christchurch City Council

The Car Distribution Group applies for the resource consent described below.

1. **The names and addresses** of the owner and occupier (other than the applicant) of any land to which this application relates are as follows:

N/A

2. **The location** to which this application relates is:

711 Johns Road being Lot PT Res 323 Dist. Cant, Sec 1 SO455212.

The total site area is 14.41ha (approx.), application site area 11 ha.

3. **The type of resource consent** being sought is a Land Use Consent.

4. **A description of the activities** to which the application relates is:

- (i) To provide for the storage (and distribution point) for rental and new vehicles.
- (ii) To undertake earthworks including 36,000m³ of cut and fill within the site. No material is being either brought onto or taken off the site.

The proposed development will be in accordance with the plans accompanying this application and which should be read as part of it.

A more detailed description of the proposed activity is to be found in the Assessment of Effects on the Environment which accompanies the application as Annexures A, B, C, D, E, F, G, H, I, J and K and which should be read as part of the application.

5. **Attached is an assessment of any actual or potential effects** that the activity may have on the environment.

6. **Additional resource consents.**

Environment Canterbury - Discharge Permit for construction and operation of stormwater discharge and excavation over aquifer.

7. **No other information** is required to be supplied by the district or regional plans or regulations.



.....

DATED: June 2017

(Signature of applicant or person authorised to sign on behalf)

Address for service and Council Deposit Fee:

Kim McCracken and Associates
P O Box 2551
CHRISTCHURCH

Address for Applicant and all other Council Fees

The Car Distribution Group
8-14 Mount Richmond Drive
Otahuhu
AUCKLAND 81060

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Email: office@rgmc.co.nz

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Telephone: 021 907347
Email: mike@thecdg.co.nz

ANNEXURE A: ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

INTRODUCTION

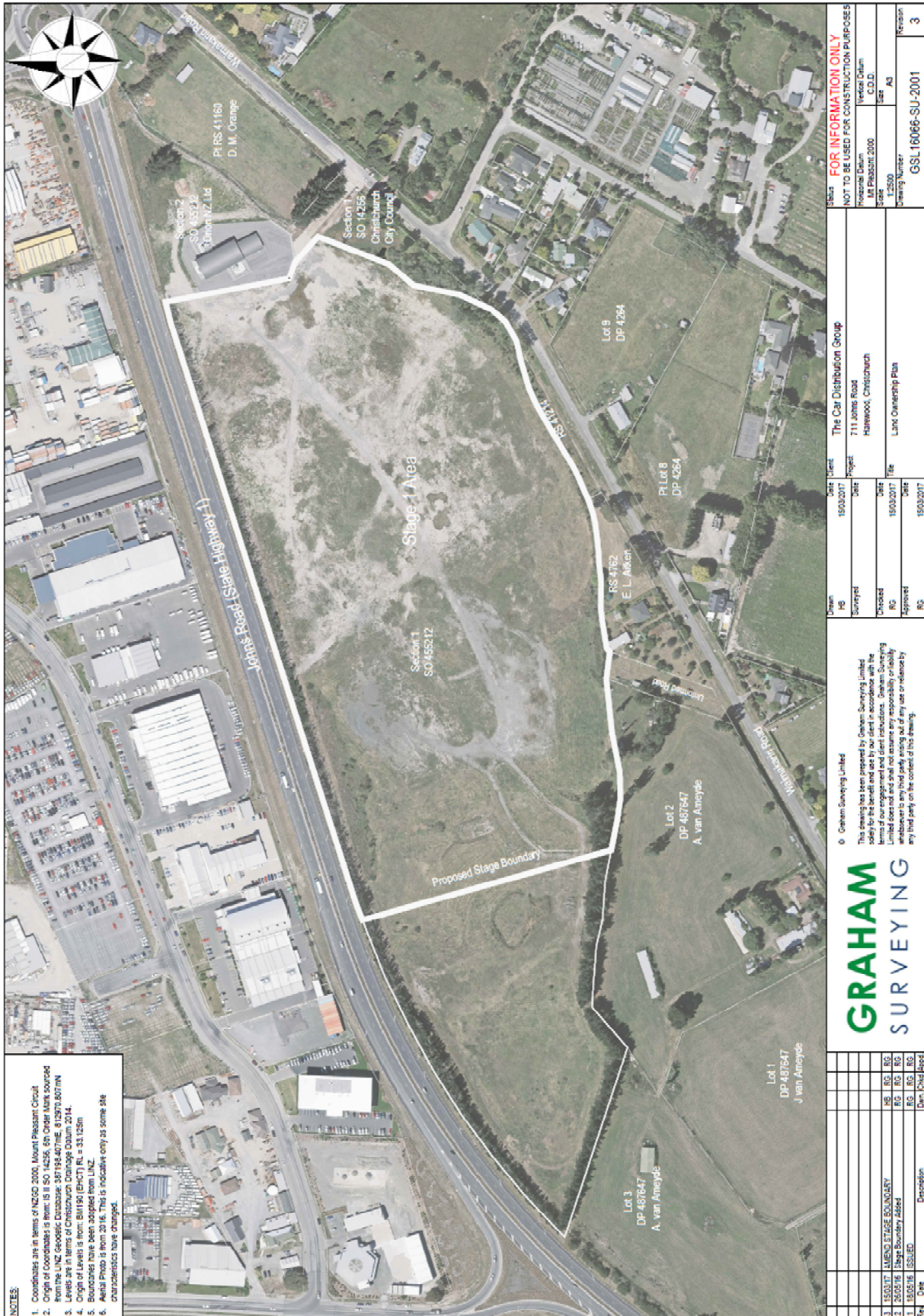
1. Section 88(2)(b) of the Resource Management Act 1991 requires that any application for a resource consent should include an assessment of any actual or potential effects that the activity may have on the environment and the ways in which any adverse effects may be mitigated. Section 88(2)(b) requires that any assessment shall be in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment and shall be prepared in accordance with the Fourth Schedule to the Resource Management Act 1991. This assessment is made in accordance with those requirements.

THE SITE

2. The site (11ha) is part of a larger 14.4ha property (Lot PT Res 323 Dist. Cant. Sec 1 SO14265) located on the north side of Christchurch generally between Johns Road, Waimakariri Road, Sawyers Arms Road and Harewood Road. The site has a 400m frontage to Johns Road (SHNo1) but has no vehicle access from this frontage. At the east end of the site is a new Orion substation and at the west end the site abuts the balance of the land holding of which the application site forms a part. A dwelling and a legal (but unformed) road access point are located at the south west corner of the site with the site boundary generally abutting Waimakariri road on the south boundary. The immediate east boundary of the application site adjoins the Orion substation, land owned by the Christchurch City Council and the proposed existing access link (Refer Plan 1 over).
3. The application site has a long history of a variety of uses and these are detailed in Annexure E, Tables 5, 6 and 7. In summary the position is:
 - (i) From around 1940 through to the mid-1950s and early 1960s the site was used for farming purposes;
 - (ii) From around the mid-1960s until the early 1990s the site was quarried;
 - (iii) From the mid-1990s until 2009 the site remained as vacant quarry; and
 - (iv) From 2009 a number of consents were granted which largely provided for the quarry to be in filled with hard fill including soil, rock and concrete as well as asphalt, milling, concrete crushing and gravel (Refer RMA 92012448).

THE LOCALITY

4. The site is located in an area of mixed amenity. The north boundary of the site adjoins Johns Road (SHNo1) which currently carries around 26,000 vpd. Across Johns Road to the north the land is zoned Industrial Heavy (IH) in the Replacement City Plan (PRCP) and includes a range of activities from vehicle rental, storage units, light engineering, the Press building and limited office activity. Generally the north side of Johns Road is dominated by



NOTES:

- Coordinates are in terms of NZGD 2000, Mount Pleasant Circuit.
- Origin of Coordinates is from: IS II SO 14256, 6th Order Mark, sourced from the LINZ Geospatial Database: 387 196.407mE, 612970.807mN
- Levels are in terms of Christchurch Datum 2014.
- Origin of Levels is from: BMT190 (EHC17) RL = 33.125m
- Boundaries have been adopted from LINZ.
- Aerial Photo is from 2016. This is indicative only as some site characteristics have changed.

**FOR INFORMATION ONLY
NOT TO BE USED FOR CONSTRUCTION PURPOSES**

| | |
|------------------|------------------|
| Vertical Datum | Vertical Datum |
| Mt Pleasant 2000 | C.O.D. |
| Scale | 1:2500 |
| Sheet | AS |
| Planning Number | GSL16066-SU-2001 |
| Revision | 3 |

| | |
|----------|----------------------------|
| Client | The Car Distribution Group |
| Date | 15/03/2017 |
| Project | 711 Johns Road |
| Location | Harewood, Christchurch |
| File | Land Ownership Plan |
| Date | 15/03/2017 |
| Approved | 15/03/2017 |

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GRAHAM SURVEYING

| Rev | Date | Description | Drawn | Checked | Date |
|-----|----------|----------------------|-------|---------|------|
| 1 | 15/03/17 | LAND STAGE BOUNDARY | RS | RS | RS |
| 2 | 26/05/16 | Stage Boundary Added | RS | RS | RS |
| 1 | 18/05/16 | ISSUED | RS | RS | RS |

Plan 1

Plan 1

the activities of the Airport including those activities which service the airport (ie rental car depots and car storage).

5. The east end of the site adjoins the recently constructed Orion substation site which has been extensively landscaped. Further to the east at the intersection of Sawyers Arms Road and Waimakariri Road is a single dwelling.
6. The south boundary of the site adjoins land currently owned by the Christchurch City Council along with a dwelling generally located alongside the south west corner of the application site. Across Waimakariri Road (south side) are some 22 residential and residential lifestyle properties with a group of residential properties located at the intersection of Waimakariri Road and Watsons Road. At the west end of Waimakariri Road around the intersection with Harewood Road are a number of activities including two churches, a primary school, a day-care centre, a small industrial plant and a cooking/culinary school.
7. The current condition of the site is scrub and gravel with significant areas of undulation and hard surface. At the east end of the site the new substation has been extensively landscaped while the access point from Waimakariri road to the substation has been upgraded and sealed and would also serve the application site,.

THE PROPOSAL

8. Currently the applicant operates from six sites across Christchurch which provide storage for between 2500 and 5000 vehicles located at Bromley, Wigram, Wainoni, Airpark Canterbury, Greywacke Road, Raymond Road and (temporarily) the Christchurch Bus depot. The new site will consolidate the vehicle storage operation from the existing sites.
9. The applicant is seeking consent to establish a vehicle storage operation on the proposed site. In simple terms vehicles are brought onto the site by car transporter, consolidated and then discharged by transporter around the South Island or into the Christchurch car rental (Christchurch Airport) and sales market. The operation involves the storage, distribution and the relocation of primarily new vehicles and rental cars. The site will provide for the storage of between 3500 – 4500 vehicles with vehicles typically being stored on site for around 45 days. The site will be the base for 15 car transporters although these vehicles only spend about two hours on-site.
10. The Christchurch based operation will employ 10 on-site staff.
11. The hours of operation are 8am to 6.00pm Monday to Friday but with a number of transporters returning to and leaving the site between 11pm and 6am during weeknights. There would be a maximum of 15 vehicle movements (total) between these hours. Over the weekend the site does not operate except for two transporters occasionally returning on a Saturday or Sunday.
12. The site development will involve the contouring of approximately 8ha of the site to provide the hardstand and storage area for vehicles. A single building is proposed (approx. 1000m²) which contains vehicle servicing, offices and staff rooms. The building is located on the north side of the site and generally alongside Johns Road (Refer Annexure C).

13. The site contains two rows of (*Pinus radiatus*) located along the Johns Road boundary and these will be removed and new landscaping provided.
14. On the south side of the site adjacent to Waimakariri Road a substantial landscape buffer is proposed. This buffer will vary between 20m and 50m in width and will include the grassed swales part of the stormwater mitigation and a planted bund at a minimum height of 3m along Waimakariri Road and 2m high along Johns Road and at the east and west ends of the site. All security fencing for the activity will be located behind the landscape setback and bund with the south (Waimakariri Road) and north (Johns Road) boundaries retaining a post and wire rural fence.
15. Access to the site is proposed by way of an entry/exit point at the existing formed driveway on Waimakariri Road at the south-east corner of the site. All vehicles will access Waimakariri Road via Sawyers Arms Road and not via Harewood Road (Refer Annexure D).
16. The topography of the site is generally flat although earthworks will be undertaken to achieve the necessary stormwater catchment and landscaping namely:
 - A cut and fill redesign of the site area to form the car park, and
 - Stormwater basins and perimeter bunds.

A cut of 36,000m³ will be undertaken with all the material remaining on the site as fill and bund formation. The extent and form of the earthworks is set out in Annexure F.

17. The site can connect to the City Council wastewater management system (Waimakariri Road). Water supply will be sourced from either an existing on-site bore or roof collection system. This will provide water supply for both drinking and fire fighting purposes.
18. Power and telecommunication services are available from Waimakariri Road and stormwater management will be undertaken on-site by way of a macro pollutant trap, followed by grass lined swale drains to a first flush basin (Annexures F and F(I)). A consent to discharge stormwater will be lodged with Environment Canterbury.
19. A Construction Management Plan will be prepared as part of the building consent and will address the timetable, dust mitigation, management of construction equipment, noise control, traffic management, sediment control, security and communication with neighbours (Refer Annexure L, Clause 10.3).

OPERATIVE CITY PLAN

20. By way of background the site was located Rural 5 Zone (Airport Influences) of the Operative City Plan. The zone description and environmental results anticipated include as follows:

The Rural 5 (Airport Influences) Zone surrounds most of Christchurch International Airport and extends to include the majority of that area within the 50 dBA Ldn noise contour.

This zone also includes areas of mixed rural activities, and soils of varying versatility. Those soils to the north and west of the airport tend towards being drier and less versatile, while those soils which adjoin the urban area to the east and south are more

versatile and have the potential to support a more varied range of activities. The zone also forms part of the Christchurch-West Melton ground water recharge area with consequences for those land use activities involving either discharges to or abstraction of ground water.

Russley Road and Johns Road (State Highway 1) pass through the zone and serve as an important heavy traffic by-pass route, as well as being major arterial roads. A Rural Industrial (Business 6) Zone is located between the Rural 4 and Rural 5 Zones on the northern side of Johns Road.

The zone's purpose is primarily the continuation of primary production while managing land use activities to avoid compromising airport operations and development.

