

Volume 1, Issue 1

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PLANNING
REVIEW***

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The cover features the
sculpture 'Ascent' which
is located in front of the
NRE Building at Lincoln
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Hamish Rennie
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EDITORIAL

Welcome to the first issue of *LUPR*! This is a new venture for our planning programme, a journal with input from students, staff and other contributors and primarily edited by students. *LUPR* is a journal of the *Lincoln University Planning Association (LUPA)* and is an online publication produced twice each year. It is also a *Land Environment and People Research Centre* (www.leap.ac.nz) outreach publication and operates through the Environmental Management and Planning Research Theme.

The ambitious vision is "to be the pre-eminent source of information on planning issues, research and education in and affecting the Central and upper South Island". The focus is on local 'things' that do not warrant the attention of a national audience (which is catered for through *Planning Quarterly*). These are issues that sometimes appear ephemerally in local media, but with more planning depth or with follow-up, might be of particular interest to planners, researchers, students and teachers. We will also share news and views, and in forthcoming issues we plan an 'agony aunt' column for planners and planning students.

We hope *LUPR* also

- keeps the community, high school teachers, students and professional planners informed of local or regional topical planning issues.
- enables researchers to share updates and results of their work, and professionals to exchange information and views of local or regional, rather than national, interest.
- helps planning students develop skills in professional communication.

LUPR will complement and facilitate the roles of the *Planning Quarterly* and the newsletters and work of the Canterbury-Westland Branch of the NZPI and the Lincoln University Planning Association. We are also keen to address issues of concern to mana whenua and encourage capacity building in planning among indigenous peoples generally.

This issue is illustrative of the type of material that can be expected in future issues – Lincoln University lecturer Te Marino Lenihan discusses the tricky issue of developing ancestral landscapes using Pegasus Township; MWH's Tim Cheesebrough comments on implementing

national transport strategies; and Master of Resource Studies' student Richard Budd sheds light on the priorities issues around Canterbury water; undergraduates Carissa Harris, Lisa Arnott, and Sarah Hunt summarise some ongoing topical local issues; first year student Kelly Fisher explains the change from the BEM to the BEMP degrees; news items profile new staff member Dr Suzanne Vallance and Michael Shone's award; in the Outreach section there is a suggestion for a secondary school Planning and Decision-making topic or for university student research and design; and we conclude with a report on the NZAIA conference held in Nelson written by Auckland-based consultant Stacey Faire.

This journal has been put together on a shoe string budget and heaps of voluntary time from students – it is primarily their journal and they have taken ownership of it. We have learnt a lot in putting out this first issue and it is all complicated by people haring off to jobs all round the place. I am incredibly grateful for their work, as editors, writers and publishers. We have a number of improvements in mind, but their enthusiasm bodes well for a long future for *LUPR*. Please send us your feedback to help us improve.

Hamish Rennie
Editor-in-Chief, LUPR

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Lincoln University Planning Review
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SUSANNE BECKEN (PHD)

DIRECTOR, LAND ENVIRONMENT AND PEOPLE RESEARCH CENTRE, LINCOLN UNIVERSITY

Applied research and extension services are an important part of Lincoln University's culture and the Land Environment and People Research Centre (LEaP) sees the publication of *LUPR* as bringing life to this Lincoln approach. The University was ranked No. 1 in the area of "architecture, design and planning" in the most recent Performance Based Research Fund assessment of all tertiary education providers in New Zealand and it offers the only professionally accredited undergraduate planning programme in the South Island. Environmental management and planning is

represented in several research themes in LEaP and we are pleased to facilitate the Lincoln University Planning Association in developing and promoting applied research and building connections between students, researchers and the wider community of professionals and people interested in planning. I expect *LUPR* will develop as a key means of communicating research findings of relevance to the planning field in the South Island and beyond over coming years. I hope you enjoy reading this issue as much as I did.

Susanne Becken

GINA SWEETMAN - EDITOR OF *PLANNING QUARTERLY*

It is with great pleasure that I have been asked to be involved in the first edition of the Lincoln University Planning Review. To me, the Review encompasses many of the key aspects of what it takes to be a good planner – to communicate well, to inform others of key issues and to learn and grow from considering other people's perspectives. I would encourage you all to become involved with the Review and use the opportunities that it provides for your future career development, not only through submitting articles but also simply by reading and learning from them.

One of the things I love about planning is that it is a profession where you are continually learning new things and being

challenged. And, if you ever get to the situation where you feel like you know it all, there's always another area of planning out there where you can start the learning process again. A lot of my own personal growth and learning has come through my involvement with *Planning Quarterly* over the span of my career to date – firstly as a reader, then as an author, editorial panel member and now as Editor. I look forward to reading this first issue, and future issues, and will be looking for articles for *Planning Quarterly* that will provide planners nationwide with new perspectives and ideas.

Gina Sweetman

Director, Sweetman Planning Services Ltd. MPlan, MNZPI Councillor, New Zealand Planning Institute

LINCOLN UNIVERSITY PLANNING ASSOCIATION

LUPA (Lincoln University Planning Association) is up and running in 2009. Previously run single-handedly by Clare Sargeant, she has passed the torch to a new group of students eager to make LUPA work for Lincoln University Students. In October 2008, the committee initiated the establishment of LUPA as an affiliated club of Lincoln University Students' Association in order to gain formal recognition.

LUPA's mission:

LUPA is to actively promote student interests in the study and practice of planning at Lincoln University and in the wider professional community, from enrolment to graduation, in order for

members to make well informed career choices and ensure maximum employment opportunity.

Some key objectives include building relationships, networking and representing Lincoln planning students' interests.

Membership is free and open to all students enrolled in both undergraduate and postgraduate programmes. Participation as committee members is also open to students at all levels and balanced representation is actively sought and encouraged.

Abbie Bull, LUPA Chairperson

DEVELOPING ANCESTRAL LANDSCAPES: THE INTERFACE BETWEEN DEVELOPERS AND TANGATA WHENUA

Te Marino Lenihan*

Oral histories¹ tell us that when the earliest forays of Ngai Tahu moved south into Te Wai Pounamu (the South Island), an encounter along the Kaikoura coastline left one of Tuahuriri's sons (Tu-rakau-tahi) gravely wounded. His men took him south to a Waitaha/Ngati Mamoe settlement which was known as Te Kohanga o Kaikai-a-Waro and which is where the Pegasus Town development is taking shape today. It was here that Tu-rakau-tahi was nursed back to health, and it was here where he and his relations ultimately chose to establish Ngai Tahu's foothold on the south island. Named Kaiapoi but known also as Te Paa o Tu-rakau-tahi, this came to be the centre for all corners of Ngai Tahu whanui to meet and trade, and in time it protected the largest pounamu (greenstone) industrial site in the country.

No doubt access and security were key considerations that led to Tu-rakau-tahi's decision to establish a paa within the expansive Canterbury wetlands. Not only did the deep water channels around Kaiapoi provide a 'moat' like protection, those waterways also provided access to key mahinga kai resources (e.g. Lakes Waihora/Ellesmere and Wairewa/Forsyth) and opened up inland pathways to the forest resources of the foothills (Te Hororoa) and over the Southern Alp passes to the rich deposits of pounamu on the west coast.

In short, Kaiapoi Paa is a principal landmark on this country's heritage landscape. In its prime, it became famed throughout the land for its pounamu industry, attracting the attentions of those who wished to trade as well as those who coveted its riches. Kaiapoi Paa eventually fell in the early 1830s at the hands of Te Rauparaha and his allies, and the resulting bloodshed from that slaughter rendered the landscape tapu. Local Maori have been particularly sensitive about the site ever since, therefore, which in turn led to significant ill feeling and opposition when it was proposed to develop it into Pegasus Town, a home for 5000-7000 new residents.

