
Integrated Growth Management in Greater Christchurch

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Executive Summary

Integrated Growth Management in Greater Christchurch is an explanatory document detailing the approaches being taken to growth management in the Greater Christchurch sub-region (sub-region or Greater Christchurch), with a particular focus on the integrated planning approach. This paper concentrates on the following sub-regional and regional matters:

1. The development, adoption and implementation of the Greater Christchurch Urban Development Strategy 2007 (UDS or Strategy);
2. Implementation of the Strategy via Proposed Change No.1 (Change 1) and Variations 1 to 4, to the Canterbury Regional Policy Statement 1998 (Canterbury RPS); and
3. Some resulting broad-scale implications.

The following is a summary of each section of this document in order to provide a comprehensive overview of this paper.

Introduction

The purpose of this paper is to provide a high-level and comprehensive overview of the integrated planning approach to growth management in Greater Christchurch.

The background to the paper is the UDS and its implementation through Change 1 to the Canterbury RPS. The UDS is a growth management strategy which focuses on integrating land use, infrastructure and funding in order to manage the high population and development growth rates in the Greater Christchurch sub-region.

A key implementation tool for the UDS is the Canterbury RPS as it provides an overarching framework for the region's natural and physical resources, which includes growth management. Implementing the UDS through the Canterbury RPS has required a proposed amendment to include a new chapter 12A which outlines the settlement pattern agreed in the UDS. Four variations to Change 1 were publicly notified on 22 August 2008. The variations are needed to account for information not available when PC1 was prepared.

Legal and Policy Framework

The main planning statutes that this paper is concerned with are the Resource Management Act 1991 (RMA 1991), the Local Government Act 2002 (LGA 2002), and the Land Transport Management Act 2003 (LTMA 2003). The relevant provisions of the key planning statutes and other relevant legislation are attached as **Appendix 1** to this paper.

Resource Management Act 1991

The RMA 1991 is concerned with the sustainable management of natural and physical resources. To enable sustainable management, the Act provides key implementation tools such as the regional policy statement. The Act gives regional councils a number of functions, powers and duties. These include:

- Section 30(1)(a) relating to integrated management of the natural and physical resources of the region
- Section 30(1)(b) relating to the effects of the use and development of land on matters of regional significance
- **Section 30(1)(gb) the strategic integration of infrastructure with land use through objectives, policies and methods.**

Local Government Act 2002

Local government activities are governed by the LGA 2002. The purpose of local government is to enable democratic local decision-making and to promote the social, economic, environmental and cultural well-being of communities, in the present and for the future.

The LGA 2002 requires that all local authorities have a long term council community plan (LTCCP) outlining all activities over a 10 year period. Council's are required to consider demand for services, service levels and standards, asset capacity and the cost implications in their LTCCPs. The LGA 2002 also provides a framework for collecting development contributions. Part of this process involves identifying the total cost of growth-related capital expenditure and attributing this to units of demand. This necessitates an understanding of growth and how it will be managed, including location, timing, infrastructure, services and funding.

Land Transport Management Act 2003

The LTMA 2003 governs the way the New Zealand land transport system is developed, managed and funded. The purpose of the Act is to contribute to the aim of achieving an affordable, integrated, safe, responsive, and sustainable land transport system. The Land Transport Management Amendment Act became law in 2008. These amendments have involved some significant changes including reserving fuel excise duty for land transport purposes, enabling regions to put in place a regional fuel tax scheme, providing for a 6 year Government policy statement on transport priorities, changing to a 3 year funding cycle, introducing 3-yearly regional land transport programmes, increasing the term of an RLTS to 30 years, and merging Land Transport NZ and Transit NZ into a single Crown entity (the New Zealand Transport Agency).

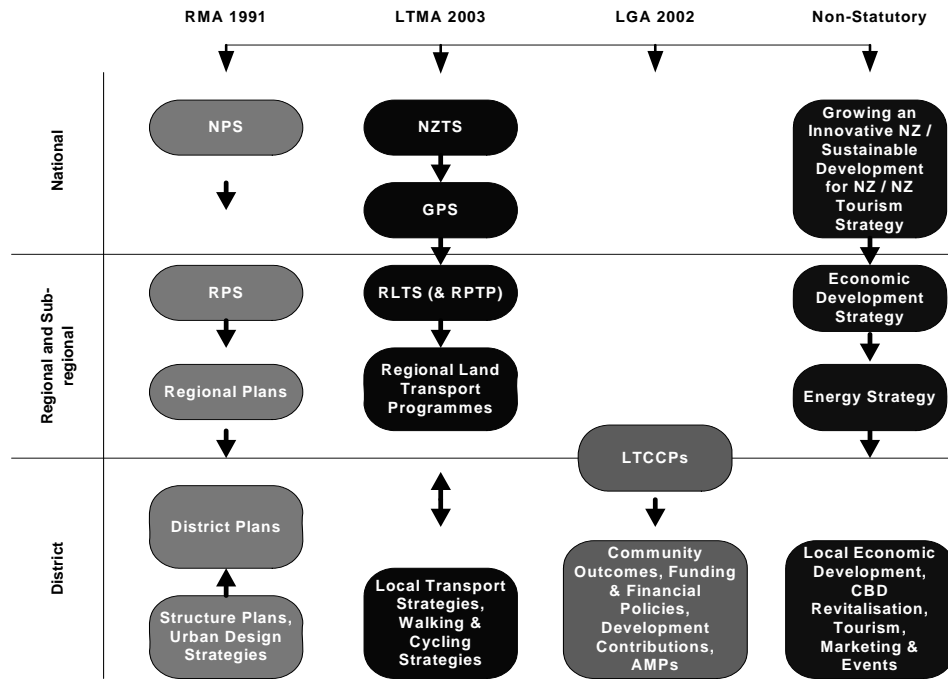
Central aspects of the LTMA are the five criteria that permeate through the Act which come from the New Zealand Transport Strategy: assisting economic development, assisting safety and personal security, improving access and mobility, protecting and promoting public health, and ensuring environmental sustainability.

The LTMA 2003 requires all regions to have a 30 year regional land transport strategy (RLTS). An RLTS must contribute to achieving an affordable, integrated, safe, responsive and sustainable land transport system and be consistent with any regional policy statements or regional plans. When preparing an RLTS regional transport committees are now required to take account of the regional council's function under section 30(1)(gb) of the RMA 1991, to consider the strategic integration of transport infrastructure with land use. An RLTS must also make a statement of any land use considerations, include a demand management strategy and take into account the land transport funding likely to be available within the region. The 2008 amendments have introduced a requirement for all regions to have a regional land transport programme which includes costs, timing, funding sources and priorities for transport projects.

The following diagram illustrates how the various planning statutes and their implementation tools are used in the context of implementing the UDS:

Greater Christchurch Urban Development Strategy and Action Plan 2007

IMPLEMENTATION



Government Policy Approach

Central Government is moving towards more land use and transport integration set within a wider integrated planning project. This is being undertaken through initiatives such as the Integrated Approach to Planning project and the Planning Alignment Project. National policy, strategy and legislation where more land use and transport integration is expected include:

- The New Zealand Transport Strategy 2008
- The Government Policy Statement on Transport Funding 2008
- Transport funding approval process – which is increasingly dependent upon sustainable land use patterns
- The Local Government (Auckland) Amendment Act 2004 – this Act provides a very clear statement of Government’s land use and transport integration intentions which includes aligning the Auckland RPS and various District Plans with the Auckland Regional Growth Strategy.

Other Government policy approaches that will have a significant impact and need to be taken account of in terms of integrated planning are:

- Climate change: New Zealand Energy Strategy to 2050; National Energy Efficiency and Conservation Strategy; and emissions trading.
- Multi-modal transport: Getting There, on Foot, by Cycle - the national walking and cycling strategy, National Rail Strategy to 2015; and Sea Change – the Coastal Shipping Strategy.

Regional Policy Approach

The regional policy approach in Canterbury includes Environment Canterbury’s LTCCP, the Operative Canterbury RPS 1998, the Canterbury RPS review, Change 1 and the Canterbury RLTS. All of these documents support an integrated planning approach through promoting a more compact urban form, identifying a long term land use pattern, linking the land use pattern to infrastructure / service

requirements and timely, equitable funding. An anchored land use pattern allows the costs of growth to be identified early which can deliver the most cost-effective form of infrastructure. It also provides certainty to the community, developers, local government and central government.

Growth Management

The Role of Regional Councils

Regional councils have a role in growth management which emerges out of the requirements of the RMA 1991, LGA 2002 and the LTMA 2003. These functions include:

- Integrated management (RMA 1991)
- The use and development or protection of land which is of regional significance (RMA 1991)
- Strategic integration of infrastructure with land use (RMA 1991)
- Promoting the social, economic, environmental and cultural well-being of communities (LGA 2002)
- Developing long term council community plans which provide a 10 year forecast of activities and funding, and also consider the impact of growth on infrastructure (LGA 2002)
- Developing 30 year regional land transport strategies which identify relevant land use considerations and the likely funding associated with those considerations (LTMA 2003)
- Regional land transport strategies to take account of the regional council's function under section 30(1)(gb) of the RMA 1991 to consider the strategic integration of transport infrastructure with land use (LTMA 2003)
- Regional land transport programmes – which identify and prioritise all land transport activities for a region and include timing and funding sources (LTMA 2003)

The functions outlined in these statutes can not be adequately performed without a clear land use picture that is anchored in an RPS and integrated with infrastructure provision and funding.

Relevant Case Law

There are a number of Canterbury resource management cases of relevance to Change 1. In a number of these cases the Environment Court has found that the current Canterbury RPS is not definitive enough in terms of policies in relation to the location of development (see *Suburban Estates v Christchurch City Council*¹; *Canterbury Regional Council v Waimakariri District Council*²; *Shaw v Selwyn District Council*³; *McFarlane Group Developments v Selwyn District Council*⁴).

Change 1 is an attempt to remedy some of the issues raised by these cases. In particular it is an attempt to address the criticism concerning the lack of direction with regards to growth in the current RPS. The UDS has provided the platform for an agreed Council and community direction in relation to the growth of Greater Christchurch. This is now being implemented through Change 1 in order to provide more certainty and to assist the district councils. It also promotes integrated planning by linking land use, infrastructure and funding. Change 1 provides a sub-regional overview which is necessary when growth management is concerned as the approach across the three local authorities needs to be consistent.

There is also case law from around New Zealand which supports the integrated planning approach taken in Change 1.

Greater Christchurch Urban Development Strategy

Background

The UDS is a collaborative growth management exercise between Christchurch City Council, Environment Canterbury, Selwyn District Council, Waimakariri District Council and the New Zealand

¹ C217/2001

² C5/2002 "the Pegasus Case" and C09/2002

³ C67/2004

⁴ C38/2005

Transport Agency ("NZTA")⁵. The strategy was adopted by all of the strategy partners in June 2007. The UDS is the result of an extensive consultation and development process that began in 2004 given rising concerns at the lack of collaborative planning and leadership to manage the rapid urban growth occurring across Greater Christchurch in a sustainable and consistent way. The strategy covers a period of 35 years.

Over the last 150 years growth in Greater Christchurch has been characterised by a decentralised pattern of development. The response to this pattern of development was the adoption by successive regional planning authorities, between 1959 and 1991, of spatial policies for containment of urban growth within the Christchurch built-up area, combined with planned decentralisation of population at designated satellite growth centres. This desired pattern of development was sought through the implementation of a 'green belt' policy in the regional plan. This policy was partially successful in promoting urban containment and consolidation, but ceased to be binding following the enactment of the RMA 1991. The three territorial authorities developed urban growth policies largely independently of each other in the first generation of district plans under the RMA 1991.

It is set against this background that the UDS was developed.

Vision

The Strategy's vision is for a Greater Christchurch that by 2041⁶:

...has a vibrant inner city and suburban centres surrounded by thriving rural communities and towns, connected by efficient and sustainable infrastructure...wealth of public spaces...which embrace natural systems, landscapes and heritage. Innovative businesses are welcome...[p]rosperous communities can enjoy a variety of lifestyles in good health and safety, enriched by the diversity of cultures and the beautiful environment of Greater Christchurch.

Options

The following options for managing future growth in the sub-region were developed and publicly consulted on from April 2005⁷:

1. Business as Usual option	Looks at what would happen in the sub-region if it continues with the current trends without change. This includes continuing with the current trends of development spreading out around the Greater Christchurch area in new subdivisions, with some housing in urban renewal developments. Councils would continue to pursue independent growth strategies.
2. Option A	Concentrates development within Christchurch City and the larger towns in the surrounding districts.
3. Option B	Balances future urban development between existing built areas with some expansion into adjacent areas.
4. Option C	Disperses development in the Greater Christchurch area away from established urban areas.

⁵ Formerly Transit NZ and Land Transport NZ. These organisations have now been merged as a result of the 2008 amendments to the LTMA 2003. When the UDS was adopted it was Transit NZ that was a partner to the strategy.

⁶ Greater Christchurch Urban Development Strategy, June 2007 at page 8.

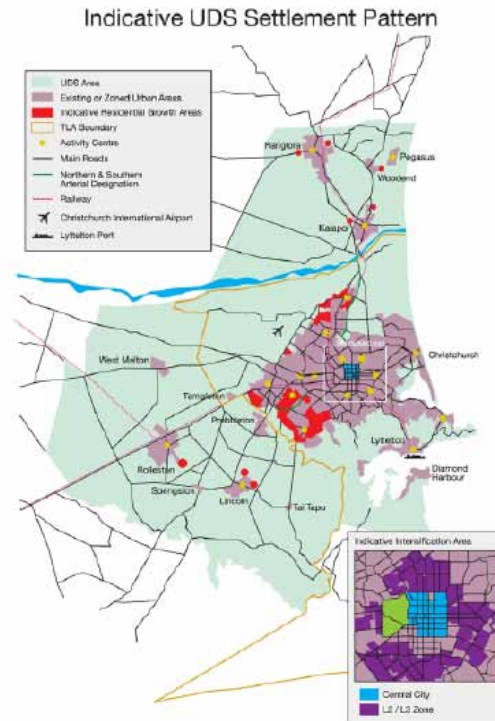
⁷ Greater Christchurch Urban Development Strategy, *So many options...which will you choose? Options April 2005*, pages 8-15.

These options were assessed against a number of different criteria under the broad headings of economic well-being; social well-being; cultural well-being; environmental well-being and 'other' (which mainly concerned adaptability).

As a result of the public consultation and the assessment process, the preferred land use pattern was a mix of Options A and B. Option A is the ultimate goal whereby Greater Christchurch aims to reach a target for all new development of 60% intensification and 40% greenfields by 2035.

Inquiry by Design

The Inquiry by Design was a major tool used to inform the development of the Strategy. This process was a key tool to investigate how 'Option A' would work on the ground, thereby helping to set the spatial framework of the UDS. The proposed settlement pattern incorporated a green network (open space); blue network (river, streams, waterways and links to the coast), movement network (all transport modes), social network (community facilities) and an economic network (activity centres, future employment and commerce).



The preferred option and the Inquiry by Design process has resulted in an indicative settlement pattern for the Greater Christchurch sub-region. This is shown in the map above.

Development Constraints

There are a number of development constraints that had to be taken into account during the development of the preferred settlement pattern. These included versatile soils, airport noise contours, natural heritage and cultural values, natural hazards, flood plains, regionally and locally significant landscapes and ground water catchments.

UDS Implementation

UDS implementation is facilitated through formal structures put in place under the LGA 2002 and includes terms of reference that set up the governance group known as the UDS Implementation Committee. This committee is supported by the UDS Implementation Management Group and a Strategic Partners Forum.

Need for Change 1

Change 1 is a key implementation tool for the UDS. It is important because it aims to reverse decentralised development patterns, establish a clear land use pattern and provide an integrated approach to growth management.

Urban Limits and Growth Allocations

Legal Mandate

A number of regional council functions outlined under section 30 of the RMA 1991 are supportive of managing growth in a sustainable way. Part II RMA 1991 matters are also of particular relevance. The purpose of a regional policy statement is to achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of natural and physical resources. A regional policy statement must include information required for the purpose of the regional council's functions, powers and duties under the Act. One of the functions of a regional council is the strategic integration of infrastructure with land use.⁸

The urban limits technique has been established by legal precedent in *Auckland Regional Council v North Shore City Council*⁹. Using urban limits is an important part of the Regional Council meeting Part II of the RMA 1991 and its functions under section 30.

In preparing Change 1 the Regional Council was also required to have regard to any management plans and strategies prepared under other Acts. To fulfil this requirement it was necessary for Change 1 to consider:

- The Canterbury RLTS 2005-15 and the draft Canterbury RLTS 2008-18 prepared under the LTA 1998.
- The draft Canterbury Regional Travel Demand Management Strategy (2007) prepared under the LTA 1998.¹⁰
- The UDS prepared under the framework of the LGA 2002.
- The LTCCPs of Environment Canterbury, Christchurch City Council, and Selwyn and Waimakariri District Councils prepared under section 93 of the LGA 2002.
- Transit NZ's 10 Year State Highway Plan and Forecast prepared under section 12 of the LTMA 2003.
- Transit NZ's National State Highway Strategy (2007) prepared under the framework of the LTMA 2003.
- The National Land Transport Programme prepared under section 19 of the LTMA 2003.

Justification

Implementing a framework for urban development through an urban limits technique is considered the most practical means of setting specific boundaries for urban growth based both on demand and location. Urban Limits will ensure enough land area is available for residential development according to population growth estimates. A significant amount of work has been completed on growth forecasts and land supply¹¹.

The urban limits are defined by maps that are included in the RPS. This provides a clear policy direction to local councils. It is also an approach that has been agreed in a collaborative manner across the councils.

By defining urban limits Greater Christchurch will, in effect, set in place a 35-year servicing strategy and development plan. Urban limits will mean:

- Development can be planned and carried out logically.
- There is enough land in the right places to cater for population growth.
- There will be definite limits to growth.
- The protection of productive soils and outstanding natural features and landscapes.
- There is enough land set aside for employment.

There are a number of matters that Change 1 has taken into account in developing the urban limits. Change 1 attempts to address some of these issues in the following way:

⁸ Section 30(1)(gb) RMA 1991

⁹ [1995] 3 NZLR 18

¹⁰ Note that for Change 1 purposes only early drafts of the Canterbury Regional Travel Demand Management Strategy 2007 and the Canterbury Regional Land Transport Strategy 2008-18 were considered as the draft documents were not adopted by the Regional Land Transport Committee until September 2007. For Variations 1 – 4 the adopted documents were considered.

¹¹ For example see *Residential Development Capacity Analysis (2006)*, *Household / Job Projections and Land Requirements (2004)*, *Assessment of Residential Development Trends and Opportunities – Future Residential Land Needs (2004)*.

- **Housing affordability:** Urban limits provides for more efficient development through promoting a compact urban form. This supports efficient infrastructure and sufficient provision of housing. The aim is to ensure a sufficient supply of land, well supported by infrastructure. Land and development are sequenced to effectively help manage issues around land supply and the long term infrastructure life costs associated with urban sprawl.
- **Intensification:** The preferred option which underpins the UDS is concentrated development within Christchurch City and the larger towns. Change 1 seeks to enable this development pattern through the use of urban limits and density targets. Intensification is a critical part of achieving a more sustainable land use pattern. Christchurch City is investigating the development and implementation of a comprehensive funding programme for intensification areas.
- **Rural-residential development:** Change 1 acknowledges that rural residential development needs to be provided for to enable a choice of living environments. However, it has attempted to manage this in a way that conserves more space than the 4ha minimum of most rural zones. Rural residential development is to be provided for in appropriate locations thereby ensuring that it is well integrated with infrastructure requirements.
- **Business land and key activity centres:** Business land is an issue of regional significance. There is a need for more business land to be provided in order to meet future employment needs and to support the economy of the sub-region and the region. Change 1 identifies key activity centres and business land areas within the urban limit maps which is critical in order to ensure that enough business land is secured to meet the sub-region's needs into the future.
- **Outline development plans:** Requirements for large scale developments to prepare outline development plans are included in Change 1. This provides more certainty about the type of information required in these plans. It also standardises the way such plans are prepared and promotes better land use and infrastructure integration.
- **Flexibility:** The urban limits policy is intended to be consistent with the purpose of the RMA 1991 and the outcomes of the UDS, yet pragmatic enough to provide an adequate supply of land for all types of development and to sustainably manage land supply in a way that takes account of the provision and funding of strategic infrastructure. The monitoring and review provisions of Change 1 provide the flexibility to deal with any changing circumstances.
- **Urban design:** Urban design is part of the integrated management of natural and physical resources, which includes land and all structures. It is an important part of achieving a more sustainable settlement pattern. Change 1 makes provision for urban design considerations.

Consideration of Alternatives

During the course of developing the UDS and Change 1, various alternatives to the urban limits and growth allocation approach were considered. The alternatives covered in this section are in essence different options for implementing a growth management strategy. These options included a less prescriptive RPS approach, a non-regulatory or market-led approach, and using tools other than the RPS. These options were not favoured for the following reasons:

- The Environment Court has been concerned that the current RPS does not give sufficient guidance in relation to the location of settlements and the expansion of new settlements. The Court has also been concerned about the application of transport policies. There has been support for the concept of a defined urban-rural boundary around Christchurch.
- The costs of a market-led approach, particularly in terms of infrastructure provision. This option does not promote greater long term development certainty and is unlikely to protect certain areas (eg outstanding natural landscapes).
- Relying on tools other than the RPS will not provide a sub-regional overview through a legal framework designed to sustainably manage land use. However, it is not the intention of UDS implementation to only rely on the RPS to anchor the settlement pattern and a number of other tools will be used in conjunction with Change 1.

Land Use, Infrastructure and Funding

Sequencing

Policy 6 of Change 1 contains development sequencing for Greater Christchurch. The policy is not a prescriptive land release programme. There is some flexibility in terms of timing and specific locations.

The policy acknowledges that the sequencing of urban development may need to be varied in order to provide for unanticipated growth, respond to community needs, and accommodate changes in priorities of local authorities and government agencies.

The main objectives of the sequencing policy are to:

- Provide sufficient land for the population and economic growth of Greater Christchurch
- Ensure timely, efficient and integrated provision of infrastructure to support the growth
- Allow for consolidation and infill of existing urban lands
- Encourage urban development to occur within areas that already have or can easily be provided with essential infrastructure, and have convenient access to existing and planned community and commercial facilities
- Minimise "out-of-sequence" development

Sequencing provides a clear direction for managing future growth and development. It gives certainty to developers and the community about future urban growth areas and ensures that there is enough zoned and serviced land available.

Strategic Infrastructure Planning

The LGA 2002 requires Councils to anticipate the impact of development on infrastructure and to fund for this so that infrastructure is provided in a timely manner, and that development does not have a negative impact on existing infrastructure.

This is not possible without a forward-thinking approach. It is also important that the community has some certainty about the location, timing and cost of significant strategic infrastructure projects.

The current staging is based around the local authorities and the NZTA's existing infrastructure programmes. Staging of land development has been timed to align with upgrading and increased capacity of infrastructure works. Change 1 reflects this approach.

Transport

Change 1 is focussed on facilitating the following transport outcomes in line with the UDS:

- Achieving efficient levels of connectivity both within the City and around it.
- The need to complete the key transport network system both north and south of Christchurch City to relieve current congestion levels.
- Promoting 'live, work and play' to reduce travel demand.
- Developing a transport network which supports the Key Activity Centres identified in Change 1.
- Implementing transport network improvements which reinforce the Christchurch City Central Business District and Key Activity Centre redevelopment and intensification.
- Implementing increased levels of public transport service to reduce car use.
- Taking the opportunity, especially in the Christchurch City area, to plan for larger scale residential subdivisions that promote the use of good design, walking and cycling, and public transport usage.
- Protecting the existing rail corridors.

The staging of land use is a critical component of transport infrastructure timing and cost. The sequencing of development to synchronise with transport infrastructure is essential. This is particularly important in terms of working out funding for transport infrastructure. There is a strong link between development size and timing, and the cost of transport infrastructure.

Change 1 supports all transport modes through its promotion of a more compact urban form and also through a number of objectives and policies.

Monitoring and Review

Monitoring and review will form a critical part of Change 1 and its implementation. There is an inherent uncertainty with any forecasting work that is undertaken. For this reason it is critical that the population,

household, land capacity rates are monitored to ensure that Change 1 is achieving its objectives. In particular, it will be imperative to ensure that enough land is available to meet the needs of the Greater Christchurch sub-regional community.

