

8 April 2021

Dear Ian

Thank you for the Private Plan Change request for the uplifting of the south-eastern section of the Meadowlands Exemplar Overlay (located within Lot 116 DP 548934 and Lot 120 DP 514570) from Planning Map 45A and the North Halswell Outline Development Plan (ODP), received on Wednesday 10th March 2021.

In accordance with clause 23 of Schedule 1 of the Resource Management Act (RMA) the Christchurch City Council (the Council) requests the following information:

Planning

Plan Change

1. Clarification is sought on the scope of the plan change including any amendments proposed to provisions of the District Plan beyond the changes to the Outline Development Plan and Planning Map.

There are provisions for the Meadowlands Exemplar that may still be appropriate to apply to the land for which the exemplar is to be uplifted, including but not limited to Policy 8.2.2.12; clause (e) of rule 8.6.8; and Matters of Discretion in 8.8.15. For example, 8.8.15.1(a)(ix) would seem relevant in achieving a central area for open space, and 8.8.15.3(a)(i) in facilitating buildings that address the street and central open space. Other matters, including but not limited to transport, stormwater and other infrastructure, would also appear to be relevant.

Issues

2. Please provide further explanation of the issues described in section 2.1 of the Section 32 evaluation and AEE to enable an understanding of the issues for anyone who has not been involved in the consenting processes, including the Hearings Panel. Reference is drawn to the following matters for which further information is sought:

- a. Paragraph 2.1.4 describes a 'level of complexity', paragraph 2.1.6 describes the 'complex process and limitations placed by the Council' and paragraph 4.1.1 describes the complexity of the consenting process and rigid requirements contained in the consents'. Reference is also made in paragraph 2.1.6 to the underlying land use consent containing a 'highly prescriptive (and subjective) set of design conditions' and 'no discretion' with reference to the conditions of resource consent.

Can further information be provided on how the plan provisions and their implementation through the Neighbourhood Plan and Design guide create a level of complexity, and their application in the consenting process i.e. Can it please be explained what the issue is in respect of the plan provisions that has led to this.

- b. Paragraph 2.1.4 describes 'attempts to salvage the Exemplar' and 'potential solutions'. Can further explanation be provided of the nature of those attempts and possible solutions and the reasons that they have been unsuccessful.
3. Paragraphs 2.1.5 and 3.1.4 describe the number of houses consented, built and under construction. Can it be clarified how many houses are proposed to be built in that part of the overlay that the exemplar is proposed to

be uplifted from. For clarification, can you advise of whether this number differs to what was intended through the planning to date.

4. Can you provide the details of and attach to the request the underlying land use and subdivision consents and subsequent resource consents described in paragraph 2.1.6 to enable an understanding of the additional consenting and associated costs.
5. Paragraph 4.1.1 refers to the consents as being a significant disincentive for potential purchasers and paragraph 2.1.4 refers to potential suitors being deterred. Can further information be provided on the length of time it has taken for the purchase of sections within each stage, recognising that all 116 allotments have been purchased.

Provisions

6. Paragraph 2.2.1 describes the Statement of Commitment by Dannemora Holdings Ltd and the Wayne Francis Charitable Trust and reference to it in the various rules. Can you clarify the rules that reference is made to the Statement of Commitment.
7. Section 2.4 goes onto describe the relevant provisions, while noting that paragraph 2.4.7 refers to 'numerous other references and requirements within the District Plan applying to subdivision or development within the Meadowlands Overlay Area'. For ease of interpretation, can a complete list of all relevant provisions be included including the Outline Development Plan and Matters of Discretion (including numbering).
8. It is noted that paragraph 2.4.4 describes Objective 8.2.2 and Policy 8.2.2.12 as an amalgamation of outcomes sought for all subdivision and development in the City with additional elements, reference being made to the method of a neighbourhood plan. Can further explanation be provided of the differences in outcomes as described in the objectives of the District Plan and differences in policy direction between the exemplar and Residential New Neighbourhood zone environments.