¹ It should be noted that there will always be various versions of historical events as there is always more than one side of a story to tell. The account given in this article is but one version of the establishment of Kaiapoi Paa as recalled by Teone Taare Tikao (*Tikao Talks: Traditions and tales told by Teone Taare Tikao to Herries Beattie, Reed 1939*) and recounted by Athol Anderson (*The Welcome of Strangers, University of Otago Press 1998*).

While that feeling still exists amongst many who were brought up with those values, the difficulties that previous Pegasus Town developers encountered have largely been recognised by the present developers (Infinity Investment Group Ltd and Brookfield Multiplex Ltd) working closely with local hapuu and iwi representatives (Te Runanga o Ngai Tuahuriri and Te Runanga o Ngai Tahu). The challenge has been how best to recognise and provide for the ancestral relationship that this landscape holds for local Maori, and the key factor in determining the solutions has been to 'cut a new path' in terms of establishing and maintaining a good working relationship between the parties. This has led to a number of processes and design elements that ultimately add value to the development and enrich the wider North Canterbury community. Together, representatives of Hapuu, Iwi and Developers have all taken the view that Maori heritage is a unique treasure of this country, and the more we recognize and celebrate it, the stronger we will be as a nation.

In navigating the myriad of issues presented by the development of a tribally significant ancestral landscape, it has helped to keep the 'big picture' in mind: that is to say, try always to see the wood from the trees. To that end it was important to have two things; a 'map' that set out a clear kaupapa (foundation, underlining philosophy or objective) which related to, and benefited, all parties involved in the relationship, and someone to steer the parties towards that goal. In the case of Pegasus Town, that kaupapa was the balanced protection and celebration of this landscape's natural and cultural heritage, and negotiations between the Developer and Iwi/Hapuu representatives led to the employment of a full time, dedicated cultural advisor/runanga liaison officer.

In terms of providing for that kaupapa, a number of initiatives were agreed to in ongoing discussions between the Developer and Runanga representatives. These include: the establishment of a paa harakeke (flax reservation) within a wider restored wetland environment; the development of a whare taonga (house of treasures) to celebrate the archaeological and cultural materials uncovered during the development; the restoration of historic

waterways that will in time hopefully provide a better habitat for mahinga kai to re-establish themselves; the preservation and celebration of key archaeological features (e.g. an ancient pa site); and on-site interpretation that incorporate contemporary as well as traditional forms (e.g. pou whenua/carved posts which tell particular stories and act as land markers).

To help provide for and maintain these initiatives, and in order to protect any known or unknown waahi tapu and/or waahi taonga uncovered during the development, it was important to put in place robust processes and protocols at the outset so that all parties were informed and comfortable with how best to respond or act in any given situation. For example, an Accidental Discovery Protocol was developed in order to proceed appropriately when koiwi/human remains were uncovered. Of most significance perhaps, has been the financing of a full time archaeological operation since July 2005 that has essentially cleared the way for the development to unfold. Whilst the thought of people digging up ancestral remains and artefacts does not generally find favour with our people, it has nevertheless helped uncover and conserve aspects of this land's heritage that may otherwise have been destroyed and lost forever pursuant to the development. Indeed, in recognition of the complexity and sensitivity of such a process, the Developers agreed to employ a number of Cultural Monitors to assist the Archaeologists in the field. Numbering as many as 12 at one stage, their role was not only to monitor earthworks and excavate archaeological sites, but they were also able to advise the Archaeologist immediately if any relevant tikanga/protocol needed to be followed or had been transgressed.

Buffer zones and conservation management areas were promoted and employed to protect areas of known significance, and mechanisms such as reserves and waahi tapu registrations through the Historic Places Trust are currently being considered. Restored wetlands and the highest standards of storm water treatment and disposal have been used to help enhance to local natural environment, as well as the enhancement of historic waterway systems and the development of new water features. Ongoing monitoring of such initiatives, management plans and appropriate management structures are also important tools to provide for the ongoing protection of these waahi tapu and wahi taonga into the future.

Key factors to the success of these relationships so far has been a combination of the following:

- Acting reasonably and fairly at all times
- Being clear where you stand and establishing a clear understanding with other parties
- Open and inclusive communication (be honest and consistent)
- Building relationships at all levels: Chief to Chief – Co-worker to Co-worker
- Robust Protocols & Support Structures
- Not picking winners or choosing sides, looking instead for shared benefit and 'win-win' outcomes
- Taking the time (where time is allowed) to work things out
- Seeing the wood from the trees

In conclusion, when looking to develop ancestral landscapes it is important to consider who initiates it and why? What are the costs and benefits? And, perhaps most importantly, what is the process that allows those affected by such decisions to participate in discussing these questions and owning the answers? Every situation will no doubt be different and will require its own solutions and answers. The experiences of Developers and local Maori associated with the Pegasus Town development can hopefully provide some light on the challenges and issues that arise from such projects, and perhaps even offer some pathways in terms of how to respond. One thing is for sure, however, and that is that development will always occur, for that is the nature of our human kind.

In terms of the development of New Zealand's future built heritage (cities, bridges, ports, public amenities, etc.), Maori values and interests now have more influence arguably than at any time since the signing of the Treaty of Waitangi, particularly in relation to ancestral landscapes which have tended to be built over and forgotten (c.f. Kaikanui Paa site in the modern day township of Kaiapoi). While this influence is not necessarily welcomed by developers for fear of the potential associated costs, it is hoped that examples like Pegasus Town can illustrate that mutual benefits can be achieved through such endeavours, and that practical and appropriate recognition and provision of our nation's pre-European heritage can actually

add value to such projects both economically and socially. The development of our future can not be driven by money alone. Rather, the long term viability of our nation will be built upon development in harmony with the land and its people.

Whatu ngarongaro te tangata, toi tuu te whenua.

People come and go, what remains is the world we leave for those that follow.

*Te Marino Lenihan is Cultural Advisor for Pegasus Township Ltd and Lincoln University Lecturer for MAST 603, Mana Kaitiaki (Maori Resource Management)

TWO CAR OR NOT TWO CAR? THAT IS THE QUESTION....

DEVELOPMENTS IN TRANSPORT PLANNING

Tim Cheesebrough*

Background

The recent rapid (and thankfully short lived) rise in New Zealand petrol prices at the pump, was a sudden and sobering message to the community at large, that the days of "cheap" petrol, if not at an end, may nevertheless be very close to it. Some even wondered if the much discussed (and disputed) concept of "peak oil", where demand had finally exceeded maximum economic supply, had finally become reality. Reflecting worldwide price increases, the significant forecourt fuel price rises here in New Zealand created a climate where people for the first time in many decades began to seriously re-think their travel needs and choices. More telling still, it was perhaps a timely reminder of how dependant we have all unwittingly become on largely unfettered car use. Prices have now largely settled back to their prior levels, but the nagging doubt remains – could it all happen again, and when?

Arriving here in New Zealand from the UK in mid 2007 (just before the price increases) I witnessed a familiar scene of a Government anxious to raise the level of debate about domestic greenhouse emissions and the part that managing motorised transport might have in meeting the country's major climate change agenda: to halve per capita greenhouse gas emissions from transport by 2040. A very worthwhile debate, but one that grabbed the attention of much of the community far more when it was simplified at the pumps into a direct and immediate impact on daily lives.

The New Zealand Transport Strategy 2008

A draft Updated New Zealand Transport Strategy 2008 (*NZ Ministry of Transport*

December 2007) contained for the first time a provisional range of transport sector targets to be achieved by 2040 by the Government in partnership with territorial and regional local authorities, business and industry and, importantly, the community.