1 Introduction

1.1 Purpose

The purpose of this paper is to provide a high-level and comprehensive overview of the integrated planning approach to growth management in Greater Christchurch, in particular the implementation of the UDS.

The development and adoption of the UDS, and its implementation through Change 1, constitutes a series of strategic steps in a long and comprehensive process for the Strategy's partner councils to effectively manage growth in Greater Christchurch. Consequently there are substantial materials, documents and reports to take account of in this paper.

The paper's main focus is to bring together the significant materials on growth management in Greater Christchurch so as to provide a snapshot of the integrated planning approach to growth management in the sub-region.

High-Level Perspectives on the Integrated Planning Approach to Growth Management

This paper considers in a broad sense, and reports at the high-level, on the following areas as part of a comprehensive, holistic and integrated approach to growth management planning:

- RMA 1991 mandate
- Environment Canterbury's growth management role
- The regional policy statement's role and approach in growth management
- Growth management case law
- Linkages between the key planning statutes of the RMA 1991, LGA 2002 and the LTMA 2003
- Urban limits and growth allocation justification
- Sequencing approach
- Land use, funding and transport integration
- Central Government policy approach to integration, sustainability, climate change
- Intensification
- The case for strategic infrastructure planning
- The context for rural residential development
- Rationale for outline development plan requirements
- Urban limits and housing affordability
- The balance between urban limits, flexibility and not compromising policy

Broad Primary Aims

This paper has considered a wide range of data, such as investigative and external consultants' reports, local and central government policy documents, legal precedents and case law, and planning experiences in both New Zealand and abroad to:

- Support the integrated planning approach taken to growth management in Greater Christchurch; and
- Address a number of generic issues raised in the public submissions to Change 1.

Potential Benefits

It is envisaged that an exposition on the key areas of integrated planning, and the justifications and experiences underpinning them will provide a framework to assist:

- Submitters to understand the policy framework behind Change 1;
- The promotion of a better understanding in the minds of sub-regional residential and business communities, and communities of interest of the integrated planning process – especially the key role of regional policy statements alongside other implementation tools in the LGA 2002 and LTMA 2003;
- Setting a context for negotiation with submitters;
- Providing confidence and understanding of integrated growth management for the RPS Hearings Panel;
- The improvement and/or consolidation of UDS partner understanding of the Canterbury RPS;
- Strengthening central government understanding of integrated planning implementation on the ground; and
- Evidence preparation to the RPS Hearings Panel and the Environment Court.

1.2 Background

Greater Christchurch Urban Development Strategy and Action Plan 2007

The UDS partnership (strategy partners) includes Environment Canterbury (the Canterbury Regional Council), Christchurch City Council (CCC), Waimakariri District Council (WDC), Selwyn District Council (SDC), and the New Zealand Transport Agency (NZTA)¹². They have collaboratively taken action on an emerging need to integrate land use, infrastructure provision and funding, in order to effectively manage and provide for the high population, residential and development growth rates in the Greater Christchurch sub-region.

Specifically, the sub-region's boundaries include Ashley River / Rakahuri to the north, Waimakariri River through the centre, Port Hills and Selwyn River to the south, and Pegasus Bay and Lyttelton Harbour to the east. Two Chain Road in the Waimakariri District is the western boundary of the sub-region, and in the Selwyn District the sub-region's western boundary follows Highfield and Station Roads.¹³

A significant amount of time and resources have been invested in the Strategy's development by its partner councils given that Greater Christchurch contains the region's fastest growing territorial authorities (TAs)¹⁴. The communities of Greater Christchurch have also contributed to the Strategy's scope, development and now implementation. The result is the detailed policy framework of the UDS which if implemented via the Canterbury RPS, will enhance the strategy partners' collective and individual abilities to effectively address sub-regional growth issues through district and regional plans.

UDS Implementation through the Canterbury RPS

Why the Canterbury RPS?

Section 61 of the RMA 1991, requires that regional councils prepare a regional policy statement ("RPS") for their region. Regional policy statements provide an overarching framework for the region's natural and physical resources.¹⁵ This includes growth management as growth impacts directly on the consumption, use and management of a region's natural and physical resources. Section 2 of the RMA 1991 defines physical resources as including "...all structures" and so at a high-level, regional policy statements can also cover the built environment.

The UDS is an integrated growth management document covering land use, infrastructure and funding. The UDS identifies the Canterbury RPS as a key implementation tool in terms of anchoring the agreed land use pattern.

¹² Formerly Transit NZ and Land Transport NZ. These organisations have now been merged as a result of the 2008 amendments to the LTMA 2003. When the UDS was adopted it was Transit NZ that was a partner to the strategy.

¹³ *Environment Canterbury, Proposed Change No.1 to the Regional Policy Statement*, July 2007, page 1.

¹⁴ Statistics New Zealand, *Demographic Trends: 2007*, 9 Subnational demographic projections, pages 156-157.

¹⁵ Section 59 RMA 1991.

There are currently no legislative tools other than the RPS under the RMA 1991 that can provide an overarching direction for growth management across a sub-region or region. The Canterbury RPS provides the most suitable mechanism for anchoring and implementing aspects of the UDS as it provides a legal tool for guiding growth and attempting to achieve the preferred land use pattern. If the UDS is anchored in proposed Change 1 to the Canterbury RPS, then other tools for implementing the Strategy will also be more effective. Examples include:

- District plans, which must *“give effect to”*¹⁶ to an RPS under section 75(3)(c) of the RMA 1991.
- The Canterbury Regional Land Transport Strategy (Canterbury RLTS) which, as mandated by the LTMA 2003, must be *“consistent with”* with any RPS¹⁷ and must also take account of the regional council’s function under section 30(1)(gb) of the RMA 1991¹⁸.
- The Regional Land Transport Programme which must *“take into account”* any RPS¹⁹.
- References to the UDS as part of the partner councils’ integrated decision-making and coordination of resources in their Long Term Council Community Plans (LTCCPs) prepared under the LGA 2002²⁰.

Proposed Change No.1 to the Canterbury Regional Policy Statement 1998

Implementing the UDS through the Canterbury RPS required an amendment to include a new chapter 12A outlining the settlement pattern agreed in the Strategy. Chapter 12 in the operative Canterbury RPS deals with sub-regional growth and related development issues. It was therefore considered *“most subject”*²¹ to the UDS process and would be bolstered by the directives in Change 1.

In compliance with the Act, Change 1 was accompanied by a ‘Section 32 Report’. Section 32 requires Environment Canterbury (as the regional council) to evaluate Change 1 in relation to the purposes of the Act, and prepare a report summarising its evaluation, giving reasons.

The purpose of Change 1 is to provide for development in a way which achieves quality outcomes and takes a sustainable development approach to managing growth.²² Change 1 is *“more specific and directive”*²³ than the balance of the Canterbury RPS. This is a response attributable to factors that were not envisaged at the time the Canterbury RPS was first operative including:

- Environment Court decisions that Chapter 12 is too generic and therefore difficult to interpret and give effect to²⁴;
- Changes in the legislative context which calls for more certainty and greater integration of land use and infrastructure (particularly transport) planning;
- Social, cultural, economic and environmental changes that have occurred in the sub-region since the Canterbury RPS was first operative in 1998; and
- Attempts to account for the new regional council function for integration in section 30(1)(gb) of the Act as a result of the 2005 amendments to the RMA 1991.

Four variations to Change 1 were publicly notified on 22 August 2008. The variations are needed to account for information not available when PC1 was prepared. These cover:

1. Urban limits and total new household provision for Rolleston
2. Urban limits for Kaiapoi
3. Urban limits for Woodend

¹⁶ Section 75(3)(c) RMA 1991.

¹⁷ Section 75(a)(iii)(B) LTMA 2003.

¹⁸ Section 76(g) LTMA 2003

¹⁹ Section 14(b)(iii) LTMA 2003

²⁰ Section 93(6)(c) and section 93(6)(d) LGA 2002.

²¹ Environment Canterbury, *Our Changing Environment: An Evaluation of the 1998 Canterbury Regional Policy Statement*, February 2007, page iii.

²² *Proposed Change No.1 Chapter 12A, Development of Greater Christchurch*, 28 July 2007, page 1.

²³ *Ibid.*

²⁴ *Suburban Estates Ltd v Christchurch City Council (C217/2001); Canterbury Regional Council v Waimakariri District Council (EnvC c9/2002)*.

4. Revised LDN 50 air noise contour for Christchurch International Airport, deletion of greenfield outline development plan areas – residential in north and western Christchurch and identification of a new greenfields outline development plan area – residential south west Christchurch

Generally, policies and rules in district plans, and the decisions on resource consents made under them are the key means through the Act that Change 1 can be given effect to. To a more limited extent, provisions in regional plans will also give effect to Change 1.

The contents of Change 1 form the backdrop to a broad-scale discussion of its implications and justifications. These are considered and explained in this document from a high-level perspective.

2 Legal and Policy Framework

In terms of a statutory toolkit for integrated planning, the main planning statutes this paper is concerned with are the RMA 1991, the LGA 2002, and the LTMA 2003. Other statutes and proposed legislation are noted here for their influences on the legal and policy framework regarding Change 1.

2.1 Resource Management Act 1991

See Appendix 1 for the relevant provisions of the RMA 1991 that apply to Change 1.

The Act is concerned with the *sustainable management* of natural and physical resources. In particular managing these resources to provide for the community's social, economic, and cultural wellbeing, and for their health and safety, whilst ensuring the needs of future generations and the life-supporting capacity of air, water, soil and ecosystems are not compromised²⁵.

Section 5 of the Act confirms the importance of sustainability in the environmental sense as well as in its broader purpose of social, economic and cultural well being. Consequently, the Act also requires any adverse effects on the environment to be avoided, remedied or mitigated.

To enable sustainable management, the Act provides key implementation tools eg regional policy statements and regional plans at the regional level, and district plans at the local level.

The particular obligations on regional councils are set out at section 30(1) of the Act. For integrated planning purposes the following subsections should be noted:

- Section 30(1)(a) relating to integrated management of the natural and physical resources of the region
- Section 30(1)(b) relating to the effects of the use and development of land on matters of regional significance
- **Section 30(1)(gb) the strategic integration of infrastructure with land use through objectives, policies and methods.**

Section 30(1)(gb) in particular is the result of the 2005 amendments to the RMA 1991.

Resource Management Amendment Act 2005

The supporting cabinet policy paper leading to the introduction of the Resource Management Amendment Bill (2004) which became the Resource Management Amendment Act 2005 (RMAA 2005) stated that the interpretation of the RMA 1991 by the Environment Court had led to a diminished role for regional policy statements.²⁶ This was inconsistent with central government's current application of the instrument.²⁷

The cabinet policy paper also went on to say that regional policy needs to be more influential and strategic in its direction to address land use conflicts, provide increased certainty to promote sustainable urban form, manage infrastructure and its integration with land use activities and allocate natural resources.²⁸

These were to be achieved through amendments to the RMA 1991 that would require regional councils to consider²⁹:

²⁵ Section 5 Resource Management Act 1991.

²⁶ *Improving the RMA' – CAB Min (04) 30/10*, pages 24 to 25.

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ *Ibid*, page 25.

- Promoting sustainable urban form
- Timely and effective provision of infrastructure and its integration with land use policies; and
- Allocation of natural resources.

The RMAA 2005 was passed in August 2005, concluding the Government's review of the RMA 1991.

The focus of the review was to improve the quality of local government decisions and processes under the RMA 1991 to:

- See better and faster decisions on resource consents;
- Provide a means of working with councils when decisions are too big for local-decision making; and
- Provide more national leadership, especially through national policy statements and standards.

As a result of the RMAA 2005 amendments to the RMA 1991, the Act now contains section 30(1)(gb) in order to give effect to some of these outcomes by giving regional councils the added function of strategically integrating infrastructure with land use. The amendments also required district plans to give effect to regional policy statements.³⁰

The RMAA 2005 is indicative of the new impetus being placed on linking infrastructure with land use.

The UDS under Section 61(2)(a)(i) of the RMA 1991

Section 61(2)(a)(i) of the Act states that in preparing an RPS, a regional council "*shall have regard to the... [m]anagement plans and strategies prepared under other Acts*".

This section is the mandate for having regard to other plans and strategies in the Canterbury RPS. In preparing Change 1, Environment Canterbury had regard to the UDS as a strategy prepared under the broad context of the LGA 2002, and the Canterbury RLTS as a strategy prepared under section 74 of the LTMA 2003.

2.2 Local Government Act 2002

Local government has a key role in the achievement of integrated land use and infrastructure (particularly transport) planning and funding, both in shaping development and growth under the RMA 1991 and in the operation, development and funding of the land transport system under the LTMA 2003.³¹ Local government activities are governed by the provisions of the LGA 2002. See **Appendix 1** for the relevant provisions of this statute as they pertain to Change 1.

Local Government Framework and Purpose

The LGA 2002 provides the general framework and powers under which New Zealand's democratically elected and accountable local authorities operate.

The purpose of the LGA 2002 is to provide for effective local government that recognises the diversity of New Zealand communities. Section 3(d) of the LGA 2002 can enable local government to act as broker in achieving a balance between the needs of developers, infrastructure providers and local communities. The purpose of local government as set out in the LGA 2002 is:

- (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) to promote the social, economic, environmental, and cultural well-being of communities, in the present and for the future.³²

³⁰ Section 44(2) RMAA 2005; Section 75(3)(c) RMA 1991.

³¹ Transit New Zealand, *Transit Planning Policy Manual version 1 Manual No: SP/M/001*, August 2007, page 133.

³² Section 10, LGA 2002

Planning and Decision Making

In terms of planning and decision making processes the LGA 2002 sets out that under section 76, every decision made by a local authority must be made in accordance with such parts of sections 77 to 82 of the LGA 2002 as are applicable. In the case of significant decisions, the obligation is to ensure appropriate prior observance of the requirements.

In the course of its decision-making, a local authority is required to consider a variety of matters, and in particular:

- options (section 77);
- relationship of Maori with land (section 77(1)(c));
- community views and preferences (section 78);
- requirements for consultation and the relevant principles (section 82);
- the process for community outcomes (section 91);
- the requirement to have LTCCPs (section 93);
- signalling decisions in the LTCCPs and procedures for making inconsistent decisions (sections 96, 97 and 80); and
- reporting and financial management policies (sections 98, 100 to 102).

Section 93 sets out the requirement for local authorities to have LTCCPs. These are ten year local authority plans outlining all envisaged economic, environmental, social and cultural activities for a local authority area. LTCCPs must cover a 10 year period but continues in force for 3 years.

In large part the purpose of the LGA 2002 is addressed through LTCCPs. LTCCPs must contain the information required by Part 1 of Schedule 10 which requires that they:

- Describe community outcomes of a local authority area and the priorities and activities that a council will undertake to contribute to those outcomes, and how they relate to other key strategic planning documents or processes (section 93(6)(b) LGA 2002);
- Provide integrated decision-making and coordination of the resources of the local authority (section 93(6)(c) LGA 2002); and
- Provide a long term focus for local authority decisions and activities (section 93(6)(d) LGA 2002).

Reporting and financial accountability requirements for local authorities are set out in sub part 2, sections 98 and 100-102. Section 102 covers the funding and financial policies that are critical to local government planning and decision making. This includes development contributions.

The reporting and financial requirements in the LGA 2002 support a prescriptive approach to growth allocation for funding purposes. While development contributions might fund any infrastructure required as a direct cause of a development, Councils are still responsible for the maintenance and depreciation of any infrastructure under the LGA 2002.

Schedule 10

Clause 2(1)(d), Schedule 10 of the LGA 2002 sets out Councils' obligations to consider demand for services, service levels and standards, asset capacity and the cost implications in their LTCCPs and other strategies and plans for the long-term future of its communities.

Schedule 13

As part of a development contributions policy, section 106(2)(a) and the 13th Schedule of the LGA 2002 requires councils to identify the total costs of the capital expenditure that they expect to incur, and to attribute this to units of demand by which the impact of growth has been assessed. Understanding growth and how it will be managed is critical to a development contributions policy.

A comprehensive approach to growth management enables councils to identify the infrastructure required, the cost implications, and how this will be attributed to growth. These can be accounted for in LTCCPs.

The risks of not planning for growth at the LTCCP level have implications for:

- A local authority's ability to adequately service development debt;
- A local authority's credit rating if the costs of borrowing increase to service growth that is not adequately planned for in LTCCPs or managed through the district or regional plan processes;
- The general ratepayer who will likely end up funding the increased costs of councils' borrowing.

LTCCPs are therefore designed to integrate decision-making with planning considerations. They also describe linkages between activities and how they are funded. These requirements support a central government policy impetus toward integrated planning approaches.

2.3 Local Government (Auckland) Amendment Act 2004

This Act is an amendment to the LGA 2002 in order to give effect to the Government's transport governance, regulatory and funding proposals for Auckland. The Act requires that all councils in the Auckland Region integrate their land transport and land use provisions in order that they can give effect to the Auckland Regional Growth Strategy.

Section 3

Section 3 of the Local Government (Auckland) Amendment Act 2004 ("LGAAA 2004") sets out its purposes:

- Section 3(a)(i) states that one of its main purposes is to improve the integration of the Auckland regional land transport system.
- Under section 3(a)(ii), the LGAAA 2004's purpose is the integration of the management of land transport funding and assets for the Auckland region.
- Section 3(b)'s purpose is to require Auckland local authorities to make changes to policy statements and plans prepared under the RMA 1991, in order to integrate the land transport and land use provisions.

Section 40

While sections 38 to 43 cover changes to the Auckland Regional Policy Statement (ARPS) and plans under the RMA 1991, section 40 in particular sets out the extent of land transport and land use changes.

Under section 40(1)(b), the LGAAA 2004 pre-empts how this might be done by requiring these provisions to be consistent with the "growth concept" contained within the Auckland Regional Growth Strategy (1999)³³.

Schedule 5

Schedule 5 sets out for the purposes of section 40(1)(b) the relevant matters regarding land transport and land use changes. This includes "...ensuring that transport and land use patterns are aligned to achieve sustainability, efficiency and liveability..."³⁴. See Appendix 1 for the other provisions of Schedule 5 of the LGAAA 2004.

³³ Chapter 3A, *Auckland Regional Growth Strategy* 1999.

³⁴ Clause (a), Schedule 5, LGAAA 2004.

2.4 Land Transport Management Act 2003

The LTMA 2003 governs the way the New Zealand land transport system is developed, managed and funded. The purpose of the Act is to contribute to the aim of achieving an affordable, integrated, safe, responsive, and sustainable land transport system.

The Land Transport Management Amendment Act became law in 2008. These amendments have involved some significant changes including:

- Reserving fuel excise duty for land transport purposes and changing the way fuel excise is set
- Augmenting central government transport funding by regional fuel taxes
- Providing for a government policy statement to set out the government's planned investment and funding priorities for the next 3 – 6 years
- Changing to a 3-year planning and funding cycle
- Introducing 3-yearly regional land transport programmes to rationalise land transport planning documents, reduce consultation, and encourage integrated land transport planning
- Increasing the term of regional land transport strategies and national land transport strategy to 30 years
- Merging Land Transport NZ and Transit NZ into a single Crown entity (the New Zealand Transport Agency)

Central aspects of the LTMA 2003 are the five criteria that permeate through it. These criteria are the Government's five transport objectives as set out in the New Zealand Transport Strategy (NZTS):

- Assisting economic development
- Assisting safety and personal security
- Improving access and mobility
- Protecting and promoting public health
- Ensuring environmental sustainability

The LTMA 2003 requires all regions to have a 30 year regional land transport strategy (RLTS). An RLTS must contribute to achieving an affordable, integrated, safe, responsive and sustainable land transport system and be consistent with any regional policy statements or regional plans. When preparing an RLTS regional transport committees are now required to take account of the regional council's function under section 30(1)(gb) of the RMA 1991, to consider the strategic integration of transport infrastructure with land use. An RLTS must also make a statement of any land use considerations, include a demand management strategy and take into account the land transport funding likely to be available within the region. There are also comprehensive consultation requirements in order to engage interest groups in the policy process.

The amendments to the LTMA 2003 have introduced a requirement for all regions to have a regional land transport programme (RLTP). All transport projects that are recommended for funding from the national land transport fund have to be in the RLTP. The first RLTPs are required to be in place by 1 July 2009. RLTPs set out all of a region's transport activities over 3 financial years in detail (including cost, timing and funding sources), an indication of significant activities for the following 3 years, and a 10 year financial forecast. All projects must be prioritised. The RLTP activities and combinations of activities from each region will feed into the National Land Transport Programme (NLTP) for the same period.

See **Appendix 1** for the relevant provisions of these statutes as they pertain to Change 1.

2.5 Inter-Statutory Linkage

There are a number of principles that emerge from the three main planning statutes of the RMA 1991, LGA 2002 and the LTMA 2003. These principles revolve around integration and a wider sustainability focus. The key provisions are as follows:

- Sustainable management (RMA 1991)

- Integrated management (RMA 1991)
- The strategic integration of infrastructure with land use (RMA 1991)
- Sustainable development (LGA 2002)
- Impact of growth on infrastructure (LGA 2002)
- Long term planning and investment (LGA 2002 and LTMA 2003)
- Integration and responsiveness (LTMA 2003)
- Environmental sustainability (LTMA 2003)
- Funding of transport infrastructure (LTMA 2003)
- The strategic integration of transport infrastructure with land use (LTMA 2003)

The achievement of the purposes of the principal planning statutes is dependent on the agents, tools and processes of each statute supporting one another in an integrated way. This involves looking across the outcomes of the three statutes and taking account of them in a collective manner.

There is mutual recognition among the main three statutes in terms of acknowledging the various processes and documents produced under each:

RMA 1991

- Regional Policy Statements, Regional Plans and District Plans shall have regard to any management plans and strategies prepared under other Acts (sections 61(2)(a)(i), 66(2)(c)(i), 74(2)(b)(i)).

LGA 2002

- The nature and circumstances of a decision includes the extent to which the requirements for such decision-making are prescribed in or under any other enactment (for example, the Resource Management Act 1991) (section 79(3)).
- Financial contributions under the RMA 1991 are part of a Council's revenue and financing policy (section 103).
- Network infrastructure includes transport (section 197).
- The link between granting of consents under the RMA 1991 and the taking of development contributions (section 198).

LTMA 2003 (including the 2008 amendments)

- An RLTS must be consistent with any relevant national policy statement, regional policy statement or regional plan that is for the time being in force under the RMA 1991 (section 75(a)(iii)(B) LTMA 2003). An RLTS must also take into account any relevant district plans (section 75(b)(iii)).
- An RLTS must take into account the relevant regional council's function under section 30(1)(gb) of the RMA 1991 (section 76(g)).
- The NLTP and RLTPs must take into account any relevant national policy statement and any relevant regional policy statements or plans that are for the time being in force under the RMA 1991 (sections 14(b)(iii) and 19B(b)(v) LTMA 2003).
- A funding approval process is to take into account any relevant national or regional policy statement (section 20(3)(e) LTMA 2003).
- Regional Land Transport Strategies must take into account the land transport funding likely to be available within the region during the period covered by the strategy (section 76(b)).
- Consultation on an RLTP, an RLTS and a regional fuel tax scheme must be carried out in accordance with the consultation principles set out in section 82 of the LGA 2002. Consultation can also be carried out in conjunction with LTCCP consultation.

