

**BEFORE THE CHRISTCHURCH REPLACEMENT DISTRICT PLAN
HEARINGS PANEL**

IN THE MATTER of the Resource Management Act 1991 and the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014

AND the Christchurch Replacement District Plan

SUBMITTER **CANTERBURY EARTHQUAKE RECOVERY AUTHORITY
FOR AND ON BEHALF OF THE CROWN**
(Submitter 495)

**MEMORANDUM OF COUNSEL FOR THE CROWN IN RESPONSE TO
QUESTIONS FROM THE HEARINGS PANEL REGARDING THE PROPOSED
NORTHERN ARTERIAL EXTENSION**

Dated: 2 July 2015

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MAY IT PLEASE THE HEARINGS PANEL:

1. This memorandum is filed on behalf of the Crown.
2. On 26 June 2015 the Christchurch City Council ("Council") resolved that funding for its part of the Northern Arterial "be removed from the Long Term Plan and be reconsidered as part of the 2016/17 Annual Plan".¹ During the Transport Proposal hearing the Hearings Panel raised concerns² as to the potential implications of the Council's decision on the evidence it had heard in the Residential and Commercial/Industrial hearings.
3. While the hearing for the notices of requirement and resource consents for the Northern Arterial project closed on 24 June 2015 a decision is yet to be released.
4. This memorandum provides the Crown's response to matters raised by the Hearings Panel and addresses:
 - (a) the implications (if any) on the evidence presented on behalf of the Crown during the Residential and Commercial/Industrial hearings;
 - (b) the planning framework, and other matters, of relevance to the Northern Arterial; and
 - (c) the latest update on behalf of the Crown in relation to its engagement with the Council on this matter.

Implications for evidence presented on behalf of the Crown

5. Counsel for the Crown has been in contact with all Crown witnesses for the Residential and Commercial/Industrial hearings.
6. The Crown's evidence for the Residential hearing did not specifically rely on the provision (or otherwise) of the Northern Arterial. Rather, it took a high level view of the issue of housing supply and intensification. However, consistent with the relevant planning documents,³ the Crown's evidence was predicated on the assumption that, to enable development capacity in general, investment in necessary infrastructure would occur. Increasing congestion along the Northern Arterial route may decrease the attractiveness of the development capacity

¹ See paragraph 7.5 of the Closing Legal Submissions for Christchurch City Council on the Transport (Part) Proposal, dated 2 July 2015, <http://www.chchplan.ihp.govt.nz/hearing/hearings/>.

² See pages 21-24, 37 and 85 of the Transcript of Hearing for Monday 29 June and pages 143-145 and 175 of the Transcript of Hearing for Tuesday 30 June; <http://www.chchplan.ihp.govt.nz/hearing/hearings/>.

³ Set out in Attachment A.

(greenfield, infill, brownfield, and redevelopment sites) serviced by the road. It may also enhance other development activity and potential elsewhere. Overall it is the intensification target, and achieving an appropriate level of intensification across Christchurch City as a whole, that was the focus of the Crown's evidence.⁴ From the Crown's perspective the implications of the Council's funding decision may be more relevant to various upcoming Stage 2 Proposals. For example, a number of areas included in the New Neighbourhood Zone in Stage 2 (such as Prestons and Highfield) are to the north of the City.

7. In terms of the Commercial/Industrial hearing, again the Crown's approach was at a high level. The Crown recognises that the Hearings Panel did hear from other parties in respect of site specific matters that may be affected (both positively and negatively) by the Council's decision.⁵
8. Overall, in terms of the evidence presented to the Hearings Panel by the Crown during the above two hearings, the Crown's position is that its evidence remains unchanged.

Relevant planning and other matters

9. Counsel for the Crown provides, in Attachment A, a summary of the relevant planning documents and other relevant matters for the Hearings Panel that may assist it in considering its response to the Council's decision.⁶

Latest position as to discussions between the NZTA and the Council

10. The current position is still as Mr Richards on behalf of the New Zealand Transport Agency ("NZTA") explained to the Hearings Panel during the Transport Proposal hearing on 29 June 2015. The NZTA's Regional Director has met with Councillors Clearwater and Cotter and a meeting has been organised for senior staff of the NZTA and the Council next Monday to discuss possible ways forward.
11. Finally, for completeness, on 30 June 2015 the NZTA released the National Land Transport Programme 2015-2018⁷ which includes NZTA's share of the funding for the Northern Arterial Extension project. This is consistent with Mr Richards'

⁴ The evidence of Mr Schellekens on behalf of the Crown (<http://www.chchplan.ihp.govt.nz/hearing/chapter-14-residential/>) at paragraphs 10.3-10.9 refers to available capacity in Waimakariri District when determining his intensification target. Mr Schellekens' evidence, including as to the intensification target, is at a high level (paragraph 3.4 of his evidence). Mr Schellekens does not consider that the Council's decision affects the evidence he gave.