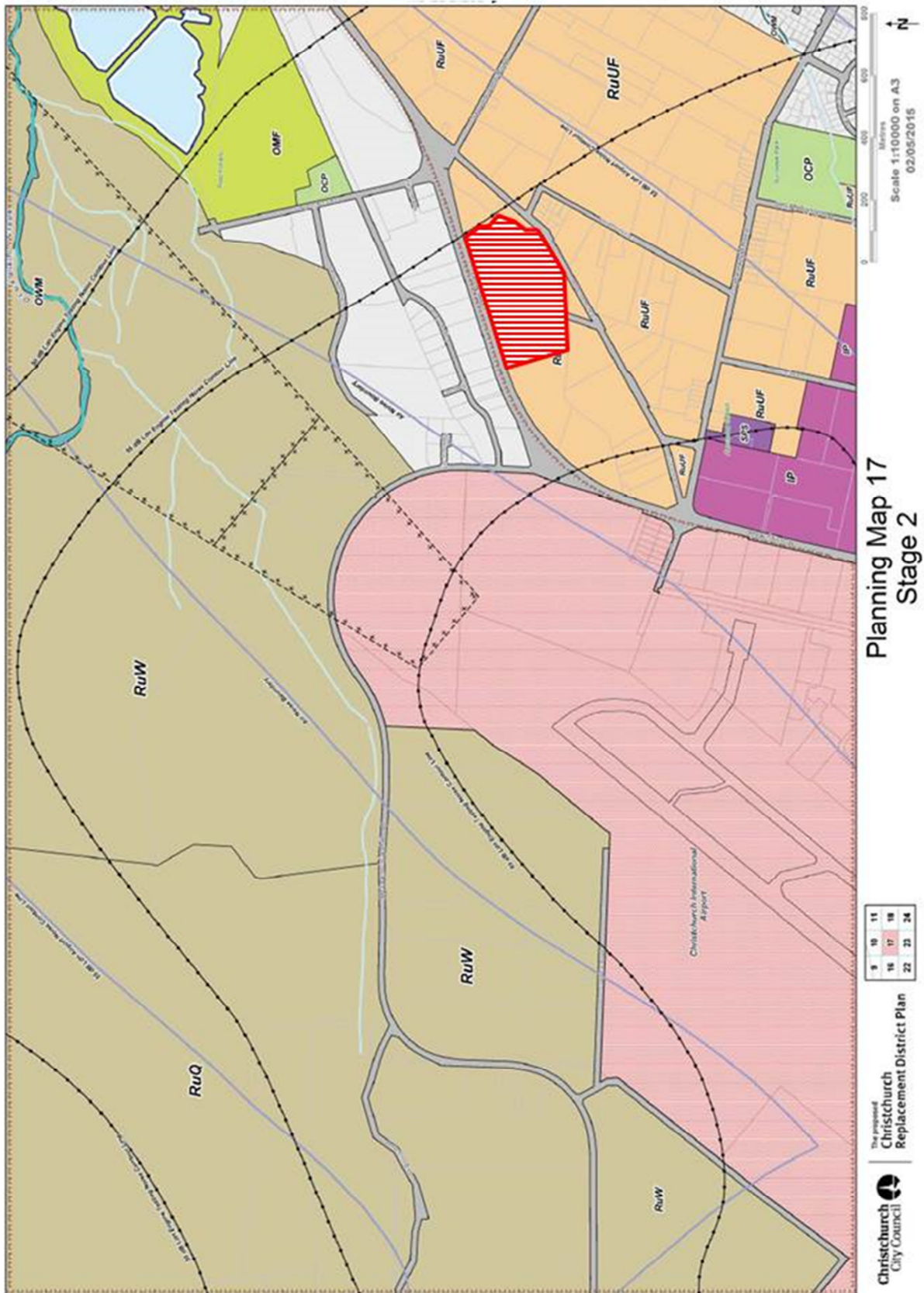
Environmental results anticipated

- (a) The operation of activities within the Rural 5 (Airport Influences) Zone in a manner which maintains the continued safe and uncurfewed operation and development of the International Airport.*
- (b) Some adverse environmental noise effects associated with the proximity of aircraft operations and associated activities at the airport with gradual use of quieter aircraft, but with substantially greater numbers of aircraft movements.*
- (c) A level of intensity of land use activities and future subdivision activities within this zone so as to ensure that neither of these lead to demands for curfewed airport operations.*
- (d) Management of land use activities consistent with the sustainable management of groundwater resources and the protection of them from contamination.*
- (e) The maintenance of safe and efficient traffic movement on Russley Road, and Johns Road while continuing to make provision for activities of an industrial or processing nature which require a rural location.*
- (f) The maintenance and enhancement of the potential of versatile soils.*
- (h) Recognition of the likely airport noise environment and achievement of noise insulation as a means of ensuring adequate mitigation of adverse environmental effects which might otherwise be experienced by residents in this zone.*

21. This plan is understood to be no longer relevant but does identify or reflect the character of the former Rural 5 Zone as against the now Operative Rural Urban Fringe Zone.

CITY PLAN – REPLACEMENT PLAN

22. The site is located within the Rural Urban Fringe Zone of the Replacement City Plan (Refer Plan 2 over). The provisions of the Replacement Plan are the relevant City Plan requirements and an assessment of the proposal against the relevant rules of that City Plan is set out below.



Plan 2

Site



CITY PLAN COMPLIANCE – REPLACEMENT PLAN

23. The development has been assessed in terms of the provisions of Chapter 17, the Rural Urban Fringe Zone, Chapter 8 – Subdivision, Development and Earthworks and Chapter 7, Transport.

(i) Chapter 8 – Subdivision, Development and Earthworks

| Rule | Requirement | Proposed |
|---|--|--|
| 8.54 Rules - Earthworks | | |
| 8.5A.2.1 Permitted Activities - Earthworks | | |
| <p>Earthworks:</p> <p>a. Outside a Flood Management Area of Flooding Ponding Area; and</p> <p>b. Not for the purpose of the repair of land used for residential purposes and damage by earthquakes</p> <p>Clarification:</p> <p>1. Refer to Chapter 5 for earthworks within a Flood Management Area or Flood Ponding Area.</p> <p>2. Refer to P2 for earthworks for the purpose of the repair of land used for residential purposes and damaged by earthquakes.</p> | <p>i. Earthworks shall not exceed the volumes in Table 9 over 12 month time period. Rural zones - $100\text{m}^3/\text{ha}$: $=1100\text{m}^3/\text{ha}/\text{year}$</p> <p>ii. Earthworks in zones listed in Table 9 shall not exceed a maximum depth of 0.6m, other than in relation to farming activities, quarrying activities or permitted education activities.</p> <p>iii. Earthworks shall not occur on land which has a gradient that is steeper than 1 in 6.</p> <p>iv. Earthworks involving soil compaction methods which create vibration shall comply with DIN 4150 199902 and compliance shall be certified through a statement of professional opinion provide to the Council from a suitably qualified and experienced chartered or registered engineer.</p> <p>v. Earthworks involving mechanical or illuminating equipment shall not be undertaken outside the hours of 0700 – 1900 in a Residential Zone. Clarification: between 0700 and 1900 hours the noise standards in Chapter 6</p> | <p>$36,900\text{m}^3$ – all within site. No material removed from or transported to site; $= 3300\text{m}^3/\text{ha}/\text{year}$</p> <p>Complies except that an area of 2000m^2 of the site will have a cut depth of between 0.6m and 0.9m.</p> <p>Will comply</p> <p>Will comply</p> <p>Will comply</p> |

| | | |
|--|---|--|
| | <p>Rule 6.1.4.2.3 and the lux thresholds at Chapter 6 Rule 6.3.2.3.1 both apply.</p> <p>vi. Earthworks involving mechanical equipment other than in residential zones, shall not occur outside the hours of 0700 and 2200 except where compliant with NZS6803:1999. Clarification: between 0700 and 2200 hours the noise standards in Chapter 6 Rule 6.1.4.2.3 apply except where NZ6803. 1999 is complied with, and the lux thresholds in Chapter 6 Rule 6.3.2.3.1 apply.</p> <p>vii. Fill shall consist of clean fill.</p> <p>viii. The activity standards listed in Rule 8.5A.2.1P3, P4 and P5</p> | <p>Will comply</p> <p>Will comply</p> <p>N/A</p> |
|--|---|--|

(ii) **Chapter 17 – Rural Urban Fringe Zone**

| Rule | Requirement | Proposal |
|--|--|---------------------------------------|
| 17.3.2.1 Permitted Activities | | |
| The activity is not listed as a permitted activity (P1-P20) and would be a non-complying activity in terms of Rule 17.3.2.4. | | |
| 17.3.3. – Built Form Standards | | |
| 17.3.3.1 Building Area (Residential) | | N/A |
| 17.3.3.2 Building Height | 9m | 5m-7m Complies |
| 17.3.3.3 Setback from road boundaries | 15m | 40m Complies (Johns Road) |
| 17.3.3.4 Setback from Internal Boundaries | 10m | Complies – 10m (east boundary) |
| 17.3.3.5 Separation Distances | | N/A |
| 17.3.3.6 | 5% of the net site area or 2000m ² /whichever is the lesser | 75% - impervious surfaces cover (8ha) |

| | | |
|---------------------------|--|------------------------------------|
| Site Coverage | | Does not comply |
| 17.3.3.7 Vehicle Trips | Max. no of trips for all activities 100 vpd | Will generate an average of 130vpd |
| 17.3.3.8 Water Supply | Connection to City Reticulated System | Using on-site bore and roof water |

(iii) A traffic compliance assessment (Replacement City Plan) is set out in Appendix A of Annexure D, Transportation Assessment Report. This concludes that compliance is achieved with all of the relevant on-site transport standards.

24. Having regard to the above the application falls to be considered as Non-Complying. The overall assessment is that consent is required in terms of the following matters:

| Rule | |
|---------------|--|
| 8.5A.2.1 (i) | The earthworks will exceed the volumes in Table 9 over a 12 month period – Restricted Discretionary Activity |
| 8.5A.2.1 (ii) | The maximum depth of earthworks 0.9m over 2000m ² (2.0%) of the site - Restricted Discretionary Activity |
| 17.3.2.1 | Permitted Activities – Non-complying activity |
| 17.3.3.6 | More than 5% of the net site area is covered by impervious surfaces – 75% site coverage proposed – Restricted Discretionary Activity |
| 17.3.3.7 | The max. no of vehicle trips will exceed 100vpd (estimate 130vpd) – Restricted Discretionary Activity |
| 17.3.3.8 | Water Supply – use of bore or roof water – Restricted Discretionary Activity |

ASSESSMENT OF ACTUAL OR POTENTIAL EFFECTS ON THE ENVIRONMENT

Section 104(2)

25. Prior to undertaking an assessment of the effects of this proposal, it is useful to consider the discretion available under Section 104(2) of the Act (referred to as the “permitted baseline”) whereby a consent authority may disregard an adverse effect of an activity on the environment if the Plan or a National Environmental Standard permits activity with that effect. Case law has established that this relates to the effects of non-fanciful hypothetical activities which could be carried out as of right under the Plan. The use of Section 104(2) is discretionary and it is concluded that the discretion could be considered as a relevant factor in this case in the context of traffic generation.
26. Although not directly applicable it is relevant to note that the Rural-Urban Fringe Zone does provide for a range of activities that could have significantly greater levels of built development and traffic generation, particularly if subdivided to accommodate a number of

activities (eg recreation, rural, tourism). The site is very large (11ha) which if subdivided would likely take all access directly from Waimakariri Road, with traffic accessing Waimakariri Road from both Harewood and Sawyers Arms Roads. The position is that the zone is not confined to rural productive or farming activities but does provide for a range of farming, tourism and recreation activities. This is particularly relevant in terms of traffic generation where the development of the site for a group of permitted activities would exceed the traffic generation for the proposed activity (Refer Annexure D).

27. Recognising the above there are matters which have the potential to generate effects (both positive and adverse) on the environment and an assessment of all the effects relevant to this proposal has been undertaken. The effects identified are:

- Positive Effects
- Rural Character, Productivity and Amenity (Site Coverage)
- Reverse sensitivity
- Hours of Operation
- Noise and lighting
- Transport
- Landscaping
- Ground Conditions
- Ground Contamination
- Earthworks
- Stormwater Management
- Construction Effects and Dust
- Effects on the Christchurch International Airport
- Cumulative Effects

Positive Effects

28. The site is unusual in terms of its history and location. The site has had little productive “rural” use for over 50 years having largely been used for quarrying and back filling with hardfill since the 1960s. This has left the site with little or no productive agricultural potential. In addition the site is located within an area of mixed amenity which includes both the more sensitive residential and residential lifestyle activities generally located on the south side of Waimakariri Road, as well as the business activity and related traffic amenity of the Johns Road (SHNo1) frontage, the airport activities and the Industrial Heavy Zone (north side of Johns Road) of the Replacement City Plan. The mixed character of the area (i.e. housing, community activities as well as some small businesses) is in large part reflected in the change

of zoning from a more conventional rural zone (Rural 5) in the Operative City Plan to the more mixed urban-rural activity of the Rural Urban Fringe Zone. The site and immediate locality reflect this character, rather than that of a pristine rural environment. This position was signalled in the North West Area Review (NWAR) which included the land subject of this application and stated:

The majority of the NWRA is currently zoned Rural 5 (Airport Influences Zone) and Rural 3 (Styx-Marshland Rural Zone) in the City Plan. These zones provide for productive uses such as intensive horticulture that utilises the highly productive soils in the area. The PC1 decision signalled that the current zoning provisions may no longer be appropriate.

Having regard to the natural resources and the location of the NWRA, its role is considered to be as an 'Rural-Urban Fringe', which the rezoning should reflect. A 'Rural-Urban Fringe' zone is usually regarded as the transition zone between urban and rural areas that provides for activities typically associated with a peri-urban area while retaining open space and trees. Activities that are considered appropriate within the NWRA include non-noise-sensitive "urban" activities e.g. industrial business activities, formal and informal open spaces, sporting and recreational facilities, in addition to the on-going use of the area for rural activities and associated dwellings. Residential subdivision, education and health facilities (noise sensitive activities) are not considered to be appropriate in the NWRA, which is within the 50 dBA Ldn airport noise contour that noise sensitive activities are to be avoided in.

A report on the NWRA that considers the appropriateness of different land uses concludes that 100 hectares of industrial business land should be identified in the area. This is based on a review of the supply of industrial land and take up of land across the City, indications of increased demand for industrial land as businesses relocate from other parts of the City, as well as demand for land associated with the rebuild. The location of the NWRA in close proximity to Christchurch International Airport also makes the NWRA attractive for businesses that use air freight and/or have clients/staff who frequently travel by air. The airport is a significant node of economic activity that will also generate demand for business land in the surrounding area including the NWRA" (NW Review Area Report – September 2012)

29. Within the NW Review Area the land subject of the application was identified as part of Block C about which the report noted:

The land between Harewood Road and Sawyers Arms Road comprises a mix of activities, particularly rural lifestyle sections and horticultural activities. The land use activities and subdivision pattern makes this part of block C less suitable for development. The exception is a large block of land on the western edge of Johns Road that has historically been used as a gravel pit but is no longer required for this purpose. It may be suitable for development and could provide a link with the Business 6 zone to the immediate north of Johns Road.

