

REPORT ON DECISIONS MADE IN APPROVING THE CRANFORD REGENERATION PLAN

1. INTRODUCTION

On 23 December 2016, in my previous capacity as Minister supporting Greater Christchurch Regeneration, I approved the Christchurch City Council's outline for the draft Cranford Regeneration Plan (draft Plan) – the first regeneration plan outline under the Greater Christchurch Regeneration Act 2016 (GCR Act).

That outline set out what the draft Plan was intended to achieve, the process the Christchurch City Council (Council), as proponent, would undertake to develop the draft Plan, and how it was expected to support the regeneration of greater Christchurch.

As per the outline, the objective of the draft Plan is *to support the regeneration of greater Christchurch by investigating the appropriateness of:*

- *Enabling urban residential development at the edges of the Cranford Basin which is integrated with the surrounding urban environment and proposed infrastructure works, as well as considering appropriate zones for the remaining parts of Cranford Basin;*
- *Providing for and, where possible, enhancing ecological values and Ngāi Tahu cultural values;*
- *Implementing a waterway and pedestrian and cycle connection network, including integration with adjoining residential areas, stormwater management areas and the proposed Northern Arterial Extension; and*
- *Amending the relevant resource management documents to facilitate and expedite the above development specifically the Canterbury Regional Policy Statement and the Christchurch District Plan, and any other applicable Plan, strategy or other RMA document where relevant.*

I would like to acknowledge the Council for its lead role in the draft Plan, and Regenerate Christchurch, Canterbury Regional Council, Te Rūnanga o Ngāi Tahu, Ōtākaro Limited and the Department of the Prime Minister and Cabinet for their input in the regeneration plan process. I also wish to acknowledge the people of greater Christchurch who participated in the public engagement on the draft Plan.

I have considered the draft Plan and requirements of the GCR Act, and have decided to approve the draft Plan. This report records the decision I have made under section 38 of the GCR Act.

2. PROCESS AND LEGAL REQUIREMENTS

The Minister supporting Greater Christchurch Regeneration, Hon Nicky Wagner, has transferred to me, under section 7 of the Constitution Act 1986 and with the Prime Minister's agreement, ministerial responsibility for any decisions required in relation to the draft Plan. Hon Nicky Wagner wished to avoid any conflict of interest between her constituency interests and her ministerial responsibilities.

Following approval of the outline on 23 December 2016, the Council began to develop the draft Plan.

On 2 February 2017, the Council sought the views of the section 29 parties (Canterbury Regional Council, Te Rūnanga o Ngāi Tahu, Regenerate Christchurch, Ōtākaro Limited, and

the Chief Executive of the Department of the Prime Minister and Cabinet) in accordance with section 33 of the GCR Act. All parties provided views on the draft Plan within the 30 working day timeframe required under section 16 of the Act.

On 30 March 2017, the Council sought written comments on the draft Plan over a 20 working day period (closing on 2 May 2017) in accordance with section 34 of the GCR Act. The Council received 121 written comments with 64 respondents in general support; 45 did not generally support the proposal; and 12 respondents did not express a position.

On 1 August 2017, in accordance with section 35 of the GCR Act, the Council submitted the draft Plan to Regenerate Christchurch for review, together with a concise statement recording the views of the section 29 parties, and a concise statement summarising the comments and other input provided during public engagement.

Regenerate Christchurch then reviewed the draft Plan in accordance with the requirements of section 37 of the GCR Act, and recommended that I approve it.

In approving a draft Plan, the GCR Act requires me to:

- Ensure that I exercise my power in accordance with one or more purposes of the Act – s11(1);
- Exercise that power where I reasonably consider it necessary – s11(2);
- Have particular regard to Regenerate Christchurch's report – s38(2)(b);
- Consider whether the draft Plan has been developed in accordance with the Outline approved under section 31 – s38(2)(c);
- Consider the fiscal and financial implications of the draft Plan – s38(2)(d); and
- Consider whether the draft Plan is in the public interest – s38(2)(e).

This decision paper outlines these considerations.

3. CONSIDERATIONS

Purposes of the GCR Act

The GCR Act supports the regeneration of greater Christchurch through five express purposes as set out in section 3(1). Section 11(1) of the GCR Act requires me to ensure that I exercise my power to approve the draft Plan in accordance with one or more purposes of the Act. In order to assess this, I have considered how the draft Plan will support regeneration as defined by section 3(2) of the Act.