⁵ While the traffic implications of the Northern Arterial potentially not proceeding as planned does not alter the evidence presented by the Crown it may have resulted in the Crown giving greater consideration to those sites which were expected to benefit from the Northern Arterial.

⁶ This summary does not include the Infrastructure Strategy. As stated in paragraph 7.7 of the Council's closing submissions for the Transport Proposal (see footnote 1 above) the Northern Arterial remains part of the Infrastructure Strategy.

⁷ <http://www.nzta.govt.nz/planning/nltp-2015-2018/>.

evidence during the Transport Proposal hearing that the project is "still on our books".⁸

Dated 2 July 2015



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⁸ At page 85 of the Transcript of Hearing for Monday 29 June 2015; <http://www.chchplan.ihp.govt.nz/hearing/hearings/>.

Attachment A - planning and other potentially relevant matters

1. The key planning documents, and their provisions, relating to the Northern Arterial (and its extension) are:
 - (a) the Canterbury Regional Policy Statement at a high level:
 - (i) Chapter 5, in particular:
 - (1) Issues 5.1.1, 5.1.2, 5.1.3 and 5.1.4 which are relevant to the efficient provision of infrastructure, its design and its integration with land use development;
 - (2) Objectives 5.2.1, 5.2.2 and 5.2.3 as far as they relate to the effective and efficient location, provision and integration of the transport network;
 - (3) Policies 5.3.1, 5.3.2, 5.3.7, 5.3.8 and 5.3.9 as far as they relate to the integration and co-ordination of development with the transport network;
 - (ii) Chapter 6, in particular:
 - (1) Issue 6.1.3 in relation to transport effectiveness and integration with development;
 - (2) Objectives 6.2.4 and 6.2.6 in relation to the integration of transport infrastructure with land use;
 - (3) Policies 6.3.1, 6.3.4, 6.3.5 in relation to transport effectiveness in enabling identified greenfield priority and key activity centre development and also optimising the timing of delivery of infrastructure and development (in particular in line with Map A);
 - (b) The Recovery Strategy for Greater Christchurch - Mahere Haumanutanga o Waitaha at a high level regarding Goals 2 and 5 as they relate to the integration of development and infrastructure and planning for a well-functioning Christchurch;
 - (c) the Land Use Recovery Plan - Te Mahere Whakahaumanu Tāone:
 - (i) at a high level, in particular:
 - (1) the goal of "developing a transport system that meets the changing needs of people and businesses and enables accessible, sustainable, affordable and safe travel choices";⁹

⁹ At page 11.

- (2) the outcome of "a clear planning framework [that] directs where and how new development should occur so that it integrates efficiently and effectively with infrastructure programmes ...;"¹⁰
 - (3) the integration of land use and infrastructure as set out in section 4.4 and Actions 32-36, in particular Action 36 and the Council supporting the implementation of various transport documents through its district plan review;
- (ii) at a detailed level:
- (1) it recognises the Northern Arterial upgrades as part of the Roads of National Significance Programme¹¹ and, notes the Roads of National Significance as being "critical" to the efficient and reliable road network;¹² and
 - (2) in Appendix 2 (which amended the Christchurch City District Plan):
 - A. Policy 11.7.5(d) in relation to stormwater;
 - B. various setback provisions in Rule 13.5.3; and
 - C. specific detailed condition precedent provisions for developments if construction of the Northern Arterial has not commenced in Rule 30.3.3;
- (d) Strategic Directions Objectives:
- (i) 3.3.7 in terms of "a well-integrated pattern of development and infrastructure ..."; and
 - (ii) 3.3.10 in terms of stimulating commercial and industrial activities;
2. The provisions of clauses (c), (d) and (e) of the Statement of Expectations are relevant to the provision of integrated transport and development.
3. The following land transport plans and development strategies are also relevant:
- (a) Canterbury Regional Land Transport Plan 2015 - 2025 which:
 - (i) states that: "land use change is still occurring as damaged houses are repaired, new ones are built and businesses continue to relocate. Major

¹⁰ At page 16.

¹¹ See the glossary.