30. The proposed activity will make good use of an area of land not well suited to the majority of activities provided in the Urban Fringe Zone. It will also ensure the protection of the airport operation and reduce the impact of heavy goods vehicles within the City urban area. The

outcome or consolidation of the applicants activities will also result in a significant reduction of heavy goods vehicle movements within the city with the activity located alongside a major client base at the airport (Refer Annexure D).

Rural Character and Amenity

31. Rural Character and amenity is determined by a number of matters but principally by the extent and form of any “built” development. The objectives, policies and rules (Chapter 17 – Rural) seek to manage activities in the different Rural zones and in particular:
- Maintain the potential contribution of rural productive activities,
 - Maintain the contrast with the urban environment,
 - Recognise that rural character and amenity values vary across the city, resulting from the combination of the natural and physical resources present including the location and extent of established and permitted activities, and
 - Avoid the establishment of business activities that are not dependent on or directly related to the rural resource unless, they provide benefits through the utilisation of the rural resource and do not result in the proliferation of associated activities not reliant on the rural resource.
32. Of particular importance in assessing the character and amenity of the rural area is the matter of site coverage and building development. The City Plan (Rule 17.8.1.6) Site Coverage and Building Footprint sets out a number of assessment matters to assist in the consideration of any exceedence of the site coverage rule. These are:
- a. *Whether the increase in site coverage or building footprint will result in a building scale and size that maintains rural character and amenity values and enables the site to remain dominated by open space rather than buildings, hard surfaces and outdoor storage taking into account:*
- i. *the extent to which the topography and the location, scale, design and appearance of the building, landscaping or natural features mitigate the visual effects of increased site coverage or the size of the building;*

Assessment

The building is small, below the permitted height limit and located 200m from the nearest dwelling. It is relevant to note that the site could have a building of 2000m² (proposed building 1000m²) while if the site was developed for a number of activities the extent of building development could be even greater. As such the proposal will have no impact on rural character. The area of hard surface exceeds the City Plan limit (i.e. approx. 75% coverage proposed) but this cannot be seen from any residential property. The site is being banded and landscaped (Annexure J) to specifically mitigate any adverse visual impact. The current state of the site is largely poorly grassed hard fill and does not reflect a high degree of rural amenity. The enhanced landscaping will improve the visual appearance of the site.

- ii. *if any alternative siting has been considered or is available on the site that would mitigate any visual effects of the increased site coverage or the size of the building;*

Assessment

The applicant has considered other sites including the retention of the existing six sites. The current site is ideally located for the distribution activity (proximity to main roads, airport, rental car operators) and has in the past been considered for business activity zoning. Any adverse visual effects will be mitigated by comprehensive landscaping and bunding.

- iii. *the extent to which increased site coverage or the size of the building will diminish the productive potential of the land, the soil pattern or make it difficult for quarrying activity to establish or operate in the vicinity;*

Assessment

The site coverage (and the size of the building) will not diminish the productive potential of the land. The land has little productive (agricultural) potential.

- iv. *the extent to which increased site coverage will adversely affect groundwater and flood management areas; and*

Assessment

The site is located in a sensitive groundwater location in relation to the M.F.E Sensitive aquifer assessment. An application has been made to discharge runoff. It is noted however that a consent for stormwater discharge to land (CRC150989) already existed for part of the site (Orion) while an earlier consent (CRC951068) had previously been granted for the wider site. The issue of ground water protection is acknowledged and mitigation measures proposed in Annexures E, E(I), F, F(I) and L in respect of both ground contamination and stormwater management.

- v. *any other mitigation proposed including visual screening.*

Assessment

Extensive landscaping and bunding is proposed around the full perimeter of the site. The landscaping will significantly enhance the Johns Road frontage or approach to the "City" while the site landscaping will mitigate any adverse visual impact on the neighbouring properties. The landscape plan involves substantial bunding along all boundaries with the bunds all extensively planted (Annexure J). In addition stormwater management is proposed by way of planted swales.

Reverse Sensitivity

33. There is potential for reverse sensitivity effects to be experienced by adjoining rural and residential properties. In terms of the rural activities alongside or bordering the site then reverse sensitivity should not occur to the extent that the proposed activity will impede or restrict any established activities or permitted rural productive activities.

34. There are however localised issues in regard to reverse sensitivity and in particular in terms of the nearby established residential activity. These include;
- Security/Safety,
 - Hours of operation,
 - Noise from vehicles and equipment, and
 - Lighting

These matters are all separately addressed.

Security and Safety

A security fence will be located around the site but is situated behind (to the rear of) the landscape bund. As such the site is well secured and the visual impact of that security fence is mitigated by the bunding and landscaping. The site will remain gated (closed) at all times with access only available to staff/visitors via a security gate system.

Hours of Operation

35. The Rural Urban Fringe Zone does not have any limitations on the hours of operation for activities. The site activity will operate between 8am and 6.00pm Monday to Friday with 15 vehicle movements between 11pm and 6am on weekdays. The site does not operate over the weekends with the exception of the occasional transporter (i.e. one or two) returning to the site.

Noise

36. Acoustic Engineering Services (AES) has assessed the noise emissions associated with the activity. The outcome from this assessment is detailed in the Noise Assessment Report (Annexures H and H(I)). AES has measured all of the activities on the site over a full day and in particular the loading and unloading of the car transporters and the arrival and departure of the transporters from the site. The report has also highlighted the “noise” environment of the site including the fact that the nearby dwellings are located inside the 55Ldn dBA air noise contour related to aircraft movement and within the noise exposure lines for engine testing at the airport. In addition the area has a very high background ambient noise level resulting from traffic noise on Johns Road.
37. However, the report has concluded that the general operation of the site during the day (i.e. 0700 – 2200hrs) will meet the City Plan daytime noise levels (50dBL Aeq) and the (40dB LAeq) night time District Plan limits of the notional boundary of any nearby dwellings. The only exception to this is the movement of the car transporters between 2200 – 0700 hrs but even this movement will not exceed 45db Leq and given the background noise levels is an acceptable outcome. The only exception will be the property at 37 Waimakariri Road which is closer to the site access and where some additional mitigation may be appropriate. In order to give confidence to the outcomes a number of conditions have been proposed including the acoustic bunding, an internal acoustic fence alongside the loading area, control on reversing beepers and air brakes, a limit on the noise generated from the site, the need for a noise measurement survey to confirm compliance and a general right of the Council to

review the noise outcomes part of this activity, Section 128 of the Resource Management Act.

Lighting

38. The outdoor lighting proposed for the redevelopment of the site will be designed and located in a manner that ensures that glare is not directed outside of the site. In this respect, any outdoor lighting to be used on the site will produce a luminance that does not exceed the limits provided for in the City Plan. This can be ensured through a requirement for a completion certificate to be provided at the building consent stage as well as conditions imposed on this resource consent. Any potential for nuisance effects to be caused by outdoor lighting on the site will be negligible and the activity can meet the requirements of the City Plan for outdoor lighting (Refer Annexure I) and will be subject to the requirement to prepare a lighting plan demonstrating compliance (Annexure L).

Privacy

39. There is no overlooking of neighbours. The building will comply with all the bulk and location requirements for the zone and is located 200m from the nearest residential neighbour. The building does not include any windows that overlook properties which will ensure that privacy is retained for adjacent residential properties. The building is below the permitted height limit for the zone. In addition the level of personnel on-site during the day is small, generally up to ten staff (Refer Annexure J).

Conclusion

40. In assessing the reverse sensitivity effects in regard to the residential and community neighbours (schools, churches) it is concluded that there will be no adverse effects on the amenity values with the possible exception of a minor noise impact in respect of 37 Waimakariri Road. The general character of the use and the level of onsite activity is passive and little different to any car park, except that the rate of vehicle turnover is much lower (ie cars parked for an average of 45 days) as is the level of overall traffic generation when compared to a series of permitted activities on that site.

Transport

41. A traffic impact assessment has been undertaken (Annexure D). That assessment has concluded that there is full compliance with the relevant (on-site) City Plan rules. The matter of vehicle generation and site access was of primary concern to the local community. The applicant has investigated three access arrangements including access from Johns Road, access via Harewood Road and access via Sawyers Arms Road. Given the difficulty of obtaining agreement from the N.Z. Transport Authority, the applicant is proposing that all access to the site be via Sawyers Arms Road into the exiting road access point to the site (i.e. as shared with the Orion Substation). This is identical to the access condition placed on the consent for filling the site (RMA92012448). Overall the level of traffic generation is assessed at 130 vpd (as against a permitted site level of 100vpd), and is concluded not to be adverse when compared to a range of permitted alternative uses of the site, which would not be restricted to the Sawyers Arms Road access and, could generate greater volumes of traffic.

42. In summary the three access options were as follows:
- (i) Option 1 – the preferred access arrangement was to provide an ingress point off SH1 with a deceleration lane. This can be located in a position that meets all the geometric design standards required of NZTA with vehicles existing the site via the existing (eastern) driveway on Waimakariri Road.
 - (ii) Option 2 – the second option has all access in and out of the site via the exiting eastern driveway on to Waimakariri Road and out via Sawyers Arms Road. All access in and out of the site would be provided via Sawyers Arms Road with no vehicles accessing or exiting the site via Harewood Road. This requires a modification to the Sawyers Arms Road, Waimakariri Road intersection which will be done at the expense of the applicant. This is now the favoured solution given that NZTA are unlikely to agree to Option (i). It is also similar to the access option condition set for RMA92012448.
 - (iii) Option 3 – this option would involve traffic accessing the site from both Harewood and Sawyers Arms Roads either via the unformed legal road (off Waimakariri Road) at the west end of the site or the existing eastern driveway, and with all traffic exiting the site via Sawyers Arms Road.
43. All of the above options have varying levels of mitigation which could include widening Waimakariri Road (seal) to achieve a seal width of 7m at all points, a new footpath along the south side of Waimakariri Road and an additional pedestrian refuge on Waimakariri Road adjacent to Harewood Road. The options are all addressed in Annexure D.

Stormwater Management

44. The location of the site provides the opportunity to utilise the attributes of the site's topography and geology to collect, manage and dispose of stormwater runoff on site. The key features of the stormwater concept are set out in Annexure F and include:
- Site shaping to create discrete stormwater basins,
 - Minimising any offsite runoff,
 - Collection of surface runoff in macro pollutant traps,
 - A first flush runoff depth of 25mm,
 - Nova drain subsoil drainage system, and
 - A peak storage event being a 36 hour storm
45. The proposal is to form a paved surface of approx. 8.0 ha which would then generate direct run off during a storm event. A further detailed surface level design has been undertaken which provides six catchments within the site and allows for a more manageable run off through the site as against larger concentrated flows. As a consequence there are smaller and more manageable stormwater collection and disposal areas (Refer Annexures F and F(I)).

Landscaping

46. An assessment of the potential for landscape and visual effects associated with the proposed redevelopment of the site has been completed and reported in the Landscape Assessment

(Annexure J). The landscape assessment has concluded that the proposal will result in a change to the landscape but this will not result in adverse effects. The report identifies that the site is not in a natural wilderness area and the surrounding area incorporates established development, be it dwellings, commercial, community or business activities. There was the potential for the adjacent dwellings to experience adverse visual effects but the proposed bunding and planting on the perimeter of the site will ensure that views of the car storage facility will be obscured. The landscaping and planting plan (species) have now been prepared in recognition of the requirements of the CIAL and a condition to reflect that outcome is proposed.

Ground Conditions (Geology)

47. An assessment of the ground conditions has been undertaken (Annexure G). In summary that assessment has concluded that:
- The site was used as a quarry with excavation to approximately 10m deep,
 - The quarry has been filled with hard fill including soil, rock and concrete, and
 - That the site is generally suitable for the proposed activity although ground improvement works will be required, largely limited to compaction.

Ground Contamination

48. A preliminary site investigation was undertaken and concluded that there is no impediment to the site being used as proposed, subject to an intrusive environmental investigation being undertaken prior to any development proceeding. This has now been expanded to a Detailed Site Investigation (DSI). The DSI has concluded that apart from a small area of the site where remediation is required the balance of the material on site is suitable for the proposed activity (Refer Annexure E and E(I)).

Earthworks

49. Earthworks are required on the site principally for the purpose of shaping the site to achieve the stormwater management outcome, create the perimeter bunds and compaction of existing material. The extent of earthworks will involve the reshaping of 36900m² of material all on-site. No material is to be taken from or brought onto the site. The City Plan (Rule 8.5A4) sets out the assessment matters in relation to earthworks activity. The relevant matters are:

50. *Nuisance*

- a. *The extent to which any potential dust nuisance, sedimentation and water or wind erosion effects can be avoided or mitigated.*
- b. *The extent to which effects on neighbouring properties and on the road network, or heavy vehicle and other vehicular traffic generated as a result of earthworks can be avoided or mitigated.*
- c. *The extent to which any potential changes to the patterns of surface drainage or subsoil drains can be avoided or mitigated if those changes would put the site or*

- adjoining land at higher risk of drainage problems, inundation run-off, flooding, or raise that site's or adjoining land's water table.*
- d. Whether any change in ground level would be likely to impact on trees in terms of access to water and drainage.*
 - e. The extent of any potential adverse effects on the quality of groundwater and whether any such can be avoided or mitigated.*
 - f. The extent to which any adverse effects from noise and vibration associated with earthworks and land improvement can be avoided or mitigated, and the effectiveness of any methods to mitigate such effects.*

Assessment

Dust, wind and sedimentation effects will be the subject of a construction management plan. That plan will set out the hours of operation, the need for on-site water to manage dust and the requirements of a sediment control plan. These requirements are identified and proposed in the draft set of conditions (Annexure L). The above provisions will also ensure that there is no dust nuisance to neighbours while the earthworks will not require the removal or depositing of soil from or to the site.

The surface drainage plan has been set out in Annexures F and F(l) and this will ensure all stormwater mitigation takes place on-site and that any runoff from the site does not exceed that which already exists.

There is no impact on trees. The area of earthworks is rough scrub and hardfill. The result of the earthworks will be to create new landscape areas. The effects on the ground water and the need for more detailed site testing have been identified in terms of ground contamination (Annexures E, E(l) and L). Noise and vibration effects (which will be limited to the construction period) will also be controlled by a Construction Management Plan (Annexure L).

51. *Resources and Assets*

- a. Whether versatile soils would be lost to production or have their physical and biochemical qualities compromised.*

Assessment:

No versatile soils are lost.

