WAIMAKARIRI DISTRICT COUNCIL

LAND USE RECOVERY PLAN

ACTION: 26 & 28
PRECINCT PLANS

COMMENTS

October 2014
<table>
<thead>
<tr>
<th>Comment Number</th>
<th>Name</th>
<th>Contact</th>
</tr>
</thead>
</table>
| 1              | Asga Investments Limited  
C/- Anthony Harper Lawyers  
PO Box 2646  
CHRISTCHURCH 8140  
Attention: Gerard Cleary | Phone: 03 379 0920  
Email: gerard.cleary@ah.co.nz |
| 2              | Brandts-Giesen McCormick lawyers  
PO Box 306  
&  
Rangiora 7440  
Attention: John Brandts-Giesen | Phone: 313 4010  
Email: johnbg@bgmlawyers.co.nz |
| 3              | PD & LW Brydon  
C/- Rangiora Glass and Mirror  
27 Edward Street  
RANGIORA 7400 | Phone: 313 8248  
Email: lwbrydon@gmail.com |
| 4              | Canterbury Regional Council  
PO Box 345  
CHRISTCHURCH 8140  
Attention: Michael Rachlin | Phone: 027 549 7643  
Email: michael.rachlin@ecan.govt.nz |
| 5              | Herron Properties  
11 Seddon Street  
RANGIORA 7400  
Attention: Ainslie Herron | Phone: 313 9949  
Email: chrisher@win.co.nz |
| 6              | Murray Irvine  
PO Box 80036  
CHRISTCHURCH 8440 | Phone: 0274 327 301  
Email: mgirvine@actrix.co.nz |
| 7              | Mary John Family Trust  
C/- Pru Steven QC  
Canterbury Chambers  
PO Box 9344  
CHRISTCHURCH 8149 | Phone: 03 343 9835  
Email: pru@prusteven.co.nz |
| 8              | Janine & Martin Pinkham  
70 Adderley Terrace  
RD 1  
KAIAPOI 7691 | Phone: 03 327 4535  
Mobile: 021 548 751  
Email: martin.pinkham@ihug.co.nz |
| 9              | Whalan and Partners Ltd (Bayleys)  
PO Box 142  
RANGIORA 7440  
Attention: Richard Peter | Phone: 03 311 8020  
Email: richard.peter@bayleys.co.nz |
| 10             | Williams McKenzie Lawyers  
PO Box 46  
RANGIORA 7440  
Attention: Ron Williams & Tania McKenzie | Phone: 03 313 7086  
Email: tania@williamsmckenzie.co.nz |
| 11             | The Main Trust - Helen Clayden  
C/- Adderley Head  
PO Box 16  
CHRISTCHURCH 8140  
Attention: Chris Fowler | Phone: 03 353 0231  
Email: Chris.Fowler@adderleyhead.co.nz |
COMMENT ON RANGIORA NORTH OF HIGH STREET REDEVELOPMENT PLAN

TO: Waimakariri District Council

BY EMAIL: Planning@wmm.govt.nz

1 This is a comment on the Rangiora North of High Street Redevelopment Plan ("the Precinct Plan") by Asga Investments Limited (Asga). Asga holds an ongoing leasehold interest in 13 Blake Street, Rangiora, which is operated in conjunction with its FloorPride business at 166 High Street, Rangiora.

2 ASGA does not support the Precinct Plan in its current form. Asga’s opposition is based on the following reasons:
   (a) The Precinct Plan is not necessary;
   (b) The proposal fails to take into account the impact on affected occupiers/leaseholders such as Asga;
   (c) The proposal is inconsistent with the Rangiora Town Centre Strategy; and
   (d) Inadequate consultation.

Necessity of Precinct Plan

3 The area covered by the proposed Precinct Plan is zoned Business 1 under the Waimakariri District Plan. The Business 1 zoning is sufficiently enabling of development such as that contemplated in the Precinct Plan and, accordingly, there is no need for a Precinct Plan to be developed or approved.

4 Asga notes the following statement at page 2 of the Precinct Plan:

   "...a comprehensive approach to redevelopment across adjoining private sites and public space is desirable"

5 A much higher test than mere desirability is required under the Canterbury Earthquake Recovery Act 2011 before an action such as the Precinct Plan can properly be justified. This is even more so where, as is the case here, the Council states that it can request the Minister for Canterbury Earthquake Recovery to intervene to overcome barriers to implementing the Precinct Plan. It is not explicitly stated what form requested intervention might take, however it is reasonable to assume it could include the punitive power to compulsorily purchase freehold or leasehold interests in affected properties.

Impact on Asga’s Floor Pride Business

6 The Precinct Plan contains no analysis whatsoever of the impact on existing leaseholders of properties included within the Plan. In Asga’s case, the ability to be able to continue to operate from 13 Blake Street is critical to the ongoing viability of the FloorPride business at 166 High Street. If development proceeds in accordance with the Precinct Plan, 13 Blake Street will necessarily be demolished and the FloorPride business will inevitably suffer.
Rangiora Town Centre Strategy

7 The Precinct Plan represents a significant intensification of the North of High Street Area in comparison to what was contemplated in the 2010 Rangiora Town Centre Strategy. More specifically, the designs included within the Strategy did not involve the demolition of 13 Blake Street.

Inadequate Consultation

8 At page 3 of the Precinct Plan, it is stated that: "...the Precinct Plan follows significant community engagement and expert advice input to date."

9 Reference is then made to the Town Centre Strategy, which as noted above is significantly more modest in ambition than the Precinct Plan. Further, mention is made of discussions between the Council and a group of property owners. In respect of the latter, it is stated that five meetings were held during 2012 to discuss redevelopment options and opportunities and that: ... Expert economic and property advice was sought and presented to the group"

10 There is no evidence of any consultation with affected leaseholders such as ASGA. Further, it is clear from the above that there is a range of material relevant to the Precinct Plan which has not been made available to the public. Absent this information, it is impossible for members of the public to make fully informed comment on the Precinct Plan. The current process for making comments on the Precinct Plan does not therefore meet the required standard for consultation.