The content was familiar to practicing transportation planners and engineers arriving here from Europe, and the UK especially. The document echoed a desire to encourage greater availability and choice in the more sustainable and "active" transport modes – namely walking, cycling and public passenger transport; whilst tackling other transport related issues such as supporting greater freight share by rail and sea (the most carbon efficient freight mode), improving road safety and importantly, emphasising the importance of integrated transport and land use planning.

Familiar territory? Well yes, as these core principles were contained in a UK Government publication of the late 1990s "A New Deal for Transport" (*UK Department for Transport*), which set out the Government's intention to support sustainable transport provision, meet new objectives and targets by milestone years and how the Government intended to work with local authorities to meet those key aims. Was that new? Well again not really, as those approaches derived from exploring what a number of northern European nations had

already achieved in promoting (and importantly achieving) greater levels of sustainable transport choice through shifts of funding support for both infrastructure and promotion.

The [New Zealand Transport Strategy 2008](#) (*Ministry of Transport 2008*) affirms the Government's vision for transport in 2040 (the target year for many of the

performance indices and objectives), that "People and freight in New Zealand have access to an affordable, integrated, safe, responsive and sustainable transport system". The vision is further 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 Strategy contains a number of detailed transport targets associated with each of these objectives, against which progress is intended to be measured through to the year 2040 and via interim milestone years (many being defined in the associated Government Policy Statement on Land Transport Funding 2009/10-2018, *Ministry of Transport 2008*). Interestingly, the UK Government in rolling out its Transport Strategy nationally and in defining its funding support mechanisms for local authorities, defined four shared high level transport objectives as:

- Air quality management
- Road safety (casualty reduction)
- Congestion management
- Accessibility (for people and key land uses by public transport and active travel modes)

Again it seems clear there are more similarities than differences. It is also interesting to note that such approaches, despite the inevitable differences of emphasis, have had broad cross party support from the leading UK political groupings. It will be interesting to see if the new NZ National Government seeks to steer a different course over the coming months and years in implementing the new NZTS.

Strategies into Practice

How effective will these new approaches be? Only time will tell, but the Government is certainly following international best practice in more clearly defining than ever before what it stands for in transportation terms. Setting clear goals and targets and demonstrating a willingness to keep these under review in response to changing circumstances is also sound best practice.

So, where might you look to see how these approaches are being put into action? [The Greater Christchurch Urban Development Strategy 2007](#) (*Christchurch City Council, Environment Canterbury, Transit New Zealand, Selwyn District Council, Waimakariri District Council 2007*) defines a new direction for urban development in the Greater Christchurch area, with clear visions, aims and objectives intended to better manage growth, better unite transportation and land use planning, intensify the density of future development (to help manage unnecessary growth of the urban "footprint") and deliver sustainable development in all aspects of environmental impact, including transport.

Further, Christchurch City Council has published a [Draft Christchurch South West Area Plan](#) (*Christchurch City Council 2008*), which sets out a framework for the comprehensive planning and development of the south west of Christchurch. The first delivery of some approaches set out in the Urban Development Strategy, the transportation aspects of the Plan set out to achieve a good balance between transport and land use planning. This is intended to deliver "travel demand management" (a term you will see used increasingly in transport planning circles), by *reducing* the need to travel (through good transport and land use planning), *managing* the network (to achieve best value from existing infrastructure and resources) and then *investing* in new infrastructure only where there is a proven need. Much of that investment will be in supporting the modes of cycling and walking through networks offering good access to local amenities, and in public transport services, supported by more intensified land uses within easy walking distances to those key services.

Conclusions

Undoubtedly the transportation and land use planning fields are changing significantly and rapidly. They need to. As transportation and land use professionals we have an obligation to remain a little ahead of public opinion in planning future communities. Some of the travel demand management initiatives being promoted currently are not universally popular as they seek to influence choice. However, our obligation must be to ensure sustainable transport is a genuine and accessible choice for future generations, as walking or taking the cycle perhaps may become the only viable option. That may be many generations away. It may just however be sooner than we think.

*Tim Cheesebrough BSC, CEng, MICE, MIHT, DipTE, has worked in transportation policy, planning and engineering for nearly 30 years - much of it in the UK. He came to New Zealand in 2007 in the role of Team Leader for Transport

Planning with Christchurch City Council and, in later 2008, joined MWH as Principal Engineer and National Discipline Leader, Road Safety.

NGAI TAHU PROPERTIES LTD V CENTRAL PLAINS WATER

Richard Budd*

Introduction

There has been a lot of interest and debate over the issue of who has priority since certain resources have either approached or been deemed to be already at sustainable limits. Nowhere is this more evident than in the arena of water allocation. The "first in line, first in time" principle established in *Fleetwing Farms Ltd v Marlborough District Council* CA 255/96 Richardson P, Keith J, Cartwright J. has been criticised by many parties as an inefficient mechanism. Addressing this issue was one of the priorities stated in the "Water Programme of Action" initiated by the Labour Government in 2003. A new, more efficient method would be found, with suggestions that "merit" would be a key consideration. The report in 2008 from the Water Programme of Action committee was strangely silent on the matter, strongly suggesting, with apologies to Winston Churchill, that while "first in line, first in time" may not be perfect, it is the best system we have.

The competition being played out for priority access to the higher reliability, "A" permit, water from the Waimakariri River has introduced a new element to the consideration of priority access to resources. That is the issue of when priority is determined.

This article follows the process for determining priority through the Courts up to the Supreme Court where the matter has been heard but a decision is not expected until early in 2009. The key sections of the RMA 1991 are; Part II s.5, s.21, s.37, s.91, s.92, and s.95.

The Applications

In 2001 Central Plains Water Steering Committee (a Joint Committee of Selwyn District Council (SDC)/Christchurch City Council (CCC) lodged applications with Environment Canterbury (ECan) for consent to take water from the Waimakariri and Rakaia Rivers. The purpose was to pave the way for further planning and subsequent applications to "use" the water to irrigate the scheme south of the Waimakariri River. In Dec 2001 ECan informed Central Plains

Water (CPW) the consent was "notifiable" but the process would not proceed until subsequent consents were lodged. No "use" applications were filed until Nov 2005.

In January and June/July 2005 Ngai Tahu Properties Ltd (NTPL) applied for consent to "take and use" water from the Waimakariri to irrigate land to the North of the river.

The Environment Court

NTPL applied to the Environment Court (EnvC) for a declaration that its application was entitled to priority over the CPW application. The Court granted a declaration in those terms.

The High Court

Central Plains Water Trust v Ngai Tahu Properties Ltd Randerson J, CIV-2006-409/2116

The Environment Court Decision was upheld by the High Court (HC). The HC considered the fact that CPW's application was notifiable but was put on hold under section 91 by ECan, pending the "use" application, deprived it of priority, should the latter application be notified first.

The HC determined that priority for competing applications is generally decided on which one is first ready for notification, but circumstances can displace this:

- A request for further information under s.92; and/or
- A decision under s.91 to not proceed with notification pending further applications; or
- Unreasonable delay by an applicant.

Randerson J granted leave to appeal his decision to the Court of Appeal (CA), being satisfied that the case raised serious issues of general and public importance relevant not only to these two parties but to other applications for resource consents and to Territorial Local Authorities (TLAs) and Regional Councils (RCs) dealing with competing applications for finite resources.

The Court of Appeal

Central Plains Water Trust v Ngai Tahu Properties Ltd [2008] NZCA 71.
Hammond Robertson and Baragwanath J,

Each party accepted the result in *Fleetwing* (to which the CA is bound) to the extent that they accept the priority principle. *Fleetwing* addressed the legal test for determining priorities for hearing competing appeals in the Environment Court. The Court "stands in the shoes of the Council" so priority must be determined the same way. Rather than competing appeals this case turns on competing applications to the Council. But CPW and NTPL advanced competing submissions as to the application of the *Fleetwing* decision. See *Fleetwing Farms Ltd v Marlborough District Council* CA 255/96 Richardson P, Keith J, Cartwright J.