52. *Land Stability*

- a. Whether the earthworks affect the stability of adjoining land and its susceptibility to subsidence or erosion upon excavation taking place.*
- b. The extent of any alteration to natural ground levels in the vicinity and, consequently, to the height and bulk of buildings that may be erected on the site.*

Assessment:

The site is largely flat and apart from minor reshaping to create the stormwater catchments will remain so. As such there will be no "erosion" or "stability" impact on adjoining land and nor will the height of the building be increased by any change in ground level. The site is a

filled “quarry” which largely confines future development options to those of a more urban character rather than any productive rural use.

53. *Amenity*

- a. *The level of alteration to existing ground levels and the degree to which the resultant levels are consistent with the surrounding environment.*
- b. *The resultant effects that result from the earthworks in terms of visual amenity, landscape context and character, views, outlook, overlooking and privacy.*

Assessment:

With the exception of the landscaped bunds the ground levels will not change significantly. The principle change relates to re contouring the site to achieve the necessary grades for stormwater management. The overall outcome is that the site in terms of surface cover will change (seal) but will also be well landscaped by bunds and planting around all the boundaries of the site. There will be no overlooking of properties.

Construction Effects and Dust

54. Although any construction impacts are likely to be of short duration, the Resource Management Act 1991 provides for their consideration as a short term effect. These impacts primarily relate to the works necessary to establish the building and car park and associated visual, noise and dust nuisance effects.
55. These effects will not be significantly greater than those which could reasonably be expected to arise for any construction activity on the site and will be of short term duration.
56. Mitigation measures can be implemented (eg, through conditions) to manage any potential nuisance effects on adjoining properties. Construction works will be undertaken in accordance with NZ Construction Noise Standard (NZS 6803:1999). Similarly, conditions of consent can be imposed requiring the avoidance or mitigation of dust effects.
57. Dust is a matter requiring mitigation over the construction period. Dust mitigation will be managed through continual use of water (spray) during the construction.
58. Noting the above, it is concluded that any construction effects associated with the proposal will be no more than minor in scale and a Construction Management Plan is required (Annexure L).

Christchurch International Airport Ltd (CIAL)

59. The Christchurch International Airport could be impacted by two aspects of the development being lighting and bird-strike (i.e. location and design of any stormwater mitigation).
60. The assessment of environmental effects in respect of lighting (Annexure I) has concluded that the lighting concept as set out on in Annexure I will meet the requirements of the Civil Aviation Authority as referred to in the Proposed Replacement City Plan Rule 6.11 and Appendices 6.11.7 Aircraft Protection Diagram and Maps. In addition it is proposed that a lighting management plan be developed in consultation with the CIAL.

61. In respect of bird strike an assessment of the “bird” environment including bird counts has been undertaken. The conclusion from that assessment (Annexure K) is that the site does not provide a significant habitat for birds and that the plan to level and regulate the site and restrict planting to the species set out in Annexure J and L would still further reduce the bird habitat. Following on from that assessment a condition requiring a Bird Management Plan to be prepared in association with the Airport Company has been proposed (Annexure L).

Cumulative Effects

62. Cumulative effects are those which occur through the successive addition of effects. In respect of this proposal, cumulative effects on rural character, amenity and the nearby residents are considered to be of most importance. The site is located within an established rural and rural lifestyle area but well removed from the nearest residential properties. The area contains a mix of uses from residential and lifestyle properties, major transport routes, schools, churches, nurseries, and small business activities. The traffic generation from the proposed activity is very low (despite the site size) and can be accommodated within the safety, efficiency and capacity parameters of the existing road network. The principal activity will operate within confined hours, and is generally “passive” in terms of the on-site operation. It is concluded that the range of effects which will result, can all be remedied or mitigated in a manner that will ensure any significant cumulative adverse effects do not result.
63. As the proposal is non-complying, consideration can be had to any other actual or potential effects which might occur as a result of the proposal. In this context, it is concluded that there will be no other potential adverse effects. It is relevant to note that in terms of non-compliance with any on-site development standards (excluding Rule 17.3.2.1), then consent is only required to a restricted discretionary activity. For the abovementioned reasons, the assessment is that the proposal will have no more than minor adverse effects, subject to the appropriate levels of mitigation.

Summary of Effects

64. The site has been identified as a suitable for the proposed activity given its location alongside the main transport linkages and the airport/rental car operations generally located opposite the site. The development of what is essentially a large car park with a very low level of vehicle generation each day (130vpd) should not result in any adverse effects on the existing environment subject to the appropriate mitigation measures (Refer Annexure L). Overall the proposal will provide for the efficient use of what is a vacant and derelict land resource with a history of non-productive rural activities, its principle use and character being that of filled quarry. A comprehensive approach has been adopted for the redevelopment of the site which will ensure that any potential adverse effects are avoided, remedied or mitigated, particularly in terms of the more sensitive residential and community activities. Overall it is concluded that there will be net benefits to the community (and the applicant) from the proposed redevelopment of the site including the use of a largely derelict site/filled tip, enhanced landscaping and the reduction in HGV movements within the city.

OBJECTIVES AND POLICIES

65. The City Plan is required to give effect to the RPS under the RMA. Compliance with the objectives and policies of the City Plan will mean that the proposal will be consistent with the overall directions of the RPS. A comprehensive review of the proposed development in the context of all the relevant objectives and policies is set out below. This includes the provisions of:
- Christchurch City Replacement Plan;
 - The Regional Policy Statement;
 - The Northwest Area Review;
 - The Land Use Recovery Plan; and
 - The Recovery Strategy for Greater Christchurch;

PROPOSED CHRISTCHURCH CITY REPLACEMENT PLAN (CCRP)

66. Under Section 104(1)(b)(vi) of the RMA consideration must be given to the relevant provision of a plan or proposed plan. In this respect the objectives and policies of the District Plan (CCRP) are relevant to the assessment of the application. There are a number of objective and policies relevant to an assessment of the application being:
- Chapter 3 – Strategic Directions,
 - Chapter 7 – Transport,
 - Chapter 8 – Subdivision, Development and Earthworks, and
 - Chapter 17 - Rural

Chapter 3 – Strategic Directions

67. Chapter 3, Strategic Directions has the purpose of providing the overarching direction for the District Plan, including for developing the other chapters in the Plan and for its subsequent implementation and interpretation. In particular the Chapter recognises and sets out the statutory planning context for the other chapters including:
- minimising reliance on the resource consent process,
 - minimising prescriptiveness of development or controls and design standards, and
 - the requirement for notification and written approvals.
68. A number of provisions of Chapter 3 are of relevance to an assessment of the application including:
- 3.2(b) set objectives and policies that clearly state the outcomes that are intended for the Christchurch district,*
- (e) provide for the effective functioning of the urban environment of Christchurch reflecting the changes resulting from the Canterbury earthquakes including changes to population, land stability, infrastructure and transport, and*
- (f) ensure sufficient and suitable development capacity and land for “industrial” activities.*

69. These matters are all set in the Context (Clause 3.2) relating to the impact of the Canterbury earthquakes which in clause 3.2.1 recognised that the earthquakes had a disastrous impact on “industrial” activity (amongst other things) interrupting the operation of many businesses and forcing others to relocate. It is relevant to note that the position in terms of the applicant has been further interrupted and made more difficult by the Kaikoura earthquake and the closure of the main transport links in the top half of the South Island.
70. Clause 3.2.2, A city in transition recognises the opportunity for the District Plan to expedite recovery while Clause 3.2.5, Supporting recovery and the City’s future refers to the District Plan playing an important role by providing certainty about where and how development will occur.
71. The principle Objectives (Strategic Directions) are set out in Clause 3.3 and are relevant to the application as follows:

3.3.1 Objective - Enabling recovery and facilitating the future enhancement of the district

The expedited recovery and future enhancement of Christchurch as a dynamic, prosperous and internationally competitive city, in a manner that:

- a. *Meets the community’s immediate and longer term needs for housing, economic development, community facilities, infrastructure, transport, and social and cultural wellbeing; and*
- b. *Fosters investment certainty; and*
- c. *Sustains the important qualities and values of the natural environment.*

Assessment

The proposed development does not conflict with this objective. The activity is an important part of the community business infrastructure providing services to a number of business activities from tourism through to the communities ability to provide transport for its economic, social and community wellbeing. The integration of the activity alongside its main customer base and the relationship to the national transport network on which it principally operates, provides for an efficient and sustainable outcome for infrastructure and transport.

3.3.5 Objective - Business and economic prosperity

The critical importance of business and economic prosperity to Christchurch’s recovery and to community wellbeing and resilience is recognised and a range of opportunities provided for business activities to establish and prosper.

Assessment

The business (and the site) is part of both national and Christchurch economic prosperity. The business (and the site) will provide an efficient method of undertaking the activity in a manner which is convenient to the principle customers and the wider community’s transport needs.

3.3.7 Objective -- Urban growth, form and design

A well-integrated pattern of development and infrastructure, a consolidated urban form, and a high quality urban environment that:

- a. Is attractive to residents, business and visitors; and*
- b. Has its areas of special character and amenity value identified and their specifically recognised values appropriately managed; and*
- c. Provides for urban activities only:*
 - i. within the existing urban areas; and*
 - ii. on greenfield land on the periphery of Christchurch's urban area identified in accordance with the Greenfield Priority Areas in the Canterbury Regional Policy Statement Chapter 6, Map A; and*
- e. Maintains and enhances the Central City, Key Activity Centres and Neighbourhood Centres as community focal points; and*
- f. Identifies opportunities for, and supports, the redevelopment of brownfield sites for residential, business or mixed use activities; and*
- g. Promotes the re-use and re-development of buildings and land; and*
- h. Improves overall accessibility and connectivity for people, transport (including opportunities for walking, cycling and public transport) and services; and*
- i. Promotes the safe, efficient and effective provision and use of infrastructure, including the optimisation of the use of existing infrastructure; and*
- j. Co-ordinates the nature, timing and sequencing of new development with the funding, implementation and operation of necessary transport and other infrastructure.*

Assessment

The objective is about ensuring a well-integrated pattern of development and infrastructure and in significant part seeks to provide for urban activities only within existing urban areas and in the Greenfield Priority Areas in the Canterbury Regional Council Policy Statement, Chapter 6, Map A. On face value the site would be discounted in respect of the above objective but when assessed in detail, the location of the site surrounded by the urban area of Map A, the site history and accepting that consents can be granted, the site and proposed use combine to provide a unique set of circumstances.

In terms of the site it has a history of quarrying and then filling with no rural productive value or rural use in the last 50 years. It was considered for business zoning but largely rejected, as it is understood, on the basis of traffic generation. In addition the zoning (North West Area Review) of the land has now changed to Rural-Urban Fringe which zoning incorporates a number of activities which would be more likely to reflect lower level urban amenity in terms of appearance, on-site development and traffic activity.

In addition to the above the site is extremely well located to service the applicants activity in a manner beneficial to the community. It is located alongside the national road network (the principle transport network for the activity) and the major customer base being the airport and vehicle car companies.

In regards to the other matters listed in the Objective then the activity would be entirely unsuitable for the main commercial areas, it in large part reflects the redevelopment of a brownfield site, improves overall accessibility and connectivity for the activity, optimises the use of existing infrastructure and in particular the strategic national road network and can mitigate any effects on the immediate community. The site and activity will provide a highly integrated development outcome in terms of efficiency and a sustainable business development.

3.3.10 Objective - Commercial and industrial activities

The recovery and stimulation of commercial and industrial activities in a way that expedites recovery and long-term economic and employment growth through:

- a. Enabling rebuilding of existing business areas, revitalising of centres, and provision in greenfield areas; and*
- b. Ensuring sufficient and suitable land development capacity.*

Assessment

The proposed development will assist recovery in that it better integrates the activity with the transport network and the applicant's client and community base. It is not an activity appropriate to the principle commercial centres but does, as reflected in the North West Area Review, sit as part of locality previously viewed as appropriate for business activity of the type proposed. It is also an activity which requires a significant area of land but with a very low level of both capital input and activity turnover, and as such is largely unsuitable for much of the business or industrial zoned land. Furthermore the limited capital infrastructure placed on the site would not preclude the site from being developed for a range of other activities in the future.

3.3.12 Objective - Infrastructure

- a. The social, economic, environmental and cultural benefits of infrastructure, including strategic infrastructure, are recognised and provided for, and its safe, efficient and effective development, upgrade, maintenance and operation is enabled; and*
- b. Strategic infrastructure, including its role and function, is protected from incompatible development and activities by avoiding adverse effects from them, including reverse sensitivity effects. This includes: i. avoiding noise sensitive activities within the Lyttelton Port Influences Overlay area; and*
 - ii. managing activities to avoid adverse effects on the National Grid, including by identifying a buffer corridor within which buildings, excavations sensitive activities will generally not be provided for; and*

- iii.a voiding new noise sensitive activities within the 50dB Ldn Air Noise Contour and the 50dB Ldn Engine Testing Contour for Christchurch International Airport, except:*
- A within an existing residentially zoned urban area; or*
 - B within a Residential Greenfield Priority Area identified in the Canterbury Regional Policy Statement Chapter 6, Map A; or*
 - C for permitted activities within the Open Space 3D (Clearwater) Zone of the Christchurch City Plan, or activities authorised by a resource consent granted on or before 6 December 2013; and*
- iv. managing the risk of birdstrike to aircraft using Christchurch International Airport; and*
- v. managing activities to avoid adverse effects on the identified 66kV and 33kV electricity distribution lines and the Heathcote to Lyttelton 11kV electricity distribution line, including by identifying a buffer corridor within which buildings, excavations and sensitive activities will generally not be provided for; and*
- c. The adverse effects of infrastructure on the surrounding environment are managed, having regard to the economic benefits and technical and operational needs of infrastructure.*

Assessment

The development does not conflict with Strategic Infrastructure. The principle strategic infrastructure relevant to the development is the Christchurch International Airport and the risk of bird strike. This matter has been addressed and the appropriate mitigation measures either implemented in the development or recommended by way of conditions and a management plan (refer Annexures K and L).

3.3.14 Objective - Incompatible activities

- a. The location of activities is controlled, primarily by zoning, to minimise conflicts between incompatible activities; and*
- b. Conflicts between incompatible activities are avoided where there may be significant adverse effects on the health, safety and amenity of people and communities.*

Assessment

The site and activity, particularly as it may impact the amenity of the local community has been the subject of consultation and has identified and recommended appropriate mitigation. Adverse effects in terms of the local community were identified particularly concerns regarding traffic and safety, noise, glare and the visual impact. These matters have all been addressed and the applicant has put in place both physical mitigation measures (i.e. bunding, landscaping) and a range of recommended conditions (i.e. access arrangements,

glare, noise, hours of operation, management plans) with the purpose of avoiding any adverse effects on the local community.