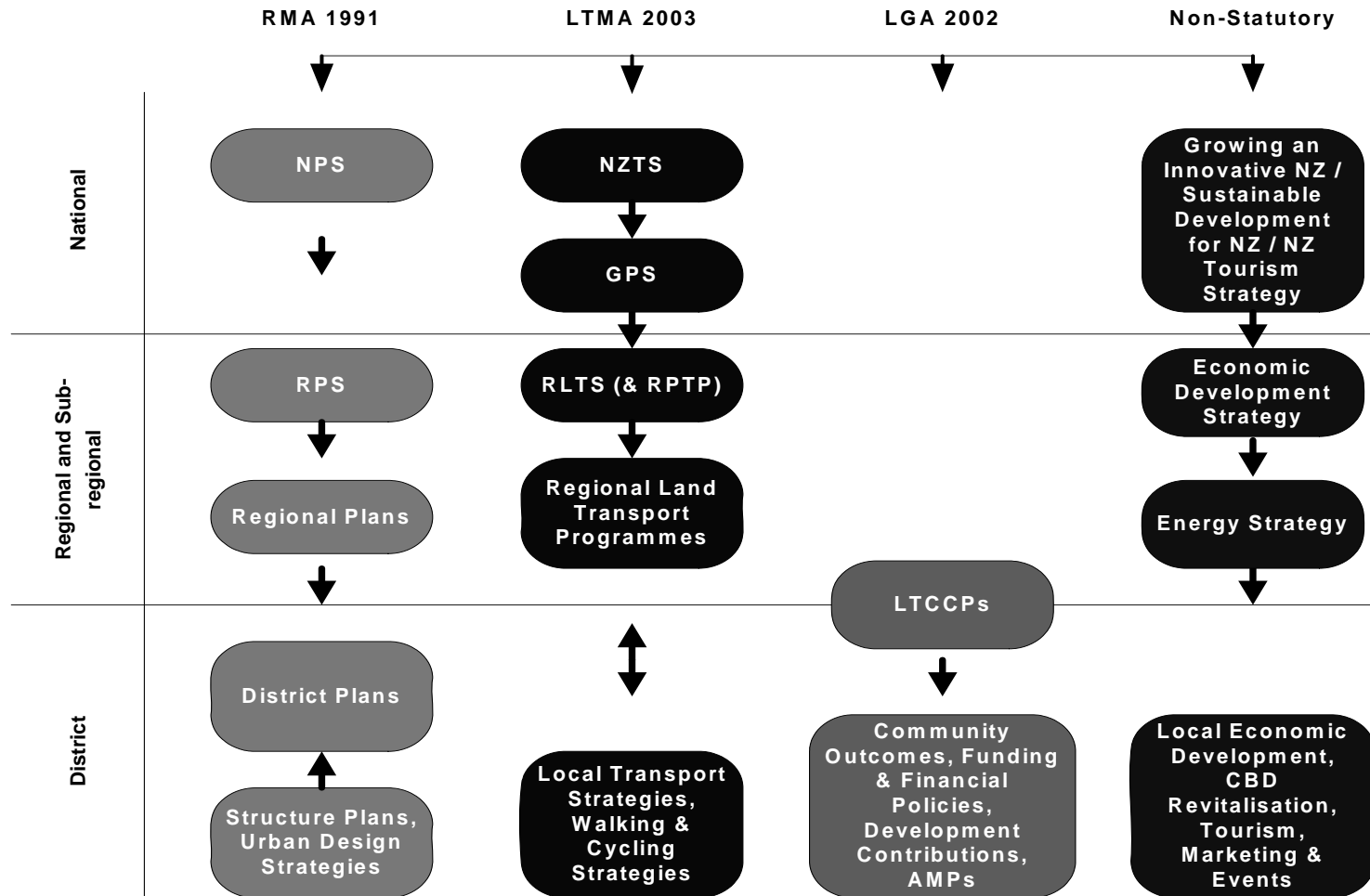
There is an explicit link between land use planning under the RMA 1991 (national and regional policy statements, regional and district plans) and transport planning under the LTMA 2003 (regional land transport strategies, regional land transport programmes).

The following diagram is adapted from the UDS document. It illustrates these inter-statutory relationships³⁵:

³⁵ Adapted from the *Greater Christchurch Urban Development Strategy and Action Plan 2007*, page 13.

Greater Christchurch Urban Development Strategy and Action Plan 2007

IMPLEMENTATION



The three statutes as outlined in this section have common themes or principles underpinning them including, environmental sustainability, community engagement, and integrated planning. However implementation of these relationships is not well understood and the challenge is developing the integration of the different tools and processes under these three principal planning statutes.

This situation has led to discussions around a National Policy Statement on integration to clarify these matters. This would provide a clear government policy directive on the intentions to give greater effect to integrating land use, infrastructure and funding.

2.6 Government Policy Approach

Land Use and Transport Integration

Central government is moving towards more land use and transport integration set within a wider integrated planning project. This integrated approach to planning is being undertaken through various initiatives such as:

- Integrated Approach to Planning project: The purpose of the project is to "*Identify gaps and barriers to achieving better integration, both within and between transport and land-use planning (through case studies and other means)*". This project is being undertaken by the Ministry of Transport, the NZTA, ONTRACK, Civil Aviation Authority, the Ministry for the Environment and Local Government NZ.
- Planning Alignment Project: A joint project, completed in 2007, between Transit NZ and Local Government NZ to examine ways to better achieve integrated planning.

There are also a number of local government initiatives being undertaken on land use and transport integration. This is occurring through growth management strategies, integrated land use and transport corridor plans and studies and improved structure plans.

Other national policy, strategy and legislation where more land use and transport integration is expected are outlined below.

New Zealand Transport Strategy (2008)

The New Zealand Transport Strategy ("NZTS") was updated in 2008. The Strategy sets out the Government's overall vision for transport, five key objectives (those objectives have been carried through into the Land Transport Management Act 2003) and a number of targets in order to support the delivery of the objectives. The government's overall vision for transport in 2040 is that:

"People and freight in New Zealand will have access to an affordable, integrated, safe, responsive, and sustainable transport system."

The vision is supported by five transport objectives:

- Ensuring environmental sustainability
- Assisting economic development
- Assisting safety and personal security
- Improving access and mobility
- Protecting and promoting public health

The NZTS now sets out targets that support the objectives, provide a focus for future actions and a basis for measuring progress. The targets are as follows:

Ensuring Environmental Sustainability	Halve per capita greenhouse gas emissions from domestic transport by 2040 Increase coastal shipping's share of inter-regional freight to 30% of tonne-kilometres by 2040
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	<p>Increase rail's share of inter-regional freight to 30% of tonne-kilometres by 2040</p> <p>Become one of the first countries in the world to widely use electric vehicles</p> <p>Reduce the kilometres travelled by single occupancy vehicles, in major urban areas on weekdays, by 10% per capita by 2015 compared to 2007</p> <p>Reduce the rated CO₂ emissions per kilometre of combined average new and used vehicles entering the light vehicle fleet to 170 grams CO₂ per kilometre by 2015, with a corresponding reducing in average fuel used per kilometre</p>
Assisting economic development	<p>For identified critical routes:</p> <ul style="list-style-type: none"> ▪ Improve reliability of journey times ▪ Reduce average journey times
Assisting safety and personal security	<p>Reduce road deaths to no more than 200 per annum by 2040</p> <p>Reduce serious injuries on roads to no more than 1,500 by 2040</p>
Improving access and mobility	<p>Increase use of public transport to 7% of all trips by 2040 (ie from 111 million boardings in 2006/07 to more than 525 million boardings in 2040)</p> <p>Increase walking, cycling and other active modes to 30% of total trips in urban areas by 2040</p>
Protecting and promoting public health	<p>Reduce the number of people exposed to health-endangering noise levels from transport</p> <p>Reduce the number of people exposed to health-endangering concentrations of air pollution in locations where the impact of transport emissions is significant</p>

The NZTS also contains the following components which it signals will be the focus of increased priority for the government:

- Integrated planning
- Making the best use of existing networks and infrastructure
- Investing in critical infrastructure and the transport sector workforce
- Increasing the availability and use of public transport, cycling, walking, and other share and active modes
- Considering options for charging that will generate revenue for investment in transport infrastructure and services
- Using new technologies and fuels
- Maintaining and improving international links

Transport Funding

Before land transport activities can be approved for financial assistance from central government, the NZTA is required under the LTMA 2003, to take into account the five outcomes of the NZTS, as well as other matters. A number of these outcomes require land use considerations. This includes:

- Assisting economic development through reducing travel times and improved travel time reliability, of which better land use planning is a key contributor. New and better technology can also be a factor in terms of reducing people's need to travel and at the same time assisting economic development (eg broadband).
- Assisting safety and personal security by through better design, such as access control and safer streets, walkways and cycleways.
- Improving access and mobility through developing towns and cities in a way that is convenient for walking and cycling and increasing public transport usage.

- Protecting and promoting public health by more people choosing active transport modes and public transport that result in greater physical activity levels and less overall harmful emissions to air from traffic. Land use planning can have a strong influence over this.
- Ensuring environmental sustainability by developing patterns of towns and cities that reduce the overall need for people to travel as well as reduce travel in ways that are harmful to the environment (indicators for this outcome include population density and average trip distance).

The funding approval process proposed under the LTMA 2003 now requires the NZTA to:

- take into account any relevant Regional Policy Statement³⁶ and
- be satisfied that the transport activities contribute to the Agency's objective, including its social and environmental responsibility, in an efficient and effective manner³⁷.

The NZTA is moving increasingly towards a more integrated approach to transport funding where land use plays a much greater role. Packages of transport activities that align with land use plans are now the preferred approach. The NZTA is also in the early stages of 'strategy assessments' for transport funding. This involves evaluating a region or sub-region's land use and transport strategy. This approach requires that the land use pattern is anchored within regional and district planning documents.

If there is no land use pattern in place, large transport projects are increasingly being seen as unsustainable and uncoordinated, and are therefore unlikely to attract funding.

Local Government (Auckland) Amendment Act 2004

While this statute covers the Auckland region only, it provides a very clear statement of Government's land use and transport integration intentions.

Given its purposes and requirements for Auckland local authorities to provide for the integration of Auckland's land transport system with its land use provisions and transport funding under section 3, section 40(1)(b) and Schedule 5, the LGAAA 2004 approach is a special attempt by Central Government to achieve an integrated region-wide planning approach in Auckland. This Act highlights a national move towards a more integrated planning approach.

The LGAAA 2004 is being implemented through Change 6 to the ARPS, which now more closely aligns with the Auckland Regional Growth Strategy, and various district plan changes.

Climate Change

The Government ratified the Kyoto Protocol at the Framework Convention on Climate Change in 2002. This requires New Zealand to reduce the emissions to atmosphere of greenhouse gases to 1990 levels, or to take responsibility for any shortfall.

Current government direction on Climate Change is found in the:

- New Zealand Energy Efficiency and Conservation Strategy 2007 (NEECS);
- New Zealand Energy Strategy to 2050 - Powering Our Future: Towards a Sustainable Low Emissions Energy System, 2007 (NZES); and
- Emissions Trading Scheme (expressed in the Climate Change Response (Emissions Trading) Amendment Act 2008).

New Zealand Energy Strategy to 2050 (2007)

Released on 11 October 2007, the New Zealand Energy Strategy sets the strategic direction for the energy sector.

³⁶ Section 20(3)(e) LTMA 2003.

³⁷ Section 20(2)(d) LTMA 2003.

The Energy Strategy has a vision to have *a reliable and resilient system delivering New Zealand sustainable, low emissions energy services*. The Strategy provides detail on the proposed actions that the government could take to support its vision, both now and over time. The actions cover the areas of:

- Resilient, low carbon transport
- Security of electricity supply
- Low emissions power and heat
- Using energy more efficiently
- Sustainable energy technologies and innovation
- Affordability and wellbeing

The biggest energy challenge is transport. The recommended actions that relate to transport include:

- Government exploring the need to move, in the long term, to a distance-based charging regime for all vehicles to meet land transport costs as a response to emerging vehicle technologies, increased fuel economy and alternative fuels.
- The continued and increased support of public transport and non-motorised forms of transport.
- Continuing to support lower emissions alternatives to road transport.

Actions that relate to Change 1 include:

- The government will continue to support local government on quality urban design, including investigating the role for greater national guidance.
- The government will continue to develop policies, including policies on funding, to encourage greater provision of public transport, walking and cycling.

National Energy Efficiency and Conservation Strategy (2007)

Released on 11 October 2007, the National Energy Efficiency and Conservation Strategy (NEECS) builds on the 2001 strategy and was developed alongside the NZES. The NEECS reinforces the goals of the NZES and the Emissions Trading scheme through a range of policies and practical measures.

The fundamental principles of the NEECS include:

- Maintaining security of energy services is essential and should encompass consideration of supply and demand-side alternatives.
- Investment should occur in energy efficiency measures where this is cheaper than the long-term costs of building extra supply capacity, including environmental costs.
- For the foreseeable future, it is preferable that all new electricity generation is renewable, except to the extent necessary to maintain security of supply.
- Where fossil fuel is utilised, priority should be given to using the lowest carbon fuel available.
- New forms of renewable energy that can become competitive with fossil fuels over the next ten years will be supported.

Relevant action areas for Change 1 are:

- Further on a full tank -
 - Consider economic instruments (eg differential registration or other fees) to send appropriate pricing signals to influence the purchase and use of a vehicle, preferred options selected by the end of 2007
- Efficient freight movement -
 - Investigate development and integration of rail with other transport networks
 - Develop and implement a Shipping Strategy
 - Further investigate opportunities for equity in freight costs across road, rail and shipping
 - Progressively incorporate the social and environmental costs associated with providing transport services into the transport system
- Introducing renewable transport fuels -
 - Investigate renewable electricity options for transport
- Living and working – better mobility, lifestyles and communities -

- Promote quality town and city design to reduce transport needs and environmental impact
- Invest in public transport
- Encourage walking and cycling with good design and infrastructure
- Invest in travel behaviour change programmes and other initiatives
- Working in partnership with local government on the actions above.

Emissions Trading

The government has decided that New Zealand will use an emissions trading scheme as its core price-based measure for reducing greenhouse gas emissions and enhancing forest carbon sinks. The New Zealand Emissions Trading Scheme (NZ ETS) will operate alongside other policies and measures to reduce domestic emissions and achieve New Zealand's broader sustainability objectives.

The Emissions Trading Scheme establishes the framework for pricing all greenhouse gas emissions. It is a comprehensive scheme which will, over time, include all sectors of the economy, including the energy sector. The emissions trading scheme will help to achieve the target of generating 90 percent of New Zealand's electricity from renewable energy sources by 2025.

The objective of the NZ ETS is:

That a New Zealand Emissions Trading Scheme support and encourage global efforts to reduce greenhouse gas emissions by:

- *reducing New Zealand's net emissions below business-as-usual levels; and*
- *complying with our international obligations, including our Kyoto Protocol obligations;*
- *while maintaining economic flexibility, equity, and environmental integrity at least cost in the long term.*

The Climate Change Response (Emissions Trading) Amendment Act 2008 came into force on 26 September 2008. The legislation has been developed to implement the NZ ETS. The Act:

- Amends the Climate Change Response Act 2002 to introduce a greenhouse gas emissions trading scheme covering all sectors and all gases.
- Amends the Electricity Act 1992 to create a preference for renewable electricity generation by implementing a 10-year restriction on new baseload fossil-fuelled thermal electricity generation, except to the extent required to ensure the security of New Zealand's electricity supply.

Multi-Modal Transport

Over the last decade the Government has made attempts to increase the use of alternative modes. Part of this approach is tied up with the integration of land use and transport planning and the Government's commitment to reducing greenhouse gas emissions. There have been a number of strategic documents released that aim to increase the use of modes that are an alternative to motor vehicles.

Getting There, on Foot, by Cycle (2005)

Getting there - on foot, by cycle is a high level strategy released by the Ministry of Transport. It contains a vision, goals, key principles and priorities for action, and has four key focus areas, which are to:

- strengthen the foundations for effective action for pedestrian activity and cycling
- provide supportive environments for pedestrian activity and cycling
- encourage people to choose to partake in pedestrian activity and cycle more as part of their transport mix
- improve safety for pedestrians and cyclists.

National Rail Strategy to 2015 (2005)

In May 2005 the Government launched the National Rail Strategy to 2015 (NRS). The NRS sets out a number of strategic directions in order to achieve the overall transport objectives contained in the NZTS. The NRS sets out the government's policy and objectives for rail over the next 10 years. Its focus is on increasing the amount of freight and passengers using rail. The strategy's priorities include:

- improving safety
- upgrading the network
- improving rail's contribution to regional economic development
- optimising the use of rail within the wider transport network, and
- improving access to rail for users.

Sea Change – Coastal Shipping Strategy (2008)

The Sea Change Strategy is designed to transform coastal shipping in New Zealand. At present about 15 percent of domestic freight is carried by coastal ships, including the Cook Strait ferries. *Sea Change* proposes to double this by 2040.

The Strategy contains an action plan which includes:

- Providing a visible focal point
- Improved access to funding
- Information gathering
- Workforce initiatives

2.7 Regional Policy Approach

Making the linkages between growth, infrastructure, funding and the technical administrative and governance roles of local authorities is vital. In particular, linking land use with infrastructure and funding is very much a key focus of central government's agenda which has a direct impact on regional policy approaches from a land transport perspective.

Under the requirements regarding financial management and development contributions policies in the LGA 2002, Councils need to have a clear picture of the rate and scale of development likely to occur so that the costs of this growth can be identified and managed from the outset. This has been achieved through the UDS, which reflects and implements central government thinking at a regional and sub-regional level. An integrated view on land use planning with infrastructure provision and timely and equitable funding facilitates Councils ability to identify, forecast and report a more accurate financial picture to its communities in its LTCCPs.

One implementation method of the UDS is to integrate the land use and transport needs, which is achieved in part through Change 1. This effectively anchors the urban growth component of the UDS in the Canterbury RPS. Achieving this means a long term land use pattern for the sub-region being established which will have a positive flow-on effect to the entire Canterbury region. An anchored land use pattern means that in the LTCCPs of all the region's local authorities, growth costs can be identified early. This will deliver the most cost-effective form of infrastructure and will help to lower the costs of housing for example. It also provides greater certainty to central government through its funding processes in assisting with regionally significant transport infrastructure. It aligns more directly, the local, regional and central government funding processes consistent with the LTMA 2003.

Environment Canterbury LTCCP

Environment Canterbury's LTCCP indicates a regional approach to integrated planning which supports a more compact urban form for the region. The LTCCP contains community outcomes that relate to urban form, transport, managing growth and infrastructure provision.

In particular, Environment Canterbury's land group of activities specifies that the impact of land use change is a major issue. This includes transport and environmental issues arising from urban development around metropolitan Christchurch.³⁸ The regional council states in its LTCCP that these issues can be *resolved through collaboration*³⁹ by the affected parties. Environment Canterbury has committed to undertake policy development for managing land and monitoring city and district plans to ensure consistency with its plans and strategies.

Similarly in relation to regional land transport, the regional council has committed to developing policy for the long term planning of regional transport (as required in the LTMA 2003), and monitoring its effectiveness and efficiency ensuring that city and district plans are consistent with it.

The Operative Canterbury Regional Policy Statement 1998

The operative Canterbury RPS sets out the following on urban growth and compact urban form:

- The promotion of settlement and transport patterns and built environments that result in energy efficiency and reduced emissions (Policy 1);
- Achieving patterns of urban development and settlement that do not adversely effect key infrastructure eg Christchurch International Airport, Port of Lyttelton (Objective 2 and Policy 4) on the reasoning that the efficient use and development of such facilities promotes urban management;
- Maintenance of rural character on the outskirts of Christchurch City (Issue 2);
- Discouraging land uses or land use patterns which constrain future populations and communities in urban areas and settlements from meeting their needs (Policy 5 and Issue 3);
- Discouraging land use which may cause losses to significant landscapes or ecological values (Policy 5); and
- Rural settlement patterns that enable communities to provide for their well beings (Objective 5);

Change 1 still supports these policies, issues and objectives, but emphasises their importance in definitive land use, infrastructure provision and funding capability terms. This enables the high-level nature of Chapter 12 to be implemented more practically as the direction of where the regional council wants to go with managing the region's physical and natural resources is more clear.

Canterbury RPS Review

The Canterbury RPS review is about to start given the requirements of section 79(1) of the Act for regional councils to review their RPS' every 10 years. Change 1 is running ahead of this review given its importance.

While the majority of the existing Canterbury RPS remains relevant, the policy processes surrounding the development and now implementation of the UDS addresses issues and concerns pertinent to the Canterbury RPS review. Examples of this includes its objectives, policies, explanations and methods set out in Change 1 on urban growth, land use, transport infrastructure, and water and air quality.⁴⁰

The level of detail to which this is considered in the UDS, have intensified the need for its review. It was envisaged that this action would:

- better enable TAs to give effect to the Canterbury RPS;
- reduce the litigation risks surrounding location of development as experienced with the operative Chapter 12; and
- provide developers and the wider sub-regional residential and business communities with more certainty.

³⁸ Environment Canterbury, *Long Term Council Community Plan 2006-2016*, page 45.

³⁹ Ibid.

⁴⁰ Environment Canterbury, *Canterbury, its people, its resources: Regional Policy Statement Review Scoping Report*, October 2006, page 5.

The Canterbury RPS review is approached as a collaborative process with particular emphasis given to working with TAs given the change in legislation as a result of the 2005 amendments to the RMA 1991 requiring TAs to give effect to regional policy statements through their district plans.⁴¹

Change 1 and Section 32 Report

The Section 32 report evaluated Change 1 objectives, policies and methods as to whether or not they were the 'most appropriate' way to achieve RMA 1991 purposes. This included commentary on other possible approaches.

Change 1 was evaluated to comply with and/or achieve RMA 1991 purposes in sections 5 to 7 of the Act, and under the regional council's functions in section 30(1) of the Act.⁴²

A Section 32 report was also completed for Variations 1 to 4.

Canterbury Regional Land Transport Strategy

The Canterbury RLTS is a strategy which the regional council shall have regard to in its preparation of Change 1 under section 61(2)(a)(i) of the RMA 1991.

The Canterbury RLTS sets out a vision and goals for transport out to 2025. It contains five key outcome areas:

- Equitable access
- Economy
- Social environment
- Environment
- Safety

The vision and outcomes are to be achieved through 5 key result areas being:

- Alternative modes
- Roads: safety, environment and infrastructure
- Demand management
- Land use
- Freight

The approach involves:

- Maintaining and using the existing transport infrastructure efficiently
- Targeted investment in infrastructure improvements
- Increased emphasis on walking, cycling and public passenger transport to provide greater transport choice, integration and flexibility
- Land-use patterns that support alternative modes and provide opportunities for people to travel less, especially by private motor vehicle
- Travel behaviour change programmes to encourage more efficient travel patterns, the use of parking controls and road pricing to manage transport in the longer term.

The strategic option which underpins the RLTS is one that provides for strategic infrastructure improvements with commensurate increases in alternative modes and some restraint measures (eg parking charges).

Canterbury RLTS Review 2007

⁴¹ Environment Canterbury, *Canterbury, its people, its resources: Regional Policy Statement Review Scoping Report*, October 2006, page 5; Section 75(3)(c) RMA 1991.

⁴² Proposed Change 1 – Canterbury RPS: Section 32 Report, 28 July 2007, pages 12 to 44.

The Canterbury RLTS was reviewed in 2007 in order to ensure that it is closely aligned with the objectives of the NZTS and the LTMA 2003, and to build on and take account of a number of significant pieces of work completed between 2005 and 2007. This included the development of the Canterbury Transport Regional Implementation Plan, the Canterbury Regional Travel Demand Management Strategy and the UDS.

As a result of the review, the Canterbury RLTS has been amended as follows:

- The introduction now references significant new areas of work undertaken between 2005 and 2008
- An update of the current transport trends and issues section
- Strengthening the land use aspects of the strategy, in particular referencing the UDS and Change 1
- Further emphasis on promoting the benefits of integrated land use and transport planning
- A stronger focus on public health and environmental sustainability
- A new section pertaining to the role of modes has been created
- Updating the key result areas section, including adding new activities
- Updating the demand management section to align with the new draft Travel Demand Management Strategy
- The implementation and funding chapters have been updated and amended to align with the Canterbury Transport Regional Implementation Plan work
- Targets and monitoring indicators have been reviewed and amendments made
- A risk assessment around factors that might endanger achievement of the RLTS has also been prepared and a summary included in the RLTS.

2.8 Conclusion

The reoccurring themes that emerge from the planning legislation, the national policy framework, and the national and regional strategies which relate to transport and land use are:

- The four well-beings: social, economic, cultural and environmental
- Integration (between land use and infrastructure and the management of natural and physical resources)
- Planning for growth
- Support for compact and sustainable urban forms
- The impact of land use on transport and vice versa
- Using land use and transport planning to achieve a better urban form and a shift to more sustainable transport modes
- Funding requirements to support the necessary infrastructure.

3 Growth Management

3.1 The Role of Regional Councils

Regional councils have a role in growth management. This role emerges as a result of requirements under the RMA 1991, LGA 2002 and LTMA 2003.