Lords Simon and Diplock in *Maunsell v Olins* [1975] AC 373 at 391 observed that statutory language, like all language, is capable of an almost infinite gradation of "register". They noted that it is the duty of the court to tune in to such register and to interpret the statutory language so as to give it the primary meaning which is appropriate to the register unless it is clear that some other meaning must be given to achieve the statutory purpose or to avoid injustice, anomaly, absurdity or contradiction.

The text of the RMA provides no clear answer. Leave to appeal was granted under s.144(2) of the Summary Proceedings Act 1957, imported by s.308 RMA. The questions posed by the HC are:

1. Whether the determination of priority between competing applications for resource consents should be determined by which one is ready first for notification;
2. If the answer to (1) is yes whether a decision under s.91 of the RMA not to proceed with notification means that the application is not ready for notification until the additional consents are made.

The *Fleetwing* judgement placed significance on the legislative timetable

- S.21 duty to avoid unreasonable delay
- S.95 notification in 10 working days
- S.92 10 days further info sought
- S.37 time extensions

The CA, having emphasized the time limits concluded:

- Each application is to be determined on its own merits. RMA does not allow for

comparative assessment of competing claims.

- RMA does not provide for the refusal of an application on the ground that another one might meet a higher standard than the Act specifies.

So *Fleetwing* decided that priority is determined on a first come first served basis; and each application must be considered individually on its merits without regard to other applications. *Fleetwing* did not determine at what stage priority is achieved. Unless the case is distinguishable, only this last point was open for the CA to decide.

ECan, 21/12/01 in writing, to CPW advised that the "Take" application was notifiable without the need for further information. However the letter went on to say notification would be deferred under s.91 as further applications would be required. ECan, in August 2004, wrote to CPW drawing attention to the substantial delay in obtaining the further information sought and referring to s.21, the duty to avoid unreasonable delay. CPW responded (15/10/04) advising that the application was to be pursued. ECan (18/03/05) wrote to CPW requiring further info by 31/03/05 or it would withdraw the application. The timeframe was subsequently extended, amendments were made to the application and the further applications were received on 24/11/05. ECan notified all consents, satisfied that sufficient information was at hand, on 24/06/06. This was 9 months after notification and 4 months after the hearing of Ngai Tahu's application.

Given that priority is to be determined on a 'first in line, first in time' basis, the question for the CA was how and at what stage priority is achieved. The CA determined that the Courts below (EnvC and HC) took too narrow a view. While this issue is to be determined by both the text and the purpose of the Act (s.5) here the purposive approach is critical because there is no solid textual answer (See Acts Interpretation Act 1999). In *Northland Milk Vendors Association v Northern Milk Ltd* [1998]1 NZLR 530 (CA) Cooke P stated "The Courts can in a sense fill gaps in an Act but only to make the Act work as Parliament must have intended" (at 537).

The CA determined that three points were relevant here:

1. The primary function of promoting sustainable management of natural and physical resources and reconciling the competing values of the RMA (e.g. development and protection of the

natural character of rivers: ss.5(2) and (6a))

2. The "inclusive and democratic procedure" of the RMA
3. The timetable provisions of the RMA

The CA found in considering these points:

1. The court supports a priority decision in favour of CPW. Larger major developments should not be trumped by later smaller simpler applications that are able to be made comprehensively without the need to proceed in stages.
2. The CA determined that the "inclusive and democratic procedure" of the RMA would be accommodated by conferring priority to CPW. It could be different if NTPL had no knowledge of CPW but the Ngai Tahu collective has two members on the CPW Trust.
3. While s.21 requires the avoidance of unreasonable delay and s.95 requires notification within 10 working days (and for s.92) and s.37 allows for extensions to double these timeframes, s.91 provides an explicit dispensation from those time limits.

While the timetable regime presumptively favours Ngai Tahu, it provides specific provision for exceptional cases. Ngai Tahu argued that because CPW's final take application and the subsequent use

applications was lodged after their application CPW should lose priority. The CA was not of that opinion, determining that "This is not an insubstantial or colourable application which should in terms of *Burr v Blenheim Borough Council* be brushed aside in favour of a later more comprehensive application.

The Court (*Central Plains Water Trust v Ngai Tahu Properties Ltd*[2008] NZCA 71) therefore found that an application for resource consent to take water which is not disqualified by unreasonable delay and which, although recognizing the need for subsequent applications could not be filed, takes priority over an application which relates to the same resource and which, although complete in itself, was filed later by a party with knowledge of the earlier application. It awarded \$10,000 costs plus disbursements against NTPL.

The Supreme Court has granted leave to Ngai Tahu Property Ltd to appeal against this decision *Ngai Tahu Property Ltd v Central Plains Water Trust* 24/06/08, SC15/2008, the case has been heard and the outcome is awaited.

*Richard Budd is a postgraduate student currently studying at Lincoln University. He is also an accredited RMA Commissioner and was an Environment Canterbury Councillor for 12 years.

UNDERGRADUATE ARTICLES

It is envisaged that each issue of LUPR will include a variety of contributions from current LU students. For Issue 1, the third year Bachelor of Environmental Management students taking the Professional Practice course (SOCI 314) were set the task of writing a short, topical article of local interest. This related directly to the content of the course SOCI 314, which provides a critical study of issues in

the provision of professional services in environmental planning, design, social sciences, tourism, sport and recreation.

Their articles were submitted in draft form for comment and then a final version, which was worth 5% of their overall mark for the year, was submitted. Three of those articles are included here

LYTTELTON HARBOUR COMMUNITY SEWAGE

Carissa Harris

At present, wastewater from residential properties in Diamond Harbour, Governors Bay and Lyttelton is pumped to treatment plants also located at these areas (Christchurch City Council, 2008). Treated wastewater is then released into the harbour. Approximately 95% of the Diamond Harbour, Governors Bay and Lyttelton population use the current sewage facility (Christchurch City Council, 2008). The present methods of treating and discharging sewage will not meet the terms of consent requirements of the Christchurch City Council's resource consent CRC031546 obtained from the Canterbury Regional Council (ECan) "to discharge treated wastewater from the Diamond Harbour sewage treatment plant into coastal waters" (ECan, 2008). The options discussed in this article will be paid for by all Christchurch ratepayers which makes the future of Lyttelton Harbour Sewage a topical issue for all Christchurch home owners (Christchurch City Council, 2008).

Descriptions, actions, policies, issues and current status

With a view to investigating new treatment and disposal options for the Diamond Harbour, Governors Bay and Lyttelton sewage, the Lyttelton Harbour Working Party was established in 2005 (Christchurch City Council, 2008). The working party offered various areas of expertise, including representatives from ECan, Department of Conservation, Ngai Tahu, local resident representatives and others with an interest in local environmental and community issues (Christchurch City Council, 2008).

Nine options were investigated in order to meet the obligations of resource consent CRC031546 conditions 19 to 24 which commenced on 7 October 2004 and will expire on 1 October 2014 (ECan, 2008).

Consent conditions:

19. To ensure that the Christchurch City Council investigates "all practicable options for the treatment and disposal of wastewater that is presently treated and discharged" at Diamond Harbour, Governors Bay and Lyttelton wastewater treatment plants (ECan, 2008).

20. To ensure that the above investigation is undertaken in discussion with the community, iwi, interest groups and the Christchurch City Council via the working party.

21. To ensure that an independent facilitator who has prior knowledge of public consultation organizes and assists meetings of the working party.

22. The working party must be established within three months of consent commencement.

23. The Christchurch City Council must provide to ECan "on the first four anniversaries of the commencement of this consent, an annual progress report by the working party on the investigation required by condition 19" (ECan, 2008).