Chapter 7 - Transport

The relevant objectives and policies in terms of transport are assessed below.

7.2.1 Objective - Integrated transport system for Christchurch District

- a. *An integrated transport system for Christchurch District: i.that is safe and efficient for all transport modes;*
 - ii. *that is responsive to the current recovery needs, future needs, and enables economic development, in particular an accessible Central City able to accommodate projected population growth;*
 - iii. *that supports safe, healthy and liveable communities by maximising integration with land use;*
 - iv. *that reduces dependency on private motor vehicles and promotes the use of public and active transport;*
 - v. *managed using the one network approach.*

Assessment

The proposed activity supports the outcomes of an integrated transport system. The activity will reduce HGV traffic within the city and throughout a number of established residential areas within the city. It is located alongside the national roadwork, the principle transport link for the activity. The location of the activity on the proposed site enhances transport safety both by reducing the number and impact of HGVs on the city road network and by seeking to minimise the use of and mitigate any effects on the immediate local road network. The activity will utilise only a small section of Waimakariri Road while at the same time enhancing both the vehicle and pedestrian quality, safety and amenity of the road through increased seal width and extended footpath and pedestrian crossing provisions.

7.2.1.1 Policy - Establishment of a road classification system

- a. *Identify a road network that connects people and places and recognises different access and movement functions for all people and transport modes, whilst:*
 - i. *supporting the safe and efficient operation of the transport network;*
 - ii. *providing for public places in accordance with the function of the road to enable community activities including opportunities for people to interact and spend time,*
 - iii. *providing space for utility services;*

- iv. reflecting neighbourhood identity and amenity values;*
 - v. recognising cross-boundary connections with adjoining districts; and*
 - vi. providing for the efficient and effective functioning of the strategic transport network, including for freight.*
- b. Recognise the Central City in the road classification system by establishing a people-focused and slow vehicle inner zone which provides safe and effective access and movement for all forms of transport.*

Assessment

The activity is closely related to the major national transport function of the adjoining state highway road network, particularly in relation to freight movement. Measures are proposed to minimise any effects of traffic on the immediate local community including some improvements to the local transport network (i.e. footpath extension, specified access routes to the site and the limit on the hours of operation). The activity is one which provides for and supports the efficient functioning of the strategic transport network and in particular by locating alongside and using that network.

7.2.1.2 Policy - High trip generating activities

- a. Manage the adverse effects of high trip generating activities, except for permitted activities within the Central City, on the transport system by assessing their location and design with regard to the extent that they:*
- i. are permitted¹ by the zone in which they are located;*
 - ii. are located in urban areas and generate additional vehicle trips beyond what is already established or consented;*
 - iii. are accessible by a range of transport modes and encourage public and active transport use;*
 - iv. do not compromise the safe, efficient and effective use of the transport system;*
 - v. provide patterns of development that optimise use of the existing transport system;*
 - vi. maximise positive transport effects;*
 - vii. avoid significant adverse transport effects of activities where they are not permitted by the zone in which they are located; and*
 - viii. mitigate other adverse transport effects, such as effects on communities, and the amenity of the surrounding environment, including through travel demand management measures;*
 - ix. provide for the transport needs of people whose mobility is restricted; and*

- x. *integrate and coordinate with the transport system, including proposed transport infrastructure and service improvements.*

Assessment

The matter of traffic generation is addressed in detail in Annexure D. In terms of the policy outcomes then;

- the activity is generating less traffic than if the site area was developed for a number of permitted activities,
- the activity is better located outside the built up urban area. It is principally the use of HGVs and low level storage,
- it is located alongside the principle road network on which the activity operates,
- it has sought to avoid any adverse effects on the neighbouring properties through mitigation measures on access to the site, hours of operation, and some safety improvements to the local transport network, and
- it is accessible to public transport routes on Harewood Road.

7.2.1.3 Policy - Vehicle access and manoeuvring

Provide vehicle access and manoeuvring, including for emergency service vehicles, compatible with the road classification, which ensures safety, and the efficiency of the transport system.

Assessment

All vehicle manoeuvring can take place on site well away from the road network.

7.2.1.4 Policy - Requirements for car parking and loading

Outside the Central City:

- a. *Require car parking and loading spaces which provide for the expected needs of an activity in a way that manages adverse effects.*

Assessment

The City Plan requirements for car parking and loading can be met on site (Refer Annexure D).

7.2.1.6 Policy - Promote public transport and active transport

- a. *Promote public and active transport by:*
 - i. *ensuring new, and upgrades to existing, road corridors provide sufficient space and facilities to promote safe walking, cycling and public transport, in accordance with the road classification where they contribute to the delivery of an integrated transport system;*

Assessment

The site is within 5 minutes walking distance of the bus routes on Harewood Road while pedestrian access to the site will be enhanced by the extension of the footpath (at the applicants expense) along Waimakariri Road

7.2.1.8 Policy - Effects from transport infrastructure

- a. *Avoid or mitigate adverse effects and promote positive effects from new transport infrastructure and changes to existing transport infrastructure on the environment, including:*
 - i. *air and water quality;*
 - ii. *connectivity of communities;*
 - iii. *noise, vibration and glare;*
 - iv. *amenity and effects on the built environment;*
 - v. *well-being and safety of users.*

Assessment

Overall the activity is passive with the number of vehicle movements from the site well below that which could result from a series of permitted activities. Mitigation measures are recommended in terms of noise, vibration and glare (bundling, low level lighting, hours of operation and a restriction on vehicle loading activity away from nearest dwelling) as well as proposed measures to improve pedestrian safety. Overall, given that the activity principally operates along the national road network then it supports that infrastructure and in particular the on-going improvements along the Russley Road, Johns Road link.

7.2.2 Objective - Adverse effects from the transport system

- a. *Enable Christchurch District's transport system to provide for the transportation needs of people and freight whilst managing adverse effects from the transport system.*

Assessment

The site has been located to maximise the transport benefit of major freight operations by utilising the national road network as well as proximity to the major customer base (airport, rental car companies). In addition the development has sought to manage the effects on the transport network both by reducing HGV movements within the city (i.e. the current six scattered sites across Christchurch) as well as the impacts on the local network (Waimakariri Road) and the adjoining community. This has taken the form of controls on access to the site and site design to mitigate noise, glare, on-site operations and visual impact.

Chapter 8 – Subdivision, Development and Earthworks

The relevant objectives in terms of Earthworks are set out as follows.

8.1.4 Objective – Earthworks

- a. *Earthworks facilitate subdivision, use and development, the provision of utilities, hazard mitigation and the recovery of the district.*

8.1.4.1 Policy – Water quality

- a. *Ensure earthworks do not result in erosion, inundation or siltation, and do not have an adverse effect on surface water or groundwater quality.*

8.1.4.3 Policy – Benefits of earthworks

- a. *Recognise that earthworks are necessary for subdivision, use and development, the provision of utilities, hazard mitigation and the recovery of the district.*

8.1.4.4 Policy – Amenity

- a. *Ensure, once completed, earthworks do not result in any significant shading, visual impact, loss of privacy or other significant detraction from the amenity values enjoyed by those living or working in the locality.*

8.1.4.5 Policy – Protection of wahi tapu and wahi taonga

- a. *For land use consent applications for earthworks within or adjacent to sites of Nga Tahu cultural or significance and silent file areas, ensure that consultation has occurred with the appropriate runanga.*

8.1.5 Policy – Water quality

- a. *People and property are protected during, and subsequent to, earthworks.*

8.1.5.1 Policy – Land stability

- a. *Avoid earthworks that will create a significant risk to people and property through subsidence, rock fall, cliff collapse, erosion, inundation, siltation or overland flows.*

8.1.5.2 Policy – Nuisance

- a. *Subject to Policy 8.1.4.3, ensure that earthworks avoid more than minor adverse effects on the health and safety of people and their property and detraction from their amenity values, and do not generate continuous or persistent noise, vibration, dust or odour nuisance.*

8.1.5.3 Policy – Vehicle movement

- a. *Subject to Policy 8.1.4.3, ensure that the transportation to and from a site of earth, construction or fill material is safe and minimises adverse transport network and local amenity value effects.*

8.1.5.4 Policy – Earthworks design

- a. *Ensure that earthworks over identified thresholds are designed to enable the anticipated land use.*

Assessment

All of these matters have been addressed in the Assessment of Environmental Effects and in particular in Appendices E, E(I), F, F(I) and G. In summary:

- That all earthworks occur within the site. No material is removed from or brought onto the site.
- The earthworks (fill) will be facilitating the recovery of the site and also improve the suitability of the site for a range of activities;
- There will be no resulting erosion or adverse effect on ground water (Refer Annexure E);
- There will be no adverse effect on the amenity of neighbours;
- No sites of value or importance to the runanga are impacted;
- Water quality and land stability will not be effected (Refer Annexure F); and
- Nuisance effects will be mitigated (i.e. dust) through the Construction Management Plan (Annexure L).

Chapter 17 - Rural

72. The (CCRP) and in particular Chapter 17 – Rural contains a number of objectives and policies relevant to an assessment of the application. These are:

17.1 Objectives and Policies

17.1.1 Objective - The rural environment

- a. *Subdivision, use and development of rural land that:*
- i. *supports, maintains and, where appropriate, enhances the function, character and amenity of the rural environment and, in particular, the potential contribution of rural productive activities to the economy and wellbeing of the district;*
 - ii. *avoids significant, and remedies or mitigates other reverse sensitivity effects on rural productive activities and natural hazard mitigation works;*
 - iii. *maintains a contrast to the urban environment; and*
 - iv. *maintains and enhances the distinctive character and amenity of Banks Peninsula and the Port Hills, including indigenous biodiversity, Ngai Tahu cultural values, open space, natural features and landscapes, and coastal environment values.*

17.1.1.1 Policy - Range of activities on rural land

- a. *Provide for the economic development potential of rural land by enabling a range of activities that:*
- i. *have a direct relationship with, or are dependent on, the rural resource, rural productive activity or sea-based aquaculture;*

- ii. have a functional, technical or operational necessity for a rural location; or*
- iii. recognise the historic and contemporary relationship of Ngai Tahu with land and water resources; and*
- iv. represent an efficient use of natural resources.*

Assessment

The site and the character (quality of the land resource) does not reflect a number of the broader objectives and policies for the rural area. However the objectives and policies do recognise a diverse range of rural zones and rural activities. Taken at a detailed level, Objective 17.1.1 (The rural environment), the site has little or no rural productive capacity and in that sense is not adversely impacted by the proposed activity. The site will however remain largely “open” (very low level of physical development) and will not adversely impact rural productive activities. This is a neighbourhood which contains a high level of urban amenity by way of the nearby industrial activity, residential and community activities, the road network and proximity to the Industrial Heavy Zone.

The same position arises in respect of Policy 17.1.1.1 (Range of activities) which provides for a range of activities which are dependent on the rural resource (productive potential) or have a functional, technical or operational necessity for a rural location. The site has no rural “productive” potential while it is well located to service the operational needs of the applicant. It is alongside the major distribution/storage centres for many of the vehicles being transported (airport, rental car companies), has good access the main national transport routes and minimises the need for the car transporters to access the urban /residential area of the city. This is land that has in part been identified for “possible” urban use, which both reflects its location and character, the change from rural to rural urban fringe zoning, and will make efficient use of a site that has little productive potential.

17.1.1.2 Policy - Effects of activities utilising the rural resource

- a. Ensure that activities utilising the rural resource avoid significant adverse effects on areas of important natural resources and avoid, remedy or mitigate other adverse effects on rural character and amenity values.*

Assessment

The activity will have no significant adverse impact on any natural resource. In terms of rural character and amenity then the level of on-site development and traffic generation is small particularly given the extent of landscaping mitigation proposed and when compared to the level of traffic generation which could result from a series of complying developments on the site. Overall the activity is generally passive and largely out of sight of neighbours. All lighting (luminance) is confined to within the perimeter of the site with the security fencing set behind the landscaping. All adverse effects identified have been

mitigated by way of traffic management (ie site access route), landscaping, the location of security and lighting installations and ensuring compliance with the City Plan noise limits.

17.1.1.3 Policy - Contributing elements to rural character and amenity values

- a. *Recognise that rural character and amenity values vary across the district resulting from the combination of natural and physical resources present, including the location and extent of established and permitted activities.*
- b. *Recognise that the elements that characterise an area as rural, from which desired amenity is derived, include the predominance of:*
 - i. *a landscape dominated by openness and vegetation;*
 - ii. *significant visual separation between residential buildings on neighbouring properties;*
 - iii. *where appropriate, buildings integrated into a predominantly natural setting; and*
 - iv. *natural character elements of waterways, water bodies, indigenous vegetation and natural landforms, including the coastal environment where relevant.*
- c. *Recognise that rural productive activities in rural areas can produce noise, odour, dust and traffic consistent with a rural working environment, including farming, plantation forestry and quarrying, that may be noticeable to residents and visitors in rural areas.*

Assessment

This policy is important in that it recognises the varying character and amenity values of the rural area across the city. In particular it refers to the natural and physical resources present, including the location and extent of established and permitted activities. The locality is not dominated by rural activities (ie production) in a traditional rural sense. It is dominated by a number of residential and residential lifestyle blocks, the disused and generally poorly maintained character of the application site, the larger business activities fronting Johns Road (including major traffic flows), the airport, a group of community uses (schools, churches) and a number of small business activities. The site will generally remain open, will have increased vegetation with a significant visual separation between the activity and the adjacent residential neighbours. It is also relevant to note that the policy identifies that even “rural” activities could cause noticeable effects in terms of traffic, noise, dust and odour.

17.1.1.4 Policy - Function of rural areas

- a. *Ensure the nature, scale and intensity of subdivision, use and development recognise the different natural and physical resources, character and amenity values, conservation values and Ngai Tahu values of rural land in the district, including:*
- i. *the rural productive and recreation activities in the rural flat land area surrounding the main Christchurch urban area;*
 - ii. *the flood management and groundwater recharge functions adjoining the Waimakariri River;*
 - iii. *the re-use of the site of the former Templeton Hospital;*
 - iv. *the historic and contemporary cultural landscapes, sites of Ngai Tahu cultural significance and the use of land and water resources for mahinga kai; and*
 - v. *the conservation activities undertaken within the Peacock Springs Conservation Area.*

Assessment

The land has little or no rural productive value and this is in part reflected in the consideration of a possible “business zoning” (NW Area Review) and the change from the Rural 5 Zone to the Rural Urban Fringe Zone. A new application to discharge to ground will be sought from Environment Canterbury to ensure there is no adverse impact on the groundwater, given not just the proposed activity, but what has already been consented and taken place on site. It is important to note that consents to discharge to ground already existed for part of the previous site activities (CRC150989 – Orion and CRC951068, the latter of which has now lapsed).