Regional Council Functions under the RMA 1991

The scope of regional policy statements primarily coincide with regional council functions in the RMA 1991. These are set out in section 30(1) of the Act.

In terms of Environment Canterbury's role in land use matters as a regional council, the following subsections of section 30(1) of the RMA 1991 should be noted:

- Section 30(1)(a) relating to integrated management
- Section 30(1)(b) relating to the effects of the use and development of land on matters of regional significance
- Section 30(1)(gb) the strategic integration of infrastructure with land use through objectives, policies and methods.

The third function was introduced via the 2005 amendments to the RMA 1991. It directly reflects a central government impetus on the importance of integrated planning approaches to growth management, hence its addition as an amendment to the Act.

For many years the approach to growth management in New Zealand has been costly in terms of being reactive and responsive to the demand as it occurs rather than in anticipation of it. If an agreed land use pattern for a region is anchored in its RPS, then regional council functions to integrate land use with infrastructure through policies, objectives and methods can be done in a resource, time and cost-efficient manner.

It is important for residential and business community certainty, and for central government transport funding, that a land use pattern for a region is anchored in its RPS, supported by its RLTS, and that a robust growth strategy framework underpins it.

Regional Council Functions under the LGA 2002

A regional council's functions under the LGA 2002 are the same as a territorial authority's for local government purposes. Both are included in the definition of 'local authority' in the LGA 2002.

Regional councils (like TAs) are required under the LGA 2002 to consider the impacts of growth on infrastructure. These are provided for in their LTCCPs which must contain all the information set out in Part 1 Schedule 10. This includes:

- Information on community outcomes (in this instance those relating to land use, infrastructure, transport and funding);
- Identify assets and assess activities;
- Funding and financial policies adopted under section 102 of the LGA 2002;
- A summary of its policy on determining the significance of groups of activities set out in their LTCCPs;
- Forecast financial statements;
- Funding impact statements; and
- Significant forecasting assumptions eg that UDS partner councils in the Canterbury instance will give effect to the UDS.

Regional Council Functions under the LTMA 2003

The amendments to the LTMA 2003 have resulted in more transport planning and management tasks for regional councils. Under the Act regional councils are required to:

- Ensure that the regional transport committee prepares an RLTP by 1 July 2009 and every three years after that.
- Receive and disperse advice from Government as to what is and what is not included in the NLTP.
- Approve regional land transport strategies, regional land transport programmes and any regional fuel tax scheme.
- Ensure that the regional transport committee prepares an RLTS (to now cover a period of 30 years) and that it is reviewed every 6 years.
- Ensure that the regional transport committee prepares progress reports on implementing the RLTS every 3 years.
- Establish a new / reconstituted regional land transport committee.
- Ensure that the appropriate consultation is carried out on the RLTP, RLTS and any regional fuel tax scheme and provide support and resources for this to occur.
- Prepare a regional passenger transport plan.

The LTMA 2003 addresses funding and integration between spheres of government engaged in the planning and funding of transport infrastructure. Therefore regional councils must identify land transport outcomes as part of an RLTS to contribute to achieving an integrated, safe, responsive and sustainable land transport system. This aligns with the integration functions of regional councils under section 30(1)(gb) of the RMA 1991.

Apart from LTMA 2003 there are also other challenges for regional councils. These include:

- The increasing focus on alternative modes, particularly public transport. This is even more apparent given central government's climate change agenda articulated in:
 - the New Zealand Energy Strategy and update of the New Zealand Energy Efficiency and Conservation Strategy in October 2007; and
 - the Climate Change Response (Emissions Trading) Amendment Act 2008.
- Transport projects unlikely to be funded without sustainable measures (eg alternative modes and demand management)
- The increase in expectations of regional councils in the transport planning and funding area
- The fact that these changes have to be linked to regional councils' future decision-making processes
- The need to consider transport for the whole region over a 30 year period
- The requirement for a clear implementation and funding framework for the whole region
- Identifying the outcomes required for the region for a 30 year period and what will be needed in terms of funding
- Targets and monitoring

It is not possible for regional councils to comprehensively perform these functions without a clear land use picture that is anchored in an RPS, and integrated with (transport) infrastructure provision and timely, equitable funding.

Change 1 offers a clear land use picture which is integrated with infrastructure provision and gives consideration to equitable funding.

3.2 Relevant Case Law

Canterbury Cases Relevant to Change 1

The following Canterbury resource management cases are of relevance to Change 1.

Suburban Estates v Christchurch City Council⁴³

This was a significant resource management case concerning the urban growth of Christchurch City. In this case the Court found that the Canterbury RPS was not definitive enough in terms of policies in relation to the location of development.

The Court also stated that:

*"...we find that in relation to urban growth...the relationships between land use and transport are important."*⁴⁴

Canterbury Regional Council v Waimakariri District Council ("the Pegasus Case")⁴⁵

The Court found in this case that the RPS was a document lacking in meaningful directives to district councils in respect of the location of settlements.⁴⁶

The Court also noted that they did not hear evidence on the costs of extra development in other areas if Pegasus Bay did not proceed. On this point they said that:

*It would become an impossibility for the Court to determine such wide issues of a regional nature on an ad hoc basis which is precisely why the RPS should have contained firm, realistic directions as to the acceptable extent of development beyond Christchurch city boundaries and the approximate location of such developments.*⁴⁷

Canterbury Regional Council v Waimakariri District Council⁴⁸

This case concerned whether Waimakariri's District Plan was inconsistent with the Canterbury RPS (with regards to subdivision lot sizes). The Court found that:

*There is nothing in the wording of the RPS which approaches the level of mandatory language used in the Auckland Regional Council v North Shore case cited.*⁴⁹

The Court also went on to say that the Canterbury RPS contains non-mandatory requirements and that the methods do not state whether the policy is to be used, adopted or ignored.

In terms of the influence of the RPS on district plans the Environment Court found that none of the relevant provisions of the RPS require or prescribe methods and rules to be inserted into district plans.

In relation to transport the Court noted that the RPS only requires promotion of changes in movement patterns and does not suggest any potential means of doing this other than through controlling the use, development and protection of land.

Kennedys Bush Developments Ltd v Christchurch City Council⁵⁰

At page 18, paragraph 56, the Environment Court noted that:

In this decision we are being asked to decide whether the boundary between the City's urban areas and the outstanding natural rural hills should be at the bottom of the southern slopes of Kennedys Bush spur... as on plan 59A to the City Plan or should balloon out onto a southern plateau running down the Lansdowne Heights subspur.

⁴³ C217/2001

⁴⁴ *ibid* at paragraph 343 on page 170

⁴⁵ C5/2002

⁴⁶ *ibid* at paragraph 91 on page 17

⁴⁷ *ibid* at paragraph 101 on page 19

⁴⁸ C09/2002

⁴⁹ *ibid* at paragraph 40 on page 16

⁵⁰ C55/2004

The Court stated that if they were to approve the development, then they would be pre-empting discussion by the City and its citizens on an important issue. For various reasons, including the potential for further development requests in the area, the Court decided that the development should not be approved. The Court encouraged Christchurch City Council to consider the whole area as part of its integrated management duties⁵¹.

Robinsons Bay Trust v National Investment Trust⁵²

In this case the Court held that the 50dBA noise contour was the most appropriate in terms of reflecting the purpose of the Act to achieve sustainable management.

Shaw v Selwyn District Council⁵³

This case concerned an application for the rezoning of rural land close to Prebbleton. The Environment Court had to consider the effect of the Canterbury RPS, of which it had this to say: "*In our view the correct approach to the RPS is that most of its policies are not restrictive. They are general guidelines.*"⁵⁴

The Court went on to hold that the transport policies of the RPS were unhelpful and would therefore be ignored.

They also noted that the unquantified benefits of rural land in the green belt south of Christchurch, was a key unresolved issue.

McFarlane Group Developments v Selwyn District Council⁵⁵

This case found that the Canterbury RPS was non-directive and for that reason it was not possible for the Court to conclude that the plan change proposed was inconsistent with it.

The Court also noted that there were fundamental questions that still needed to be addressed about:

- If growth should occur
- If so, where it should occur
- At what level

Conclusions

Change 1 is an attempt to remedy some of the issues raised by these cases. In particular it is an attempt to address the criticism concerning the lack of direction with regards to growth in the current RPS. The UDS has provided the platform for an agreed Council and community direction in relation to the growth of Greater Christchurch. This is now being implemented through Change 1 in order to provide more certainty and to assist the district councils. It also promotes integrated planning by linking land use, infrastructure and funding. Change 1 provides a sub-regional overview which is necessary when growth management is concerned as the approach across the three local authorities needs to be consistent.

General Case Law Supporting the Integrated Planning Approach and Growth Management Policy Tools

The Mapara Valley Preservation Society v Taupo District Council⁵⁶

⁵¹ *ibid*, page 21 at paragraph 65

⁵² C60/2004

⁵³ C67/2004

⁵⁴ *ibid* at page 25

⁵⁵ C38/2005

⁵⁶ *The Mapara Valley Preservation Society v Taupo District Council* A083/2007

In this decision, the Environment Court gave significant regard to Taupo District Council's growth management strategy: Taupo District 2050 (TD 2050). TD 2050 is the culmination of a decade of Taupo District Council planning work and investigation.

The case concerned what was then Variations 19, 20 and 21 to the proposed Taupo District Plan. In obiter, the Court acknowledged that while TD 2050 was not a statutory document, it was a "*comprehensive growth strategy*"⁵⁷ and recommended that the variations based on it should be given "*substantial respect and weight*"⁵⁸.

Auckland Regional Council v North Shore City Council⁵⁹

This Court of Appeal decision established the legal precedent that regional councils could use the urban limits technique and provide for them generally or specifically in regional policy statements under the section 30(1)(a) of the RMA 1991⁶⁰.

Runciman v Franklin District Council; Ballantyne v Papakura District Council

In the Auckland High Court decisions of *Runciman Rural Protection Society v Franklin District Council*⁶¹, and *Papakura District Council v Ballantyne*⁶² cases, the Court emphasised that the implementation of urban limits was a positive strategy for managing population growth and related services in a region.

In support of urban limits as a growth management policy and tool, at paragraph 27 of the *Papakura District Council v Ballantyne* decision, Justice Keane quoted the *Runciman* case where the Court confirmed the "*inherent significance of the metropolitan urban limit: it has always been recognised as the key to sustainable management, and that remains clear beyond doubt*".⁶³

NZRPG Management Ltd v Western Bay of Plenty District Council⁶⁴

This case involved the re-zoning of an escarpment from 'rural' to 'industrial'. The court accepted that to re-zone that land in question to industrial would mean that the "*infrastructure could be developed in a consistent, logical and integrated way*".⁶⁵

The Environment Court acknowledged in paragraph 97 that the integration contemplated in plan change 36 to the Western Bay of Plenty District Plan was also not only for the Western Bay of Plenty District, but was also within the Tauranga City District Plan and "*the wider objectives of SmartGrowth and regional development*".⁶⁶ And to that end, a re-zoning of the land in question to 'industrial' merely continued that development.⁶⁷ SmartGrowth is the growth management strategy for the western bay of plenty sub-region.

An industrial re-zoning was also granted in this case as the Court saw that it "*would afford better integrated management*"⁶⁸ between Tauranga City and Western Bay of Plenty District Councils. These councils are partners to the SmartGrowth Strategy.

⁵⁷ *ibid*, para. 49, page 14.

⁵⁸ *Ibid*

⁵⁹ [1995] 3 NZLR 18.

⁶⁰ *Ibid* pages 23 and 24.

⁶¹ CIV 2004-485-001787, 20 December 2005. See also the following related cases: *Roman Catholic Diocese of Auckland v Franklin District Council* [2004] ENV W61. *Runciman Rural Protection Society v Franklin District Council* [2006] NZRMA 278 *Roman Catholic Diocese of Auckland v Franklin District Council* [2007] ENV W18 3

⁶² CIV-2006-404-3234 [20 December 2007]

⁶³ *Ibid* at paragraph 27; See also *Runciman Rural Protection Society v Franklin District Council* CIV 2004-485-001787.

⁶⁴ A026/2008

⁶⁵ *Ibid*, paragraph 85, page 24.

⁶⁶ *Ibid*, paragraph 97, page 27.

⁶⁷ *Ibid*.

⁶⁸ *Ibid*, paragraph 98, page 27.

4 Greater Christchurch Urban Development Strategy

4.1 Background

Introduction

The UDS is the result of an extensive consultation and development process that began in 2004 given rising concerns at the lack of collaborative planning and leadership to manage the rapid urban growth occurring across Greater Christchurch in a sustainable and consistent way.

Signed and adopted by all the Strategy's partners, and launched by the Prime Minister on 22 June 2007, the Strategy encapsulates a 'leadership in partnership and collaboration' approach to integrated planning to manage growth in the sub-region over the next 35 years.

Integrated Planning Approach of the UDS

The integrated planning approach to growth management is part of strategic planning. The integrated planning approach is that (proposed) land use be contemporaneous with the provision of (mainly land transport) infrastructure, and with timely and equitable funding.

The UDS aims to satisfy the values and expectations of the community and business sectors, as well as the strategy partners themselves. The result being a broad-scale, long-term, land-use strategy prepared in the context of the LGA 2002.

The Strategy scope and emphasis is on sub-regional development matters which its partners (particularly the councils) have statutory jurisdiction and power or influence over eg governance, infrastructure provision and funding, land-use supply, protection and enhancement of heritage and use and development of natural resources.

UDS implementation involves collaborative agreements between its strategy partners, central government and other agencies.⁶⁹ Implementation of the UDS is important if a range of sub-regional growth implications are to be well managed, for example managing the increased demand for residential and business land as a result of rapid urban population growth.

The Greater Christchurch Sub-Region

The Strategy recognises that communities of interest within the sub-region are broader than local authority boundaries. Therefore in a broad sense, the 'sub-region' has been analysed on the basis of three main communities of interest based around social interactions and connections relating generally to the transport network⁷⁰:

- North: includes Waimakariri district towns of Rangiora, Woodend and Kaiapoi, and northern parts of Christchurch City to Belfast.
- Southwest: includes Selwyn district towns of Lincoln, West Melton, Prebbleton and Rolleston, and the southern parts of Christchurch City from Hornby, Wigram and Halswell.
- Central: includes the rest of Christchurch City and the Lyttelton Harbour Basin.

⁶⁹ *Greater Christchurch Urban Development Strategy and Action Plan 2007*, page 13.

⁷⁰ *Ibid*, page 34.

Past Growth Management Approaches in the Sub-Region

Historically the Christchurch settlement was planned in England using the standard rectangular grid of colonial settlement. This was feasible by the flat expansive nature of Christchurch in the 1800s.

Over the last 150 years however, growth in the area has been characterised by a decentralised pattern of development, driven in part by improved mobility through advances in technology. The response to this development pattern has been the adoption of 'spatial policies' for containment of urban growth within the Christchurch built-up area, combined with planned decentralisation of population at designated satellite growth centres at Rangiora, Kaiapoi, Woodend and Rolleston.⁷¹

Post-war growth management in New Zealand favoured a low density suburban residential development approach. Specifically this meant separate houses on large full sized residential sections. Then housing patterns within the sub-region underwent marked changes in the 1970s and 1980s with the construction of increasing numbers of town houses, flats, infill housing on cross-leased sections or on small lots held on separate title.⁷²

This was coupled with an increasing demand for new homes and new styles of homes, as well as demand for them in townships neighbouring larger urban areas, and an increasing demand for rural living. These trends are the products of significant demographic, social and economic change in New Zealand, particularly in areas of high urban growth, including Greater Christchurch. Examples of these trends include ageing populations, labour force decline and increasing diversity in family structure.⁷³

As a result, a more compact urban form is now the promoted, 'greener' way to plan for development. This will see the planning, funding and provision of water, wastewater, stormwater and transport infrastructure, at best cost, time and resource efficiency in the long-term. Compact urban form is a key component of the integrated planning approach.

Compact Urban Form: 'Live, Work and Play' – Western Bay of Plenty Sub-region Example

Integrated planning approaches to growth management are also being used in the SmartGrowth Strategy and Implementation Plan (the growth management strategy of the western Bay of Plenty sub-region). This area is one of the fastest urban growth areas in New Zealand.

Into its third year of implementation, the SmartGrowth Strategy is making strides in integrated planning and growth management effectiveness. A major part in this is its compact urban form and "live, work and play" approach. This concept emphasises the balance of an urban liveable environment where residential and business communities are able to live, work and take their leisure in areas that are location-efficient. This reduces commuting times, and offers the opportunities to enhance leisure time, improve work productivity, and increase time spent in the home.

Growth Management Assumptions

Managing the growth of Greater Christchurch is based on three assumptions⁷⁴:

1. Population growth in the sub-region will continue to occur due to natural increase and inwards migration;
2. Partner councils have statutory obligations to take action in managing growth; and
3. Community and business sectors expect strategy partner councils to take a proactive, integrated and collaborative approach to managing the sub-region's growth

The vision statement and strategic directions for the UDS were developed through the options consultation process undertaken in 2005.

⁷¹ Ibid, page 28.

⁷² Max Barber, *Technical Report on Assessment of Urban Form Scenarios*, June 2004, pages 2 to 3.

⁷³ Ibid, page 2.

⁷⁴ *Greater Christchurch Urban Development Strategy and Action Plan*, page 10.

4.2 Vision

The Strategy's vision is for a Greater Christchurch that by 2041⁷⁵:

...has a vibrant inner city and suburban centres surrounded by thriving rural communities and towns, connected by efficient and sustainable infrastructure...wealth of public spaces...which embrace natural systems, landscapes and heritage.

Innovative businesses are welcome...[p]rosperous communities can enjoy a variety of lifestyles in good health and safety, enriched by the diversity of cultures and the beautiful environment of Greater Christchurch.

The Greater Christchurch area will have:

- *Enriched lifestyles*
- *Enhanced environments*
- *Prosperous economies*
- *Managed growth, and*
- *Integrated and collaborative leadership*

Strategic Directions

The strategic directions are key components of the UDS vision. They are intended to underpin and provide a context for the UDS. It is hoped that they will shape and guide the decisions on planning, transport and infrastructure investment. They will also guide Strategy actions as they are implemented.

Using the information gathered from the consultation feedback, the assessment criteria developed for the Options process and relevant guiding national policy documents these strategic directions balance the sub-region's social, cultural, economic and environmental goals. Specifically that *sustainable prosperity* will be achieved through⁷⁶:

Leadership	Providing good governance, making decisions, taking action and accepting responsibility, ensuring the impacts and outcomes are monitored, reviewed and managed effectively.
Partnership	Working in a collaborative and coordinated manner with one another, the community, strategic partners, government, and other organisations through short-term actions based on long-term goals and continued commitment to effective engagement in respect of strategy development and implementation.
Responsibility	Continually working towards ensuring our communities are great places to live, work, play, and are safe and economically secure, and are physically and socially healthy.
Resilience	Managing risk and uncertainty through strategy and implementation frameworks that enhance how individuals, communities and organisations respond to hazards and the unexpected.
Adaptability	Taking into account the past and anticipating the future, putting in place strategy and implementation frameworks that are adaptable to change.
Innovation	Strategic partners and the community collaborating to find creative, pragmatic, cultural and resourceful approaches and solutions.
Integration	Integrating environmental, land-use, infrastructure, social, cultural, economic and governance goals in all decision-making, policies, plans and activities by recognising the connections between systems, giving effect to the regional and local metropolitan context.
Restoration	Ensuring our natural systems are valued and protected through restoring and enhancing biodiversity and ecological integrity.

⁷⁵ Ibid, page 8.

⁷⁶ Ibid, page 14.

The strategic directions represent the outcomes that the UDS seeks to achieve. The actions to achieve them are set out in the Action plan contained in section 6 of the UDS.

4.3 Options

Four settlement pattern options for managing future growth in the sub-region were developed and publicly consulted on from April 2005⁷⁷:

1. Business as Usual option ⁷⁸	Looks at what would happen in the sub-region if it continues with the current trends without change. This includes continuing with the current trends of development spreading out around the Greater Christchurch area in new subdivisions, with some housing in urban renewal developments. Councils would continue to pursue independent growth strategies.
2. Option A ⁷⁹	Concentrates development within Christchurch City and the larger towns in the surrounding districts.
3. Option B ⁸⁰	Balances future urban development between existing built areas with some expansion into adjacent areas.
4. Option C ⁸¹	Disperses development in the Greater Christchurch area away from established urban areas.

Options Indicators

Early UDS reports on the options forecasted the land amounts required under the settlement pattern options. These figures exclude the 1000ha 'land cushion' required as a margin of safety in development.⁸² It was projected that:

- 'business as usual' option required 2670ha of land;
- Option A (the concentration option) required 1140ha of land;
- Option B (the consolidation option) required 2115ha of land; and
- Option C (the dispersal option) required 3710ha of land.

To further understand the options assessment, these key indicators were developed to provide a comparison⁸³ between the options:

- Infrastructure costs
- Private costs (transport)
- Transport choice and access
- Community identity
- Housing choice
- Average section size
- Parks and open space
- Air emissions
- Transport energy use
- Water demand (residential)
- Land required for development

Evaluation Process

⁷⁷ Ibid, page 30; Greater Christchurch Urban Development Strategy, *So many options...which will you choose? Options April 2005*, page 3.

⁷⁸ Greater Christchurch Urban Development Strategy, *So many options...which will you choose? Options April 2005*, pages 8 to 9.

⁷⁹ Ibid, pages 10 to 11.

⁸⁰ Ibid, pages 12 to 13.

⁸¹ Ibid, pages 14 to 15.

⁸² *UDS Report #2 (14 September 2004) – Report on Draft options*, pages 12 to 13.

⁸³ Ibid.

The options were developed and assessed according to these criteria⁸⁴:

Economic well-being: <ul style="list-style-type: none">▪ future economy and distribution▪ access to employment and commercial activity▪ public cost (or benefit)▪ private cost
Social well-being: <ul style="list-style-type: none">▪ community identity and social cohesion▪ residential quality▪ community health▪ community education and learning▪ access to open space
Cultural well-being: <ul style="list-style-type: none">▪ cultural identity▪ heritage well-being
Environmental well-being: <ul style="list-style-type: none">▪ impacts on energy use▪ impacts on air emissions▪ impacts on water▪ impacts on land▪ impacts on strategic infrastructure▪ risks from natural hazards
Other: <ul style="list-style-type: none">▪ robustness and adaptability of development patterns to changing circumstances eg immigration increases, rising fuel prices, changing weather patterns

4.4 Consultation

Stage 1: Issues Awareness

Consultation began with an awareness booklet entitled 'Introduction to Issues' from the Greater Christchurch Urban Development Strategy Forum ("Strategy Forum") in February 2005.⁸⁵

This was published and distributed by the Strategy Forum to share information with the public about growth trends and issues facing the sub-region. It also encouraged the public to ponder issues that could significantly influence a change in lifestyle, housing types and the compositions of people that can be accommodated in the sub-region in future unless a long-term view is taken to address them now.

Examples of issues considered included⁸⁶:

- an ageing population
- increased demand for housing and different housing types
- growth of small towns
- increase in traffic congestion
- erosion of a 'sense of place'
- the need to build and/replace expensive infrastructure.

⁸⁴ Ibid, pages 16 to 18 for a comparison of the Options for 2041 and a comparison of options by strengths and weaknesses; See also: *Greater Christchurch Urban Development Strategy and Action Plan 2007*, page 31; Max Barber, *UDS Report #5, Summary Report on Assessment of Urban Form Scenarios*, June 2004, footnote 3, page 4.

⁸⁵ This is now reformed as the 'Strategic Partners Forum' ("SPF") as the UDS moves into its implementation phase.

⁸⁶ Greater Christchurch Urban Development Strategy, *Introduction to Issues*, February 2005, page 2.

Stage 2: UDS Options

Consultation on UDS settlement pattern options was undertaken in April 2005. Over 3250 submissions were received. A total of 22 community meetings were held during the consultation period.

Option A was the preferred choice, with over 62% of the submissions received supporting this settlement pattern. It also scored the highest in the evaluation process outlined directly below. Option A involves a more concentrated development pattern including a focus on well-defined urban centres. Another 10% who did not choose any option but expressed a desire for Option A or for something stronger or more sustainable.