[Signature]

17-10-2014

Date

Asga Investments Limited
C/- Anthony Harper Lawyers
PO Box 2646
Christchurch
Phone: 03 379 0920, Fax: 03 366 9277
Contact person: Gerard Cleary Gerard.cleary@ah.co.nz

Contact: Gerard Cleary +64 3 364 3809 gerard.cleary@ah.co.nz
Our reference: GIC-141076-5-23-v1
7 October 2014

Senior Planner
Waimakiriri District Council
Private Bag 1005
RANGIORA 7440

Attention: Trevor Ellis

Dear Sir

WAIMAKIRIRI DISTRICT PLAN:
LAND USE RECOVERY PLAN (LURP) – ACTIONS 26 AND 28

Because of prior commitments, I will be unable to attend the proposed meetings as set out in your letter to me of 19 September 2014.

However, I wish to draw your attention to the following:

1. The Business 1 Zone should not be limited to the area between Ashley Street and King Street, Blackett Street and Queen Street. The Business 1 Zone should include the area to the east of Ashley Street up to East Belt and including the law office and adjacent buildings and the mechanics workshop on Kippenberger Avenue and the Locksmith opposite at the corner of East Belt and Kippenberger Avenue.

2. The high standards being set for central High Street should also apply to the area east of Ashley/Ivory Street as that is very much a part of the business district of Rangiora and is in grave danger of becoming a miniature version of Southbrook or of some tenth rate Californian town.

3. As part of its recovery from the earthquake, Rangiora is growing exponentially and a larger and more cohesive central business district needs to be defined and developed in a comprehensive precinct based redevelopment plan.

4. Your stated attempts to do this only, or at least principally, in the Blake Street, Good Street, Durham Street area shows both a lack of vision of what could be developed and a lack of understanding of the need for a larger central business district.

5. Unlike Kalapoli, Rangiora has no natural outstanding features like a river. It must therefore create its own ambience and the present regulations do not encourage that to be implemented in any positive way.

Committed to Excellence in a Friendly Environment

All areas of general practice including: Accident Compensation, Arbitration & Mediation, Employment, Family Law, Medical Legal, Partnerships, Estate Planning, Residential & Rural Property, Wills & Trusts. Representation in all Courts & Tribunals. Consultations available at our office, your home or workplace.

Appointments at weekends or other hours by arrangement.
6. Leaving aside the Artisan, the buildings between the railway line and East Belt are simply ugly concrete structures painted in garish corporate colours.

Council has a real opportunity to lead the way in creating an enlarged town centre which will attract people to shop and to enjoy themselves.

Yours faithfully
BRANDTS-GIESEN McCORMICK
Per:

John Brandts-Giesen
Partner

Email: johnbg@bgmlawyers.co.nz

JBG / lrwdc re land use / taw
24 October 2014

Mr Trevor Ellis
Senior Planner - Policy
Waimakariri District Council
Private Bag 1005
RANGIORA 7440

By email: planning@wmk.govt.nz

Dear Sir

We refer to your letter of 19 September 2014 concerning the Waimakariri District Plan Land Use Recovery Plan – Actions 26 and 28

You will note that I wrote to you on 7 October but have since been approached by a client concerning Blake Street.

That client wishes to be anonymous at this stage but owns nearby property.

There is concern that the proposed buildings along the laneway between High Street and Blake Street, and particularly the buildings which face Blake Street, are to be as high as three storeys. Bearing in mind that the frontage along Blake Street will be facing north, a heavy shadow will be cast across the southern side of the buildings, and this will be particularly disadvantageous during the winter months. The land beyond the southern and eastern sides of those buildings will be adversely affected.

It seems to our client (and we agree) that three storey buildings in Rangiora are at this stage quite unnecessary as there is to be a large development on the western side of Durham Street. There is also the resource of plenty of appropriately zoned land on the northern side of Blake Street to allow for two, rather than three or more, storey development.

We ask that this submission be accepted as a late submission for the consideration of those who are planning the next stage of Rangiora’s future.

Yours faithfully
BRANDTS-GEISEN McCORMICK
Per:

John Brands-Giesen
Partner

Email: johnbg@bgmlawyers.co.nz

7027.1 / lr wdc / taw
Copy: Client

Committed to Excellence in a Friendly Environment

All areas of general practice including: Accident Compensation, Arbitration & Mediation, Employment, Family Law, Medico Legal, Partnerships, Estate Planning, Residential & Rural Property, Wills & Trusts. Representation in all Courts & Tribunals. Consultations available at our office, your home or workplace. Appointments at weekends or after hours by arrangement.
WAIMAKARIRI DISTRICT COUNCIL
COMMENTS FORM: Land Use Recovery Plan (LURP)

Action 12: Community Facilities,
Action 21: Kaiapoi Maori Reserve 673,
Actions 26 and 38: Key Activity Centres and Comprehensive Redevelopment Plans

Comments on the responses to the above actions are invited until 5pm, 17 October 2014.

1. Contact Details:
   Name: PD & LW Byron
   Address: c/o 27 Edward Street, Rangiora
   Postal Address (if different):
   Phone Number: 3138248
   Email: 

2. I WOULD LIKE TO MAKE THE FOLLOWING COMMENTS:
   (add extra pages if required)

Re: Proposed Car Parking Building between High and Blake Street
Actions 26 + 28

Given Rangiora's expected growth rate in the future years, providing only additional
70 car parks in this area to be only a short term solution.