Context

9. Reference is made to the location and its context, particularly in paragraph 3.1.5. Can a map be included to illustrate the locations described.
10. Paragraph 6.2.2 describes that the 'new area will seamlessly blend both into the existing Exemplar development and future areas to the south and east'. In the same paragraph, it is stated that the remainder of the Exemplar area is anticipated to have a 'very similar look and feel as the first stage'. Can further information be provided of how this is to be achieved, having regard to the outcomes anticipated by the plan for the exemplar and RNN zone, including differences in rules as referred to in paragraph 6.2.3.
11. Continuity of the 'development framework' and intent to retain 'several design controls' is referred to in paragraph 6.2.2. Can it be clarified what is being referred to and whether these provisions in themselves will achieve a different outcome relative to the status quo.
12. Paragraph 7.2.3 describes 'Amenity elements of the first stage', being carried through into the area subject to the plan change, with 'well-designed reserve areas with indigenous plantings which are readily accessible'. As above, can it be described whether the RNN provisions enable this to be achieved to a standard as defined in the provisions for the exemplar.

Statutory framework

13. In the context of section 7.3, can an evaluation be provided of the extent to which the proposal gives effect to other aspects of the National Policy Statement on Urban Development, most notably Objective 3 and policies 1, 3, and 6.
14. In the context of section 7.5, can an evaluation be provided of the extent to which the proposal gives effect to Objective 6.2.2(2) and Policies 6.3.1(3) and 6.3.7(3) of the Canterbury Regional Policy Statement (CRPS).
15. In paragraph 7.5.2, it is stated that all of the elements of good urban design as described in Policy 6.3.2 of the CRPS will be present in stage 2 of the exemplar. Can it please be explained how each of the elements will be implemented. In addition, reference is made to supporting opportunities for exemplar approaches to lift the benchmark and that this will be achieved by the effective continuation of the urban form patterns. Can it be confirmed that this is referring to continuation of the patterns from stage 1 and how this is to be achieved.

Section 32 evaluation of the proposal and alternatives

16. Please provide an evaluation of whether the proposed changes to the provisions (defined in s32) and alternatives are the most appropriate way to achieve the purpose of the plan change in accordance with s32(1)(b), noting that 'objectives' in s32(1)(b) is defined in 32(6) as 'the purpose of the proposal'.
17. Section 7.6 provides an evaluation of the proposal in achieving Objectives 3.3.1 and 3.3.2 of the Strategic Directions chapter. Can an evaluation be provided of the proposal in achieving other objectives of the District Plan, including but not limited to Objectives 3.3.4, 3.3.7, 8.2.2, 14.2.1, 14.2.2, 14.2.4, 14.2.5 and associated policies.
18. Council requests an assessment of the effectiveness of the other reasonably practicable options in achieving the 'objectives' and higher order documents in accordance with sections 74 and 75.
19. In accordance with section 32(2)(a), Council request that the benefits and costs are quantified, where practicable. In the context of this request, an understanding is sought of the costs described in the request. Paragraph 4.1.2 for instance describes the process as having been 'extremely expensive for the landowners' as well as the large amount of documentation required. Indicative costs for consenting to date will assist Council in understanding the implications of the operative provisions. Paragraph 6.1.1 also describes the 'much reduced cost' to the developer and the public. Any quantification of these costs will enable an understanding of the economic impacts of the provisions.
20. In evaluating the proposed change, can an evaluation be provided that addresses all of the relevant matters in section 74 and 75(3) and (4). In particular, reference is made to the Iwi Management Plan in section 7.4 for which account is to be had in accordance with section 74(2A).
21. Paragraph 8.2.3 refers to 'a series of bottom lines which are not directly relevant to the situation'. It is assumed that reference is being made to Section 5(2)(a) – (c). Can an explanation be provided of how the proposal accords with (2)(a) and (c).
22. The evaluation under section 32 is to consider 'other reasonable practicable options for achieving the objectives'. It is noted that Option 3 in section 8.3 is to 'Persuade the Council to adopt a very simple consent process for development within the Overlay area'. Can it be clarified what this option comprises in terms of changes to the District Plan and/or methods outside the plan to address the issues identified in the request. It is also requested that an alternative be evaluated of changes to the provisions that achieve outcomes consistent with the exemplar while reducing the complexity of the status quo.
23. In description of the costs of option 3, statements are made that it is unlikely to be successful, and will involve time and money to achieve. Can it be clarified what the basis is for the former statement, and the costs described in respect of the latter statement.
24. A cost of option 3 is described as inconsistency in administration with changes to staff over time. Can it be explained whether this is also relevant to Option 2 and if not, why.
25. Section 32(1)(b)(iii) requires a summary of the reasons for deciding on the provisions. It is noted that a summary is provided in section 8.5 based on the number of benefits and costs. Can a summary be provided that compares the relative benefits and costs, having regard to their scale e.g. The costs of option 1, based on information available, outweigh the benefits having regard to the nature of those benefits.