Stage 3: Draft Strategy Consultation

Feedback from the public consultation on the proposed options helped to shape a draft Strategy to manage growth between April and October 2006. The draft Strategy was adopted for public consultation in November 2006.

During Draft Strategy consultation, people were able to participate in shaping the content by joining the online discussion group on the Strategy Forum's website www.greaterchristchurch.org.nz. Feedback forms were provided, as well as public meetings and road shows which visited malls and other community venues.

Feedback forums, roadshows, public meetings, and council meetings took place from November 2006 to February 2007. Of the 470 submissions received approximately 90 asked to have their submissions heard.

Stage 4: UDS Hearings

In November 2006, the UDS Forum developed a proposal to create a Joint Hearing Committee to hear and deliberate on submissions made in response to the draft Strategy, and make recommendations back to partner councils for consideration. The Joint Hearing Committee was established under Clause 30(1)(b), Schedule 7 of the LGA 2002 which allows a local authority to appoint a joint committee with another local authority.

UDS hearings began before the Joint Hearing Committee in February 2007 and ended in March 2007. All resolved decisions and recommendations were presented to each council for adoption. The final Strategy document was released in June 2007. Adoption of the Strategy by all Councils and the Transit NZ Board brought to a conclusion the strategy development phase.

4.5 Preferred Land Use Pattern

In order to achieve a more sustainable urban footprint in Greater Christchurch, the Strategy's preferred land use settlement pattern is a mix of Options A and B.⁸⁷ Option A indicated that 60% of all future growth would be accommodated in intensified development within existing urban areas, with the remaining 40% in greenfield areas. Option B had 40% growth in intensification areas and remaining 60% in greenfield areas.

Intensification Targets of Preferred Land Use Pattern

Long term planning for land use which ensures that the rate and location of development is integrated with the provision of strategic infrastructure and associated funding mechanisms was a critical consideration in the preferred land use settlement pattern to combine consulted Options A and B. Integrated planning seeks to reduce the potential costs of growth on the general ratepayer now and in future as the sub-region grows.

⁸⁷ *Greater Christchurch Urban Development Strategy and Action Plan 2007*, page 32.

The Strategy sets a target that new development will, in time, be split 60% intensification and 40% greenfield developments. It will take 35 years of the Strategy's life to steadily increase intensification to achieve this growth distribution.

The reasons for this include⁸⁸:

- The 60% intensification rate being a *"significant shift"* from the current split of 23% (for 2003-2006). The market cannot be changed so significantly within such a short timeframe.
- There is zoned land available for development now and therefore it would be difficult to rezone these back to rural.
- Communities outside Christchurch City will continue to grow and provisions must be made for this to occur.

Strategy partners have expressed an intention to further examine the possibility of increasing the rate of intensification at a later time to better match community expectations.⁸⁹

In line with growth management assumptions, this includes population growth at rates possibly higher than projected. In calculating population growth rates in the sub-region, the UDS considered more than just the data from Statistics NZ. The growth options were analysed from a range of perspectives which included taking the high migration projections of Statistics NZ data, as well as UDS partner council data on existing zoned and vacant urban land in greenfields areas.⁹⁰

The UDS proposes that 71% of the sub-region's growth could be accommodated within Christchurch City, with the remaining 29% in Selwyn and Waimakariri Districts.⁹¹ The reason for this allocation is that both Selwyn and Waimakariri districts already have in place a number of programmes that have signalled potential land for rezoning. The aspirations and expectations within these communities were balanced against Christchurch City Council having little capacity for Greenfield growth until the South West Area and Belfast Areas would provide land ready for development. The City is unable to accommodate this growth due to infrastructure constraints, especially around wastewater, and will take time to catch up. Growth would be directed to Selwyn and Waimakariri over the first ten years reducing in Waimakariri in the latter phases.

It is proposed that for the first 20 years, 39% of all new housing is in intensification areas within Christchurch City. The balance is provided in new development areas with housing at increased densities. Intensification would increase to 56% over the following 15 years. Overall 45% of growth over the first 35 year sequencing period to 2041 is in intensification, including a small (but declining) amount of infill.⁹²

After 2026 with the forecasted growth in Christchurch City, 72% will need to be housed within the Central City and activity centres if intensification targets are to be met. This planned approach is to increase density without loss of local character and to retain existing leafy suburbs.⁹³

4.6 Inquiry by Design

The Inquiry by Design (IBD) was a major tool used to inform the development of the Strategy by investigating options about where the future development would be placed. The spatial outcomes are anchored around these series of highly interactive, multidisciplinary⁹⁴ technical and design workshops and consultation sessions. Technical specialists and staff from the strategy partner councils and relevant

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ Ibid, pages 42 to 43.

⁹¹ Ibid, page 33.

⁹² Ibid.

⁹³ Ibid.

⁹⁴ Urbanism Plus, *Technical report accompanying the Greater Christchurch Urban Development Strategy For the Project Partners – Technical Document*, 3.9 inquiry by design, March 2007, page 3-10.

government agencies worked together to develop the preferred land use/settlement pattern over two four day workshops held in early and late August and September 2006.

The IBD was one component of investigating how 'Option A' would work on the ground, it helped set the spatial framework for the UDS. The spatial options to implement the consulted 'Option A' were developed using a 'principle-led' approach⁹⁵ which allowed for respective interests within the UDS area (and those outside it but relevant to it) to be fully explored.⁹⁶

Consultation on the IBD involved the key stakeholders to the UDS and included many institutional stakeholders.

Specifically these options were analysed by professional technical staff representing various areas of expertise including natural environment, recreation, surface water management, water supply and sewerage, traffic management, public transport, and social and community considerations.⁹⁷

Different combinations of social and cultural elements, environmental, growth, conservation, movement and land use were developed and evaluated. Options that compromised any of the key interests were not pursued.

The proposed settlement pattern maximised benefits available to each interest area, with potential to allow for "synergies"⁹⁸ between them eg combining social, intensification, employment and passenger transport preferences together to make a much stronger outcome for each.

This resulted in the development of preferred patterns for the following networks⁹⁹:

- Green network (existing and future open space)
- Blue network (river, streams, waterways and links to the coast)
- Movement network (all transport modes)
- Social network (community facilities)
- Economic network (activity centres, future employment and commerce).

The practical effect of the IBD was to demonstrate a potential settlement pattern for the area that best took into account all of the networks outlined.

The technical and strategic collaboration of the IBD emphasised that the realisation of the spatial growth 'Option A' favoured by the majority of the submissions received would be "dependent on a detailed program of implementation actions by all of the project partners".¹⁰⁰

4.7 Development Constraints

Given that the UDS is an initiative to integrate the sustainable management of natural and physical resources with the management of urban development, only the development constraints requiring coordination on a cross boundary basis was recommended for inclusion in the management system of the UDS.

The preferred land use pattern is in response to the following development constraints¹⁰¹:

- Regionally important/ high quality versatile soils especially between Christchurch City and Selwyn as far Southwest as Rolleston, and north in Waimakariri as far as Rangiora.

⁹⁵ Ibid, page 33.

⁹⁶ Urbanism Plus, *Inquiry By Design*, Summary of Preferred Spatial Growth Option, page 4.

⁹⁷ *Proposed Change No.1 Chapter 12A, Development of Greater Christchurch; and Section 32 Report*, 28 July 2007, page 47.

⁹⁸ *Greater Christchurch Urban Development Strategy and Action Plan 2007*, page 33.

⁹⁹ Ibid.

¹⁰⁰ Urbanism Plus, *Inquiry By Design*, Summary of Preferred Spatial Growth Option, page 8.

¹⁰¹ Christchurch City Council, Environment Canterbury, *Collation of Documentation on the GCUDS to January 2006 Issues Development*, Miscellaneous: Maps.

- Airport Noise contour issues where growth should not compromise the operation of Christchurch International Airport. By the same token, the health and well being of communities is not compromised by aircraft noise as airport noise contours largely precludes residential development.
- Natural heritage and cultural values eg Department of Conservation sites, Runanga Silent files, Archaeological sites, Lakes, open space covenants.
- Natural hazards eg coastal hazard areas, Ashley River and Waimakariri River flood risks.
- Flood plains, particularly the Waimakariri and Ashley Flood plain
- Rural subdivision constraint areas eg buffer around Christchurch City and Waimakariri subdivision constraint area
- Regionally and locally significant landscapes eg Port Hills landscape features where growth should avoid this sensitive area.
- Groundwater catchments eg unconfined aquifers. This is specifically captured in the Aquifer Protection Zone outlined in Environment Canterbury's *Natural Resources Regional Plan* that aims to prohibit intensification to the northwest of Christchurch City.

4.8 UDS Implementation

The Urban Forum guided the community consultation and planning process that led to the adoption of the Greater Christchurch Urban Development Strategy and Action Plan 2007 by all five strategy partners. The Forum was made up of Councillors from all partner councils, Transit NZ and members of central government, business and community sectors.

UDS implementation is facilitated through the formal structures put in place under the LGA 2002 and includes Terms of Reference and resolutions (as per the LGA 2002) that set up the governance group known as the UDS Implementation Committee (UDSIC). The Terms of Reference for the UDSIC are attached as Appendix 2. The UDSIC is supported by the UDS Implementation Management Group (UDSIMG) which is responsible for progressing priority UDS actions, including Change 1 to the Canterbury Regional Policy Statement. A Strategic Partners Forum takes over a number of roles previously provided by the community and stakeholder forum to raise discussions and issues, it also provides a community audit role.

UDS Implementation Committee

The UDSIC is a joint committee under the LGA 2002 of the partner councils and the region's tangata whenua to implement the UDS.

The UDSIC has delegated authority to implement the Strategy action plan in accordance with its functions of growth management leadership, overseeing Strategy implementation, ensuring organisation systems and resources, responsibility for progressing those actions, as well as facilitating consultation with the community and establishing the Strategic Partners Forum.¹⁰²

The Strategic Partners Forum

The Strategic Partners Forum (SPF) replaces the Urban Forum. It has representatives from a broad range of government and statutory agencies as well as others from the business community and interest groups.

The primary role of the SPF is to identify and clarify issues around the UDS and to undertake a community audit role on the progress of UDS implementation.

UDS Implementation Management Group

The UDSIMG undertakes and reports on UDS actions and monitoring as well as risk management issues on behalf of the UDSIC.

¹⁰² *Greater Christchurch Urban Development Strategy and Action Plan 2007*, pages 177 to 179.

The UDSIMG also oversees the Strategy's Implementation Plan - in particular the action milestones, with the UDSIC.¹⁰³

Top 20 Actions

The strategy partners' agreed priorities in implementing the UDS are known as its *Top 20 Actions*.¹⁰⁴ Number 1 on this list the action to amend the Canterbury RPS to include a new chapter 12A (i.e. Change 1) that outlines the settlement pattern agreed in the Strategy.

Other actions have already been completed eg the establishment of the UDSIC and amending the Canterbury RLTS to reflect UDS transport goals. The completion of the other actions are expected to follow suit in due time.

4.9 Need for Change 1

Reverse Decentralised Development Patterns

Prior to the development of the UDS and Change 1, the three constituent TAs of CCC, WDC and SDC developed urban growth policies largely independent of each other in the first series of district plans under the Act. This created cross boundary issues, including resource management issues that needed to be addressed through a collaborative approach involving the UDS partners.

The individual approaches of these TAs to growth management have been criticised for facilitating a decentralised pattern of development by being *"too permissive and market driven"*¹⁰⁵. UDS data shows that there was a strong trend towards the decentralisation of population growth to the settlements beyond Christchurch City. The growth rates for Selwyn and Waimakariri Districts have exceeded Christchurch City over the past 11 years, and they are currently two of the fastest growing TAs in the country.¹⁰⁶

A major problem is that these individual TA approaches could easily undermine each other. For example CCC's spatial policy for the containment of urban growth and discouraging urban fringe development would be undermined if SDC had a permissive greenfields development policy. CCC's policy would be rendered ineffective.

The issue is that if the Strategy partner councils continued to individually undertake planning work aimed at addressing future growth, there would be (and has been) a significant variability in approach and resourcing. This fails to deliver certainty in the region given that SDC and WDC are home to satellite towns in the Greater Christchurch sub-region which are experiencing growth in addition to that in Christchurch City.

The Need for an Established Land Use Pattern

The need for Change 1 stems largely from requirements in the RMA 1991 under Sections 30 and 31 and the need for land use patterns and transport infrastructure to inform LTCCPs and therefore funding implications. A more directive approach to the Canterbury RPS than in the past is seen as the most appropriate way to achieve this.

Given that growth knows no boundaries, an agreed long-term integrated approach such as that captured in the UDS, would provide complementary approaches between CCC, SDC and WDC for the benefit of the entire region as the most populous area.

¹⁰³ Ibid, page 183.

¹⁰⁴ Ibid, pages 35 to 36.

¹⁰⁵ Ibid, page 28.

¹⁰⁶ Ibid, page 28; Statistics New Zealand, *Demographic Trends: 2007*, 9 Subnational demographic projections, pages 156-157.

In implementing the UDS' sub-regional policy framework, Change 1 provides greater certainty as to the development of the sub-region in the long-term. Having a long term land use pattern will deliver the most cost-effective forms of infrastructure that can be delivered to the region's residential and business communities.

The issue is that in order to qualify for the central government funding to provide the region's land transport projects and infrastructure required to accommodate growth, sub-regional coordination is needed to give the spatial view and anchor the required land use pattern. This must be accounted for in Change 1 and implemented in the Canterbury RPS in order to produce long-term land use and transport integration. This will flow on from the Canterbury RPS through the Canterbury RLTS and all of the region's LTCCPs.

The Need to Coordinate Support for Integrated Growth Management

There are a number of legislative requirements that individually promote sustainable communities but do not have particularly strong co-ordination to deliver common growth outcomes. The RPS is ideally suited to be the co-ordinating document that provides good integration between land use, infrastructure and funding that implements the key principles of the main planning acts.

5 Urban Limits and Growth Allocations

5.1 Legal Mandate

Regional policy statements are to be prepared and changed in accordance with a regional council's functions under section 30 of the RMA 1991, which includes the:

- Establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources (including land and all structures) of the region.
- Preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance.
- Control of the use of land for the purpose of soil conservation; the maintenance and enhancement of the quality of water in water bodies and coastal water.
- Strategic integration of infrastructure with land use through objectives, policies, and methods.

All of these functions are supportive of managing growth in a sustainable way through the RPS.

The regional policy statement aims to achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region.

The agreed settlement pattern of the UDS seeks to sustainably manage sub-regional landuse resulting from growth in a strategic and integrated manner. Environment Canterbury, by effecting a change to the RPS that will incorporate the settlement pattern, provides an overarching resource management framework for the way in which growth should be sustainably managed in the region. Change 1 will set a clear policy direction for the urban growth of Greater Christchurch and will provide support and guidance for the district plans of the UDS partner councils.

The following Part II matters are of particular relevance to Change 1:

- **The promotion of the sustainable management of natural and physical resources (land, water, air, soil, minerals and energy, all forms of plants and animals and all structures)**
In particular, the sustainable management of land, water, soil and structures through putting in place clear urban limits which support efficient infrastructure, avoids the groundwater recharge zone and the stop banks of the Waimakariri River, protects the landscape character of the Port Hills, and maintains the open space landscape character between the urban and rural areas of Greater Christchurch. Growth areas were also assessed against factors such as avoidance of areas prone to poor air quality and avoidance of development patterns likely to have adverse effects on indigenous vegetation, versatile soils, landscape, natural features and open space.
- **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**
Urban limits ensure that there is enough land to meet the community's needs, including provision of a range of housing types, while at the same time discouraging growth that could jeopardise the land available for future generations and the quality of the environment.
- **The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development.**
Growth areas have been selected in order to avoid the groundwater recharge zone, the stop banks of the Waimakariri River and other areas likely to have adverse effects on surface and groundwater, and the coast.
- **The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.**
The growth areas were selected in order to avoid outstanding natural features and landscapes such as those within the Port Hills and Banks Peninsula.

- **The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.**
The urban limits are focussed on avoiding development patterns likely to have adverse effects on significant indigenous vegetation and habitats of indigenous fauna.
- **The protection of historic heritage from inappropriate subdivision, use, and development.**
One of the objectives of Change 1 is to retain heritage values. Policy 7 also states that historic heritage features should be protected when assessing any urban development.
- **The efficient use and development of natural and physical resources**
Urban limits provide for the efficient use and development of natural and physical resources by managing growth in a sustainable manner. The urban limits technique provides for efficient development through a more compact urban form. It also supports efficient infrastructure provision and signals a clear policy direction which provides development certainty.
- **The maintenance and enhancement of amenity values**
Policies 7 and 8 of Change 1 provide for amenity values.
- **The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.**
Places and resources of cultural significance to Maori have been avoided in the identification of appropriate growth areas.
- **Maintenance and enhancement of the quality of the environment**
Urban consolidation as proposed in Change 1 is the type of development most likely to avoid adverse effects on sensitive landscape, natural features and areas of high amenity. Change 1 also promotes identity and character and high quality living environments.

The growth of Greater Christchurch is an issue of regional significance. Greater Christchurch is the largest urbanised area in the South Island and Christchurch is New Zealand's second largest city. The area has significant growth pressures. It also has a plenitude of natural resources that need to be protected and managed.

Once a long term land use pattern together with a timing framework is agreed, it is possible to achieve the type of integrated planning for natural and physical resources envisaged by Section 30(1)(a) of the Act.

The RPS will provide a framework for the strategic integration of infrastructure with land use through objectives, policies, and methods as required by Section 30(1)(gb) of the Act. This is achieved through the identification of growth areas that can be effectively serviced by infrastructure and the timing of land release with the provision of infrastructure. The additional infrastructure required to service future zonings can be designed, costed and timed through LTCCPs under the LGA 2002. This approach to integrated planning can also be considered as "other methods" under Section 32 of the Act.

Urban Limits Technique

Using the urban limits technique under the RMA 1991 has been established by legal precedent in *Auckland Regional Council v North Shore City Council*, where the Court of Appeal held that:

*A regional council does have power under the Resource Management Act 1991 to include in its regional policy statement (the statement) provisions to the effect that...urban development shall be permitted only in urban areas defined in the statement...*¹⁰⁷

In the same case, the Court of Appeal also stated that a policy can be a course of action which can be general or specific and could be flexible or inflexible as the circumstances warrant¹⁰⁸. The Court went on to say that:

*We can find nothing in the Resource Management Act adequate to remove the challenged provisions from the permissible scope of "policies". In our opinion they all fall within that term and are intra vires the regional council.*¹⁰⁹

¹⁰⁷ [1995] 3 NZLR 18 page 24.

¹⁰⁸ Ibid, page 23.

¹⁰⁹ Ibid.

As set out earlier, the urban limits technique is an important part of the Regional Council meeting Part II of the RMA 1991 and its functions under section 30. In particular, it is critical in terms of achieving the section 30(1)(gb) requirement of the strategic integration of infrastructure with land use.

Management Plans and Strategies Prepared Under Other Acts

In preparing Change 1 the Regional Council was also required to have regard to any management plans and strategies prepared under other Acts. To fulfil this requirement it was necessary for Change 1 to consider:

- The Canterbury RLTS 2005-15 and the draft Canterbury RLTS 2008-18 prepared under the LTA 1998.
- The draft Canterbury Regional Travel Demand Management Strategy (2007) prepared under the LTA 1998.¹¹⁰
- The UDS prepared under the framework of the LGA 2002.
- The LTCCPs of Environment Canterbury, Christchurch City Council, and Selwyn and Waimakariri District Councils prepared under section 93 of the LGA 2002.
- Transit NZ's 10 Year State Highway Plan and Forecast prepared under section 12 of the LTMA 2003.
- Transit NZ's National State Highway Strategy (2007) prepared under the framework of the LTMA 2003.
- The National Land Transport Programme prepared under section 19 of the LTMA 2003.

These documents take an integrated approach to land use and infrastructure, particularly transport. The following aspects of these documents support the approach and direction of Change 1.

Canterbury Regional Land Transport Strategy 2005-15

Goal 7 of the 2005 Canterbury RLTS is that *transport and land-use planning are an integrated part of a process that takes account of wider community processes*. This is supported by the following policies:

4.1: Promote the location of housing, jobs, shopping, leisure, education and community facilities and services to support sustainable transport choices and reduce the need to travel, especially by private motor vehicle.

4.2: Design and programme developments and related infrastructure to support sustainable transport choices, improve interchange between modes and to reduce the need to travel, especially by private motor vehicle.

4.3: Ensure that land-use, transportation planning and transport provision are mutually supportive and priorities closely linked.

In *Transit NZ v Auckland Regional Council*¹¹¹ the Environment Court held that the Auckland Regional Land Transport Strategy was a matter relevant and reasonably necessary to determining the application. While that case concerned a resource consent application, it highlights the Courts willingness to consider regional land transport strategies.

Canterbury Regional Travel Demand Strategy 2007

A key approach of the Canterbury Regional Travel Demand Management Strategy 2007 is to establish land use patterns that support alternative modes and provide opportunities for people to travel less.

Greater Christchurch Urban Development Strategy and Action Plan 2007

¹¹⁰ Note that for Change 1 purposes only early drafts of the Canterbury Regional Travel Demand Management Strategy 2007 and the Canterbury Regional Land Transport Strategy 2008-18 were considered as the draft documents were not adopted by the Regional Land Transport Committee until September 2007. For Variations 1 – 4 the adopted documents were considered.

¹¹¹ EnvC A10/00

The UDS approach is to have a more sustainable land use pattern which promotes higher densities within Christchurch City and established towns. The UDS also contains a key action to establish urban limits in order to implement the preferred settlement pattern.

Long Term Council Community Plans

The Long Term Council Community Plans for the UDS partner councils contain outcomes that relate to urban form, transport, managing growth and infrastructure provision.

5.2 Justification

Rationale for Urban Limits

Implementing a framework for urban development through an urban limits technique is considered the most practical means of setting specific boundaries for urban growth based both on demand and location. Christchurch introduced a greenbelt in 1955 as part of the Christchurch Metropolitan Plan. The greenbelt remained in place until the early 1990's when there was a transition to the resource management framework.

The urban limits technique has also been used in Auckland since 1951 and is currently being refined as part of Change 6 to the Auckland RPS. It is also being used in the Bay of Plenty for the western Bay of Plenty sub-region through Proposed Change 2 to the RPS.

Urban Limits will ensure enough land area is available for residential development according to population growth estimates. A significant amount of work has been completed on growth forecasts and land supply¹¹².

The urban limits are defined by maps that are included in the RPS. This provides a clear policy direction to local councils. It is also an approach that has been agreed in a collaborative manner across the councils.

By defining urban limits Greater Christchurch will, in effect, set in place a 35-year servicing strategy and development plan. Urban limits will mean:

- Development can be planned and carried out logically.
- There is enough land in the right places to cater for population growth.
- There will be definite limits to growth.
- The protection of productive soils and outstanding natural features and landscapes.
- There is enough land set aside for employment.

The following key actions and approaches relating to urban limits are contained in the UDS:

Settlement Pattern:

Amend the regional policy statement and district plans to reflect the proposed settlement pattern including establishing urban limits for Christchurch City and settlements in Selwyn and Waimakariri Districts (section 5.3.1).

Outstanding Landscapes:

Processes, including urban limits tools, for protecting and managing outstanding landscapes (section 6.13.3).

Business Land:

¹¹² For example see *Residential Development Capacity Analysis (2006)*, *Household / Job Projections and Land Requirements (2004)*, *Assessment of Residential Development Trends and Opportunities – Future Residential Land Needs (2004)*.

Anchor sufficient future industrial land to meet the needs between 2026 and 2041 as part of the proposed urban limits amendments to the regional policy statement (section 6.17.3).