17.1.1.5 Policy - Establishment of industrial and commercial activities

- a. *Avoid the establishment of industrial and commercial activities that are not dependent on or directly related to the rural resource unless they:*
- i. *have a strategic or operational need to locate on rural land; or*
 - ii. *provide significant benefits through utilisation of existing physical infrastructure; and*
 - iii. *avoid significant, and remedy or mitigate other, reverse sensitivity effects on rural productive activities;*
 - iv. *will not result in a proliferation of associated activities that are not reliant on the rural resource; and*
 - v. *will not have significant adverse effects on rural character and amenity values of the local environment or will not cause adverse effects that cannot be avoided, remedied or mitigated.*

Assessment

This policy is highly relevant in that it recognises, subject to a number of constraints, some business activities might be appropriate on rural land. The constraints are:

- (i) Strategic/operational need to be on the land. The site is perfectly situated to accommodate the business proposed. It is poor quality rural land located alongside the main distribution routes used by the operator. It is also alongside the main client base for the operation being the airport and rental car companies as well as a distribution point for new vehicles. It is using land for a purpose identified in the NW Area Review.

“The exception is a large block of land on the western edge of Johns Road that has historically been used as a gravel pit but is no longer required for this propose. It may be suitable for development and could provide a link with the Business 6 zone to the immediate north of Johns Road.”

- (ii) Utilise existing physical infrastructure. The activity can utilise the site conditions and the road network without placing any cost on the community. The proposed activity will represent a highly efficient use of a site which has very limited potential for the range of permitted activities in the Rural Urban Fringe Zone.
- (iii) Avoid or mitigate reverse sensitivity effects on rural productive activities. There are no rural productive activities that are impacted. The greatest potential impact would be on the nearby residential properties and conditions are proposed to mitigate any adverse effects on these properties.
- (iv) There will be no proliferation of activities not reliant on the rural resource. The “theoretical” rural resource in terms of this property is principally the productive potential and the site has little or none. This is an unusual site given its history of activities (non-rural), its consideration for business zoning (NW Area Review), rezoning to the Rural Urban Fringe Zone as well as the proximity to the necessary infrastructure required by the applicant to undertake its business (ie road network, associated uses). In this sense the site is unique.
- (v) Nor will it have an adverse effect on rural character. The site has limited “rural character” at present and the outcome sought by way of the additional planting and bunding, including along the Johns Road frontage, should enhance both the general amenity of the site and locality, as well as the approach to Christchurch.

17.1.1.10 Policy - Separation of incompatible activities

- a. *Ensure the design and location of new habitable buildings achieve adequate separation distances or adopt other on-site mitigation methods, including acoustic insulation, to mitigate potential reverse sensitivity effects with lawfully established rural productive activities;*
- b. *Ensure adequate separation distances between new plantation forestry, intensive farming and quarrying activity and incompatible activities are maintained.*
- c. *Protect strategic infrastructure by avoiding adverse effects, including reverse sensitivity effects, from incompatible activities on rural land by:*
 - i. *avoiding noise sensitive activities and managing the density of residential units within the 50dB Ldn Air Noise Contour and the 50dB Ldn Engine Testing Contour to take into account the impacts of the operation of Christchurch International Airport;*
 - ii. *avoiding buildings, structures, new quarrying activity, and sensitive activities on rural land that may compromise the National Grid within an identified buffer corridor; and*
 - iii. *avoiding vegetation that may result in shading of and buildings in close proximity to the strategic transport network.*
 - iv. *avoiding new quarrying activity that would have adverse effects on established Radio New Zealand infrastructure*

Assessment

There is no conflict with this policy. The activity will not impede lawfully established rural productive activities and satisfies all the required separation distances to the extent they are relevant. There is no adverse effect on any strategic infrastructure and in particular the operations of the Christchurch International Airport.

17.1.1.11 Policy - Catchment management approach for rural land

- a. *Encourage integrated subdivision and development on rural land at a catchment level that implements the principles of 'ki uta ki tai', maintains or enhances water quality, maximises the degree of openness and protects productive potential and enables biodiversity enhancement or recreation opportunities while avoiding, remedying or mitigating adverse effects on the rural environment.*

Assessment

The site is located above an aquifer and while there is little or no productive potential in the "land" in terms of agriculture, the methods adopted for stormwater runoff and disposal are designed to ensure there is no adverse impact on water quality. It should be noted that a consent already exists for the discharge stormwater (Orion Site) and that

consent was previously granted for the wider site (historical) activities being CRC951068. These consents and the proposed stormwater management system demonstrate that water quality will be protected.

REGIONAL POLICY STATEMENT

Chapter 5 – Land Use and Infrastructure

The provisions of the Canterbury Regional Policy Statement (RPS) are a relevant matter.

73. Objective 5.2.1 – Location, design and function of development (Entire Region)

Development is located and designed so that it functions in a way that:

- (1) achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region’s growth; and*
- (2) enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which:*
 - (a) maintains, and where appropriate, enhances the overall quality of the natural environment of the Canterbury region, including its coast line, significant landscapes and natural values;*
 - (b) provides sufficient housing choice to meet the region’s housing needs;*
 - (c) encourages sustainable economic development by enabling business activities in appropriate locations;*
 - (d) minimises energy use;*
 - (e) enables rural activities that support the rural environment;*
 - (f) is compatible with regionally significant infrastructure; and*
 - (g) avoids adverse effects on significant natural and physical resources.*

Assessment:

The proposal will enable the consolidation of an important transport distribution function in a manner which provides for enhanced economic and social wellbeing. It minimizes energy use and is compatible within the surrounding environment.

74. Objective 5.2.2 – Integration of land-use and regionally significant infrastructure (Wider Region)

- (1) To recognise the benefits of enabling people and communities to provide for their social, economic and cultural well-being and health and safety and to provide for infrastructure that is regionally significant to the extent that it promotes sustainable management in accordance with the RMA.*

- (2) *To achieve patterns and sequencing of land-use with regionally significant infrastructure in the wider region are achieved so that:*
- (a) *development does not result in adverse effects on the efficient operation, use and development of regionally significant infrastructure.*
 - (b) *the adverse effects resulting from the development and operation of regionally significant infrastructure are avoided, remedied or mitigated.*
 - (c) *there is increased sustainability, efficiency and liveability.*

Assessment:

There are no adverse effects on regional infrastructure. The regionally significant elements of infrastructure in the area are the road network, airport and underground services. The underground infrastructure has capacity and any contributions to upgrading, to the extent necessary will be made by the developer. There is no adverse effect on the operations of the airport or the road network.

75. **Objective 5.2.3 – Transport network (Wider Region)**

A safe, efficient and effective transport system to meet regional, inter-regional and national needs for transport, which:

- (1) *supports a consolidated and sustainable urban form;*
- (2) *avoids or mitigates the adverse effects of transport use and its provision; and*
- (3) *provides an acceptable level of accessibility.*

Assessment:

The development will make efficient use of the transport system. The activity is located where it is accessible to the principle transport networks and provides a safe and efficient level of accessibility given the limited site generated traffic.

76. **Policy 5.3.1 – Regional Growth (Wider Region)**

To provide, as the primary focus for meeting the wider region’s growth needs, sustainable development patterns that;

- (1) *Ensure that any:*
 - (a) *Urban growth; and*
 - (b) *Limited rural residential development*

Occur in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development;

- (2) *Encourage within urban areas, housing choice recreation and community facilities, and business opportunities of a character and form that supports urban consolidation;*

- (3) *Promote energy efficiency in urban forms, transport patterns, site location and subdivision layout;*
- (4) *Maintain and enhance the sense of identity and character of the region's urban areas and*
- (5) *Encourage high quality urban design, including the maintenance and enhancement of amenity values.*

Assessment:

The proposed development represents a sustainable use of the natural and physical resources of the particular site given its history, past use and character and is located in an area where it supports energy efficiency in terms of accessibility and transport patterns.

77. Policy 5.3.2 – Development conditions (Wider Region)

To enable development including regionally significant infrastructure which;

- (1) *Ensures that adverse effects are avoided, remedied or mitigated, including where these would compromise or foreclose;*
 - (a) *Existing or consented regionally significant infrastructure;*
 - (b) *Options for accommodating the consolidated growth and development of existing urban areas;*
 - (c) *The productivity of the region's soil resources, without regard to the need to make appropriate use of soil which is valued for existing or foreseeable future primary production, or through further fragmentation or rural land;*
 - (d) *The protection of sources of water for community supplies;*
 - (e) *Significant natural and physical resources;*
- (2) *Avoid or mitigate:*
 - (a) *Natural and other hazards, or land uses that would likely result in increases in the frequency and/or severity of hazards;*
 - (b) *Reverse sensitivity effects and conflicts between incompatible activities, including identified mineral extraction areas; and*
- (3) *Integrate with;*
 - (a) *The efficient and effective provisions, maintenance or upgrade of infrastructure; and*

- (b) *Transport networks, connections and modes so as to provide for the sustainable and efficient movement of people, goods and services, and a logical, permeable and safe transport system.*

Assessment:

The policy is principally directed at residential and rural-residential activity but seeks to ensure that the encroachment of “activities” into the rural areas avoid any adverse effects including on the soil resource and areas of high natural character and landscape values. The development will not adversely impact any of these matters

78. ***Policy 5.3.5 – Servicing development for potable water, and sewage and stormwater disposal (Wider Region)***

Within the wider region, ensure development is appropriately and efficiently served for the collection, treatment, disposal or re-use of sewage and stormwater, and the provision of potable water, by:

- (1) *avoiding development which will not be served in a timely manner to avoid or mitigate adverse effects on the environment and human health; and,*
- (2) *requiring these services to be designed, built, managed or upgraded to maximise their ongoing effectiveness.*

Assessment:

All services can be provided and no public funding is necessary (Annexure F).

79. ***Policy 5.3.7 – Strategic land transport network and arterial roads (Entire Region)***

In relation to strategic land transport network and arterial roads, the avoidance of development which:

- (1) *significantly, adversely affects the functioning of this network and these roads, including the ability of this infrastructure to support passenger transport services; and*
- (2) *forecloses the opportunity for the development of this network and these roads to meet future strategic transport requirements.*

Assessment:

There will be no adverse effects on the road network and no transport options are foreclosed. Rather there will be a reduction in the transport/capacity effects on the city road network, removing traffic from traversing a number of residential neighbourhoods while consolidating the proposed activity with “like activities” centred on the main freight transport routes. Overall the proposed activity will generate significantly less traffic from the site than if the site was used for a number of permitted activities.

80. ***Policy 5.3.8 – Land use and transport integration (Wider Region)***

Integrate land use and transport planning in a way:

- (1) *that promotes:*

- (a) *the use of transport modes which have low adverse effects;*
- (b) *the safe, efficient and effective use of transport infrastructure, and reduces where appropriate the demand for transport;*
- (2) *that avoids or mitigates conflicts with incompatible activities; and*
- (3) *where the adverse effects from the development, operation and expansion of the transport system:*
 - (a) *on significant natural and physical resources are avoided, or where this is not practicable, mitigated; and*
 - (b) *are otherwise appropriately controlled.*

Assessment:

The use of the site as proposed will support a range of transport modes, and reduces the extent of traffic generation within the city. The level of traffic generation from the proposed activity is low and will not adversely impact the local community.

81. **Policy 5.3.9 – Regionally significant infrastructure (Wider Region)**

In relation to regionally significant infrastructure (including transport hubs):

- (1) *Avoid development which constrains the ability of this infrastructure to be developed and used without time or other operational constraints that may arise from adverse effects relating to reverse sensitivity or safety.*
- (2) *Enable this infrastructure to be developed and used provided that:*
 - (a) *the adverse effects on significant natural and physical resources are avoided, or where this is not practicable, mitigated; and*
 - (b) *other adverse effects on the environment are appropriately controlled*

Assessment:

There are no adverse effects on regionally significant infrastructure.

Chapter 6 – Recovery and Rebuilding of Greater Christchurch

The site is located within the area of Greater Christchurch (Map A) and this set of objectives and policies are relevant.

82. **Objective 6.2.1 – Recovery frameworks**

Recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that:

- (4) *protects outstanding natural features and landscapes including those within the Port Hills from inappropriate subdivision, use and development;*

- (5) *protects and enhances indigenous biodiversity and public space;*
- (6) *maintains or improves the quantity and quality of water in groundwater aquifers and surface water bodies, and quality of ambient air;*
- (7) *maintains the character and amenity of rural areas and settlements;*
- (8) *protects people from unacceptable risk from natural hazards and the effects of sea-level rise; and*
- (9) *integrates strategic and other infrastructure and services with land use development.*

Assessment:

The proposed development will support the recovery of Greater Christchurch. It utilises an area of the City which has in the past been identified for urban/business activity and is designed and located to make efficient use of the transport infrastructure and the land, and reduce the impact of heavy goods vehicles on the transport network and amenity of the City. There is no risk to strategic infrastructure, services or anticipated land use developments. The site does not reflect a high level of rural character or amenity.

83. Objective 6.2.2 – Urban form and settlement pattern

The urban form and settlement pattern in Greater Christchurch is managed to provide sufficient land for rebuilding and recovery needs and set a foundation for future growth, with an urban form that achieves consolidation and intensification of urban areas, and avoids unplanned expansion of urban areas, by:

- (4) *providing for the development of greenfield priority areas on the periphery of Christchurch’s urban area, and surrounding towns at a rate and in locations that meet anticipated demand and enables the efficient provision and use of network infrastructure.*

Assessment:

The land sits within the urban area of Christchurch and is now largely land locked between the Industrial Heavy Zone and the Special Purpose Airport Zone on its north and north-west boundaries. The east boundary abuts the Designation for the Orion substation and although zoned Rural Urban Fringe the land sits within the broader Christchurch urban area.

84. Objective 6.2.3 – Sustainability

Recovery and rebuilding is undertaken in Greater Christchurch that:

- (2) *retains identified areas of special amenity and historic heritage values;*
- (3) *retains values of importance to Tangata Whenua; and*
- (5) *is healthy, environmentally sustainable, functionally efficient, and prosperous.*

Assessment:

No areas of special amenity or of value to the Tangata Whenua are compromised.

85. **Objective 6.2.4 – Integration of transport infrastructure and land use**

Prioritise the planning of transport infrastructure so that it maximises integration with the priority areas and new settlement patterns and facilitates the movement of people and goods and provision of services in Greater Christchurch, while:

- (1) *managing network congestion;*
- (2) *reducing dependency on private motor vehicles;*
- (3) *reducing emission of contaminants to air and energy use;*
- (4) *promoting the use of active and public transport modes;*
- (5) *optimising use of existing capacity within the network; and*
- (6) *enhancing transport safety.*

Assessment:

The activity will not adversely impact the transport network in the vicinity of the site. The relocation of the activity to the proposed site will however reduce vehicle movements within the city and optimise the road network capacity.