Regeneration means rebuilding, in response to the Canterbury earthquakes or otherwise, including improving, subdividing or converting land (s3(2)(a)(i))

- The draft Plan enables residential development of land not previously built on (except for some minor constructions relating to its historical use). The proposal is therefore not about rebuilding an existing urban site. However, rebuilding under the GCR Act includes improving, subdividing and converting land, which is at the heart of this proposal.
- The rural productive potential of this land has been assessed by the Council and its experts to have diminished to the point where rural activities are no longer economically viable. Leaving parts of the Cranford area zoned rural is not considered by the Council to be contributing to the regeneration of greater Christchurch. Through the conversion of

appropriate land from an inefficient land use in an urban environment to a more efficient land use (residential), the Council considers that the relevant land will be improved.

Regeneration means improving the environmental, economic, social and cultural wellbeing, and the resilience of, local communities through urban renewal and development (s3(2)(b)(i))

- Removing the Projected Infrastructure Boundary will make the Cranford area 'urban' under the Canterbury Regional Policy Statement. Removing this isolated pocket of rural land will allow the area to be revitalised, developed for residential use without further urban sprawl, and provide public open space. The draft Plan also enables integration of development at Cranford with current and planned stormwater and transport projects.
- The ways in which the urban renewal and development is anticipated to improve the community wellbeings and resilience include by providing:
 - **environmental benefits** through the restoration of ecological values and appropriate integration with the stormwater management area, in particular the naturalisation of waterways in the area;
 - **economic benefits** to land owners of converted land, and nearby business owners particularly in the Papanui/Northlands Key Activity Centre;
 - **social benefits** including opportunities to live in close proximity to a Key Activity Centre and enhancement of opportunities for passive recreation and community connections;
 - **cultural benefits** including the protection and enhancement of taonga including springs which are of value to tangata whenua.

I note the opposition of Te Rūnanga o Ngāi Tahu to the draft Plan due to the proposed discharge of stormwater into Waikākāriki/Horseshoe Lake and the effect they consider this will have on cultural wellbeing. I have considered this matter further below.

Taking the above into account, I consider that approving the draft Plan is in accordance with the GCR Act's purposes under section 3. Approving the draft Plan, in my view:

- **Enables a focused and expedited regeneration process.** The draft Plan will amend the Christchurch District Plan and the Canterbury Regional Policy Statement concurrently, at a time when the Christchurch District Plan could not otherwise be amended. It allows these amendments to be focused and coordinated, enabling discrete amendments to the relevant documents without undertaking a review of those documents as a whole; and expedited, particularly in comparison to:
 - the status quo – land remains zoned Rural Urban Fringe, and standard residential development a non-complying activity. Not considered to support regeneration;
 - a Resource Management Act 1991 plan change – not possible until at least July 2021 due to the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 which precludes any changes to the Christchurch District Plan before this date, outside of the Replacement District Plan process which has now concluded. Not considered to support focused or expedited regeneration;
 - a review of the Canterbury Regional Policy Statement – land remains Rural Urban Fringe until the review, currently scheduled for 2020-2023, appeals could take a further 24 months. Not considered to support focused or expedited regeneration.

- **Facilitates the ongoing planning and regeneration of greater Christchurch.** Through the draft Plan the Council has been able to investigate the appropriateness of, and plan for, residential development and public open space which integrates with current and planned infrastructure development in the area, particularly the Cranford Stormwater Basin and Northern Arterial Extension. It facilitates the regeneration of the Papanui/St Albans area by converting and improving land in close proximity to a Key Activity Centre, supporting the improvement of economic and social wellbeing of the community. Development close to key transport routes will help regeneration benefits span beyond the immediate community.
- **Enabled community input into the development of the Regeneration Plan.** The public had 20 working days to provide written comments on the proposals in the draft Plan. The Council also undertook targeted engagement, including with affected land owners, neighbouring land owners, nearby schools, and nearby businesses. The Council made further changes to the draft Plan as a result of the public feedback received.
- **Recognises the local leadership of Canterbury Regional Council, Christchurch City Council, Regenerate Christchurch, and Te Rūnanga o Ngāi Tahu and provides them with a role in decision making under the Act.** These local entities were involved in the development of the draft Plan, with the Council leading its development and the other parties involved in their statutory roles. The Waimakariri and Selwyn District Councils are not directly affected by the proposals in the draft Plan and were not involved in the process in accordance with the GCR Act, as it was limited to the Christchurch district.

Necessity

I consider that exercising my power to approve the draft Plan is necessary to enable a focused and expedited regeneration process, facilitate the ongoing planning and regeneration of greater Christchurch, and recognise the local leadership of particularly the Council, given that:

- No other tools currently available enable a focused and expedited regeneration process for the Cranford area;
- It enables the conversion and improvement of land from an inefficient use to more efficient uses in an urban environment, including public open space and residential development;
- It facilitates the necessary, discrete planning changes to the Christchurch District Plan and Canterbury Regional Policy Statement in an integrated process;
- It allows the Council to use the opportunity to enable regeneration, including urban renewal, to be integrated with significant current and planned infrastructure works in the area including the Cranford Stormwater Basin and the Northern Arterial Extension.