Policy Instruments: Development and Integration of Plans and Policies (action 6.33.4(2))

Action	Lead Agency	Support Agencies	Cost Implications	Implementation Tools	Linked to Strategy
<p>(2) Prepare a Chapter 12A of the Regional Policy Statement.</p> <p>The RPS change will provide specific guidance on where growth and intensification will occur. Other mechanisms may be considered where the location or timing of urban areas cannot be as precisely determined. However, the Strategy partners will collectively work towards the identification of growth boundaries as a preferred management mechanism.</p> <p>The change will determine the overall extent of Greater Christchurch through setting metropolitan urban limits and working towards specific rather than indicative lines on the map:</p> <ul style="list-style-type: none"> • Greenfield growth areas – where council processes have established a clear boundary these will be included in the RPS change, otherwise indicative boundaries will be used • Rural residential – a list of criteria for assessing the location and form will be included, and • Intensification areas – the central city within the four avenues is the priority area. A clear boundary using the existing L2, L3 and L4 zones from Christchurch will be shown. A two year programme of work will establish these more specifically for future inclusion in the RPS. 	ECan	CCC, SDC, WDC, TNZ	internal		2007

Explicit Spatial Framework for Growth:

All strategies reviewed have an integrated spatial plan for the allocation of key uses and infrastructural requirements, including clearly defined urban limits, relating to long-term growth forecasts (section 7.1).

The urban limits policy of Change 1 is consistent with the purpose of the RMA 1991 and the UDS, yet pragmatic enough to:

- 1 Provide adequate land supply and choice for all types of development in order to meet projected demand to enable the market to operate effectively and efficiently at the lowest compliance cost.
- 2 Sustainably manage land supply and choice for all types of development in a way which synchronises with the provision and funding of strategic infrastructure, and the subregional community's ability to pay.

This is all the more so when the urban limits policy is looked at alongside Policy 6: "Urban Form, Infrastructure and Sequencing". These policies are an integrated package supporting one another.

Change 1 aims to align new urban development with the provision and funding of infrastructure. This is at the heart of successful integrated land use planning which co-ordinates land use provision, the timely provision of infrastructure investment, and equitable funding.

Housing Affordability

Housing is the single biggest expenditure of most individuals or households. When house prices or rents rise this has a significant impact on a household's ability to buy a house as well as impact on general household budgets. The current trend in New Zealand and Greater Christchurch is for declining home ownership.

Housing affordability means the mortgage affordability for housing in NZ. It is assessed by comparing the average weekly earnings with the median dwelling prices and mortgage interest rate. It should not be confused with affordable housing which is secure accommodation for the wider community.

Drivers for the cost of housing relate to both supply and demand. There have been a number of attempts to disaggregate the influence of demand- and supply-side factors, both of which have many factors of influence and are complex. Supply-side constraints that relate directly to Council are fees and charges, zoning and planning controls, building requirements and levies, as well as factors that remove low cost housing from the market, such as gentrification or loss of social housing. Demand side factors include high migration and birth rate, low unemployment, high investment in housing, high consumer confidence and the ability to borrow money.

Economists and the non-government sector often direct their focus to certain supply-side issues, referring to the need to make the market more efficient or to make a larger supply of land available. Such arguments often fail to look at the opportunity cost of continued peripheral urban expansion, such as the loss of productive land, nor do they address the long term community and individual costs of sprawl associated with longer travel distances / travel time or the increased investment in more distributed public infrastructure.

Housing Affordability and Urban Limits

Urban limits provides for efficient development through a more compact urban form. This supports efficient infrastructure provision – including sufficient provision of housing. Implementing urban limits is a clear policy to manage growth and provides development certainty.

In terms of housing affordability, urban limits techniques provides for more effective urban development than if non-regulatory means only were used. While there may be costs associated with urban limits policy development and implementation and perhaps some impact on the cost of land if insufficient is provided, the benefits of lower infrastructure costs through well planned infrastructure provision will help to balance these costs. A primary purpose of the Strategy is to ensure a sufficient supply of land, well provided by infrastructure, is ready for development.

Market led growth with the possibility of more pressure on the environment and infrastructure is likely to lead to more low density growth which promotes an unsustainable land use pattern and in fact lifts the price of both houses and land.

The use of growth management tools like urban limits and the growth allocation technique are not the drivers of the affordable housing issue. Given the issue's wider economic and social implications that lie outside the ambit of local government to sufficiently influence eg the role of the market on housing prices, local authorities are limited largely to 'supply side' initiatives to redress them. The UDS partners like most of local government have little ability to influence the demand side of housing affordability. Much of the literature indicates that in the longer term demand side considerations are stronger influences on housing affordability.

The wider economic and social factors relating to a reduced housing affordability is a major challenge to the UDS' preferred land use pattern and its ability to promote a more compact urban form in line with integrated planning initiatives.

The integrated growth management approach of the UDS works to account for the relationships between residential and business land supply, housing and business infrastructure development. The UDS identifies 35+ year land supply needs. Change 1 to the Canterbury RPS proposes to sequence land release and development to effectively help manage issues around land supply and the long term infrastructure life costs associated with urban sprawl.

Providing housing choice is a key outcome of the Strategy. A key part of achieving this is having a clear understanding of future household drivers eg the changing nature of households where there will be a significant increase in single and two-person households forecast over the next 35 years, and an addition 74,800 households in the sub-region are forecasted to be required by 2041 considering its current rates of growth.

As part of the development of the UDS a *Review of Housing Affordability*¹¹³ report was commissioned. The report covered matters affecting affordability, measures of affordability in Canterbury, housing prices, the cost of land and potential policy responses. The findings of the report were used to inform the UDS.

Growth Issues

Greater Christchurch has the following growth issues in relation to housing¹¹⁴:

- Inadequate range of housing types in the sub-region to fulfil current demand (i.e. there are many 3 to 4 bedroom houses on large residential sites but the demand is for more single to two-person house sizes);
- Ensuring there is not a shortage of zoned and serviced land which could potentially affect the cost of land and hence housing affordability;
- Residential housing being exposed to excessive noise in areas adjacent to transport interchanges and industrial zones;
- Many homes in the sub-region are old, cold, damp, of poor quality generally and are therefore unhealthy, and
- The need to support compact urban form with good urban design – especially the adequate provision of services and amenities.

It seems that it is growth itself, in combination with a range of levels of market influences that contribute most to housing affordability issues. Local government through effectively managing land release and the provision of infrastructure at a rate that keeps pace with growth can do their part in housing affordability. It is not urban limits or growth allocation techniques that are the issue.

Affordable Housing: Enabling Territorial Authorities Act 2008

The Affordable Housing: Enabling Territorial Authorities Act 2008 passed into law on 5 September 2008. This piece of legislation enables (but does not require) territorial authorities to provide for affordable housing in their city or district if, having elected to undertake a housing needs assessment, they found that there is a need to do so.

This legislation is focused on enabling families in the low to moderate income range (living in the private rental market) to purchase their first home. The Act sets out provisions for various incentives, including:

- Allowing territorial authorities to negotiate with developers to provide for (or assist with the provision of) affordable housing in new developments
- Provisions on making or changing the Council's affordable housing policy
- Restrictions on the use of covenants
- Amendments to the Local Government Act and the GST Act
- Sets out objection provisions

It is too early to assess how this legislation will be implemented.

UDS Approaches to Affordable Housing

The UDS proposes to¹¹⁵:

- Carry out a CCC-lead study of housing affordability options to enable inclusive zoning and research into the most efficient means for increasing social housing stock and partnerships with developers;

¹¹³ RESPONSEPLANNING Consultants Ltd, October 2005

¹¹⁴ *Greater Christchurch Urban Development Strategy and Action Plan 2007*, page 53.

¹¹⁵ *Ibid*, page 54.

- Monitor supply and demand of affordable housing at local and regional levels with Housing New Zealand Corporation; and
- Develop and implement initiatives to increase the supply of appropriately located affordable housing throughout the sub-region.

Other than through these means, the UDS and its partner councils are unable to more effectively provide for more affordable housing. A number of interrelated factors such as labour market conditions, finance and demographic factors also tie into the issue and are generally beyond the scope of local government to effectively manage.

There is little evidence to suggest that these techniques are the drivers of the affordable housing issues as such issues exist in areas in New Zealand where urban limits are not being implemented for a variety of reasons eg Queenstown Lakes District, and the Northern Waikato region surrounding Hamilton City, Waipa and Waikato Districts.

It seems that it is growth itself, in combination with varying levels of market influences that contribute most to affordable housing issues. It is not urban limits or growth allocation techniques which are local government means to effectively manage them at a rate that keeps pace with infrastructure provision and funding.

Intensification

The preferred option which underpins the UDS is concentrated development within Christchurch City and the larger towns in the surrounding district. This option involves achieving 60% of all future growth in intensified development within existing urban areas, with the remaining 40% in greenfields. The UDS acknowledges that this is a significant shift from the current development split and it will take the 35 year timeframe of the strategy to achieve this. In the meantime a 40% target for concentrated development will be aimed for.

By 2026 the number of people living in Greater Christchurch is projected to grow to 501,000 and reach 549,000 by 2041. This means that an additional 87,800 people have to be accommodated by 2026.

There is also expected to be a significant change in the demographic composition of the population. For instance:

- By 2021 about 20% of people will be over 65 compared with 14% today.
- Traditional families will be a smaller proportion of the population with more people living alone.

This will change the type of housing that is needed. It is likely that there will be greater demand for apartments and town houses¹¹⁶.

Residential densities are a critical part of containing the extent of urban development. An adequate supply of zoned land will be maintained but there is a need to encourage more concentrated development within Christchurch City and the larger towns. This approach is consistent with:

- The results of public consultation on settlement pattern options
- Changes in household composition
- Reducing travel demand
- Developing a sense of community and social cohesion by building onto existing focal points
- Reinforcing the role of the Christchurch CBD
- Protecting natural resources such as land, water, biodiversity, ecosystems and cultural identity and heritage
- Reducing urban sprawl
- Lower individual whole of life costs associated with infrastructure

The aims of the proposed settlement strategy, including the intensification targets, are to:

¹¹⁶ See *Literature Review of Housing Preferences (2006; Christchurch City Social Trends Report (2003))*.

- Achieve high quality social outcomes for residents in both existing and new urban areas.
- Provide opportunities to minimise journey to work trip lengths and maximise public passenger transport, walking and cycling potential.
- Reinforce identified existing activity centres for maximum local economic benefits and social cohesion.
- Reinforce “live, work and play” design principles.
- Provide a choice of living environments and housing opportunities.

Christchurch City Council has completed a draft paper on *Intensification in Christchurch* (February 2008). This document covers the intensification approach for Christchurch, the advantages of higher densities, the historical context of intensification in the city, the approach under various pieces of legislation, the UDS and its direction for intensification, issues and the potential costs of not achieving higher densities. The paper also provides some national and international comparisons.

Christchurch City Council is investigating the development and implementation of a comprehensive funding programme for the identified intensification areas in Christchurch City.

Central City Revitalisation Strategy: The strategy seeks to increase the residential population, grow the business and commercial sector, enhance vital public spaces, redevelop under-utilised sites and improve the transport network. Key projects include City Mall renovation; redevelopment partnerships; Avon River enhancements; new / expansion of the Bus Exchange.

Christchurch City Plan: Various plan changes are being progressed to allow for increases in residential density in certain areas, for example Plan Change 27 – rezoning of land within central New Brighton. A review of Living 3 and 4 zones has also been undertaken which has involved public consultation on Christchurch’s multi-unit developments and looking at options to improve design quality. Variation 86 (commercial development) seeks to reinforce the importance of the central city, including higher density residential living, promote consolidation and support urban growth policies, particularly reinforcing existing commercial centres and promoting ‘live, work and play’. Plan Change 12 for Wigram will also provide for medium density housing and allow for a range of housing types which better promote the urban consolidation objectives.

Long Term Council Community Plan: Activities include creating and improving public spaces and streetscapes in the central city, central city project funding, strategic land purchases for urban regeneration and urban renewal projects, new bus exchange and other central city transport strategy projects.

The UDS also contains the following actions in order to facilitate intensification:

UDS Action	Description
6.9.4 (2)	Prepare Structure Plans for key activity centres based on principles of good urban design. Activity centres are a key component of the Strategy. They provide the focus for intensification areas where residential density is increased.
6.9.4 (3)	Outline Development Plans for intensification and greenfield areas.
6.9.4 (4)	Develop a programme for planned intensification areas.
6.10.4 (1)	Implement the Stage II Central City Revitalisation Strategy.
6.10.4 (2)	Advocate and facilitate Central City development.
6.10.4 (7)	Create incentives to produce affordable housing in the Central City.
6.10.4 (8)	Amend the City Plan to improve the design of new residential developments in the Central City.
6.10.4 (14)	Investigate and establish, in partnership with others, a dedicated city revitalisation agency to develop and administer programmes; to assemble key redevelopment sites; and to tender land for specific redevelopment proposals. Benchmark framework of the agency against other related organisations in New Zealand and overseas.
6.18.4 (3)	In the city and district plans, identify and rezone as appropriate further activity centres and consolidation focal points.
6.21.4 (4)	Upgrade Christchurch City’s stormwater treatment systems to provide for the consolidation anticipated by the Strategy.

Rural Residential Development

The UDS and supporting research¹¹⁷ has identified the following issues in relation to rural land:

- Urban expansion into the countryside is changing the use and look of rural areas.
- Residential and lifestyle developments are spreading into areas of highly productive versatile soils, reducing its use for farming or other productive uses.
- The landscape and amenity value of rural areas to communities is under threat from increasing urbanisation.
- The separation of town and country is becoming blurred as built up areas expand and rural land is sub-divided into lifestyle blocks.
- Fear of contamination of groundwater, waterways and lakes increases as rural land use intensifies.

Change 1 to the RPS acknowledges that rural residential development needs to be provided for to enable a choice of living environments. However, Change 1 has attempted to manage this in a way that conserves more space than the 4ha minimum of most rural zones within Greater Christchurch. Rural residential development is provided for in accordance with policy 6(a) which seeks to identify appropriate locations and household numbers for various types of development and thereby ensure that it is integrated with infrastructure (eg wastewater and water supply) requirements. This should assist in managing the issues identified for rural areas above.

Objective 1 states that growth in rural-residential households will be restricted to no more than 5% of the growth of residential households. The reason for this 5% figure relates to the amount of rural residential land already provided for and or planned. The UDS aims to provide for a choice of housing choices including rural residential living.

Business Land and Key Activity Centres

Business land is an important aspect of the UDS and as a consequence Change 1. It is a vital ingredient of growth management which has been traditionally overlooked – this has been the experience in the Auckland region.

Greater Christchurch is the economic hub of the South Island. Sufficient business land needs to be provided to support ongoing growth of the labour force and continuing development of the regional economy. For this reason business land is an issue of regional significance.

Labour force growth in Greater Christchurch is expected to increase by 38,500 people between 2006 and 2026. The UDS has recognised the need for more business land in order to meet future employment needs and to support the economy of the subregion and the region.

At present there is a lack of land to meet the future needs of business, particularly to accommodate expected growth in knowledge economy business and key industrial sectors, such as freight and logistics operations.

Part of the UDS vision is that Greater Christchurch will have a vibrant inner city and suburban centres surrounded by thriving towns, create a place where innovative businesses are welcome and can thrive supported by a wide range of attractive facilities and opportunities. The achievement of this aspect of the vision is addressed under the 'encourage prosperous economies' section of the Strategy.

Key approaches in the UDS in relation to business land include:

¹¹⁷ See *Issues Paper on Rural Land*, June 2004.

- Provide business locations that offer certainty for business functions and are located near to community services.
- In the allocation of business land consider: proximity to labour supply, infrastructure, land costs, location of customers, room for expansion and growth, access to major transport hubs and corridor and the effects on wider transport networks.
- Anchor sufficient future industrial land to meet the needs between 2026 and 2041 as part of the proposed urban limits amendments to the regional policy statement.
- A continuing need for retail space to be developed as the area grows.

Change 1 identifies Key Activity Centres and business land areas (Greenfield Outline Development Plan Areas – Business) within the urban limit maps. These areas have been identified based on the background work completed in developing the UDS. Business land and Key Activity Centres have been allocated to most identified growth areas in order to provide local support services and to distribute business land to ensure reasonable proximity to major transport routes and residential areas. This is all part of promoting the “live, work and play” principle.

Unless a number of adequate and well located areas for business land are clearly identified, Greater Christchurch runs the risk of not being able to successfully implement the preferred settlement pattern for the following reasons:

- Potential business land sites will be consumed by residential development.
- Headworks infrastructure will be under-designed to cope with additional water, wastewater and stormwater flows.
- Transportation infrastructure may be underprovided or business land may have to be located away from the core transport infrastructure.
- The live, work and play principle will not be achieved.

The UDS recognises the need for more business land in order to meet future employment needs and to support the economy of the sub-region. The RPS change is critical in terms of securing enough business land to meet the sub-region’s needs into the future.

Outline Development Plans

Outline Development Plans (also known as Structure Plans) are a technique accepted by the Environment Court¹¹⁸ as part of the tools available to Councils under the Resource Management Act 1991 framework. Outline Development Plans are detailed planning documents which examine how future development within a particular area will occur. The plans provide an important tool for Councils in helping to identify appropriate services, infrastructure (particularly transport), open space, densities, residential and business areas, significant cultural, natural and historic or heritage features and urban design needs for that locality.

Outline Development Plans will still need to be implemented through District Plans which will allow opportunity for public input.

Policy 8 of Change 1 identifies a number of requirements for Outline Development Plans. These have been put in place in order to:

- Provide a comprehensive planning approach
- Achieve a better standard of urban design
- Identify infrastructure and service requirements (including how this will be funded)
- Achieve the densities envisaged by the UDS
- Protect cultural, natural and historic or heritage features
- Avoid or mitigate adverse effects on strategic infrastructure
- Avoid, remedy or mitigate adverse effects on the environment (including groundwater quality)
- Integrate land use, infrastructure and funding at an area level

¹¹⁸ See *Mitchell & Others v Waitakere City Council* A 21/2000 by way of example.

Good urban design is also promoted through Policy 7.

Outline Development Plans are usually required for any large scale developments within Greater Christchurch or any Plan Changes. Policies 7 and 8 provide more certainty about the type of information required in these plans in order to better achieve the UDS outcomes and a more sustainable urban form for Greater Christchurch. These requirements are unlikely to add significant time to the current planning process, and will result in better long term outcomes.

Standardising the way Outline Development Plans are prepared provides certainty, clarity and consistency. The policy in relation to Outline Development Plans reflects the agreed requirements of Christchurch City Council, Selwyn District Council and Waimakariri District Council. Outline Development Plans are considered to be an important growth management tool and the detailing of their contents should promote better land-use and infrastructure integration.

Flexibility

The urban limits policy of Change 1 is consistent with the purpose of the RMA 1991 and the UDS, yet pragmatic enough to:

- Provide adequate land supply and choice for all types of development.
- Sustainably manage land supply and choice in a way that takes account of the provision and funding of strategic infrastructure.

There are continuing challenges in this area in terms of ensuring that Greater Christchurch achieves its desired urban form but still remains flexible enough to provide adequate land supply and choice.

Policies 12 and 15 and the ongoing monitoring and review provisions of Change 1, the RPS as a whole and the UDS, provide flexibility in order to deal with any changing circumstances.

Urban Limits can be altered in the following ways:

- Situations where urban activities are contiguous with but are to a limited extent outside the Urban Limits (policy 12).
- A variance of 10% or more between projected household growth and Statistics NZ data over a three year period (policy 15)¹¹⁹.
- Insufficient land exists or development activity occurs at a faster rate than anticipated by the UDS (policy 15).
- Altered circumstances in relation to the anticipated timing of sub-regional infrastructure (policy 15).
- Changes to the growth management assumptions which underpin the UDS (policy 15).

This provides an appropriate balance between achieving the desired urban form outcomes and allowing for altered circumstances or logical changes. This ensures that the RPS will be resilient and responsive to change. Change 1 provides a clear process for considering extensions to the urban limits. The policies are flexible while still supporting the long term integrity of the urban limits.

5.3 Urban Design

A key focus of the UDS is to ensure that the quality of urban development that results from the Strategy is in line with the principles of good urban design. Poor urban design has the potential to undermine the UDS outcomes. It is essential that urban design considerations are incorporated into new developments or redevelopments.

¹¹⁹ The figure of 10% is used because anything greater than this may start to undermine the household forecast assumptions that underpin the UDS and Change 1.

The Urban Design Protocol was launched in 2005 by the Ministry for the Environment. The Protocol is a voluntary commitment to specific urban design initiatives by signatory organisations. The following central government, local government, institutes and organisations of relevance to the Canterbury region have signed the protocol:

- Christchurch City Council
- Environment Canterbury
- Lincoln University
- Canterbury Employers Chamber of Commerce
- Christchurch Civic Trust
- Sustainable Otautahi Christchurch Inc.
- Local Government NZ
- Housing NZ
- Ministry of Transport
- NZTA

The Protocol aims to make towns and cities more successful by using quality urban design to help them become:

- Competitive places that thrive economically and facilitate creativity and innovation
- Liveable places that provide a choice of housing, work and lifestyle options
- A healthy environment that sustains people and nature
- Inclusive places that offer opportunities for all citizens
- Distinctive places that have a strong identity and sense of place
- Well-governed places that have a shared vision and sense of direction

The actions required by signatories include:

- championing urban design and raising awareness
- developing strategy and policy
- planning futures
- making decisions
- exchanging information and research
- integrating management

It is appropriate that Change 1 references the protocol as it is the only national document that specifically addresses development design. Change 1 only refers to observing the principles of the protocol. If the Urban Design Protocol is changed or updated this reference is wide enough to allow for this. The policy can also be reconsidered during subsequent RPS reviews.

Urban design is part of the integrated management of natural and physical resources, which includes land and all structures. It is also considered to be of regional significance given the importance of Greater Christchurch within Canterbury and the need for effective urban design in order to achieve a more sustainable settlement pattern.

Amenity is also a key consideration under section 7(c) and is part of the definition of 'environment'. In *Urban Auckland – Society for the Protection of Auckland City and Waterfront Inc v Auckland City Council*¹²⁰, the High Court held that the Council needed to give a focus to amenity values when approving the design of a substantial city building within the urban landscape. The Court stated that aesthetics was part of the definition of environment, and the RMA makes the aesthetic an indispensable concern in every planning regime.

5.4 Consideration of Alternatives

¹²⁰ [2005] NZRMA 155.

During the course of developing the UDS and Change 1, various alternatives to the urban limits and growth allocation approach were considered. The alternatives covered in this section are in essence different options for implementing a growth management strategy.

In terms of the settlement pattern a number of different options were developed, consulted on and assessed. The Inquiry by Design process developed this further in terms of potential growth areas to accommodate the required households. This is outlined in section 4. The various research papers and reports which analyse different urban form options are set out in the UDS and also the Section 32 Report to Change 1.

In addition to the different urban form options, the UDS partners have also considered approaches other than urban limits or specifying household growth targets and locations through the RPS. The main alternatives to this approach are:

A Less Prescriptive RPS Approach

This alternative would involve providing general policies which do not specify locations for development and do not contain the level of sequencing in terms of households and timing which appears in Change 1. This would have the advantage of leaving it to the City and District Councils to resolve and would allow the market more flexibility.

This option is not vastly different to what has occurred in the past and can be seen as a continuation of the status quo.

A number of Environment Court cases have found that the Canterbury RPS is not definitive enough in terms of policies in relation to the location of development¹²¹. Importantly, the Court has stated that the Canterbury RPS is “a document almost totally lacking in meaningful directives to District Councils in respect of the location of settlements and/or the expansion of existing settlements in and about Christchurch and within the Canterbury region”¹²². In terms of transport, the Environment Court has noted that the Canterbury RPS fails to provide any clear policies or methods to assist the preparation of district plans in relation to the use of fossil fuels or the location of residential areas¹²³.

In summary:

- The Environment Court has been concerned that the RPS does not give sufficient guidance in relation to the location of settlements and the expansion of new settlements.
- The Environment Court has expressed concern about the application of transport policies in terms of giving meaningful guidance about traffic flows into Christchurch as a result of new development.
- The Environment Court has upheld the protection of the 50dBA contour around Christchurch Airport¹²⁴.
- The Environment Court has supported the concept of a defined urban-rural boundary around Christchurch¹²⁵.

Continuing with an RPS that provides little meaningful direction in relation to the growth of Greater Christchurch is not considered to be a viable option. It has not worked well in the past and is unlikely to anchor the settlement pattern envisaged by the UDS. It will also mean that land use, infrastructure and funding are not well connected.

Non Regulatory / Market-Led Approach

¹²¹ *Suburban Estates Ltd v Christchurch City Council (C217/2001)*, *Canterbury Regional Council v Waimakariri District Council (EnvC c9/2002)*.

¹²² *Canterbury Regional Council v Waimakariri District Council C5/2002* at page 17, referred to as “the Pegasus decision”.