A proposed 12 metre high car park situated in the middle of this area will resist
movement out onto Blackett and Blake Streets and over onto Van Til's proposed
development in the years ahead. We believe there should be more time and thought
put in planning of this proposed area, beyond Conways and Lambert buildings.

A three story building will obviously devalue all surrounding properties along
Durham and Blake Street with shading and the inconvenience of traffic flow,
along with its appearance.
COMMENTS ON LAND USE RECOVERY PLAN ACTIONS 12, 21, 26 and 28

TO: Waimakariri District Council

NAME OF ORGANISATION: Canterbury Regional Council

Thank you for consulting the Canterbury Regional Council on proposed changes to the Waimakariri District Plan under LURP Actions 12, 21, 26 and 28 of the Land Use Recovery Plan. The Canterbury Regional Council would offer the following comments:

1. LURP ACTION 12 (COMMUNITY FACILITIES WITHIN KEY ACTIVITY CENTRES):

The Canterbury Regional Council notes that no changes to the district plan are required to implement this Action.

2. LURP ACTION 21 (METHODS TO GIVE EFFECT TO THE OBJECTIVES AND POLICIES FOR MAORI RESERVE 873):

The Canterbury Regional Council supports the changes to the district plan under this action. They provide for the use, development and protection of MR873, and recognise the historic and cultural significance of MR873 to Ngai Tuahuriri. The Canterbury Regional Council considers that the provisions achieve an appropriate balance of enabling development within MR873 whilst avoiding, mitigating and remediying adverse environmental effects. It is also important that the scale of development enabled within MR873 is consistent with the objectives of Chapter 6 to the Canterbury Regional Policy Statement to provide for a consolidated urban form. The Canterbury Regional Council also notes and supports the requirements that development avoids high hazard flood areas, is required to connect to reticulated drinking water, waste water and stormwater networks, and provides for the enhancement of the Cam River corridor.

It is, however, recommended that the changes shown on attachment 1 are made to the proposed Rules. These amendments would aid plan administration and help remove ambiguities in the current wording of the Rules.

The Canterbury Regional Council considers that the changes to the district plan will appropriately implement the objectives and policies for Maori Reserve 873 introduced into the Waimakariri District Plan by the Land Use Recovery Plan, and will give effect to Chapters 5 and 6 of the Canterbury Regional Policy Statement.

3. LURP ACTION 26 (ZONING TO DEFINE KEY ACTIVITY CENTRES):

The Canterbury Regional Council supports the changes to the district plan under this action to define the Key Activity Centres at Kaliapo and Rangiora. These changes help give effect to Chapter 6 of the Canterbury Regional Policy Statement.
The Canterbury Regional Council notes, however, that further amendments to the business zone provisions of the district plan may be necessary to ensure that Key Activity Centres remain the focal points for employment, community activities and the transport network as provided for in Chapter 6 to the Canterbury Regional Policy Statement. This includes introducing appropriate definitions into the district plan (see Canterbury Regional Council’s comments on LURP Action 25, dated 21st February 2014) and reviewing the Business 2 zone provisions. It is understood that Waimakariri District Council is currently undertaking a review of these provisions as part of their rolling review of the district plan.

4. LURP ACTION 28 (Comprehensive precinct-based plans for Kairapoi and Rangiora town centres):

The Canterbury Regional Council supports the introduction of an Outline Development Plan to guide development and subdivision in Rangiora town centre. The ODP together with the other changes proposed to the district plan under this Action, would promote intensification of activities and mixed-use development in the town centre. These changes support the role of Rangiora town centre as a Key Activity Centre.

Brett Aldridge
Regional Planning Manager
(Authorised under delegated authority from the Canterbury Regional Council)

Date: 17th October 2014

Canterbury Regional Council
PO Box 345, Christchurch 8140

Phone: 0275497643
Fax: 03 365 3194
Contact Person: Michael Rachlin, Principal Planner
Email: michael.rachlin@ecan.govt.nz
Attachment 1 to Canterbury Regional Council's Comments on LURP Action 21

23.1.1.18 Where a site or sites within Kaiapoi Maori Reserve 873 shown on District Plan Map 176A is developed for cluster housing under Rule 31.30.1, stock shall be excluded from entering any adjoining watercourse and the watercourse shall be ecologically enhanced in accordance with the Kaiapoi Maori Reserve 873 Watercourse Enhancement Guide.

31.29.1 In the Rural Zone, within Kaiapoi Maori Reserve 873, shown on District Plan map XXX within the Rural Zone any dwellinghouse on a site which has an area less than 4 ha shall:

a. Be on a site held on a separate Certificate of Title existing at (insert date that provisions are inserted into the District Plan);

b. Not be located within the 0.2% Annual Exceedance Probability flood event area;

c. Connect to a reticulated potable water supply and sewage disposal utility; and

d. It shall be located on a site where it is demonstrated that one or more of the owners of the site is a descendant of an original grantee of land within Kaiapoi Maori Reserve 873 as set out in the Crown Grant Act of 1873

The Canterbury Regional Council would also recommend that Rules such as 31.29.1.1 and 31.30.1 are reviewed to ensure that they would efficiently and effectively implement the district plan policies in the way intended. The Canterbury Regional Council notes that these rules could be interpreted to achieve a greater number of dwellings per title than anticipated in the cluster housing provisions.
Good morning Heike and Trevor,

After reading the Transport Plan (thank you Trevor) it is my concern now that there will be public and Tenants cars from P/Plus Keir Buildings will also using your proposed service lane to Durham street as well as Articulated Trucks etc which will cause a REAL SAFETY problem exiting to Durham Street ,JUST THINK ABOUT THAT SITUATION ,a situation which is throught with danger to pedestrians young and elderly plus traffic complications on Durham Street will be a real issue i there for respectfully suggest you consider FIGURE 7.9 of the plan.