86. Supporting the above objectives are;

- **Policy 6.3.1 – Development within the Greater Christchurch area**
In relation to recovery and rebuilding for Greater Christchurch;
- **Policy 6.3.4 – Transport effectiveness**
Ensure that an efficient and effective transport network that supports business and residential recovery is restored, protected and enhanced so that it maintains and improves movement of people and goods around Greater Christchurch; and
- **Policy 6.3.5 – Integration of land use and infrastructure**
Recovery of Greater Christchurch is to be assisted by the integration of land use development with infrastructure.
- **Policy 6.3.6 – Business land**
To ensure that the provision, recovery and rebuilding of business land in Greater Christchurch maximises business retention and attracts investment.

Assessment:

This set of policies provides a critical framework in terms of assessing the application against the provisions of the RPS. Policy 6.3.1 sets out that recovery and rebuilding should give effect to the urban form identified on Map A. Within Policy 6.3.1 a number of matters are relevant being Policy 6.3.1.

- (2) *give effect to the urban form identified in Map A (page 64) by identifying the location and extent of the indicated Key Activity Centres:*

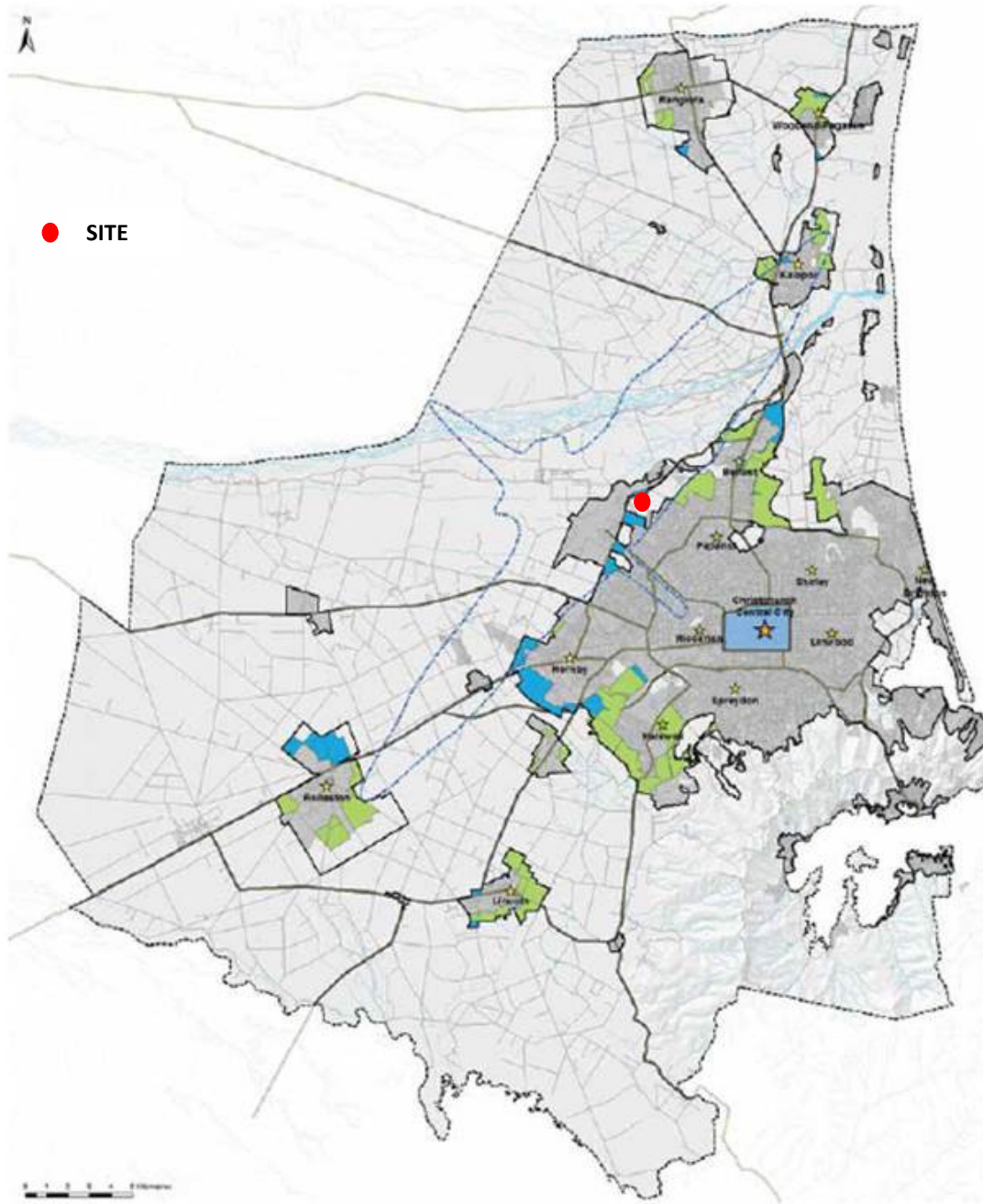
- (3) *enable development of existing urban areas and greenfield priority areas, including intensification in appropriate locations, where it supports the recovery of Greater Christchurch;*
- (4) *ensure new urban activities only occur within existing urban areas or identified greenfield priority areas as shown on Map A, unless they are otherwise expressly provided for in the CRPS.*

which matters are to be had regard to in relation to any consents for urban activities outside of existing urban areas.

The principle reasons for the areas identified on Map A is that they provide sufficient land for urban purposes including a coordinated land use and infrastructure framework for the recovery of Greater Christchurch. The definition of “Urban” within the RPS does not assist, referring to urban activities in a much broader context. Given the outcome of the Replacement City Plan and that the land is now located within the broader urban area of Christchurch including having a Rural-Urban zoning, then the proposed activity is coordinated and integrated with related urban activities and in particular the road network, general access to infrastructure and proximity of the main client customer base at the airport. As such the use of the site for the purpose proposed does not adversely affect the urban form identified on Map A and is integrated both within the wider urban area and with the principle urban infrastructure. Rather the site sits in a location in terms of Map A where it is largely surrounded by Urban activity (Refer Map A over).

In terms of Policy 6.3.4 – Transport effectiveness, the proposed activity (being freight storage) is located alongside the principle freight infrastructure (SHNo1 and the airport) optimising the use of that infrastructure and removing significant volumes of HGV movements from the inner city built up area. The development reflects an integrated transport outcome in terms of the road network, type of transport activity involved and the operational points from which it takes place and delivers goods. The reason for the policy recognises that efficient and effective movement of goods within the city is important for future wellbeing and energy efficiency. The proposed development will operate as part of the wider transport hub and strategic routes centred on the airport activities and SHNo1 thereby delivering economic wellbeing and energy efficiency.

Policy 6.3.5, Integration of land use and infrastructure seeks to ensure development and infrastructure are integrated and that new development does not occur until provision for appropriate infrastructure is in place. The policy also refers to providing for new development that does not affect the efficient operation, use and development of existing infrastructure or transport corridors but rather supports that infrastructure in an energy efficient manner. The principle reasons for the policy refer to the need for access for freight movements to and from the major ports (including the airport) to be maintained and enhanced by new development and that the priority areas for such development are generally situated to the north and west of existing urban areas. The policy further refers to:



Strategic infrastructure represents an important regional and sometimes national asset that should not be compromised by urban growth and intensification. Strategic infrastructure such as Christchurch international Airport, the Lyttelton Port of Christchurch, the State Highway and strategic road networks and rail corridors is required to support Greater Christchurch's recovery through transporting such things as building materials, equipment and personnel. The locational requirements and existing investment in strategic infrastructure means that it is extremely inefficient for them to relocate, and effects of land use on their operation can significantly reduce efficiency and attractiveness as transport options. The operation of strategic infrastructure can affect the liveability of residential developments in their vicinity, despite the application of practicable mitigation measures to address effects, which in turn exerts pressure on the infrastructure to further mitigate their effects. It is better to instead select development options where such reverse sensitivity constraints do not exist.

The activity by way of location and style of operation is highly supportive of the above outcomes and would make good use of the strategic infrastructure most particularly the road network, freight operations and the airport activity and support businesses including tourism and rental car operations.

Policy 6.3.6 – Business Land, addresses the need to utilise existing business land and provide sufficient additional Greenfield priority land for business in accordance with Map A. A number of outcomes are sought through the policy including:

- Reinforcing the role of the central city,
- Recognising new priority areas for business,
- Utilising existing infrastructure efficiently,
- Ensuring reverse sensitivity effects are mitigated, and
- Ensuring close proximity to labour, transport hubs and passenger transport networks

It is recognised that the site is located outside of a Greenfield priority area but in every other sense the proposal (and site) reflects the outcomes sought by way of policy 6.3.6. In particular:

- It is located around (and within) the urban area and utilising existing infrastructure,
- It is alongside one of the principle freight transport hubs, which it also serves,
- It is located alongside the major freight network and as such is highly energy efficient, and
- Is highly accessible in terms of all modes of transport including public transport, private car or bicycle.

As such it is concluded, given the change from rural to urban fringe zoning, the provisional zoning outcomes assessed through the NW Area Review and that Policy 6.3.1 refers to having regard to Map A and its associated policies (rather than comply with) then the proposed development is not contrary to the outcomes sought by way of policy 6.3.6 in the sense of it being repugnant to the policy.

87. **Objective 6.2.6 – Business land development**

Identify and provide for Greater Christchurch’s land requirements for the recovery and growth of business activities in a manner that supports the settlement pattern brought about by Objective 6.2.2, recognising that:

- (1) The Greenfield priority areas for business in Christchurch City provide primarily for the accommodation of new industrial activities:*
- (2) Except where identified for brownfield redevelopment, areas used for existing industrial activities are to be used primarily for that purpose, rather than as a location for new commercial activities;*
- (3) New commercial activities are primarily directed to the Central City, Key Activity Centres, and neighbourhood centres; and*
- (4) A range of other business activities are provided for in appropriate locations.*

Assessment:

The objective addresses business land development and in particular reflects the need to provide for a range of business land opportunities which promote efficiency and accessibility and reduced energy use. The use of the subject site for the particular activity will achieve all these outcomes by reducing the large number of scattered sites being used for the operation, removing HGV trips from the city and locating the activity alongside the main national road network and customer base. The objective in particular refers to:

While there is some capacity for the demand for further industrial business land to be met through the redevelopment of existing zoned land, particularly within Christchurch City, the Greenfield priority areas for business provide for the accommodation of new, primarily industrial business activities. There may also be requirements for relocation of business activities to better land, or areas with potential for expansion where land is currently constrained.

The land has already been rezoned from Rural to Rural-Urban Fringe and been the subject of investigation for business zoning. Given the particular circumstances of the land (location and character/quality) and the business activity proposed, then the land is well suited in that it will provide for the relocation of the applicants existing activity from six sites which are constrained, to an area which is in large part bounded by business activity, alongside the national freight road network and for an activity that requires a substantial site with limited capital input. As noted in the policy:

Some commercial activities will have particular locational constraints and are not suitable for centres, such as yard-based retailers and car-yards, and the need to identify a place for these activities are recognised.

Although not directly applicable the activity in its form and operation is simply a large storage area for cars. It does not involve a level of capital input such as to preclude its use for other activities in the future.

Chapter 11 – Natural Hazards

88. Objective 11.2.1 and 11.2.2 – Natural Hazards

Objective 11.2.1 – Avoid new subdivisions, use and development of land that increases risks associated with natural hazards. New subdivision, use and development of land which increases the risk of natural hazards to people, property and infrastructure is avoided or, where avoidance is not possible, mitigation measures minimise such risks.

Objective 11.2.2 – Adverse effects from hazard mitigation are avoided or mitigated. Adverse effects on people, property, infrastructure and the environment resulting from methods used to manage natural hazards are avoided or, where avoidance is not possible, mitigated.

Assessment:

The area has been assessed in terms of the natural hazards and these are avoided.

89. Policy 11.3.1 – Avoidance of inappropriate development in high hazard areas

To avoid new subdivision, use and development (except as provided for in Policy 11.3.4) of land in high hazard areas, unless the subdivision, use or development:

- (1) is not likely to result in loss of life or serious injuries in the event of a natural hazard occurrence; and*
- (2) is not likely to suffer significant damage or loss in the event of a natural hazard occurrence; and*
- (3) is not likely to require new or upgraded hazard mitigation works to mitigate or avoid the natural hazard; and*
- (4) is not likely to exacerbate the effects of the natural hazard; or*
- (5) is proposed to be located in an area zoned or identified in a district plan or Chapter 6 of the CRPS for urban residential, industrial or commercial use, at the date of notification of the CRPS, in which case the effects of the natural hazard must be mitigated.*

Assessment:

The necessary geotechnical assessments have been undertaken and have concluded the land is suitable for purpose (Refer Annexure G).

Chapter 16- Energy

90. Objective 16.2.1 – Efficient use of energy

Development is located and designed to enable the efficient use of energy, including:

- (1) maintaining an urban form that shortens trip distances;*
- (2) planning for efficient transport including freight;*

(3) *encouraging energy-efficient urban design principles;*

(4) *reduction of energy waste; and,*

so that demand for distribution and transport infrastructure is reduced.

Assessment:

The development outcome will be a highly efficient transport (freight) outcome. It will make efficient use of the road network and is predicated on energy efficient development, given the proximity to the urban area, the type of activity involved and access to the principle road network used by the applicant for the delivery of freight.

Conclusion in terms of the objectives and policies

91. In terms of the objectives and policies of the RPS then an initial assessment could conclude that the development is contrary to these provisions. However taken over all it is argued that the development is not contrary to those objectives and policies (i.e. repugnant to) for a number of reasons. In summary;

- It achieves consolidated development,
- It integrates land use and regionally significant infrastructure (road network, airport support activities),
- It represents a highly efficient use of the transport network,
- It is largely attached to or surrounded by urban development,
- There is no impact on significant natural resources or water quality,
- The land can be serviced,
- It does not adversely effect the land transport network or arterial roads,
- That although not in accord with Map A, Map A is a matter to which regard must be had and within the LURP, Map A is indicative only,
- Overall it reflects an urban form which is highly transport effective and integrated in terms of its associated activities, and
- It is possible to mitigate any adverse effects on the local community.

CANTERBURY REGIONAL LAND TRANSPORT STRATEGY (RLTS)

92. The RLTS sets out the guidelines that should be essential to, and be represented in, a good land transport system. These include:

- equitable access for all members of the community;
- support the economy;
- safety;
- contributes to a healthy and pollution-free environment;
- is part of an integrated land use and transport system; and
- can respond to change.