¹²³ *Canterbury Regional Council v Waimakariri District Council C9/2002*.

¹²⁴ *Robinsons Bay Trust v Christchurch City Council (C60/2004)*.

¹²⁵ *McFarlane Group Developments Ltd v Selwyn District Council (EnvC C38/2005)* and *Kennedys Bush Developments Ltd v Christchurch City Council (EnvC C55/2004)*.

This would involve allowing the market to locate where it chooses, taking a “hands-off” regulatory approach. This type of ad-hoc development could be considered to be the most responsive form of growth and efficient at one level. It also has the advantage of no regulatory distortions.

However, letting the market have what it wants, where it wants, would be enormously costly. This option does not promote greater long term development certainty and is unlikely to protect certain areas (eg outstanding natural landscapes) from inappropriate development. A strong framework is required to manage the ongoing growth pressures in the Greater Christchurch subregion. Market-led growth could lead to the possibility of more pressure on the environment and on infrastructure. If growth is left to the market it is likely to be low density development (as under present structures this is cheaper) which would promote an unsustainable land use pattern. There are also increased infrastructure costs associated with a non-regulatory or market-led approach. This is because Councils are unable to identify preferred growth areas that can be matched with infrastructure and funding.

It is acknowledged that efficiency requires a degree of market freedom. Ensuring that Change 1 contains some flexibility should allow for this.

Using Tools other than the RPS

Change 1 is only one of the implementation tools required to implement the UDS and the preferred settlement pattern. The option has been considered of relying only on the other tools available, such as:

- Setting the preferred direction supported by infrastructure provision and financial measures through Long Term Council Community Plans.
- Influencing the location of development through the provision of transport (Regional Land Transport Strategy and Land Transport Programmes (regional and national)).
- Identifying the land use pattern in the Regional Land Transport Strategy
- Relying on District Plans to implement the preferred settlement pattern.
- Acquiring land to influence the location and timing of growth.
- Practice and design guidelines.
- Accords and Heads of Agreement.
- Education and advocacy.
- Relying on the implementation of Central Government’s sustainability agenda (eg the Energy Strategy and the Energy Efficiency and Conservation Strategy).

These other options have the benefit of allowing more community control. Some of them are also less costly and can happen more quickly than a change to the RPS.

The option of using other tools has the disadvantage of not providing any sub-regional overview through a legal framework designed to sustainably manage land use. The settlement pattern transcends the boundaries of the three local authorities, therefore it is appropriate to use regional policy. As the UDS states:

The key principles of a sub-regional growth strategy and spatial frameworks are matters that require cross boundary consistency and cooperation. The Regional Policy Statement is the appropriate umbrella document for seeking this consistency¹²⁶.

Change 1 will also allow for robust debate and public consultation through the submission and hearings process. It is important to acknowledge that Change 1 has been developed using a collaborative approach between all of the UDS partners.

It is not the intention of UDS implementation to only rely on a change to the RPS to anchor the settlement pattern. The Strategy outlines a number of different tools that will be used¹²⁷. A number of these tools will be used in conjunction with Change 1. This is made clear through references to other tools in a number of the methods contained in Change 1.

¹²⁶ Greater Christchurch Urban Development Strategy and Action Plan 2007, page 142

¹²⁷ Ibid, see Section 7.2, pages 141 - 144

6 Land Use, Infrastructure and Funding

6.1 Sequencing

Sequencing Policy in Change 1

Policy 6 of Change 1 contains development sequencing for Greater Christchurch. This policy sets out the sequencing of release of future growth areas to meet anticipated household requirements over the next 35 years. This sequencing policy attempts to balance the need for an orderly release of future growth areas while not being overly restrictive with land supply that may increase development costs.

The policy is not a prescriptive land release programme. There is some flexibility in terms of timing and specific locations. The policy acknowledges that the sequencing of urban development may need to be varied in order to provide for unanticipated growth, respond to community needs, and accommodate changes in priorities of local authorities and government agencies.

The main objectives of the sequencing policy are to:

- Provide sufficient land for the population and economic growth of Greater Christchurch
- Ensure timely, efficient and integrated provision of infrastructure to support the growth
- Allow for consolidation and infill of existing urban lands
- Encourage urban development to occur within areas that already have or can easily be provided with essential infrastructure, and have convenient access to existing and planned community and commercial facilities
- Minimise "out-of-sequence" development

Rationale for Sequencing

Sequencing provides a clear direction for managing future growth and development. It gives certainty to developers and the community about future urban growth areas and ensures that there is enough zoned and serviced land available.

The sequencing of development for growth areas is based on a number of criteria, including:

- Availability and costs of infrastructure services (particularly surface water management, water supply and sewage)
- Environmental considerations
- Employment opportunities
- Recreation
- Traffic management
- Degree of support for public transport and the ability to fund high quality public transport services
- Social and community considerations

Planning Benefits of Sequencing

The Councils of Greater Christchurch have a responsibility to keep the budget demands of infrastructure programmes within reasonable limits whilst delivering an adequate level of service to newly developing communities. These objectives cannot be met unless urban growth is appropriately managed.

Sequencing of development encourages the maximum use of existing infrastructure and enables a greater level of service delivery, or more timely service delivery and within a given budget. Sequencing of development also increases the rate at which communities can develop. It supports the planning of other infrastructure, in particular government infrastructure such as schools and social services, and also

provides the population numbers to develop or improve services in these areas. In particular the sequencing policy will:

- Assist with infrastructure and servicing timing
- Underpin development contributions calculations
- Guide Long Term Council Community Plan budgeting for infrastructure
- Assist with the Regional Land Transport Programme in terms of transport infrastructure needs and timing (in particular section 16 of the LTMA 2003)
- Provide direction for District Plans

There is flexibility in the sequencing approach. Policy 6(b) allows for substitution of greenfields land in situations where development does not occur in a particular area, as long as it is of equivalent capacity and within the Urban Limits.

There are a number of monitoring methods and procedures set out in Change 1 to ensure that the policies are able to respond to change. Policies 12 and 15 also provide for circumstances where growth locations, allocations and sequencing can be altered.

6.2 Strategic Infrastructure Planning

In the past planning of land use and infrastructure has occurred separately producing a “silo” effect. Infrastructure, particularly transport, has operated on what is commonly referred to as a “predict and provide” approach. It is increasingly being recognised that this is no longer a sustainable way to operate, for the following reasons:

- The high monetary, social, cultural and environmental costs involved
- The significant impact on existing assets
- No long term view of strategic infrastructure requirements
- Decreases the ‘life’ of new assets as no thought is given to how demand might be managed
- Use of existing assets and networks is not optimised
- Difficult to calculate the costs of growth with such a short term approach
- Funding difficulties, including inequities
- No long term planning or strategic thinking

The LGA 2002 requires Councils to anticipate the impact of development on infrastructure and to fund for this so that infrastructure is provided in a timely manner, and that development does not have a negative impact on existing infrastructure.

This is not possible without a forward-thinking approach. It is also important that the community has some certainty about the location, timing and cost of significant strategic infrastructure projects.

Infrastructure in Christchurch City has not kept pace with growth and the City is now faced with major upgrade, improvements and infrastructure investment. Further development in greenfields land including the south west and north are constrained until the infrastructure is in place. Significant projects include the major sewer upgrade for the south of Christchurch (southern relief) with completion signaled for 2016. The southern motorway extension and auxiliary works are scheduled for completion around 2014. Similar projects are also needed for the north of the City. No major land development can occur until infrastructure upgrades have been completed.

The current staging is based around the local authorities and the NZTA’s existing infrastructure programmes. Staging of land development has been timed to align with the upgrading and increased capacity of infrastructure works. Change 1 reflects this approach.

6.3 Transport

Land Use and Transport Integration

The concept of integrating land use and transport planning recognises that:

- Land use (residential, commercial and recreational) and transport are closely related
- Transport has a relationship with housing, especially in terms of density (eg trips generated, demand for transport services close to where people live)
- Urban design and transport can positively influence one another
- Transport is essential lead infrastructure for shaping future land use

The type of land use certainty provided by Change 1 is also required by the LTMA 2003. The Act requires that every regional land transport strategy must contribute to the aim of achieving an “integrated, safe, responsive, and sustainable land transport system” and take into account how the strategy “improves access and mobility” and “ensures environmental sustainability”. Without an agreed future land use pattern it is not possible to give effect to these requirements from an integrated planning perspective.

The LTMA 2003 also now requires an RLTS to state any relevant regional economic or land use considerations and the likely funding of any land transport infrastructure associated with those considerations¹²⁸. When preparing an RLTS, regional transport committees must take account of the regional council's function under section 30(1)(gb) of the RMA 1991 to consider the strategic integration of transport infrastructure with land use. RLTSs will now have a longer term focus covering a period of 30 years. These RLTS provisions of the LTMA 2003 provide a strong linkage between land use and transport planning.

Given the costs and challenges of providing future transport infrastructure to support effective land use planning it is imperative that the RLTS is also viewed as a key implementation method that will sit alongside Change 1 to the RPS and various other tools for implementing the UDS settlement pattern.

Change 1 is focussed on facilitating the following transport outcomes in line with the UDS:

- Achieving efficient levels of connectivity both within the City and around it.
- The need to complete the key transport network system both north and south of Christchurch City to relieve current congestion levels.
- Promoting ‘live, work and play’ to reduce travel demand.
- Developing a transport network which supports the Key Activity Centres identified in Change 1.
- Implementing transport network improvements which reinforce the Christchurch City Central Business District and Key Activity Centre redevelopment and intensification.
- Implementing increased levels of public transport service to reduce car use.
- Taking the opportunity, especially in the Christchurch City area, to plan for larger scale residential subdivisions that promote the use of good design, walking and cycling, and public transport usage.
- Protecting the existing rail corridors.

Transport Funding

Transport has the largest infrastructure cost associated with it. A lot of transport costs are not recoverable from developments, for example public transport services and the majority of costs for most State Highway networks. Therefore it is not possible to allow land use development to occur freely and without consideration to its impact on transport. The whole community, and to a certain extent the nation, will end up paying for the transport costs associated with unmanaged growth.

¹²⁸ Section 77(d), LTMA 2003

As outlined in section 2.4 of this paper, the funding of transport through the NZTA is now increasingly dependent on having a more certain land use pattern which is well anchored within a region.

The funding of transport in Canterbury, as elsewhere in New Zealand, is an issue in terms of the significant investment required. Further investment in transport is needed to sustainably accommodate the growth that is occurring, achieve better land use and transport integration, sustain economic growth, and achieve the outcomes of the Canterbury RLTS and the NZTS. In 2007 the Canterbury region submitted a Canterbury Transport Funding Assistance Request to Government. This was followed by an announcement of an initiative for the Government and the Canterbury region to work together to implement a ten-year transport strategy for Canterbury. The final report from that Steering Group places significant emphasis on managing growth through integrated planning, including land use and transport planning. The UDS, Change 1 and the RLTS are the key implementation tools. There is a presumption that the Greater Christchurch sub-region will implement the UDS, and in particular that it will progress Change 1, in order to achieve a settled land use pattern that integrates with transport. It is possible that any funding from this initiative will be linked to the achieving the anticipated land use patterns.

The staging of land use is a critical component of transport infrastructure timing and cost. The sequencing of development to synchronise with transport infrastructure is essential. This is particularly important in terms of working out funding for transport infrastructure. There is a strong link between development size and timing, and the cost of transport infrastructure.

Multi-Modal Transport

The UDS takes a multi-modal approach to transport which is consistent with regional and national approaches. One of the key aims of the settlement pattern is to provide opportunities to minimise trip lengths and maximise public transport, walking and cycling potential.

Change 1 supports all transport modes through its promotion of a more compact urban form and also through the following objectives and policies:

- Objective 7 – reducing dependency on private motor vehicles and promoting the use of active transport modes
- Objective 8 – achieving patterns of development that do not adversely affect the rail corridors and network and the Port of Lyttelton
- Policy 5(b) – managing the development of Key Activity Centres to support the development of the principal public transport and cycling networks and the ability to change transport modes, and encourage pedestrian access to and within these centres.
- Policy 7 – urban development to provide:
 - good safe connectivity by a variety of transport modes
 - walkable distances
 - provision for effective, efficient and attractive walk and cycleways
- Policy 8 – Outline Development Plans to show pedestrian walkways, cycleways, bus routes both within and adjoining the area, and to demonstrate how effective provision is made for a range of transport options and changing between transport modes.

Rail was also considered during the development of the UDS and in particular in the Inquiry by Design process. The possibility of establishing a commuter rail service was investigated but overruled in the short term. The reasons for this are as follows:

- Lack of penetration of the existing railway lines into the Christchurch CBD and centres.
- The prohibitive cost of providing the additional infrastructure.
- The urban form lacks the density needed to make new services and stations viable.

However, it has been concluded that the rail corridors should be protected so as not to preclude their use in the future.

Strategic work around the investigation of future options for public transport in Greater Christchurch is currently being completed. This work aims to support the UDS land use pattern through the provision of public transport facilities.

7 Monitoring and Review

7.1 Importance of Monitoring and Review

Monitoring and review will form a critical part of Change 1 and its implementation. Change 1 contains a number of methods and a procedure which relate to specific monitoring tasks, these include:

Method 1.3, 2.6, 5.4, 6.4, 11.3, 15.4	The Canterbury Regional Council, in conjunction with the territorial authorities within Greater Christchurch, shall monitor the development capacity (including vacant land and redevelopment opportunities) within the Urban Limits.
Method 3.4	The Canterbury Regional Council, in conjunction with the territorial authorities within Greater Christchurch, shall monitor the development capacity of business land (including vacant land and redevelopment opportunities) within the Urban Limits.
12A.7 Monitoring Procedures	The Canterbury Regional Council in conjunction with the territorial authorities will: a) monitor and report at least every three years, including: <ul style="list-style-type: none">- Residential and business land availability- Current population, household and business growth rates- Property market behaviour both within and external to the UDS area- Transportation trends- High quality and integrated urban design b) Outcomes relating to the natural environment, outstanding landscapes and significant infrastructure will be monitored elsewhere under the RPS.

Change 1 also sets out anticipated environment results which it expects to see from the implementation of the RPS.

As the monitoring procedures note, other chapters of the RPS also contain monitoring provisions which are relevant to Change 1.

The UDS also contains monitoring actions which will be undertaken in parallel with RPS monitoring:

- 6.31.4(1) Monitor growth management drivers and trends in demographics, growth and development, including:
- Update rates and land availability
 - Migration to determine its relationship to growth rates and growth impact in the area
 - Housing affordability
 - Rural subdivision
 - Community well-being at a sub-regional level
- 6.31.4(2) Establish a joint research and shared information protocol between agencies playing a significant part in growth management.

The UDS has an action to review the Strategy in 2010 or at the discretion of the partners when there is a substantial change affecting the assumptions that underlie the Strategy.

Monitoring will be undertaken in order to:

- Understand the consequences of the policies contained in the RPS
- Allow for changes in the society and the environment that may affect these policies
- Determine the effectiveness of the policy and the need for any further action

It will be focussed on good quality robust data.

The three planning statutes also contain specific statutory monitoring requirements that all partner Councils undertake as a matter of course. In summary these are:

The Resource Management Act 1991

Section 35: Duty to gather information, monitor, and keep records
Includes state of the environment reporting, monitoring the efficiency and effectiveness of policies, rules or other methods in policy statements or plans, and monitoring the exercise of resource consents.

The Local Government Act 2002

Sections 98 and 99, part 3 of the 10th schedule – Annual Report
Annual reporting on all activities of a local authority. Specific requirements to be incorporated into annual reports, including levels of service (actual versus expected).
These reports are audited.

The Land Transport Management Act 2003

Section 83 – Progress reports on regional land transport strategy
Three-yearly reporting on progress in implementing the regional land transport strategy.

All of these monitoring roles are undertaken by the UDS partners in addition to the specific monitoring required by Change 1 and the UDS.

7.2 Methodology

There is an inherent uncertainty with any forecasting work that is undertaken. For this reason it is critical that the population, household, land capacity rates are monitored to ensure that Change 1 is achieving its objectives. In particular, it will be imperative to ensure that enough land is available to meet the needs of the Greater Christchurch sub-regional community.

The approach taken will analyse:

- What has changed
- What are the trends
- How does this relate to the RPS

It will also rely on a range of indicators in order to have identifiable triggers.

The following specific elements will be monitored:

- Residential growth quantum and sequencing
- Residential land availability and uptake
- Rural subdivision location and quantum
- Dwelling yield
- Population distribution
- Business zoned land (quantum)
- Business land availability and uptake rates
- Industrial and Commercial building consents
- Business land to Population Ratio

Appendix 1: Legislation

Resource Management Act 1991: Relevant Sections

- ...
- 5 Purpose**
- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
- (2) In this Act, sustainable management means 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 while—
- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.
- 6 Matters of national importance**
- In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:
- (a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- (b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
- (c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
- (d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- (e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.
- (f) the protection of historic heritage from inappropriate subdivision, use, and development.
- (g) the protection of recognised customary activities.
- 7 Other matters**
- In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—
- (a) Kaitiakitanga:
- (aa) The ethic of stewardship:
- (b) The efficient use and development of natural and physical resources:
- (ba) the efficiency of the end use of energy:
- (c) The maintenance and enhancement of amenity values:
- (d) Intrinsic values of ecosystems:
- (f) Maintenance and enhancement of the quality of the environment:
- (g) Any finite characteristics of natural and physical resources:
- (h) The protection of the habitat of trout and salmon:
- (i) the effects of climate change:
- (j) the benefits to be derived from the use and development of renewable energy.
- 8 Treaty of Waitangi**
- In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

...
30
(1)

Functions of regional councils under this Act

Every regional council shall have the following functions for the purpose of giving effect to this Act in its region:

- (a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region:
- (b) The preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance:
- (c) The control of the use of land for the purpose of—
 - (i) Soil conservation:
 - (ii) The maintenance and enhancement of the quality of water in water bodies and coastal water:
 - (iii) The maintenance of the quantity of water in water bodies and coastal water:
 - (iiia) the maintenance and enhancement of ecosystems in water bodies and coastal water:
 - (iv) The avoidance or mitigation of natural hazards:
 - (v) The prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances:
- (ca) the investigation of land for the purposes of identifying and monitoring contaminated land:
- (d) In respect of any coastal marine area in the region, the control (in conjunction with the Minister of Conservation) of—
 - (i) Land and associated natural and physical resources:
 - (ii) The occupation of space on land of the Crown or land vested in the regional council, that is foreshore or seabed, and the extraction of sand, shingle, shell, or other natural material from that land:
 - (iii) The taking, use, damming, and diversion of water:
 - (iv) Discharges of contaminants into or onto land, air, or water and discharges of water into water:
 - (iva) The dumping and incineration of waste or other matter and the dumping of ships, aircraft, and offshore installations:
 - (v) Any actual or potential effects of the use, development, or protection of land, including the avoidance or mitigation of natural hazards and the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances:
 - (vi) The emission of noise and the mitigation of the effects of noise:
 - (vii) Activities in relation to the surface of water:
- (e) The control of the taking, use, damming, and diversion of water, and the control of the quantity, level, and flow of water in any water body, including—
 - (i) The setting of any maximum or minimum levels or flows of water:
 - (ii) The control of the range, or rate of change, of levels or flows of water:
 - (iii) The control of the taking or use of geothermal energy:
- (f) The control of discharges of contaminants into or onto land, air, or water and discharges of water into water:
- (fa) if appropriate, the establishment of rules in a regional plan to allocate any of the following:
 - (i) the taking or use of water (other than open coastal water):
 - (ii) the taking or use of heat or energy from water (other than open coastal water):
 - (iii) the taking or use of heat or energy from the material surrounding geothermal water:
 - (iv) the capacity of air or water to assimilate a discharge of a contaminant:
- (fb) if appropriate, and in conjunction with the Minister of Conservation,—
 - (i) the establishment of rules in a regional coastal plan to allocate the taking or use of heat or energy from open coastal water:
 - (ii) the establishment of a rule in a regional coastal plan to allocate space in a coastal marine area under Part 7A:

- (g) In relation to any bed of a water body, the control of the introduction or planting of any plant in, on, or under that land, for the purpose of—
 - (i) Soil conservation:
 - (ii) The maintenance and enhancement of the quality of water in that water body;
 - (iii) The maintenance of the quantity of water in that water body;
 - (iv) The avoidance or mitigation of natural hazards:
- (ga) the establishment, implementation, and review of objectives, policies, and methods for maintaining indigenous biological diversity;
- (gb) the strategic integration of infrastructure with land use through objectives, policies, and methods;
- (h) Any other functions specified in this Act.

...

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Purpose of regional policy statements

The purpose of a regional policy statement is to achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region.

...

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Matters to be considered by regional council (policy statements)

- (1) A regional council shall prepare and change its regional policy statement in accordance with its functions under section 30, the provisions of Part 2, and its duty under section 32 and any regulations.
- (2) In addition to the requirements of section 62(2), when preparing or changing a regional policy statement, the regional council shall have regard to—
 - (a) Any—
 - (i) Management plans and strategies prepared under other Acts; and
 - (ii) [Repealed]
 - (ia) Relevant entry in the Historic Places Register; and
 - (iii) Regulations relating to ensuring sustainability, or the conservation, management, or sustainability of fisheries resources (including regulations or bylaws relating to taiapure, mahinga mataitai, or other non-commercial Maori customary fishing); and
 - (iv) [Repealed]
 to the extent that their content has a bearing on resource management issues of the region; and
- (2A) A regional council, when preparing or changing a regional policy statement, must—
 - (a) take into account any relevant planning document recognised by an iwi authority, and lodged with the council, to the extent that its content has a bearing on resource management issues of the region; and
 - (b) recognise and provide for the management plan for a foreshore and seabed reserve located in whole or in part within its region, once the management plan has been lodged with the council.
- (3) In preparing or changing any regional policy statement, a regional council must not have regard to trade competition.

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Contents of regional policy statements

- (1) A regional policy statement must state—
 - (a) the significant resource management issues for the region; and
 - (b) the resource management issues of significance to—
 - (i) iwi authorities in the region; and
 - (ii) the board of a foreshore and seabed reserve, to the extent that those issues relate to that reserve; and
 - (c) the objectives sought to be achieved by the statement; and
 - (d) the policies for those issues and objectives and an explanation of those policies; and
 - (e) the methods (excluding rules) used, or to be used, to implement the policies; and
 - (f) the principal reasons for adopting the objectives, policies, and methods of implementation set out in the statement; and
 - (g) the environmental results anticipated from implementation of those policies and methods; and

- (h) the processes to be used to deal with issues that cross local authority boundaries, and issues between territorial authorities or between regions; and
 - (i) the local authority responsible in the whole or any part of the region for specifying the objectives, policies, and methods for the control of the use of land—
 - (i) to avoid or mitigate natural hazards or any group of hazards; and
 - (ii) to prevent or mitigate the adverse effects of the storage, use, disposal, or transportation of hazardous substances; and
 - (iii) to maintain indigenous biological diversity; and
 - (j) the procedures used to monitor the efficiency and effectiveness of the policies or methods contained in the statement; and
 - (k) any other information required for the purpose of the regional council's functions, powers, and duties under this Act.
- (2) If no responsibilities are specified in the regional policy statement for functions described in subsection (1)(i)(i) or (ii), the regional council retains primary responsibility for the function in subsection (1)(i)(i) and the territorial authorities of the region retain primary responsibility for the function in subsection (1)(i)(ii).
- (3) A regional policy statement must not be inconsistent with any water conservation order and must give effect to a national policy statement or New Zealand coastal policy statement.