Therefore we will not be supporting your proposed plan through our property ,it is a call we are not prepared to make because of Safety Concerns which will happen in Durham Street , if Council want to use LRC that is their choice.they can have the responsibility.

Now you know our situation you may if you wish to cancel our meeting for tomorrow ,as you are busy people and we don’t want to waste your time,please advise if you prefer not to come.

Kind regards ,
Ainslie ,
For Herron Properties.
Hi,
My name is Murray Irvine and I along with my wife are the owners of 140-146 High Street Rangiora as well as 1 and 3 Good Street Rangiora.
Our Mail address is P O Box 80036 Riccarton Christchurch 8440
My phone number is 0274327301 and best email is this one mgirvine@actrix.co.nz

I would like to make the following comments:

We strongly disagree to the buildings depicted in green (D) and the car parking building in red (C). These additional buildings (some two story) will create much shade and also act as a wind tunnel along your proposed new one way street.

Also the proposed new street must not be one way as it services the retail area including the Super Market with big trucks.
There does not appear to be any real open space area with sun where people can sit and enjoy the coffee and atmosphere without being surrounded by big buildings and wind tunnels.
Currently people really enjoy the space and quite atmosphere in the Good Street area away from wind and traffic.

We like the concept of the yellow area (A) but question the height and bulk of the buildings shadowing the laneway. A good example is the old Hereford street which saw next to no sun all day.

Please get it right and move forward with patience.

Kind Regards

Murray Irvine  AREINZ
Manager / Director
RE/MAX Initial Realty (Licensed Agent REAA 2008)
P: 03 358 7469  M: 027 432 7301
www.remax.co.nz
TO: Waimakariri District Council  
Rangiora  
By email: planning@wmk.govt.nz

Submitter: Mary John Family Trust (Judith and Bill Manson) ("the Submitter")  
C/- Pru Steven QC  
Canterbury Chambers  
PO Box 9344  
Christchurch  
Phone: (03) 343 9835  
Email: pru@prusteven.co.nz

SUBMISSION:

Background

1 The Submitter is the owner of two commercial properties included within the North of High Street Concept Plan (NHSCP) prepared by the Council, more particularly located at 6 and 8 Durham Street. Number 6 Durham Street contains a building presently occupied by commercial tenants (being Williams McKenzie, a law firm, and Bayleys, a real estate agency). Number 8 Durham Street is presently occupied by Saunders Robinson Brown, a law firm, and the New Zealand Fire Service.

2 Neither of the two buildings were affected by the earthquakes. The buildings will remain for the foreseeable future. Each have been surveyed and have a seismic capacity up to 86% of the building code with the ability for further strengthening to achieve 100% of code (on a reasonably cost-effective basis).

3 The current tenants occupy buildings under a lease with rights of renewal, next due to be exercised February and April 2016.

4 Each of the commercial buildings were constructed under the former District Plan as a permitted activity, and provide complying carparking spaces, all of which are leased to the tenants under the current leases. For 6 Durham Street these carparks are on the north side which is the land targeted for the new access way. For 8 Durham Street they are at the rear of the property.

Impact of NHSCP

5 The NHSCP shows a proposed right of way or access lane off Durham Street across a strip of land situated at 6 Durham Street, between the two commercial buildings owned by the Submitter, comprising all of the parking spaces utilised by its tenants in 6 Durham Street under their respective leases. If this land is taken for roading purposes, the Submitter’s land will be left with no on-site carparking spaces at
6 Durham Street and possibly reduced parking at 8 Durham Street on the south east corner (see diagram on page 19 of the Abley report).

6 Under simultaneous amendments proposed to the District Plan rules, activities within defined areas in the NHSCP (namely subareas A to D) shall only be provided with carparking spaces in a public carpark building to be located within subarea C. Subarea C identifies an area of land proposed to contain a new carpark building.

7 The Submitter’s land is not contained within subareas A to D of the Rangiora Central Outline Development Plan area. All other areas within the NHSCP, including the Submitter’s land, must provide on-site carparking in accordance with the existing District Plan Rules. The proposed rules to implement the NHSCP, will leave the Submitter in the situation of having no access to carparking to serve its existing commercial activities, either on their own respective site or elsewhere within the precinct area. Activities on the Submitter’s site will be left in a situation of not being able to comply with rules in the District Plan.

8 The Submitter is thus opposed to the provision made for the right of way/access lane over its property, as it will have a significant detrimental impact on the value of its properties. It will also have a significant impact on the tenants of 6 Durham Street, each of whom separately oppose the NHSCP. The tenants rely on the availability of on-site carparking in the conduct of their day to day business activities, and would be significantly inconvenienced by a lack of carparking, to an extent that the leases would not likely be renewed when they come up for a renewal in 2016.

Effects Not Assessed

Loss of Carparking

9 The transportation assessment undertaken by Abley to address the traffic related issues associated with the development of the plan fails to address the effects of the proposed right of way/access lane over the Submitter’s property, and in particular the effects of losing the carparking spaces on the Submitter’s land.

10 The only discussion on this aspect is contained in paragraphs 7.8 to 7.11, although here there appears to be some confusion as to the ownership of land used for carparking purposes that is potentially affected by the new right of way connection to Durham Street.

11 This is evident in paragraph 7.9, where Abley refers to an approved resource consent for 206 and 210 High Street, which makes specific provision for carparking in an area shown on the Rangiora Central Outline Development Plan area as being denoted for the Blake Street/Durham Street right of way linkages, and further in paragraph 7.10, where the writer goes on to express the view that the Council may need to consider entering into negotiations with the owners of the High Street properties regarding a potential swap of the area designated for parking with other parking in or near the precinct.