Consultation

26. Please provide a summary of any consultation undertaken with landowners within the exemplar overlay and on adjoining properties who may be directly affected by the proposed change.
27. Can information be provided of any consultation undertaken with Manawhenua on the proposed change including the assessment of impacts on Manawhenua arising from the proposed change.

Other matters

28. Section 6.4 describes other matters, noting that 'there are no natural hazards, land contamination or cultural value matters that need to be addressed'. It is noted from the District Plan that a part of the exemplar overlay proposed to be uplifted is identified as a Flood Management Area and is within a Liquefaction Management Area. Can any information be provided of the implications for development that could result in a different outcome to that part of the exemplar to be retained.

29. Section 8.5 refers to a large amount of information available about the site and the effects occurring under the RNN zone regime and exemplar regime. Can further information be provided to explain these effects for assisting the public and decision-makers.

Urban Design

30. Please provide further information to more clearly outline the policy intent of the Exemplar Overlay from an urban design perspective. This should identify the design outcomes that are anticipated for the site as a result of the implementation of the Exemplar Overlay and the differences with the RNN zone.
31. The s32 cites issues in implementation of the provisions of the plan, with reference to consent conditions as described under 2(a) in this letter. To enable Council to understand the issues cited, and the efficiency and effectiveness of the operative provisions relative to the proposed change, can you please provide the Neighbourhood Plan, design guide, and resource consent for the overall development that has been approved for the Exemplar Overlay site and explain what has been anticipated as the urban design outcomes with a comparison to outcomes anticipated under the RNN zoning.
32. Please provide further information to clearly identify the difference between the rules package associated with the Exemplar Overlay and the Residential New Neighbourhood (RNN) zone from a urban design perspective. Please provide further information to clearly outline the difference between the matters of discretion and assessment matters for the Exemplar Overlay in comparison to those set out in the RNN zone from an urban design perspective.
33. Please provide additional information to demonstrate what impact the plan change will have on achieving a range of building types (at least 3 of standalone house, duplex, terrace, apartment) with no single typology making up more than two thirds of the total number of residential units, as currently required by the Exemplar Overlay.
34. Please provide additional information to demonstrate what impact the plan change will have on achieving the density outcomes outlined for the ODP area, including a minimum density of 15 hh/ha.
35. Please provide additional information to clearly articulate the current built form and character of the context in demonstrating that the RNN provisions will achieve the same or similar design outcome, as noted by the Applicant.

Landscape

36. An assessment of landscape and visual effects is sought to enable an understanding of the impact of the proposed change.

Parks

37. Please provide an explanation of why the area proposed to be removed from the overlay only covers half of the neighbourhood park identified in the ODP.
38. Please provide comment on whether the applicant supports extending the proposed overlay (hatched area) to include all of the ODP neighbourhood park and therefore removing the requirement to have a neighbourhood park from the ODP.
39. Please provide comment on the anticipated width of the central reserve area that goes through the hatched area to accommodate a central pedestrian cycleway.

Planning Maps and Outline Development Plan

40. Council requests that digital data is supplied, showing the proposed changes to the planning map and Outline Development Plan, in accordance with Council's digital data supply requirements as sent on 9th March 2021.

The further information identified above is necessary to enable the Council to better understand the nature of the Private Plan Change in respect of the effect it will have on the environment, the ways in which any adverse effects

may be mitigated, the benefits and costs, the efficiency and effectiveness, and any possible alternatives to the request and the nature of any consultation undertaken or required to be undertaken.

If the Applicant declines under clause 23(5) of Schedule 1 of the RMA to provide the further information, the Council may at any time reject the request or decide not to approve the plan change requested, if it considers that it has insufficient information to enable it to consider or approve the request.

To avoid unreasonable delay, please do not hesitate to call or email Mark Stevenson (mark.stevenson@ccc.govt.nz) if any clarification on the above further information request points are needed to facilitate a response. Council would like to engage with the Applicant to enable the Private Plan Change to be processed in a timely manner and we are happy to meet to discuss further.

Thank you

Yours faithfully



Mark Stevenson