Local Government Act 2002: Relevant Sections

- ...
- 3 Purpose**
The purpose of this Act is to provide for democratic and effective local government that recognises the diversity of New Zealand communities; and, to that end, this Act –
- (a) states the purpose of local government; and
 - (b) provides a framework and powers for local authorities to decide which activities they undertake and the manner in which they will undertake them; and
 - (c) promotes the accountability of local authorities to their communities; and
 - (d) provides for local authorities to play a broad role in promoting the social, economic, environmental, and cultural well-being of their communities, taking a sustainable development approach.
- ...
- 10 Purpose of local government**
The purpose of local government is –
- (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
 - (b) to promote the social, economic, environmental, and cultural well-being of communities, in the present and for the future.
- 11 Role of local authority**
The role of a local authority is to –
- (a) give effect, in relation to its district or region, to the purpose of local government stated in section 10; and
 - (b) perform the duties, and exercise the rights, conferred on it by or under this Act and any other enactment.
- ...
- 14 Principles relating to local authorities**
(1) In performing its role, a local authority must act in accordance with the following principles:
- (a) a local authority should—
 - (i) conduct its business in an open, transparent, and democratically accountable manner; and
 - (ii) give effect to its identified priorities and desired outcomes in an efficient and effective manner;
 - (b) a local authority should make itself aware of, and should have regard to, the views of all of its communities; and
 - (c) when making a decision, a local authority should take account of—
 - (i) the diversity of the community, and the community's interests, within its district or region; and
 - (ii) the interests of future as well as current communities; and
 - (iii) the likely impact of any decision on each aspect of well-being referred to in section 10;
 - (d) a local authority should provide opportunities for Maori to contribute to its decision-making processes;
 - (e) a local authority should collaborate and co-operate with other local authorities and bodies as it considers appropriate to promote or achieve its priorities and desired outcomes, and make efficient use of resources; and
 - (g) a local authority should ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district or region; and
 - (h) in taking a sustainable development approach, a local authority should take into account—
 - (i) the social, economic, and cultural well-being of people and communities; and
 - (ii) the need to maintain and enhance the quality of the environment; and
 - (iii) the reasonably foreseeable needs of future generations.
- ...

- 76 Decision-making**
- (1) Every decision made by a local authority must be made in accordance with such of the provisions of sections 77, 78, 80, 81, and 82 as are applicable.
- 77 Requirements in relation to decisions**
- (1) A local authority must, in the course of the decision-making process,—
- (a) seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - (b) assess those options by considering—
 - (i) the benefits and costs of each option in terms of the present and future social, economic, environmental, and cultural well-being of the district or region; and
 - (ii) the extent to which community outcomes would be promoted or achieved in an integrated and efficient manner by each option; and
 - (iii) the impact of each option on the local authority's capacity to meet present and future needs in relation to any statutory responsibility of the local authority; and
 - (iv) any other matters that, in the opinion of the local authority, are relevant; and
- 78 Community views in relation to decisions**
- (1) A local authority must, in the course of its decision-making process in relation to a matter, give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter.
- (2) That consideration must be given at—
- (a) the stage at which the problems and objectives related to the matter are defined;
 - (b) the stage at which the options that may be reasonably practicable options of achieving an objective are identified;
 - (c) the stage at which reasonably practicable options are assessed and proposals developed;
 - (d) the stage at which proposals of the kind described in paragraph (c) are adopted.
- ...
- 91 Process for identifying community outcomes**
- (1) A local authority must, not less than once every 6 years, carry out a process to identify community outcomes for the intermediate and long-term future of its district or region.
- (2) The purposes of the identification of community outcomes are—
- (a) to provide opportunities for communities to discuss their desired outcomes in terms of the present and future social, economic, environmental, and cultural well-being of the community; and
 - (b) to allow communities to discuss the relative importance and priorities of identified outcomes to the present and future social, economic, environmental, and cultural well-being of the community; and
 - (c) to provide scope to measure progress towards the achievement of community outcomes; and
 - (d) to promote the better co-ordination and application of community resources; and
 - (e) to inform and guide the setting of priorities in relation to the activities of the local authority and other organisations.
- ...
- 93 Long-term council community plan**
- (1) A local authority must, at all times, have a long-term council community plan under this section.
- (6) The purpose of a long-term council community plan is to—
- (a) describe the activities of the local authority; and
 - (b) describe the community outcomes of the local authority's district or region; and
 - (c) provide integrated decision-making and co-ordination of the resources of the local authority; and
 - (d) provide a long-term focus for the decisions and activities of the local authority; and
 - (e) provide a basis for accountability of the local authority to the community; and
 - (f) provide an opportunity for participation by the public in decision-making processes on activities to be undertaken by the local authority.

- (7) A long-term council community plan adopted under this section must—
 - (a) cover a period of not less than 10 consecutive financial years; and
 - (b) include the information required by Part 1 of Schedule 10.

...

101 Financial management

- (2) A local authority must make adequate and effective provision in its long-term council community plan and in its annual plan (where applicable) to meet the expenditure needs of the local authority identified in that long-term council community plan and annual plan.
- (3) The funding needs of the local authority must be met from those sources that the local authority determines to be appropriate, following consideration of,—
 - (a) in relation to each activity to be funded,—
 - (i) the community outcomes to which the activity primarily contributes; and
 - (ii) the distribution of benefits between the community as a whole, any identifiable part of the community, and individuals; and
 - (iii) the period in or over which those benefits are expected to occur; and
 - (iv) the extent to which the actions or inaction of particular individuals or a group contribute to the need to undertake the activity; and
 - (v) the costs and benefits, including consequences for transparency and accountability, of funding the activity distinctly from other activities; and
 - (b) the overall impact of any allocation of liability for revenue needs on the current and future social, economic, environmental, and cultural well-being of the community.

102 Funding and financial policies

- (1) A local authority must, in order to provide predictability and certainty about sources and levels of funding, adopt the funding and financial policies described in subsection (4).
- (3) A policy under this section may be adopted by a local authority as part of its long-term council community plan.
- (4) A local authority must adopt—
 - (d) a policy on development contributions or financial contributions; and

...

106 Policy on development contributions or financial contributions

- (2) A policy adopted under section 102(4)(d) must, in relation to the purposes for which development contributions or financial contributions may be required,—
 - (a) summarise and explain the capital expenditure identified in the long-term council community plan that the local authority expects to incur to meet the increased demand for community facilities resulting from growth; and

...

Schedule 10

...

2 Group of activities

- (1) (d) identify the assets or groups of assets required by the group of activities and identify, in relation to those assets or groups of assets, -
 - (i) how the local authority will assess and manage the asset management implication of changes to -
 - (A) demand for, or consumption of, relevant services; and
 - (B) service provision levels and standards;
 - (ii) what additional asset capacity is estimated to be required in respect of changes to each of the matters described in subparagraph (i);
 - (iii) how the provision of additional asset capacity will be undertaken;
 - (iv) the estimated costs of the provision of additional asset capacity identified under subparagraph (ii), and the division of those costs between each of the matters in respect of which additional capacity is required;
 - (v) how the costs of the provision of additional asset capacity will be met;
 - (vi) how the maintenance, renewal, and replacement of assets will be undertaken;
 - (vii) how the costs of the maintenance, renewal, and replacement of assets will be met.

...

Schedule 13

1 **Methodology for relating cost of community facilities to units of demand**

In order to calculate the maximum development contribution in respect of a community facility or an activity or group of activities for which a separate development contribution is to be required, a territorial authority must first—

- (a) identify the total cost of the capital expenditure that the local authority expects to incur in respect of the community facility, or activity or group of activities, to meet increased demand resulting from growth within the district, or part of the district, as the case may be, as set out in the long-term council community plan in accordance with section 106(2)(a); and
- (b) identify the share of that expenditure attributable to each unit of demand, using the units of demand for the community facility or for separate activities or groups of activities, as the case may be, by which the impact of growth has been assessed.

2 **Attribution of units of demand to developments**

For the purpose of determining in accordance with section 203(2) the maximum development contribution that may be required for a particular development or type of development, a territorial authority must demonstrate in its methodology that it has attributed units of demand to particular developments or types of development on a consistent and equitable basis.

Local Government (Auckland) Amendment Act 2004: Relevant Sections

- ...
- 3 Purpose**
The purpose of this Act is—
- (a) to improve the integration of—
 - (i) the Auckland regional land transport system; and
 - (ii) the management of land transport funding and assets for the Auckland Region; and
 - (iii) decisions on stormwater funding for the Auckland Region; and
 - (b) to require Auckland local authorities to change the policy statement and plans prepared under the Resource Management Act 1991 to integrate the land transport and land use provisions and make those provisions consistent with the Auckland Regional Growth Strategy.

- ...
- 40 Extent of land transport and land use changes**
- (1) A land transport and land use change is a change or variation to an Auckland planning document by including issues, objectives, policies, and descriptions of methods for the purpose of—
 - (a) giving effect, in an integrated manner, to the growth concept in the Auckland Regional Growth Strategy prepared under section 37SE of the Local Government Act 1974; and
 - (b) contributing, in an integrated manner, to the matters specified in Schedule 5.
 - (2) A change for the purposes of subsection (1)(a) and a change for the purposes of subsection (1)(b) must, in relation to each other, be integrated.
 - (3) A change to a plan under this section may also include specific methods, including rules.

...

Schedule 5 Land transport and land use changes

For the purposes of section 40(1)(b), the matters are as follows:

- (a) providing increased certainty in the assessment of resource consents, designations, and plan changes related to transport and urban form, and ensuring that transport and land use patterns are aligned to achieve sustainability, efficiency, and livability in the Auckland Region; and
- (b) managing transport and transport infrastructure, facilitating a multimodal transport network, and facilitating integrated transport management; and
- (c) reducing adverse effects of transport on the environment (including improving air and water quality, reducing noise and stormwater, improving heritage protection and reducing community disruption and transport land use), and reducing the adverse effects and increasing the positive interactions of transport and land use; and
- (d) supporting compact sustainable urban form and sustainable urban land use intensification (including location, timing and sequencing issues, and associated quality, character, and values of urban form and design); and
- (e) integrating transport and land use policies to reinforce metropolitan urban and rural objectives of the Auckland Regional Policy Statement, the development of a competitive and efficient economy and a high quality of life, underpinned by a quality environment and amenity.

Land Transport Management Act 2003: Relevant Sections

...

3 Purpose

- (1) The purpose of this Act is to contribute to the aim of achieving an affordable, integrated, safe, responsive, and sustainable land transport system.
- (2) To contribute to that purpose, this Act—
 - (a) provides an integrated approach to land transport funding and management; and
 - (b) improves social and environmental responsibility in land transport funding, planning, and management; and
 - (c) provides the Agency with a broad land transport focus; and
 - (d) improves long-term planning and investment in land transport, including planning and investment in coastal shipping and rail; and
 - (e) ensures that land transport funding is allocated in an efficient and effective manner; and
 - (f) improves the flexibility of land transport funding by providing for alternative funding mechanisms.

...

12 Overview of regional land transport programmes

- (1) A regional land transport programme allows approved organisations and the Agency to recommend funding for land transport activities or combinations of activities from the national land transport fund that will contribute to—
 - (a) a region's outcomes that are identified in the relevant regional land transport strategy; and
 - (b) any outcomes, objectives and impacts identified by the Crown in any national land transport strategy or the relevant GPS.
- (2) Regional land transport programmes, which are prepared by regional transport committees (or, in the case of the Auckland region, ARTA), include—
 - (a) proposed activities and combinations of activities for 3 financial years; and
 - (b) an indication of significant activities for the following 3 financial years; and
 - (c) a 10-year financial forecast.

...

14 Core requirements of regional land transport programmes prepared by regional transport committees

When a regional transport committee prepares a regional land transport programme on behalf of the relevant regional council, the regional transport committee must-

- (a) be satisfied that the regional land transport programme-
 - (i) contributes to the aim of achieving an affordable, integrated, safe, responsive, and sustainable land transport system; and
 - (ii) contributes to each of the following:
 - (A) assisting economic development;
 - (B) assisting safety and personal security;
 - (C) improving access and mobility;
 - (D) protecting and promoting public health;
 - (E) ensuring environmental sustainability; and
 - (iii) is consistent with-
 - (A) the relevant GPS; and
 - (B) any relevant regional land transport strategy; and
- (b) take into account any-
 - (i) national land transport strategy; and
 - (ii) national energy efficiency and conservation strategy; and
 - (iii) relevant national policy statement and any relevant regional policy statements or plans that are for the time being in force under the Resource Management Act 1991; and
 - (iv) likely funding from any source.

- 16 Form and content of regional land transport programmes (for regions other than Auckland region)**
- (1) For the purpose of seeking payment from the national land transport fund, a regional land transport programme (for regions other than the Auckland region) must contain, for the 3 financial years to which the programme relates,—
- (a) activities or combinations of activities, identified by approved organisations in the region, relating to local road maintenance, local road renewals and local road minor capital works, and existing public transport services; and
 - (b) the following activities or combinations of activities that the regional transport committee decides to include in the regional land transport programme:
 - (i) activities or combinations of activities proposed by approved organisations in the region, other than those identified under paragraph (a); and
 - (ii) activities or combinations of activities relating to State highways in the region that are proposed by the Agency; and
 - (iii) activities or combinations of activities, other than those relating to State highways, that the Agency may propose for the region and that the Agency wishes to see included in the regional land transport programme; and
 - (c) the order of priority, as determined by the regional transport committee, of the activities or combinations of activities that the committee decides to include in the committee's regional land transport programme under paragraph (b); and
 - (d) an assessment of each activity or combination of activities, prepared in accordance with subsection (5) by the organisation that identified or proposed the activity or combination of activities under paragraph (a) or (b), to include—
 - (i) the objective or objectives to be achieved; and
 - (ii) an estimate of the total cost and the cost for each year; and
 - (iii) the expected duration; and
 - (iv) any proposed sources of funding other than the national land transport fund (including, but not limited to, tolls, regional fuel taxes, funding from approved organisations, and contributions from other parties); and
 - (v) any other relevant information.
- (2) A regional land transport programme must contain assessments by the regional transport committee of—
- (a) how the programme complies with section 14; and
 - ...
- (3) A regional land transport programme must also include—
- (a) a statement of transport priorities for the region for the 6 financial years from the start of the programme, for which funding will be sought from the national land transport fund; and
 - (b) all significant expenditure on land transport activities to be funded from sources other than the national land transport fund; and
 - (c) a list of each activity or combination of activities that have been approved under section 20 but are not yet completed; and
 - (d) an identification of those activities or combinations of activities (if any) that have interregional significance; and
 - (e) an explanation of the proposed action if it is proposed that an activity or combination of activities be varied, suspended, or abandoned; and
 - (f) an indication of any nationally or regionally significant activities that are likely to be recommended for inclusion in the national land transport programme over the 3 financial years following the regional land transport programme; and
 - (g) a financial forecast of anticipated revenue and expenditure on activities for the 10 financial years from the start of the regional land transport programme; and
 - (h) a description of how monitoring will be undertaken to assess implementation of the regional land transport programme; and
 - (i) a summary of the consultation carried out in the preparation of the regional land transport programme; and
 - (j) a summary of the policy relating to significance adopted by the regional transport committee under section 106; and
 - (k) any other relevant matters.

...

19B Core requirements for national land transport programme

The Agency must, in preparing a national land transport programme-

- (a) ensure that the national land transport programme-
 - (i) contributes to the aim or achieving an affordable, integrated, safe, responsive, and sustainable land transport system; and
 - (ii) contributes to each of the following:
 - (A) assisting economic development;
 - (B) assisting safety and personal security;
 - (C) improving access and mobility;
 - (D) protecting and promoting public health;
 - (E) ensuring environmental sustainability; and
- (b) give effect to the relevant GPS; and
- (c) take into account any-
 - (i) national land transport strategy; and
 - (ii) regional land transport strategies; and
 - (iii) regional land transport programmes; and
 - (iv) national energy efficiency and conservation strategy; and
 - (v) relevant national policy statement and any relevant regional policy statements or plans that are for the time being in force under the Resource Management Act 1991.

...

20 Approval of activities and combinations of activities

- (1) The Agency may approve an activity or combination of activities as qualifying for payments from the national land transport fund.
- (2) In approving a proposed activity or combination of activities, the Agency must be satisfied that –
 - (a) the activity or combination of activities is included in the national land transport programme or qualifies under subsection (4); and
 - (b) the national land transport programme continues to meet the requirements of section 19B; and
 - (c) the following objectives have been taken into account in respect of the activity or combination of activities:
 - (i) assisting economic development; and
 - (ii) assisting safety and personal security; and
 - (iii) improving access and mobility; and
 - (iv) protecting and promoting public health; and
 - (v) ensuring environmental sustainability; and
 - (d) the activity or combination of activities contributes to the Agency's objective, including its social and environmental responsibility, in an efficient and effective manner; and
 - (e) the activity or combination of activities has, to the extent practicable, been assessed against other land transport options and alternatives; and
 - (f) the relevant consultation requirements of this Act have been complied with.
- (3) In approving a proposed activity or combination of activities, the Agency must take into account –
 - (a) the relevant GPS; and
 - (b) any national land transport strategy; and
 - (c) any relevant regional land transport strategy; and
 - (d) any national energy efficiency and conservation strategy; and
 - (e) any relevant national policy statement and any relevant regional policy statements that are for the time being in force under the Resource Management Act 1991.

...

73 Overview of regional land transport strategy

- (1) A regional land transport strategy, which (for regions other than Auckland) is prepared by the relevant regional transport committee for each region on behalf of the relevant regional council

every 6 financial years and covers a period of at least 30 financial years, enables each regional council to provide guidance on the land transport outcomes sought by the region.

...

75 Core requirements for regional land transport strategies

A regional transport committee must, when preparing a regional land transport strategy on behalf of a regional council –

- (a) ensure that the regional land transport strategy –
 - (i) contributes to the aim of achieving an affordable, integrated, safe, responsive, and sustainable land transport system; and
 - (ii) contributes to each of the following:
 - (A) assisting economic development;
 - (B) assisting safety and personal security;
 - (C) improving access and mobility;
 - (D) protecting and promoting public health;
 - (E) ensuring environmental sustainability; and
 - (iii) is consistent with any –
 - (A) national land transport strategy; and
 - (B) relevant national policy statement or any relevant regional policy statement or regional plan that is for the time being in force under the Resource Management Act 1991; and
 - (iv) avoids, to the extent reasonable in the circumstances, adverse effects on the environment; and
- (b) take into account—
 - (i) the relevant GPS; and
 - (ii) any national energy efficiency and conservation strategy; and
 - (iii) any relevant district plans.

76 Other matters that must be taken into account

When preparing a regional land transport strategy on behalf of a regional council, a regional transport committee must also take into account—

- (a) any guidelines issued by the Minister for regional land transport strategies; and
- (b) the land transport funding likely to be available within the region for implementing the strategy during the period covered by the strategy; and
- (c) the views of affected communities; and
- (d) the views of land transport network providers in the region; and
- (e) the need to give early and full consideration to land transport options and alternatives in a way that contributes to the matters referred to in section 75(a)(iv), and paragraph (c); and
- (f) the need to provide early and full opportunities for persons and organisations listed in section 78(1) to contribute to the development of those regional land transport strategies; and
- (g) the need to take account of the relevant regional council's function under section 30(1)(gb) of the Resource Management Act 1991 to consider the strategic integration of transport infrastructure with land use through objectives, policies, and methods.

...

77 Contents of regional land transport strategies

A regional land transport strategy must contain the following matters:

- (a) interregional and intraregional transport outcomes relevant to the region; and
- (b) the strategic options for achieving those outcomes; and
- (c) an assessment as to how the regional land transport strategy complies with sections 75 and 76; and
- (d) a statement of any relevant regional economic or land use considerations, and the likely funding of any land transport infrastructure associated with those considerations;
- (e) a demand management strategy; and
- (f) an assessment of the appropriate role for each land transport mode in the region; and

...

(h) any regional passenger transport plan (within the meaning of section 47 of the Transport Services Licensing Act 1989); and

...

(k) measurable targets to be achieved to meet the outcomes of the regional land transport strategy; and

...

87 Preparation of GPS

(1) The Minister must, in preparing the GPS,—

(a) be satisfied that the GPS—

(i) contributes to the aim of achieving an affordable, integrated, safe, responsive, and sustainable land transport system; and

(ii) contributes to each of the following:

(A) assisting economic development:

(B) assisting safety and personal security:

(C) improving access and mobility:

(D) protecting and promoting public health:

(E) ensuring environmental sustainability; and

(iii) is consistent with any—

(A) national land transport strategy:

(B) national energy efficiency and conservation strategy; and

(b) take into account any relevant national policy statement that is in force under the Resource Management Act 1991; and

(c) have regard to the views of Local Government New Zealand and representative groups of land transport users and providers (including representative groups of coastal shipping users and providers).

...

Appendix 2: Terms of Reference

1 Urban Development Strategy - Implementation Committee (UDSIC)

1.1 Terms of Reference

A joint committee of the Christchurch City Council, Waimakariri District Council, Selwyn District Council, Canterbury Regional Council and Tangata Whenua be established to implement the Greater Christchurch Urban Development Strategy and Action Plan.

The joint Strategy Implementation Committee be delegated authority to implement the Strategy Action Plan in accordance with the following functions:

- > Growth management leadership
- > Overseeing the implementation of the Strategy
- > Ensuring organisation systems and resources support the Strategy implementation

- > Taking responsibility for progressing those actions specifically allocated to the Strategy Implementation Committee in the Strategy and ensuring implementation occurs
- > Monitoring and reporting progress against milestones
- > Over viewing the management of the risks identified in implementation
- > Reviewing and recommending adjustments to the Strategy
- > Identifying and resolving any consultation inconsistencies between the Strategy and subsequent public consultation processes of the partner councils
- > Facilitating consultation with the community
- > Establishing the Strategic Partners Forum

- > Selecting and appointing an Independent Chairman, appointing a Strategy Implementation Advisor after considering recommendations from the Chief Executives Advisory Group
- > Implementing a Memorandum of Understanding as adopted by the Committee to provide a basis for developing working relationships and the resolution of any conflict

1.2 Membership

- > That representation be comprised of three representatives as appointed by the contributing authorities, including the Mayors and Regional Council Chairman, and a Tangata Whenua representative.
- > That an Independent Chairman (non elected member), to be appointed by the Committee, chair the Committee on the recommendation of the Mayors and Regional Chair.
- > That the standing membership be limited to 14 members (including Independent Chair), but with the power to co-opt up to a maximum of two additional non-voting members from the Strategic Partner Forum where required to ensure effective UDS implementation.

1.3 Purpose

The role of the Strategy Implementation Committee is to:

- > Ensure that the statements of intent of council owned companies are aligned to reflect the strategic directions and outcomes of the Strategy.
- > Oversee the implementation of the Strategy, in particular the actions for the next 3 years.
- > Take responsibility for progressing those actions specifically allocated to the "UDS Implementation Committee" in the Strategy and making sure the implementation does occur. The challenges here should not be underestimated. It involves in many situations, a different way of working and not just doing one's own thing.
- > Monitor progress against milestones.

- > Review and adjust the Strategy if circumstances change.
- > Identify and resolve any consultation inconsistencies between the Strategy and subsequent public consultation processes of the partner councils.
- > Implement actions through partner council policy instruments such as the proposed changes to the Regional Policy Statement (Area), Regional and District Plans, LTCCPs, Triennial agreements, the RLTS Review (area) and partnerships between local government and other bodies such as health and education service providers.
- > Co-ordinate actions across the implementation agencies as needed to avoid inconsistencies Partner councils should align with the Strategy, unless aspects are re-negotiated and agreed through the UDSIC.

1.4 Committee Characteristics

- > Monthly meetings for 18 months then bimonthly
- > Serviced by a partner Council to be recommended by Chief Executives Advisory Group
- > Formal committee under Local Government Act 2002, (Section 30 Schedule 7).

1.5 Focus and Approaches

- > Update the UDS Implementation Plan every third year as a basis for detailed growth management through agency plans (preceding the LTCCP).
- > Inevitably there will be changes in the operating climate for growth management. This could include changed partner Council priorities or government policy changes.
- > For the implementation of all actions, develop appropriate methods and processes for community engagement that take into account the principles of collaboration, and of developing awareness and understanding of issues as a foundation for agreement, commitment and action.
- > Translate into each action the continuing high levels of community awareness of growth management issues generated from the Strategy. This reflects the importance of community engagement in Strategy implementation. It helps enable the needs of special interest groups, such as elders and disabled, to be taken into account in Actions.
- > Establish protocols to ensure that implementation of Strategy actions are consistent with the agreed Communications Strategy.
- > Individual actions should all contribute to the wider aims of the Strategy and not detract from key principles of communication and collaboration e.g. consistent use of branding.
- > As sufficient powers of delegation to facilitate the Strategy, provide advice to the partner councils and other implementation agencies, sponsor a monitoring and review framework and focus on implementation within a wider Greater Christchurch settlement pattern.
- > The UDSIC has to have sufficient powers and vision to operate in a growth management leadership and advocacy role.