12 The assessment fails to note here that a section of this right of way involves land at 6 Durham Street owned by the Submitter, who is separately affected. Impacts are not limited to the owners of the High Street land. Regardless, the Submitter is not interested in negotiating with the Council over the availability of alternative carparks in or near the precinct area, as any alternative arrangement will not be as convenient or attractive to existing or future tenants, and nor can there be any certainty that replacement carparks would be available in perpetuity (at no cost to the Submitter).
Safety Issues

13 The Submitter is also opposed to the provision of the access lane on the basis that there are likely to be safety issues associated with the use of the right of way/access lane that have not been assessed in the transportation assessment undertaken by Abley. Their assessment notes that the right of way/access lane will only be required if servicing of activities within the precinct area involves articulated trucks as opposed to medium rigid vehicles, which would not necessitate that connectivity, although there is no consideration of the safety issues associated with articulated trucks using this service lane.

14 The buildings on the Submitter’s property are located on or close to the Durham Street frontage, either side of the proposed service lane, and visibility is likely to be limited for trucks entering and exiting the site. Conflict with pedestrians, including visitors to the tenants of the buildings on each of the Submitter’s properties, is a concern that has not been assessed (inter alia).

15 The Abley assessment does not discuss whether the access lane is intended to serve only heavy vehicles, or whether it is to be shared with other users, i.e. pedestrians who use the service lane for leaving or accessing the new carpark building (for instance), and whether there would be safety issues arising if this were to occur.

Other Adverse Effects

16 Use of the proposed service lane between two commercial buildings will likely give rise to other adverse effects on the tenants, which in turn will detract from the value of the Submitter’s properties, such as noise (including reverse beeping), vibration, and general loss of amenity resulting from heavy vehicle movements in such close proximity to existing commercial activities, which have the potential to cause disruption to the day to day activities of the tenants.

Carparking Building

17 The Submitter is also opposed to the provision of a carpark building in the location shown within the Rangiora Central Outline Development Plan. There has been no assessment of the extent to which activities occurring within this land can be served by carparking outside of the concept plan area in a way that will lead to greater efficiencies, better utilisation of existing carpark areas outside of the precinct area, and a better urban design outcome. The Submitter considers that the provision of a carpark building on this site will lead to a poor urban design outcome, and will likely result in shading of adjoining properties, and wind tunnelling effects, none of which have been assessed in any urban design assessment.

Inconsistent with Proposed Policy Framework

18 From discussions with Council officers at the drop in session on Monday 13 October, the Submitter understands that the Council’s intention is to ensure that the activities situated within this precinct area are self-contained in the sense that carparking provided for within the area serves the activities within that same area, ignoring the possibility of solutions outside of the precinct area.

19 However, the precinct plan is to be informed by the objective, policies and rules required under Action 28 of the LURP, which in turn requires changes to the district plan “to the extent necessary to provide for the rebuilding of centres” including Rangiora. There is nothing in this direction to support Council’s approach.

20 Specific policies formulated by the Council under Action 28 require (inter alia) “integrating buildings, structures and public open space with surrounding sites and
buildings" and do not support the 'myopic' approach taken by the Council in the development of this precinct plan.1

21 The same policy also contemplates "limited ground level carparking within the precinct area" as opposed to a two or multi-storey carparking building,2 and accordingly the provision for a carpark building within the precinct plan is inconsistent with the policy framework it is intended to implement.

22 Finally, proposed Policy 12.1.1.10 is "to ensure development and use of the Central Outline Development Plan area achieves a high standard of urban design". The Submitter considers that the precinct plan will achieve a poor urban design outcome. There is no accompanying assessment to show how the proposed new carpark building would achieve a high standard of urban design given that it is likely to cause wind tunnelling and shading effects on surrounding properties.

23 The Submitter acknowledges that objectives and policies proposed by the Council are only in draft format at this stage, and are subject to further change, although at the very least the draft NHSCP prepared by the Council should be consistent with the policy framework it is intended to implement. The Submitter has no opposition to the objective and policies directed by Action 28, and its opposition is confined to the detail of the NHSCP.

24 The feedback that the Submitter has received from Council officers so far is that the issues raised by the Submitter would be further considered if the Minister approves the NHSCP when detailed plans are drawn up. Indications given to the Submitter are that the plan put out for public comment at this stage is only a "proposition". However, if the specific changes to the District Plan are approved by the Minister (in particular the change shown on new Planning Map 178), the proposed right of way over the Submitter's land will effectively become entrenched. The detail on the plan will thereafter bind the Council in the exercise of any powers under the RMA, in the sense that it will not be allowed to approve development inconsistent with it. If the implications of the proposed access lane over the Submitter's property have not been fully considered by the Council, it should not be included within any plan presented to the Minister.

25 Overall, the Submitter does not consider that the NHSCP have been shown to be necessary to provide for the rebuilding of the Rangiora Town Centre. The Submitter further considers that the proposed district plan changes are not consistent with the principles for recovery, as that term is defined under the CER Act, and nor do they achieve outcomes for the implementation of Action 26 of the LURP.

26 There may be benefit deriving to some landowners within the precinct area, and particularly those on High Street, either side of the new lane, although the NHSCP does not achieve an optimal solution overall, and will have a detrimental impact on some of the existing landowners, including the Submitter.

Amendments Sought

27 Accordingly, the Submitter seeks the deletion of the indication shown on proposed Rangiora Central Outline Development Plan comprised in Planning Map Page 178 for a vehicle loading and manoeuvring area over its property at 6 Durham Street, and it also seeks that the Council reconsider the desirability (from an urban design point of

---

1 See Policy 16.1.2.1
2 It is noted that the information supporting the concept plan does not say how many storeys the carpark building would comprise.
view) and appropriateness of making provision for a carpark building on Outline Development Plan subarea C.