24. To ensure that Christchurch City Council give to ECan, before the fifth anniversary of the start of this consent, a report on the favoured options consequential from the examination of options necessary under condition 19, and provide an Implementation Plan (Ecan, 2008).

After investigation the working party chose two preferred options which aimed to lower the amounts of wastewater, be environmentally friendly and be economically sustainable.

The first preferred option is to apply treated wastewater to land. This entails wastewater being treated at current treatment plants and used to irrigate certified land areas.

The second preferred option is to make use of the Christchurch Wastewater Treatment Plant (Christchurch City Council, 2008). This option entails raw sewage from Governors Bay and Diamond Harbour being pumped via a double pipe under the sea to a new wastewater pump station at Cyrus Williams Quay in Lyttelton. This would then be combined with the Lyttelton sewage. With the establishment of a new pipe system the sewage would then be pumped to the Christchurch Wastewater Treatment Plant. After treatment at the plant the waste would then be pumped to Pegasus Bay and deposited by means of an ocean outfall (Christchurch City Council, 2008).

Environment Canterbury's Natural Resources Regional Plan and Regional Coastal Environment Plan include various policies and rules which relate to the two preferred options, which should guide decision making. This Lyttelton Harbour Community sewage project is a large project and important to many. Once constructed it

would be hard to reverse and would cost a lot of money to Christchurch ratepayers (Doughty & Penman, 2007).

As assessed by MWH consultants in 2007, for the Christchurch City Council, the net present value of applying wastewater to land is \$36.6 million. This includes the net value of operating and capital costs (Doughty & Penman, 2007). Costs include treatment works required, pipes to relocate sewage from the Lyttelton Harbour to the treatment plants in Christchurch and the insulation of irrigators to irrigate certain areas of land (Doughty & Penman, 2007).

Values to be considered when applying treated water to land include special recognition of Ngai Tahu and mahinga kai, and significance of water maintenance and quality. There are potential cumulative impacts especially in wet weather conditions and the potential for wastewater to pollute groundwater. However, provided that groundwater is not contaminated, a key issue highlighted by Te Whakatau Kaupapa for Ngai Tahu, is that it is preferable to discharge effluent onto land than into water (Tau et al., 1990). Wastewater would not be applied to significant Maori areas which therefore reduces the cultural impacts of this option.

As also assessed by MWH consultants in 2007 for the Christchurch City Council, the second preferred option to make use of the Christchurch Wastewater Treatment Plant has a net value of \$21.2 million. This includes net value of operating and capital costs, which entails new pipelines, irrigation mains, a new pump station and the depositing of waste by means of an ocean outfall (Doughty & Penman, 2007).

Values to be considered relating to the use of the Christchurch Wastewater Treatment Plant, depositing treated sewage by means of an ocean outfall are acknowledged by local iwi. Water holds a spiritual significance for all, especially Ngai Tahu (Tau et al, 1990). The maintenance of the quality of a water body should always be paramount. This option will mean that treated wastewater would enter the water body but contamination would be mitigated as much as possible, decreasing the local effect of the ocean outfall (Doughty & Penman, 2007).

Submissions will be heard later this year and the Lyttelton Harbour Wastewater Working Party will continue to assess the best option. This is a continuing process that will enable the community to have their opinions heard (Christchurch City Council, 2008). There is

especially a need to upgrade the current sewer system as the facilities are old and the community generally has increased expectations of appropriate environmental standards. Construction of this new wastewater system is not expected until March 2010 (Doughty & Penman, 2007).

The main issues presented in this article are summarised below:

- **Ngai Tahu and effect on cultural values:** Ngai Tahu has a representative in the working party and cultural issues have been assessed (Christchurch City Council, 2008).
- **Issue of contamination of groundwater (in an event of a flood):** There is a very low risk that contamination could occur when treated wastewater is applied to land but this risk would be mitigated in the development process and is highly unlikely (Doughty & Penman, 2007).
- **What is the most viable option of wastewater discharge?** As analysed by MWH Consultants in 2007, making use of the Christchurch Wastewater Treatment Plant has a net value of \$21.2 million compared to applying treated wastewater to land which has a net value of \$36.6 million (Doughty & Penman, 2007).
- **Who is paying for this project?** All Christchurch ratepayers (Christchurch City Council, 2008).

Comment:

In investigating the Lyttelton wastewater issue the establishment of the Lyttelton Working Party has been beneficial, ensuring that the Christchurch City Council investigates all options available in relation to conditions 19-24 of resource consent CRC031546 (ECan, 2008). The working party has been able to combine the expertise of a number of local actors that give a fair representation of professional and local people. Christchurch residents can be assured that the working party have consulted widely and put a lot of effort in to the investigation to select the best option. At the end of November this year (2008) we can expect to find a report on the process so far and by March 2010 the Christchurch Community can expect construction to be completed (Christchurch City Council, 2008).

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Editor's note: Public consultation on the above options is currently underway and we will maintain a watching brief on this project.

CHRISTCHURCH CITY MALL

Lisa Arnott

Originally designed to be Christchurch's premier shopping district, City Mall, comprising of Cashel Street between Oxford Terrace and High Street, and High Street between Cashel and Hereford Streets has experienced declining shopper numbers in recent years (Philip: 2007). Factors contributing to the decline include competition from existing malls, inconsistent opening hours among retailers, and perceptions of the area being unsafe. The problem of inner city decay is not unique to Christchurch; it is experienced by many cities where retail and leisure activities have relocated to suburban locations (Thomas & Bromley: 2000). In order to combat this, the city council adopted a Central City Revitalisation Strategy which included renovating City Mall. Stage 2 was affirmed and adopted in September 2006.

In the Long Term Council Community Plan 2006-16 the Christchurch City Council allocated \$10.5 million to the upgrade of City Mall. The original plan proposed by the council was developed by Auckland urban design consultants Isthmus Group after consultation with local retailers and interest groups, including representatives from schools in the area (Research First: 2006).

The plan involved removing the Stewart Fountain from the corner of High and Hereford Streets, and the grassed amphitheatre known as 'Hack Circle' from the corner of Cashel and High Streets. Seated areas were proposed along the edges of the streets, lighting was to be

improved, and traffic was to be reintroduced to the area by constructing a slow road through High Street and a 2 way movement corridor along Cashel Street West. (Figure 1) Designers for Isthmus Group recommended the reintroduction of traffic to the mall because they thought the pedestrian-only nature had contributed to its decline, and that, at 520 metres, City Mall was too long to be a successful pedestrian mall. Local business owners supported reopening the roads to traffic because it had the potential to increase the visibility of stores in the mall. After consultation revealed the public were opposed to reintroducing traffic to the mall, the proposal was altered to include a service lane only.



Figure 1: The overall plan for the City Mall upgrade
 Reproduced courtesy of Christchurch City Council and the Isthmus Group Ltd

Once the final mall design was approved, the council required resource consents to be granted for some parts of the project that did not comply with the City Plan. The proposed 4.8m wide Cashel St service lane required consent as the Plan requires roadways to be at least 7.5m wide. Consent was granted for the road to be formed as the traffic engineers considered any adverse effects from the roads width to be negligible.

Alterations to the Stewart Fountain site also required resource consent, as the site is listed as a Group 3 heritage item in the City Plan. The City Plan states that alteration of a Group 3 heritage place shall be a discretionary activity, with council's discretion limited to the heritage values of the site. The fountain itself was not protected as a heritage item, and had in fact been removed before consent was granted. The heritage protection relates to the High Street Triangles, which mark High Street's original design cutting diagonally across the grid pattern of the central city's streets. The resource consent was granted, with the Heritage Planner noting that no consideration had been given to the original design form of the area, but as this form had not been present for many years the new proposal would not affect the heritage

values of the area. A condition of the resource consent was that interpretation panels be developed and placed close to the protected area. These panels are now in place in Stewart Plaza.