¹² At section 4.4.3 - Support strategic transport networks and freight.

projects, such as the RONS programme, have accommodated some of this demand, but issues remain, particularly in the northern corridor";¹³

- (ii) states as Objective 1 a land transport network that addresses current and anticipated demand and as Objective 4 that the land transport network is resilient and supports long-term sustainability (including integration of transport infrastructure with land use and development patterns); and
- (iii) lists the Northern Arterial under Priority 2 "Finishing what we have started (existing commitments)";¹⁴

(b) the Greater Christchurch Transport Statement 2012:

- (i) the purpose of which includes to provide "an overarching framework to enable a consistent, integrated approach to planning, prioritising, implementing and managing the transport network and services in the Greater Christchurch area";¹⁵
- (ii) states that: "an efficient and reliable transport network into, out of and across Greater Christchurch is vitally important to the social, economic and environmental future of the city and South Island";¹⁶
- (iii) which recognises the northern access and growth areas and the integration of land-use activities with transport solutions; and
- (iv) which recognises "an important underlying challenge to the effectiveness of the Greater Christchurch Transport Statement relates to being able to fund the agreed direction and outcomes sought by the partners";¹⁷ and

(c) the Christchurch Transport Strategic Plan 2012 – 2042 states:

- (i) "Christchurch will have an efficient, integrated transport system offering accessible travel choices for everyone. The system will create vibrant commercial centres and thriving communities connected by a safe, resilient, affordable, healthy and sustainable transport network";¹⁸ and
- (ii) "The Government is investing in improvements to the state highways through the RoNS programme. This will improve the reliability of journey times by increasing the capacity and safety of State Highway 1, extending the southern

¹³ At page 14.

¹⁴ At page 23.

¹⁵ At page 3.

¹⁶ Ibid

¹⁷ At page 6.

¹⁸ At page 12.

motorway to the south west and building a new northern arterial road, offering relief to the busy Main North Road through Belfast. The Council is committed to enhancing the arterial connections to the state highways to complete the overall strategic network."

There will be a seamless planning, management and operation of the strategic road network between the Council, NZTA and UDS Partners through a one-network approach to network management." ¹⁹

4. Finally, the Greater Christchurch Urban Development Strategy 2007 is also of relevance. It is "a collaborative partnership between the Christchurch City Council, Environment Canterbury, the District Councils of Selwyn and Waimakariri, and the NZ Transport Agency, to manage growth and development in the Greater Christchurch area, including the location of future housing, development of social and retail activity centres, areas for new employment and integration with transport networks."

5. The UDS states:²⁰

"The key transport networks will be in place north and south of Christchurch so residential and employment growth is accommodated. In particular, the Southern Motorway will be in place between 2010 and 2013, provided funding indicated in the State Highway forecast is released, and the Northern arterial between 2013 and 2016."

6. The UDS lists as number 4, of its "top twenty priority actions":²¹

Develop integrated transport and land use programmes and patterns for the development of funded transport projects for the southwest (Christchurch & Rolleston Environs Transport Study - CRETS) and northern corridors to enhance strategic transport. ..."

7. In section 5.5.1 "Key Features of the Settlement Pattern the UDS states:²²

- (a) "Subject to agreed funding, anticipates construction of the northern arterial within 2013 - 2016;" and
- (b) "Promotes new city edge activity centres in the north at Belfast and in the south at Hornby/Halswell which meet the needs of residents within the city and the northern and southern corridors"

¹⁹ At page 27.

²⁰ At page 26

²¹ At page

²² At page 38.

8. In section 5.5.2 "Key Features: North" the UDS states:
 - (a) "Strategic road connections through Waimakariri into Christchurch City are improved, including a Woodend by-pass and northern arterial into Christchurch";²³ and
 - (b) North Christchurch is provided with new residential areas focused around Belfast, which forms the northern gateway into the City and a community services focal point. ...".²⁴
9. Table 4 of the UDS links development at East Belfast, Russley, South Halswell, West Belfast, West Halswell and Upper Styx with the Northern Arterial "timing to be confirmed".²⁵
10. In section 6.20 "Integrated Land Use, Infrastructure and Funding" the UDS states.²⁶

"While there is a challenge for water, wastewater and stormwater services, the biggest obstacle to be overcome is adequate transport infrastructure, in particular the Southern and Northern Motorways. Unless infrastructure is provided in a timely manner, there will be ongoing pressure on the existing smaller settlements beyond Christchurch City to accommodate a disproportionate share of growth. The situation may also give rise to a demand for additional new towns, such as Pegasus. However, in providing improved infrastructure, the Strategy will also need to manage the potential unintended consequences of a more efficient transport system causing dispersed growth."
11. In the key projects and timeframes section the UDS includes the Council's funding requirements for its part of the Northern Arterial.²⁷

²³ At page 40.

²⁴ Ibid.

²⁵ At page 44.

²⁶ At page 103.

²⁷ At page 170.