Finally, the Submitter notes that the LURP action points prompting these changes requires engagement with landowners affected by the development plan areas and seeks that specific one-on-one consultation be undertaken beyond that contemplated by the public feedback process currently engaged in by the Submitter. That 'one-on-one' consultation should also include tenants of the Submitter's buildings.
LURP Action 28

It is with some pleasure that The Land Use Recovery Plan (LURP), gazetted by the Minister for Canterbury Earthquake Recovery on 6 December 2013, contained a number of actions that need to be completed and provided to the Minister by a specified dates.

It was even more pleasing to see that Action 28, reproduced below, recognised the need to redevelop the Kaiapoi and Rangiora town centres in a planned manner following the impacts of the 2010 and 2011 earthquakes.

**Action 28** enables the Waimakariri District Council to prepare and provide to the Minister for Canterbury Earthquake Recovery, by 6 December 2014, comprehensive precinct-based redevelopment plans, based on the adopted Town Centre Strategies for Kaiapoi and Rangiora to enable the recovery and rebuilding of the centres. A request by Waimakariri District Council may be made to the Minister for Canterbury Earthquake Recovery to use interventions under the CER Act to overcome barriers to addressing recovery and rebuilding issues that cannot be resolved through usual processes.

However, it is immensely disappointing to see the Waimakariri District Council has “kicked for touch” in relation to Kaiapoi, and is proposing not to take the opportunity that is available under LURP Action 28. The report of 16 September 2014 to the Resource Management and Regulation Committee notes:

3.9 With regard to the Kaiapoi town centre it is considered at present that the complexities of issues, particularly over fragmented land ownership and long, thin site configurations do not exist in Kaiapoi to the extent they are present at Rangiora. Given this the impediments to redevelopment are considered far less and development to date is proceeding in accordance with the direction set in the Council’s non-statutory Kaiapoi Town Centre Plan. As such it is considered no comprehensive redevelopment plan is required for Kaiapoi town centre, nor any intervention under Action 28 to support recovery at this time.

This proposed inaction has failed to recognise the following:

1. The Kaiapoi Town Centre Plan is very limited and focuses only on a relatively narrow area of land either side of Williams Street, an arterial road with the primary function of conveying large volumes of traffic.

2. The Kaiapoi Town Centre Plan is based on an outmoded concept of what the public wants in a Town Centre. The recent success of the Rolleston Town Centre Plan has highlighted that the needs of the public have changed in the last 50 years. The public have expectations of good pedestrian and cycle access, courtyards and pleasant surroundings, not sharing an area used by 15,000 to 20,000 vehicles per day.
3 The Kaiapoi Town Centre Plan is based on the concept that customers want to stop outside a specific shop, but this is extremely difficult on an arterial road used by 15,000 to 20,000 vehicles per day. There was an expectation that the Kaiapoi Town Centre would die once the Northern Motorway was constructed. In fact the opposite happened and now the Town Centre is being strangled due to the arterial road through it.

4 The Kaiapoi Town Centre Plan has failed to attract new significant businesses to the Town Centre due to high level of congestion on Williams Street, and no comprehensive precinct-based plan. The nationwide chains have specific requirements, and clearly do not find the current plan to have any appeal.

5 There are potential opportunities to incorporate red zoned land to create a modern, attractive Town Centre by utilising the provisions of the CER Act.

6 Current land ownership, including red zoned land, should not be an impediment to producing a long term Town Centre Plan, that provides certainty for all stakeholders.

While there is still some uncertainty over the future of the red zoned land it would be naïve not to recognise that red zoned land adjacent to the existing town centre can be remediated to be available for commercial use. The Kaiapoi New World and Kaiapoi Service Centres are examples of what can be achieved.

LURP Action 28 is an opportunity that should not be dismissed.

In summary, I am requesting that the recommendation to the Minister regarding LURP Action 28 includes the following:

- A request that the implementation of Action 28, in relation to Kaiapoi, be extended until 30 June 2015.

- A request that the future of the red zoned land, in the vicinity of the Kaiapoi Town, be considered in conjunction with LURP Action 28.

- A request that CERA undertake a design process similar to that used to develop the Christchurch City Blueprint Plan by 30 June 2015.

I would appreciate it if the Council would consider these matters when it collates the responses, prior to the Council reporting back to the Minister.

Thank you for your assistance.

Yours faithfully

M J Pinkham

Martin Pinkham
WAIMAKARIRI DISTRICT COUNCIL
COMMENTS FORM: Land Use Recovery Plan (LURP)

Action 12: Community Facilities,
Action 21: Kaiapoi Maori Reserve 873,
Actions 26 and 28: Key Activity Centres and Comprehensive Redevelopment Plans

Comments on the responses to the above actions are invited until 5pm, 17 October 2014.

1. Contact Details:

   Name: Whalan and Partners Ltd (Bayleys) - Richard Peter

   Address: 6 Durham Street, Rangiora

   Postal Address (if different): PO Box 142, Rangiora 7440

   Phone Number: 03 311 8020

   Email: richard.peter@bayleys.co.nz

2. I WOULD LIKE TO MAKE THE FOLLOWING COMMENTS:

   (add extra pages if required)

   Refer to attached page.
2. Comments re: Proposed Roadway at 6 Durham Street, Rangiora on behalf of Whalan and Partners Ltd (Bayleys).