A third resource consent was sought for proposed seating areas along the pedestrian mall, and the installation of new 8.7m high lighting poles. The pedestrian mall is zoned a special purpose pedestrian precincts zone under the City Plan, and rules for this area state that any building within this zone must not exceed an area of 5m², or be more than 3m high. Resource consent was granted as any adverse effects related only to the visual amenity of the area, and were deemed to be insignificant as the design of the seating and light poles was compatible with the appearance of Cashel Mall and they would not obstruct pedestrians' sight lines. While the council, local business owners, residents and members of the public seemed to agree that City Mall was in need of an upgrade in order to function successfully, public consultation revealed widespread disagreement about what should be done to improve the area (Research First: 2006).

The plan was released for public consultation in September 2006. Members

of the public had strong views about many aspects of the new Mall design, particularly the reintroduction of traffic to the mall, and the removal of the Stewart Fountain.

The public were strongly opposed to the reintroduction of traffic to the mall. Those who made submissions stated that cars would detract from the amenity of the area, making it noisier, smellier and unsafe for pedestrians (Research First: 2006).

The proposal was altered to keep Cashel and High Streets as pedestrian malls, and the council decided to construct service lanes only, which allow emergency and service vehicles to access the mall while restricting other traffic (Gamble: 2006).

The Stewart Fountain, named after Sir Robertson Stewart who donated \$200,000 towards its development, was situated at the intersection of Colombo and Hereford Streets, and contained tiles decorated by school children. The council proposed to remove the fountain because problems with its pumps and jets meant that it did not function well, and its location and design resulted in rubbish being blown into the fountain. However, unlike the reintroduction of traffic to the mall where there was a clear majority opposed, public opinion was divided on whether the fountain should be removed, with 41% of respondents supporting the removal, and 36% opposing it. Many of those opposed to the removal of the fountain were teenagers and school children who used the fountain as a meeting place. People who had designed the decorative tiles as children also expressed disappointment at its removal.

The council proceeded with plans to remove the fountain and, when the final mall design was approved by council in December 2007, the fountain was demolished. The decision was unpopular with some members of the public, and the consultation process was criticised. The council's response to those who expressed disappointment at the outcomes was that those involved in the consultation process represented only a small part of the city's population and the council also have to act on behalf of the 'silent majority' who have not chosen to participate, but who are still affected by the decision making process (Gamble: 2007).

The City Mall upgrade has highlighted the issues faced by planners and decision makers when undertaking public consultation. 'The public' are not a homogenous group, and consultation may make decision making more difficult if participants have conflicting opinions. The removal of the Stewart Fountain was a contentious issue in the mall upgrade, and although there was support for its removal, some of those who opposed the demolition felt that their opinions had not been considered by the council when the decision was made to remove it. (Ross: 2007).

Submissions made to council during the consultation process also revealed that many people felt that their ideas would not be considered and that the council would go ahead with the proposal with or without public support (Research First: 2006). Outcomes such as this, that leave some participants feeling as though their input has not been taken into consideration, may have negative implications for public participation in decision making. If people think their views will be ignored, they may not see any point in having a say and being part of the planning process in future.

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PROPOSAL TO BUILD PORTSIDE APARTMENTS AND ALBION APARTMENTS AT 44 LONDON STREET LYTTELTON

Sarah Hunt

Introduction

How do we cater for rapid population growth and urban development while preserving cultural history, maintaining and enhancing amenity values and the quality of the environment?

This is a question many councils around the world need to find an answer for (Barber and McLean, 2000, p.100). It is important to protect heritage, if we are to understand our identities and where we have come from (Miller, 2005, p.2), but it can also be argued that it is equally important to have urban development to support our economy and society (Kuehn Jr, 2007, p. 39).

This issue of development and/or protection of cultural heritage causes conflict. Lyttelton Township, which is well known for its quirky variety and style of buildings and strong heritage values, has to work through this issue at the moment with the proposal of new apartment buildings in the zoned Town Centre.

Actions and issues

On the 14th December 2007, Crater Developments submitted an application for resource consent to the Christchurch City Council. The consent is needed to build a 10 unit apartment block on an empty site at 44 London Street, Lyttelton, north of the current Albion Building which houses the Tunnel Vision Backpackers. The proposed



apartment block will consist of three levels

Albion Building on the corner of London and Canterbury Streets.

of 2 – 4 bedroom apartments and a level of parking. It will be named Portside Apartments (Whyte, 2007).

Crater Developments would also like to internally alter the Albion Building to create two apartments on the ground floor while retaining the two existing retail spaces, and three apartments on the first floor. These will be named Albion Apartments (Whyte, 2007).

The Albion Building is listed in Appendix V (Schedule of notable buildings, objects and sites) of the Banks Peninsula District Council Proposed District Plan (BPPDP) as architecturally significant, and group significant. For the Albion Building to be 'architecturally significant' means that the building has to be notable for its style of architecture. For the building to be 'group significant' it means that it must play a role in forming an area of community importance or historical or architectural merit. The Albion Building might not be significant in itself, but its significance is such that its loss or modification would diminish the significance of the group (BPPDP, 2002).

In February 2007 the developers first met with a planner from Christchurch City Council Lyttelton Planning Office to discuss the idea of building on the site. Initially the proposed building was of a contemporary style, which did not fit in with the current streetscape of Lyttelton town centre.

Lyttelton is known for its historic buildings, so building apartments with a modern appearance would not be complying with

Section 6(f) of the Resource Management Act 1991 which states that the councils must recognise and provide for the protection of historic heritage (the Lyttelton streetscape) from inappropriate subdivision, use and development. Over a period of eleven months the proposed building design was modified until the council staff were satisfied that the building design was appropriate for Lyttelton town centre zone. According to Whyte (2007), the planning consultant who made the resource consent

As of May, 2008 the council have decided that the activity is Discretionary under the

BPPDP and the resource consent application will be processed on a limited notified basis in accordance with Section 93 of the Resource Management Act 1991 (Christchurch City Council, 2008). Submissions closed Monday 4th August 2008 (Christchurch City Council, 2008).

Issues

The main issue is that when development occurs in Lyttelton, it generally requires a resource consent. The BPPDP states

In order to retain the character of the area, new building construction, other than minor work, will require resource consent. New or altered buildings will be assessed against the policies for the area which are aimed at maintaining consistency of architectural mass, form and proportion.... Design guidelines offer general principles to apply when ... erecting new buildings.

(Banks Peninsula District Council, 2002, p.203)

An Urban Design Officer from the Christchurch City Council and a Consultant Planner for Christchurch City Council have both looked at the application for this proposal. They have come to the conclusion that this proposal does not comply with Rule 5.1 of the BPPDP which relates to height. The maximum height of buildings and structures within the Town Centre Zone at Lyttelton is 12m. The proposed apartments will exceed this limit by up to 2.3m. The proposal does not comply with Rule 5.2, building height in relation to boundary. The proposed apartments will encroach on the northern recession plane by a height of up to 5m for a depth of 4.75m. The Council however, have considered these breaches of standards and have decided that the effects will be minor. They decided the effects were minor because other buildings in Lyttelton such as the Masonic Lodge have similar shape and scale as the proposed apartment block and they do not stand out. Also, part of Lyttelton's character is a variation in building sizes and shapes. The proposed building would contribute to that character (Christchurch City Council, 2008).

The design guidelines have been used in designing these proposed apartments to keep in the 'Art Deco' style similar to the Albion Building to minimise the adverse visual effects. Features such as 'Art Deco' style plaster finish, parapets, a mix of horizontal and vertical detailing and a central entrance feature are all elements that contribute to the new building being sympathetic to the streetscape (Hobson, 2008). In this instance, the proposed



Design of proposed Portside Apartments from the north elevation (Whyte, 2007).

