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CHRISTCHURCH CITY DISTRICT PLANNING SCHEME

PROPOSED CHANGE 32 - TAYLORS MISTAKE

Hearing before Mr. J.R. Milligan, Commissioner

STATEMENT BY DAVID WILLIAM COLLINS

Personal Background

1. I am a qualified Planner (B.A., M.Sc. (Res. Mgt.)) and a member of the New Zealand Planning Institute. I am a principal of Gabites Porter & Partners Christchurch, consultant town planners, architects and engineers.
2. I have been assisting the Taylors Mistake Association over the last year or so and I drafted the proposal put forward by the Association in August last year for a special Residential Holiday Zone at Taylors Mistake. That proposal formed the basis for discussions with the Council's Town Planning Committee and a team of Council Officers. In the course of those discussions amendments to my draft Scheme Change were made but the basic provisions remain. Although a Scheme Change by its nature is a Council proposal, in this case I am in a position to explain the reasoning behind the provisions of the proposed Change.

Background

3. The Taylors Mistake Association represents the owners of baches on legal road around the edge of Taylors Mistake Bay. Association members (35 in total) have formed a company and negotiated an option to buy the 73 ha (180 acres) of land shown on the map attached, marked 1. The land includes all the area behind the present main row of baches and an area of the valley floor, together with both sides of the valley extending up to the Summit Road.
4. Also attached to this evidence (marked 2) is a plan showing the approximate location of the proposed Residential Holiday Zone in relation to the beach and valley floor. I say approximate because the small scale of the map included as part of the proposed Change does not allow the area to be shown accurately. Some of the boundaries relate to existing fences but I found that the small plan forming part of the Change is not sufficiently accurate to allow the area to be accurately defined on a larger scale plan by simply enlarging the plan. As indicated in the explanation accompanying the proposed Change, the area to be rezoned "residential holiday" is approximately 1.2 ha.

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5. My plan 2, which is based on a plan produced by Council Officers in the course of planning for improvements to facilities in the Taylors Mistake area generally also shows how the proposed Residential Holiday Zone relates to the existing baches on legal road.
6. Plan 2 also shows the existing and proposed reserve areas. The area shown as "reserve to vest" is, I understand, being vested as reserve contribution on a subdivision unrelated to the present proposal. The remainder of the valley floor is within the area being purchased by the Taylors Mistake Association, which has indicated that it would be made available to the City Council for reserve at nominal (cost). This includes most of the area immediately behind the existing main group of baches (zoned Recreation/1), the area immediately west of the proposed Residential Holiday Zone (also zoned Recreation/1) and an area at the head of the valley presently zoned Rural 1 but to be rezoned Recreation 1 by this Scheme Change.
7. The Association has also indicated its willingness to lease the hill areas to the Department of Conservation for a nominal rental as an extension to the Godley Head Farm Park. These areas are also shown on the attached photograph (taken from the air) marked 3. The Department has indicated subsequently that it does not wish to pursue the lease proposed because this sort of recreation area is seen as a local authority responsibility, not a government department responsibility. Local D.o.C. officers have however indicated support for the concept of securing public access to these areas.
8. I have a number of photographs available which may prove useful in the course of the hearing but at this stage I will just refer to the large aerial photograph displayed and a pair of photographs showing views of and views from the proposed Residential Holiday Zone (marked 4).

General Concept of the Residential Holiday Zone

9. The concept of a special zone catering solely for holiday/weekend accommodation arose from the assumption that the existing baches could not remain. The task in planning terms was to devise how best to retain the special character of Taylors Mistake accommodation while meeting the Council's objectives of providing the best possible public access to the beach and the area immediately behind. This involved consideration of alternative sites for a special zone for baches, the question of scale and intensity of development, and consideration of mechanisms to ensure such a development would retain the essential character elements of the present bach development and be visually and functionally as unobtrusive as possible. I will discuss these in turn.

Alternative Sites for the Zone

10. An Officer's report considered by the combined Town Planning and Parks and Recreation Committees on the 11th May 1989 outlined the advantages and disadvantages of three alternative general areas for a Holiday Residential Zone in Taylors Mistake. They were the western side of the valley, the head of the valley, and the area now proposed. All of these are within the area being acquired by the Taylors Mistake Association. The report concluded that the "preferred locality" would be the area now proposed. Sites on the western side of the valley or at the head of the valley would intrude onto the native swamp vegetation which is regarded as worthy of preservation. The western area (or more correctly north western area) also has the disadvantage of

losing the sun very early, while the area at the head of the valley would appear unrelated to the beach and facilities behind.