93. The site and the development outcome addresses and accommodates these matters. In particular:
- the site is located alongside and is part of a substantial urban community and transport hub;
 - the site is convenient and accessible to the community, particularly in terms of its function and purpose;
 - the development of the site as sought will promote a safe and healthy environment for the community; and
 - development of the site will support the economy and improve the transport and environment within and around the City.

NORTH WEST REVIEW AREA (C.C.C. 2012)

94. The North West Review took place in 2012 and was largely a result of the area being identified as a Special Treatment Area in PCI to the Regional Policy Statement. The area comprised some 860ha within which there were three areas identified as suitable for business activity. To quote the report:

“Having regard to the resource values and the location of the NWRA, its role is considered to be as an ‘Rural-Urban Fringe’ that provides for activities typically associated with a peri-urban area while retaining the openness and vegetation as a transition between urban and rural areas. Activities identified as appropriate within the NWRA include rural activities such as horticulture, agriculture and associated dwellings; non noise sensitive ‘urban’ activities for example industrial business activities; formal and informal open spaces; and sporting and recreational, and community facilities. It is therefore being recommended that the area is rezoned to a special ‘Rural-Urban Fringe’ zone or similar to reflect this.

The report also recommends the identification of areas for industrial business development within the NWRA on the basis that a need exists for an additional 100 hectares of industrial land in this part of the City. The location of the NWRA in close proximity to the Airport also makes the NWRA attractive for business, the airport being a significant node of economic activity that will also generate demand for business land. It is therefore necessary to provide sufficient capacity for growth over the long term.

Three areas are identified within the NWRA to accommodate anticipated industrial business demand, including (refer to Map 1 which shows these areas)

- *Approximately 15 ha at 711 Johns Road, north of Waimakariri Road (Area 1)*
- *Approximately 50 ha north of Wairakei Road between Wooldridge Road and Russley Road (Area 2)*
- *Approximately 35 ha between Russley Road and Hawthornden Road, north of Avonhead Park (Area 3)*

The identification of these areas is on the basis of a number of criteria, which are consistent sustainable management, including urban form, accessibility, the availability of infrastructure, continuity with existing business areas and environmental values, amongst other matters.

There are changes occurring within and in the vicinity of the NWRA that have also been considered in the assessment including the New Zealand Transport Agency's Western Corridor proposals involving the 4-laning of Masham Road, Russley Road and Johns Road.

"In summary, it is recommended that Council staff rezone the NWRA to a special 'Rural Urban Fringe' zone or similar as a part of the next District Plan Review in recognition of the location of the area and its

natural and physical resources. It is also recommended that the areas identified on Map 1 are subject to a Council led plan change for rezoning for industrial purposes, and a separate plan change is prepared in parallel to review the policy framework for the SPAZ."(Refer Plan over).

95. At the time of the NW Review the site was assessed for business activity with the estimated traffic generation from the land area (including the site) set at around 5000vpd, whereas the car storage operation will generate around 130vpd. It is understood that this was one of the principle reasons for not proceeding with a full industrial zoning of the site.

GREATER CHRISTCHURCH RECOVERY STRATEGY

96. The Recovery Strategy for Greater Christchurch prepared by CERA under the Canterbury Earthquake Recovery Act became operative on 1 June 2012. It is a statutory document to be read with, and form part of, other relevant legislation within the greater Christchurch area. The City Plan must not be interpreted or applied in a way that is inconsistent with the Recovery Strategy. Sections 3-8 of the Strategy have statutory effect.
97. "Recovery" is defined under the CER Act as including both restoration and enhancement (Section 3) while Section 4 identifies the vision for Greater Christchurch and the supporting goals for the six components of recovery. The following goals are relevant:

Leadership and Integration – Coordination between the public and private sector, and communities to contribute to recovery and future growth by:

- *Facilitating a timely and efficient recovery.*

Built Environment – Develop resilient, cost effective, accessible and integrated infrastructure, building, housing and transport networks by:

- *Prioritising infrastructure investment that contributes during recovery and into the future.*
- *Supporting innovative urban design, buildings, technology and infrastructure to redefine greater Christchurch as a safe place to build for the future.*
- *Rebuilt infrastructure and buildings in a resilient, cost-effective and energy-efficient manner.*
- *Drawing on sound information about ongoing seismic activity and environmental constraints.*

Social Recovery

- *Enabling and empowering local communities to shape and lead their own recovery.*
- *Growing capacity, knowledge and skills within the community to build resilience.*
- *Delivering community, health, education and social services that are collaborative, accessible, innovative and inclusive.*

- *Supporting people, in particular those facing hardship and uncertainty, by providing quality housing, education and health services.*
- *Supporting communities as they go through the processes of resettlement.*

Cultural – renew greater Christchurch’s unique identity by:

- Acknowledging and celebrating Ngai Tahu, colonial and other heritags and connections
- Restoring historic buildings, where feasible, for the benefit of the community
- Embracing necessary changes to the city’s character and urban form

Built Environment – Develop resilient, cost effective, accessible and integrated infrastructure, building, housing and transport networks by:

- Prioritising infrastructure investment that contributes during recovery and into the future
- Supporting innovative urban design, buildings, technology and infrastructure to redefine greater Christchurch as a safe lace built for the future
- Develop a transport system that meets the changed needs of people and businesses
- Rebuild infrastructure and buildings in a resilient, cost effective and energy-efficient manner
- Having a range of affordable housing options connected to community and strategic infrastructure
- Drawing on sound information about on-going seismic activity and environmental constraints.

Natural Environment – Restore the nature environment to support biodiversity and economic prosperity, and to reconnect people to the rivers, wetlands and Port Hills by:

- Ensuring recovery activities value, protect and sustainably manage our water sources
- Ensuring ecosystems are healthy and functioning
- Provide public access to and opportunities for outdoor recreation, cultural, social and economic activities
- Enhancing air quality through managing recovery activities that impact on air quality
- Improve the quality and function of estuaries, waterways and wetlands
- Sorting, storing and processing waste in an environmentally safe and effective manner.

98. Section 5 of the Recovery Strategy identifies a number of priorities for recovery to address and promote social, economic, cultural and environmental wellbeing. These include:

- Regulation, standards and other information to support the rebuild and repair of housing to a quality that meets the technical requirements for the land categories and building standards, including the requirement for a geotechnical assessment to be provided with subdivision consents applications.
- Permanent repair or rebuild of infrastructure in areas identified for redevelopment and development in the short to medium term.
- Supply of land for recovery needs through efficient consenting processes and timely provision, restoration or optimisation of infrastructure.
- Encouraging the provision of a variety of accommodation that is sufficient for residents, including temporary construction works and people displaced due to the rebuild.
- A functioning Central Business District and suburban areas that provide opportunities for local businesses and economic activities to relocate maintain services and grow.
- Opportunities and facilities for sporting, recreational and cultural activities.

99. The development proposed is consistent with the above priorities.

ATTACHMENT 2 TO CLAUSE 11 PLANNING COMMITTEE 3. 10. 2012

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Area 1 = Site

LAND USE RECOVERY PLAN

100. Regard has been had to the provisions of the LURP. In the context of this proposal and the matters outlined in the Recovery Strategy, it is concluded that the proposal is supportive of the outcomes sought by the LURP, particularly in terms of rebuilding community confidence as well as social, economic, health and welfare outcomes.

RESOURCE MANAGEMENT ACT

101. The following matters listed in Section 7 of the Act are relevant to this application and must be had particular regard to:

- *S7(b) The efficient use and development of natural and physical resources;*
- *S7(c) The maintenance and enhancement of amenity values; and*
- *S7(f) The maintenance and enhancement of the quality of the environment.*

The proposed activity is entirely consistent with the Section 7 values as:

- The use is an efficient and appropriate development in terms of the natural and physical resource being utilised. The activity will have minimal impact on the natural environment or soil resource. The land is being put to an efficient use given its history, location and topography. The site can be serviced and the critical amenity values (ie those of the nearby community) will be maintained by the generally low impact of the new built structure, level of activity and the enhanced landscaping; and
- The impact on the land form or vegetation from the physical development is minimal.

102. Section 5 of the Resource Management Act 1991 requires the sustainable management of natural and physical resources by managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables, people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety. This is to be done while, among other things, avoiding, remedying or mitigating any adverse effects of activities on the environment. Case law has established that in applying Section 5, an overall broad judgement of whether the proposal will promote sustainable management is required.

103. In the applicant's view, the suitability of the land for the development is appropriate. It has been established through several processes, including:

- the provisions of the City Plan, Regional Policy Statement, NWRA study and the Recovery Strategy;
- the detailed assessments undertaken by the applicant in terms of the site conditions, transport and protecting local amenity; and
- the unusual characteristics of the site in terms of its history, ground conditions and location being generally unsuitable for the majority of productive "rural" zone

activities and more suited to the “urban” type activities of the Rural Urban Fringe Zone.

104. Having had regard to the potential environmental impacts of the proposal and the objectives and policies of the City Plan and Regional Policy Statement, it is concluded that the development will promote sustainable management and meet the purpose of the Act.

CONSIDERATION OF ALTERNATIVES AND CITY PLAN INTEGRITY

105. Under Schedule 4 clause 1 (b) of the Act where it is likely that the proposed activity could result in significant adverse effects on the environment a description of any possible alternative locations or methods for undertaking the proposed activity must be provided. The preceding assessment of effects shows that the proposal will not have any significant adverse effects on the environment that cannot be avoided remediated or mitigated.
106. Given the non-complying status of this application it is appropriate to have regard to the issue of precedent, as well as the effect of granting consent upon the integrity of the City Plan and public confidence in its consistent administration. Case Law has established however, through the High Court in Rodney District Council v Gould, that concerns relating to plan integrity and precedent effect are not mandatory considerations. The Court held that they are matters that decision makers may have regard to, depending on the facts or a particular proposal. The site is very unusual and highly suitable for the proposed activity. The site has little or no productive value, has historically had little rural productive use, has a history of quarrying and filling and has been considered as potentially suitable for some form of urban industrial activity and is largely constrained in terms of rural activity. In addition it is well located to provide for the proposed activity given the use requires extensive space, good access to the national transport routes and proximity to its main customer base. The site satisfies all of these matters.

MITIGATION

107. The application site is in many regards unusual while the proposed activity is well suited to this area of the city. It is recognised that there may be environmental outcomes that need to be addressed or conditioned and to this end the applicant has set out in Annexure L a draft set of mitigation or management conditions which could provide the basis of any consent, if granted. The provisions are acknowledged as being draft and are not intended to be full, final or necessarily correct in every matter.

CONSULTATION

108. Meetings have been held with and/or information provided to:
- The Christchurch City Council,
 - Local Residents (two meetings),
 - The Harewood school,
 - New Zealand Transport Authority, and
 - The Christchurch International Airport Company

109. The two meetings with the community traversed all of the issues and community concerns with the principle concerns being the impact of the additional traffic on Waimakariri Road and the safety of school children and the local residents. Also important were matters of visual outlook, noise and protection of the groundwater. In general terms, the applicant is proposing to:
- (i) Require all the traffic to enter and leave the site via Sawyers Arms Road, acknowledging that all parties, (applicant and residents) would prefer an access from SH1,
 - (ii) To provide bunding around all four boundaries of the site,
 - (iii) To landscape all four boundaries of the site,
 - (iv) To ensure the on-site activity meets the City Plan noise and glare (light spill) standards: and
 - (v) To examine the need for additional traffic mitigation measures including widening of the sealed carriageway for sections of Waimakariri Road, provision for the extension of the footpath along the south side of Waimakariri Road to Sawyers Arms Road and/or additional pedestrian safety measures in the proximity of the school(s); e.g. a safety island on Waimakariri Road.

CONCLUSION

110. The purpose of the application is to establish a car storage base within an environmentally sustainable, energy efficient and landscaped setting. The site will be screened from all the closest residential activities while the outcome of the development will be to consolidate an existing business opportunity within the Christchurch environment but better located to service the needs of the activity and its customers.
111. The site can be differentiated from the balance of the land within the Rural-Urban Fringe Zone for the following reasons:
- (i) The site/land is unusual in terms of its topography and ground conditions. The land is not well suited to any productive rural use given the history of quarrying and hard fill,
 - (ii) The site has not been used for any productive farming activity for around 50 years,
 - (iii) The site has been considered as appropriate for industrial/business zoning given its proximity to the business zoning and airport activities North of SH1 (NW Area Review),
 - (iv) There are no geological or ground contamination reasons which would preclude the activity,

(v) The land (zoning) has changed from what was a rural zone to the rural-urban fringe zoning in recognition of its location and function within the City urban area, and

(vi) That the activity will generate significantly less traffic on the local road network when compared to a group of largely permitted activities occupying the same site.

112. The development has the potential to impact the local residential community in terms of noise, glare, traffic, visual outlook and general residential amenity. The applicant has sought to mitigate these effects by way of:

- ensuring the principle built development is well removed from the nearest dwellings,
- enhancing the perimeter landscape,
- minimising traffic nuisance, both in terms of the local network and immediate neighbourhood,
- setting the hours of operation,
- mitigating any impact from noise or glare,
- working to enhance the visual and landscape amenity of the site,
- ensuring no adverse effects in terms of sanitary sewer, stormwater mitigation or earthworks, and
- protection of the operational needs of the Christchurch International Airport.

113. In respect of the objectives and policies of both the Regional Policy Statement and the City Plan the assessment is that the proposed activity is not contrary to these provisions in a manner concluded to be repugnant. Although not necessarily satisfying every objective and policy, the activity (and the site) does reflect the critical outcomes sought by the above plans. In particular it represents:

- Consolidated development,
- It is integrated with urban activity and an energy efficient outcome in terms of the freight transport network and customer base,
- It will improve the transport network within the city by reducing the need for HGV cross town trips,
- It is highly energy efficient in terms of the transport network and transport hubs,
- It is largely part of the “urban” area,
- Adverse effects can be mitigated,
- The land can be serviced, and
- Although not in accord with Map A, the test is that regard be had to Map A (RPS).

114. The proposal is entirely consistent with the principles and purpose of the RMA, and will represent the sustainable management of not only this land resource, but also the wider environment of the city. In particular, the proposal represents a more efficient use of the land resource than was previously the case, The proposal will also result in several benefits that will improve economic welfare including the efficient use of the land, the road network and the general freight operation being undertaken. It will also provide a better amenity outcome than the current operation which accesses some six sites via the residential areas of the city. Overall, given that any potential for adverse effects can be avoided, remedied or

mitigated, the proposal can appropriately satisfy Part II of the Act subject to appropriate conditions of consent.