... cases opposition, because people think that the proposed building will detract from the amenity and heritage values of Lyttelton Township. Generally, the developers have had positive feedback about the development (Hobson, 2008).

Comment

The Lyttelton Style Guide does not hold any real power when someone wants to build or modify a building. The BPPDP says "Applications for discretionary activities will be assessed against the design guidelines for buildings in Appendix XI" (p.212). In Appendix XI Design Guidelines, the BPPDP(2002, p.462) states "The ... design guidelines will be taken into account by the Council when assessing resource consent applications for new buildings and additions or alterations to the external appearance of existing buildings". This reinforces the idea that the guidelines will only be taken into account; they are just a guide, and there is no legal obligation to comply with them. Pearson and Sullivan (1995, p.35) note the effectiveness of laws affecting historic heritage depends on the quality and comprehensiveness of the legislation, and the way the legislation is implemented. This further emphasises that the preservation of

historic heritage is at the mercy of the local council.

How do we find a balance between legislating against heritage destruction, without stepping on peoples private property rights? The council have taken an approach of making development in Lyttelton Town Centre a discretionary activity. In this instance this approach has allowed a balance to be struck as it permits the developer to develop within the constraints that the council sees fit. However, on the other hand, if the council makes a bad decision there is no contingency plan and the likely outcome would be that heritage and amenity values of the immediate area would be compromised. The council has also decided that this application should be limited notified. This means that only those deemed by the council to be affected are able to make submissions. Others who feel strongly about Lyttelton's streetscape and heritage values do not get the opportunity to comment on the development and the effects it may cause.

If these proposed apartments go ahead what will that mean for Lyttelton and heritage protection? Initially there will be noise and dust issues associated with the building process. Once people start to live in the apartments they will contribute to Lyttelton's economy and society but there will be expected adverse effects on the environment such as increased traffic and increased waste. Hobson, the Chief Executive for Crater Developments, said that they are keen heritage property owners so they are interested in the ongoing economic use of the Albion Building, and the

proposed new apartments will be sympathetic to the "Art Deco" style of the Albion, reinforcing its character and influence on the Lyttelton Streetscape.

These apartments will set a precedent for any future developments in Lyttelton.

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LINCOLN UNIVERSITY NEW APPOINTMENT

Suzanne Vallance



Suzanne Vallance, MA(Cant), PhD(Lincoln), has recently been appointed as a lecturer in Urban Studies at Lincoln University.

Suzanne's research interests are diverse but tend to focus on different socio-natural arrangements and relationships and how these are made, perpetuated and moderated. Current questions revolve

around the limited utility of the concept of sustainability in social, economic and ecological terms, the problematic rural/urban dichotomy, and the strengths and vulnerabilities of the urban 'exoskeleton'.

Specific questions for environmental management and planning pertain to ways in which knowledge is generated and used, and the new tools available to decision-makers in a risk-sensitive, consumption-driven world. She is involved in an emergent project comparing and contrasting two socio-ecological movements (gardening and slow Foods) in terms of resistance and resilience, and another investigation exploring sustainability as a socio-political process rather than a steady-state goal.

Her research has employed both qualitative and quantitative approaches and she has an interest in using 'mixed methods' where appropriate.

CONGRATULATIONS TO MICHAEL SHONE

At the recent Council for Australian University Tourism and Hospitality Education conference in Perth, Lincoln University PhD student Michael Shone presented the paper "Changing Paradigms: The Case of Tourism and Regional Development in the Hurunui District, New Zealand". Michael was

awarded the Bill Faulkner Memorial Award for Best PhD Paper, only the second time the award has gone to a New Zealand PhD student. Michael's paper will be published in a special edition of the Journal of Hospitality and Tourism Management.

WHERE ARE THEY NOW?

Clare Sargeant – Clare completed her MEP (Master of Environmental Policy) in 2008 and is a planner with Christchurch City Council, processing resource consents. Clare is also the Young Planners' Group (Canterbury) Organiser.

Kate Bonifacio – Kate completed her MEP in 2008 and is also a planner with Christchurch City Council, processing resource consents.

Amber Riggs – Amber completed her MEP in 2008 and is now working as a Building Consents Planner with North Shore City Council. Amber is based in Takapuna, only a five minute walk to the beach, working in the building consent department processing building consent applications, assessing them

against the district plan for compliance with development controls to see if they require resource consent.

Matt McKenna – Matt completed his MAppSc(Env't Mgt) last July with a dissertation on freshwater aquaculture. He is now working as a Town Planner for NZ Communications Ltd in Christchurch, a newly emerging Telecommunications Company that is rolling out a network of cell-sites throughout New Zealand. Matt works closely within the site acquisition team to secure locations for Telecommunication facilities, preparing and lodging Resource Consents for the cell-sites to the City Council.

NZPI ACCREDITATION

Hamish Rennie

Not all practicing planners are professionally qualified. A planning position is an occupation or position designated as such by an organisation and may come under many different names (e.g. resource consents officer, policy analyst, etc). Organisations decide, using their own criteria, who they employ to fill planning positions.

Consequently, many people in planning positions are not 'professional planners'. A professional planner implies membership of a professional body. The New Zealand Planning Institute (NZPI) is the professional body for planners in New Zealand. Being able to claim professional membership (or eligibility for graduate membership) is often an advantage when applying for a job and means that you are able to claim professional status when giving an opinion to clients and decision-making bodies. It implies a commitment to a code of ethics, service to the profession and continued upskilling in the profession.

The main path to full membership of the NZPI is by completing a programme of education recognised by it (an NZPI accredited programme) and three years of subsequent planning practice. It is important to distinguish between the academic discipline of planning and the NZPI recognised programmes. Academic disciplines and programmes are approved by academic bodies. Thus it is possible for a tertiary institution to legitimately offer a degree in planning that is not recognised as an NZPI accredited planning programme. Accreditation is not an indicator of academic quality, but of acceptance by the

professional body.

The NZPI has a rolling programme of five yearly accreditation reviews to ensure that programmes it accredits have maintained the standards that it has recognised. From time to time the accreditation programme is out of sync with the academic approval of programmes.

In 2008, following a substantive academic review of its undergraduate programmes, Lincoln University's Bachelor of Environmental Management (Policy and Planning) was revamped with the BEM having its planning content strengthened and being renamed a Bachelor of Environmental Management and Planning (BEMP) and with a minor in Professional Planning being introduced. This enables those who want to pursue an academic or research career to do a relevant BEMP with a choice of minors (for instance in parks or transportation) that enables specialisation. Those who are interested in professional practice are expected to take the Professional Planning minor (see Kelly Fisher's article in this issue).

The Lincoln University professional planning programmes were reviewed in October 2008 by an accreditation panel appointed by the NZPI and chaired by Professor Steve Hamnett (Professor of Urban and Regional Planning at the University of South Australia). The panel has made favourable recommendations to the Institute for accreditation.



INTRODUCING THE NEW BACHELOR OF ENVIRONMENTAL MANAGEMENT AND PLANNING

Kelly Fisher*

January 1st 2009 will mark the beginning of Lincoln University's new planning degree. Currently Lincoln University offers a Bachelor of Environmental Management (BEM), which will eventually be completely replaced by the new Bachelor of Environmental Management and Planning (BEMP). The new degree which will comprise of 14 core courses, will allow students the flexibility of selecting the remaining 10 courses needed to complete their degree. Policy and planning, which had previously been an optional major with the BEM, will evolve to become an ingrained component of the new BEMP.