In coming to my decision, I have considered the significance of the decision, its consequences and alternatives to approving the draft Plan.

Regenerate Christchurch's report

I have given particular regard to Regenerate Christchurch's report, as required by section 38(2)(b) of the GCR Act. Regenerate Christchurch assessed the draft plan in accordance with the requirements of the GCR Act, and recommended that I approve it.

In reaching this recommendation Regenerate Christchurch considered the following, for reasons set out in its report:

- the draft Plan has been developed in accordance with the outline;
- the draft Plan has considered and where required addressed the views provided under section 33(2) of the GCR Act;
- the main themes from public written comments and input received have been considered and addressed in the draft Plan;
- the draft Plan will support the regeneration of greater Christchurch.

I note that in assessing how the views provided under section 33(2) have been considered and addressed, Regenerate Christchurch has considered Te Rūnanga o Ngāi Tahu's opposition to the draft Plan (due to the proposed discharge of stormwater into Waikākāriki/Horseshoe Lake). I also note that the Council does not consider this concern can be dealt with through the draft Plan alone. However, in responding to this concern the Council has:

- continued to work with Te Rūnanga o Ngāi Tahu and Te Ngāi Tuahuriri Rūnanga;
- included a condition in the Outline Development Plan for development to provide on-site treatment of stormwater, to deliver overall water quality improvements;
- included a commitment in the draft Plan to work with Regenerate Christchurch, and Te Rūnanga to develop options for moving stormwater discharge.

I consider these are appropriate responses to the concerns raised.

Development in accordance with the outline

I am satisfied that the draft Plan has been developed in accordance with the outline, as required by section 38(2)(c) of the GCR Act. In particular, section 4.3 of the outline set out a 'Framework for development of the draft Cranford Regeneration Plan', which has been adhered to in developing the draft Plan, as set out in the draft Plan and the Supporting Document.

Section 4.4 of the outline detailed the opportunities for public engagement which the Council, as proponent, intended to undertake. In accordance with these intentions, prior to formal public engagement the Council met with members of the community including the local Community Board, local school principals, and distributed information via the Papanui Newsletter.

Also in accordance with section 4.4 of the outline, I am advised that the Council has had on-going meetings with land owners within the draft Plan area, and held drop-in sessions in the Papanui/Cranford area. Formal public engagement involved the Council inviting written comments from the public over 20 working days.

The indicative timeframes in the outline signalled that Regenerate Christchurch may provide me with its report in May 2017. However, the report was provided to me in August 2017. This is because more time was needed to finalise the draft Plan than was anticipated at the outline stage. For example, extended conversations with statutory partners were needed to try and best resolve some concerns or issues raised, including hui with Te Ngāi Tuahuriri Rūnanga. An independent peer review of the draft Plan was also carried out. I am comfortable that this remained in accordance with the outline, given the caveats it contained, including an indication that additional time might be required to finalise the draft Plan. I also consider that these additional measures support a robust regeneration plan process.

Fiscal and financial implications

As required by section 38(2)(d) of the GCR Act, I have considered the fiscal and financial implications of the draft Plan.

No direct fiscal or financial implications for the Crown are expected to arise from the draft Plan.

The fiscal and financial implications associated with the draft Plan will primarily affect:

- Christchurch City Council: increase in rates income from change in land use; development contributions; and
- Land owners/developers: development contributions; installing growth-related infrastructure as a condition on resource consent (within the development footprint); increased rates expense due to change in land use; potential profit on sale of residential development.

On balance, I do not consider there are any undue financial implications associated with the draft Plan.

Public interest

As required by section 38(2)(e) of the GCR Act, I have considered whether the draft Plan is in the public interest.

It is in both the local and national public interests that greater Christchurch regenerates in a post-earthquake environment, and that the community's wellbeing is improved. The draft Plan supports this.

It is particularly in the local public interest that housing choice is available to those in the Christchurch housing market, including location, typology and density. This is enabled through the draft Plan.

4. CONCLUSION

On behalf of the Minister supporting Greater Christchurch Regeneration, I am happy to be able to approve the Cranford Regeneration Plan in the knowledge that it will support the regeneration of greater Christchurch.



Hon Gerry Brownlee

Acting on behalf of the Minister supporting Greater Christchurch Regeneration

Date: 17th August 2017