- Bayleys Real Estate operate their business from 6 Durham Street, Rangiora, adjacent to the effected area of land. 22 people work from the office and we pay for three car parking spaces in the effected area. The provision of parking in the area is already restricted and I am concerned as to where we will be able to park in the future. The financial damage to the business has already been tested by temporary Paper Plus building on Durham Street blocking the visibility of our office from the street.
- I foresee a potential danger to pedestrians on Durham Street with the increased levels of traffic and particularly from larger delivery vehicles entering or leaving Durham Street from the proposed roadway.
- We often have the office windows open along the proposed roadway, traffic movement in this area would create noise and exhaust fumes making it very unpleasant and unhealthy for my staff members.
- Part of our daily business is meeting with clients and taking phone calls, this would be affected by the additional noise levels as the building is only single glazed.
- In support of the landlord he will be faced with a reduction of income from the loss of leasing the three parking spaces to Bayleys and more importantly the building will be a less desirable property in which to conduct business from.
- Should the proposed roadway go ahead I will be forced to look for alternative premises as I believe the proposal will be detrimental to the business and the wellbeing of my staff.

Richard Peter  
Sales Manager  
Whalan and Partners Ltd  
A Member of the Bayleys Realty Group
3. Please either address to:

Waimakariri District Council, Freepost 1667, Private Bag 1005, Rangiora 7440, or

Email to planning@wmk.govt.nz.

Please ensure that you state the Action your comments relate to.

If your comments relate to Action 21 (Kaiapoi Maori Reserve 873) and you wish to present your comments in person to a hearings panel, please ensure that full contact details are provided as set out on the comments form and the hearing options box is completed.

<table>
<thead>
<tr>
<th>Action 21(Kaiapoi Maori Reserve 873)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do you wish to present your comments to a hearings panel?</td>
</tr>
</tbody>
</table>
Good afternoon

Please find attached comments from Richard Peter of Bayleys relating to the proposed access road at 6 Durham Street, Rangiora.

Kind regards

Louise Ives
Listing Administrator

Bayleys Rangiora - A member of the Bayleys Realty Group
B +64 3 311 8923 | F +64 3 311 1444 | DDI +64 3 311 8666
Whalan and Partners Limited, Bayleys, Licensed under the REA Act 2008, 6 Durham St. P O Box 142, Rangiora, North Canterbury, New Zealand

---

CHAMPION CANTERBURY BUSINESS AWARDS 2014 GOLD SPONSOR
WAIMAKARIRI DISTRICT COUNCIL
COMMENTS FORM: Land Use Recovery Plan (LURP)

Action 12: Community Facilities,
Action 21: Kalapoi Maori Reserve 873,
Actions 26 and 38: Key Activity Centres and Comprehensive Redevelopment Plans

Comments on the responses to the above actions are invited until 5pm, 17 October 2014.

1. Contact Details:

Name: Williams McKenzie Lawyers - Ron Williams and Tania McKenzie

Address: 4 Durham Street, Rangiora 7400

Postal Address (if different): PO Box 46, Rangiora 7440

Phone Number: 03 313 7086

Email: tania@williamsimckenzie.co.nz

2. I WOULD LIKE TO MAKE THE FOLLOWING COMMENTS:
(add extra pages if required)

See attached.

[Signature]
3. Please either address to:

Waimakariri District Council, Freepost 1667, Private Bag 1005, Rangiora 7440, or

Email to planning@wmk.govt.nz.

Please ensure that you state the Action your comments relate to.

If your comments relate to Action 21 (Kaiapoi Maori Reserve 873) and you wish to present your comments in person to a hearings panel, please ensure that full contact details are provided as set out on the comments form and the hearing options box is completed.

Action 21 (Kaiapoi Maori Reserve 873)
Do you wish to present your comments to a hearings panel? Yes ☐ No ☐
We have been made aware by our Landlord, Bill and Judith Manson, that the Waimakariri District Council intends to recover the car park attached to our building as a road for trucks servicing the new retail development.

We are strongly opposed to the proposal and wish to be heard on this matter.

Our objections are as follows:

1. **Car Park**
   The car park provides parking for two partners and clients in addition to parking for the downstairs tenant, Bayleys Real Estate.

   The loss of those parks to our clients could affect our business as we have a number of clients who need parking close to our office for a variety of reasons; this includes but is not limited to the elderly and those with disabilities. As an aside although we have an upstairs office, we are able to service these clients in a downstairs office at Bayleys Real Estate.

2. **Safety**
   Durham Street is an extremely busy thoroughfare for pedestrian traffic. Having large trucks pulling out onto Durham Street raises issues of safety for pedestrians.

3. **Attractiveness of Building**
   The attractiveness of the building will be adversely affected by the existence of a road running immediately alongside it.

4. **Noise / Fumes**
   The five lawyers' offices all back onto the car park. If that becomes a road we will have issues with noise when trying to advise clients both in person and by telephone. It will affect our ability to carry out our core tasks.

   Our windows would all have to remain closed due to the noise from the trucks and exhaust fumes. Even having our windows permanently closed would still have a negative impact given the proximity of our offices to the road.

5. **Movement of Building**
   The trucks passing close to the building will cause the building to vibrate which is inappropriate in a post-earthquake environment.

6. **Value of Tenancy**
   The value of our tenancy is adversely impacted by the loss of car parks as well as the impact of the other issues raised above.
To: Waimakariri District Council
By email: audrey.benhbrook@wmk.govt.nz and trevor.ellis@wmk.govt.nz

Submitter: THE MAIN TRUST
C/- Adderley Trust,
PO Box 16, Christchurch 8140
Attention: Chris Fowler

Proposal: Proposed changes to the District Plan and Rangiora’s North of High Street Redevelopment Plan
COMMENTS ON PROPOSED CHANGES TO THE DISTRICT PLAN AND
RANGIORA’S NORTH OF HIGH STREET REDEVELOPMENT PLAN

Name of submitter

1 The submitter is The Main Trust (the submitter). This submitter owns the land at 3 Blake Street and 13 Blake Street contained in certificates of title CB33F/155, CB41A/721 and CB588/78 respectively (the submitter’s land).