Students who are currently enrolled for a BEM are in the fortunate position of being able to decide whether to complete their original degree or transfer to the new degree. Changes to the structure of the degree will see some subjects deleted and others replaced, aimed to meet the ever changing demands of the profession. Compulsory majors have been removed from the new degree, and an increased emphasis on planning has been applied to the core courses.

The BEMP allows a great deal of academic flexibility. Students are able to complete a double degree, a double major or attach a variety of minors to their degree. This is accomplished while also ensuring that the planning core of the discipline is sufficiently catered for. The BEMP allows students to study the integrated field of environmental management and planning, and also provides a sound basis for postgraduate research degrees in the same area. For students who wish to become professional planning accredited, Lincoln University's BEMP offers one of the best pathways in the country. The BEMP allows students to pursue the opportunity to become eligible for full New Zealand Planning Institute (NZPI) membership.

This accreditation process can be completed in seven years from enrolment. Lincoln University students who wish to become fully accredited NZPI members need to complete the three year BEMP with a minor in professional planning, as well as at least



one year of post graduate study including prescribed papers. The professional planning minor is made up of five courses. It is important to note that Lincoln University also requires students to pass at least two second year science courses such as geomorphology or ecology. It is believed that this science competence is essential for resource and environmental planning. Once the four years of study has been successfully completed, students are required to undertake three years work experience before becoming eligible for full membership.

Students who choose to remain enrolled in the original BEM will need to complete a major in policy and planning as well as an additional year of postgraduate study with prescribed papers to gain accreditation.

Lincoln University is located in semi-rural Canterbury and the new planning degree will have a strong emphasis on integrated environmental management and sustainable development. The new degree is built on a range of disciplines, and aims to produce graduates who can think critically, research, analyse and report within each particular disciplinary context. Lincoln University has recognised an opportunity for change and is leading the way to ensure those graduating do so with a relevant and desirable qualification.

*Kelly Fisher completed the first year of a Bachelor in Environmental Management at Lincoln University in 2008

OUTREACH

Secondary Schools - Planning and Decision Making Units

Many schools offer their Year 13 students the opportunity to gain credits in AS90703, Geography 3.3, *Explain the contribution of geography to planning and decision making processes*. We are keen to help develop the interests and skills of secondary students who wish to learn more about planning and related areas.

If you have questions about planning issues and related legislation, or are looking for topics for your students, please contact Hamish.Rennie@lincoln.ac.nz

We may also be able to provide speakers (students or staff) who can contribute to you classes on planning topics.

WILL THE OLD DAIRY FARM DEVELOPMENT HELP LINCOLN UNIVERSITY'S SUSTAINABILITY?

Hamish Rennie

The SOCI 314 Professional Practice course is a compulsory paper for Bachelor of Environmental management and Planning (BEMP), Bachelor of Landscape Architecture (BLA) and Bachelor of resource Management (BRM) students. The course has a core component taught to all students that covers things like contract and land law, professional ethics and communication skills. Each profession then takes its particular stream of students and focuses on professional skills and techniques of particular benefit to their profession. For instance, the environmental management and planning students have to present evidence as either a planning officer or an environmental expert in a mock hearing in front of former Environment Court Judge Peter Skelton.

In 2008 they also had to take a current planning issue in the region and write an article on it for LUPR (as discussed in the undergraduate articles section). To help them develop professional skills in group work and project management they were also tasked as a group to produce a "Planning Issues and Options" discussion document based on Lincoln University's campus and its sustainability.

The options developed were based on the stated goals of the University and assessed against criteria drawn from the University's policies. All issues had to include a 'business as usual option' and at least two alternatives. With the limited timeframe for this assignment, this was a 'big ask', but the outcome was of a reasonable standard and was prepared on the basis that all options required much fuller evaluation (an exercise for the 2009 class). Among the options were some that provide avenues for future students at local high schools (e.g. for

planning and decision making topics) and the University and these are synthesised here.

Data obtained by the students indicated that in 2007 there were 3521 students and 705 staff at Lincoln University. On campus accommodation was available for 557 students, but 78 rooms were unoccupied. Lincoln township apparently lacks amenities, part-time employment opportunities, and the entertainment (the 'buzz'), that would attract university students and staff to stay in the vicinity. There is also insufficient appropriate affordable local accommodation and an unwillingness among some house owners in the community to rent to students. Partly as a consequence, many students live in Christchurch. This, coupled with a bus timetable that is not well synchronised to course timetables, creates a preference for individual car transport that then reduces use of the public transport and is less sustainable for the environment.

The development of the University's old dairy farm provides an opportunity for addressing some of those problems. The students concluded that a complete overhaul of the proposed development with an emphasis on students and staff of Lincoln University would be the best choice for the University and would involve the University ensuring that their housing needs are met, particularly with the development of affordable housing options for students.

When aligned with other findings related to needing to improve the amount of indigenous biodiversity and the desirable location of a new swimming pool there appears to be a number of opportunities for this development, which is on University land, to be planned and promoted in a way

that supports the University goals as well as those of the wider community.

With the first turf being turned on the supermarket site it may be too late for a serious review of the plans for this development, but on the other hand, it provides an excellent focus for student projects, whether they relate to the broader issues of drainage, waste and biodiversity management, or to the more subtle

concepts of designs creating a development that not only physically links town and gown, but develops a cultural vitality and heritage that is beneficial to the Lincoln community as a whole. The challenge is there!



CONFERENCE REPORT Stacey Faire*

NZ Association for Impact Assessment Conference - Assessing impacts in coastal and lake front environments, Nelson 27th -28th November 2008

Recently I had the pleasure to attend and privilege to present at the NZAIA meeting in Nelson. This group is involved in promoting tools for all impact assessment practitioners. Here are a few of my thoughts for your information...

Professor Nick Harvey opened the conference by sharing his experience in strategic planning for resource use. Discussions and debate focused around the current issues and challenges for practitioners. The presentations were free and frank and several included case studies on where certain tools worked and their limitations (e.g. marina developments, offshore wind farms and aquaculture). It was a useful chance to reflect on major projects and to consider what worked and what didn't. The group thought that time to reflect on cases could help improve future decision making. We also had the added benefit of presentations on cultural impact assessment and health assessments. This wider exposure to other impact assessment tools was refreshing and to use Prof. Richard Morgan's summary "reconnected sectors of the environment" (social, cultural, health, ecology and physical). The presentation on non-statutory tools (coastal strategies) gave an example of a non-RMA method of identifying future needs of a region and then implementation through statutory documents (LTCCP, structure plans etc). I enjoyed the presentation from the President of the recreational fisheries council who highlighted the value of anecdotal evidence, costs of participation and challenged future policy makers to design systems that are fair to all resource users and that include "a pinch of common sense". I like that. The open discussion (*Indaba*) included debate on the following key issues raised in the conference:

- Strategic Impact Assessment and Strategic Planning (*the two seem to get mixed, and the lack of both*)
- Cumulative impacts (*still not used effectively - how can we develop better tools?*)
- Adaptive management (*when is it appropriate and can we improve how it works?*)
- Natural Character/Visual Amenity/Recreation (*links between recreational experiences and impacts on natural character*)
- Impacts of Remedial Works

I trust that you found this a useful summary! For more information about NZAIA have a look at the website. <http://www.nzaia.org.nz/>
Cheers Stacey

*Stacey Faire M.A (Hons) Geography, Auckland. B.Soc.Sci, Resource and Environmental Planning, Waikato. At the time of writing Stacey was an independent consultant specialising in coastal management and environmental effects assessment of maritime industries.

NEXT ISSUE

The next issue of LUPR is planned for July 2009. Articles for publication should be submitted by May 15, 2009 to Hamish Rennie, lupr@lincoln.ac.nz (Please put 'LUPR' in the subject line)

In issue 2 we hope to include an 'agony aunt/uncle' section - an opportunity to ask an expert your planning related question.