Request for extension of time

2 This submission is lodged after the closing date for comments on the documents referred to below because for whatever reason the submitter did not receive notice of the proposed documents until after the comments period had closed.

3 This submission has been prepared on an urgent basis to meet the Council request that any comments from the submitter be lodged by close of business today. Accordingly this submission provides the submitter’s preliminary views on the proposed documents which may need to be supplemented by further material either before or at the hearing of comments scheduled for 7 November 2014.

4 The submitter seeks an extension of time to allow the filing of this late submission. The submitter also reserves its right to provide Council with more and better information about the concerns held by the submitter in respect of the documents proposed by the Council.

Proposal to which submission relates

5 This submission relate to the documents proposed by the Waimakariri District Council (the Council) to give effect to Actions 26 and 28 of the Land Use Recovery Plan (the LURP) that were publicly notified in September 2014, namely:

5.1 Proposed amendments to the Waimakariri District Plan (the district plan) to insert objective, policies, rules and outline development plan specifically regarding the land bounded by Good, Blake, Durham and High Streets (the plan changes), and

5.2 The document entitled to Rangiora’s North of High Street Redevelopment Plan (known as the precinct plan).

Detail of submission

6 The submitter’s land at 3 Blake Street and 13 Lake Street is occupied by commercial buildings which are fully occupied by tenants on long-term commercial leases (the submitter’s buildings). Rental from these buildings provide the submitter with regular and valuable income.
The submitter’s buildings have survived the Canterbury 2010/11 earthquakes and are in relatively good condition. The buildings were not significantly affected by the earthquakes and do not require further repair or redevelopment is a consequence of the earthquakes.

The submitter’s land at 3 Blake Street and 13 Blake Street is identified in the proposed ODP for Rangiora Central as plan sub area “D” and “C”. The same land is identified in the precinct plan at figure 3 as area “D” and “C”, which are identified in the precinct plan as being for the development of new commercial buildings and for retail and car parking building respectively.

The plan changes and the precinct plan disregard the current use of the submitter’s land and depict the submitter’s land as being amalgamated with adjacent land owned by the Council which would be used for new and quite different commercial development. To achieve this outcome the submitter’s buildings would need to be demolished and the submitter’s land would need to be amalgamated with adjacent land to create the necessary title configuration required to implement the redevelopment anticipated by these documents.

The precinct plan provides that where the Council cannot reach agreement for an amalgamation of sites necessary to implement the precinct plan, the Council may choose to make a request to the Minister for Earthquake Recovery to use interventions under the CER Act to overcome barriers to addressing recovery and rebuilding issues that cannot be resolved through usual processes.¹

It is considered that the submitter’s land is some of the most affected land by the plan changes and the precinct plan.

The submitter is opposed to the plan changes and the precinct plan for the reasons discussed below;

12.1 the submitter does not wish to change the use of the submitter’s land in the manner proposed by the plan changes and the precinct plan.

12.2 the submitter considers that any offer for purchase of the submitter’s land by the Council will not provide the submitter with fair value for the submitter’s land, particularly when compared with the current level of rental income received by the submitter in respect of its land.

12.3 the submitter considers that any intervention through acquisition by the Crown that might result from the exercise of the Minister for Earthquake Recovery’s (the Minister) powers under the Canterbury Earthquake Recovery Act 2011 will not provide adequate compensation to the submitter.

¹ Refer page 13 of the precinct plan
12.4 The submitter considers that the plan changes and precinct plan insofar as they relate to the submitter's land;

(a) are unnecessary to provide for the rebuilding of the Rangiora town centre to enable recovery and rebuilding following the Canterbury earthquakes,

(b) are intended to achieve a purpose which is beyond the scope of earthquake recovery and rebuilding,

(c) are designed to give effect to the Strategy developed for Rangiora town centre in 2010 which is a document that pre-dates the earthquakes,

(d) are intended to intensify and strengthen the Rangiora town centre, which is an objective that it is outside the purpose of the CER Act,

(e) are intended to identify opportunities for comprehensive redevelopment across a variety of public and privately owned properties, which is an objective that it is outside the purpose of the CER Act,

(f) are unwarranted and unnecessary because several of the affected properties, including the submitter's land, have not been materially affected by the Canterbury earthquakes.

(g) are inconsistent with Action 26 and Action 28 of the LURP.

12.5 The submitter considers that the plan changes and precinct plan propose a level of regulatory and other intervention that is significantly beyond the scope of what is required to enable the rebuilding and recovery of the Rangiora town centre following the Canterbury earthquakes.

12.6 The submitter further considers these documents would not survive a robust cost benefit analysis. In particular the costs and benefits of the proposed documents do not compare favourably with the costs and benefits of other methods available to the Council to give effect to Action 26 and Action 28 of the LURP.

Decision sought

13 The submitter requests:

13.1 That the proposed changes and the precinct plan be rejected and their entirety.

13.2 In the alternative, that the proposed changes and the precinct plan be amended to remove the submitter's land from these documents or otherwise altered to address the concerns raised by the submitter in this submission.
13.3 Any additional or consequential amendments, deletions, or additions that are necessary or appropriate to give effect to the intent of this submission.

Conclusion

14 The submitter does wish to be heard in support of this submission.

15 If others make a similar submission, the submitter will consider presenting a joint case with them at the hearing.

16 Thank you for the opportunity to submit on the plan changes and the precinct plan.

Dated 30th of October 2014

____________________
Chris Fowler
Counsel for and on behalf of
The Main Trust

Address for service:

C/- Adderley Head
15 Worcester Boulevard, Christchurch 8013
PO Box 16, Christchurch 8140

P +64 3 353 0231
F +64 3 353 1340

Contact person: Chris Fowler
E: chris.fowler@adderleyhead.co.nz