11. When I first spoke to Association members, they made it clear that the Officers' "preferred locality" was not their first choice. They preferred the area immediately behind the present main row of baches which is nearer the beach and has a better view. I explained the advantage for the public in having that area available for general public use and I believe the Association members now accept the proposed site as the best that can reasonably be expected.
12. The proposed site also has an advantage from a planning perspective in that its boundaries are defined reasonably well by natural features, on one side there is the toe of the steep eroded hillside, marked by the "tank trap" track. On the opposite side there is the line of the valley floor native swamp vegetation. At the seaward end the extent of the zone is limited by the concern to keep the prime area near the beach available for public use and by the area already committed as reserve. The zone extends up the valley as far as a major natural watercourse flowing out of an eroded valley. The area available within these constraints is irregularly shaped (which is better from a visual perspective) and averages approximately 200 m by 60 m ($12,000 \text{ m}^2 = 1.2 \text{ ha}$).

Scale and Intensity of Development

13. It must be emphasised that the Residential Holiday Zone has never been seen as simply another normal residential zone. A very compact and high density (but low rise) development is proposed, catering for a maximum of 40 baches (specified in the Ordinance). I believe this high density is an important element of the existing bach development - in common with many other bach settlements such as those at the mouths of many Canterbury rivers. It is clearly a bach settlement without the space and trappings of normal suburbia.
14. Allowing for vehicle and pedestrian accessways to take up about 3000 m^2 , there would be approximately 9000 m^2 available for bach sites - an average of 225 m^2 for each. The proposed Ordinance specifies a minimum 200 m^2 per bach site. Baches themselves are limited by the proposed Ordinance to a maximum of 70 m^2 in floor area. Each bach is required to have a garage with maximum dimensions of 6 m x 4 m.
15. The attached plan, marked 5, illustrates the concept. The baches shown are 10 m x 7 m, i.e. the maximum 70 m^2 permitted. Similarly the garages shown are the maximum dimensions permitted. Buildings have been placed so as to leave the required 4.5 m from the zone boundary, 3.6 m between buildings, and 1.8 m clearance from vehicle and pedestrian access routes. In reality, of course, the baches would not all be rectangles, allowing a better use of available space. The plan does illustrate the concept however of a high density, semi communal environment which in my view is appropriate for a zone intended specifically for baches.

Design Control

16. An important element of the concept is comprehensive design control. This would operate at two levels. Firstly, it should be noted that no subdivision is permitted in the zone - the intention is that the company owning the land would provide an overall plan of

site layout and landscape design. Site works would include the provision of services and a framework of planting before individual defined areas would be allocated to the shareholders. The individual shareholders would then seek approval for their baches as Controlled Uses. I now have some reservations about the way the proposed Change makes provision for Controlled Uses and if there is some legal difficulty with this it may need to be resolved by Variation. In my view, however, the criteria specified are appropriate, and will ensure that the zone when developed will be as unobtrusive as possible. Mr. David Hill, an architect, will address the question of design control in more detail.

17. The proposed system of joint ownership of the whole zone is, I believe, important for the viability of such a dense development. Some control of individuals by the community through Body Corporate Rules would be possible. Vehicle and pedestrian routes, planted areas and open spaces will be able to be laid out without the need for them to be legally defined. Maintenance would not be a Council responsibility.

Services

18. Preliminary investigations have shown that power, telephone, mains water and sewerage are all readily available. In particular the new sewage pumping station next to the car park and the rising main up Taylors Mistake Road have such excess capacity at present that fresh water has had to be introduced to keep them working effectively. It is proposed to reticulate all services underground.
19. Stormwater from the hillside above and from roof and paved areas within the zone would be directed into the natural watercourse in the valley floor.

Traffic

20. At present, each owners have no alternative to parking in the public car park. It is proposed to contain all parking associated with the new zone in the zone itself. The Ordinance requires each holiday unit to have a garage, and visitor parking will be provided in suitable places as part of the overall design.
21. No formal roads are envisaged; vehicle accessways would be jointly owned as part of the unit title tenure of the whole zone. It is envisaged that vehicle accessways would take the form of a sealed carriageway, or possibly a "gobi block" surface about 4.5 m wide with a mountable kerb on one side providing stormwater drainage but allowing parking on the grassed areas alongside.
22. Generally, design would encourage a slow traffic environment using devices such as speed humps with a minimum of sealed areas.

Sites for the Public and the Surf Club

23. Sites and holiday units within the proposed zone would come on the market for private sale from time to time just as in any other area, but the view has been expressed that there should be some opportunity for the general public to stay in the area on a casual basis. "Traveller's accommodation" has therefore been included in the Ordinance (performance elements and standards are the same as for baches).

24. Many of the Taylors Mistake Association members intending to take up sites in the zone are involved in the Taylors Mistake Surf Club and are currently able to contribute to the Club's surveillance and callout service because of their ownership of baches in Taylors Mistake. The Residential Holiday Zone would allow this contribution to continue. In addition, I understand there is scope for the Club to build accommodation within the zone for the shared use of other Club members.

Additional Reserve Land

25. In my view the benefits from the addition of substantial areas to the existing reserves and legal road at Taylors Mistake are an important element of any assessment of the Residential Holiday Zone proposal. Realistically, this is the only way these areas could be made available to the public in the foreseeable future. These benefits should not be in any way demeaned by the fact that the potential benefactor also stands to benefit from the provision of the new zone. Some people may wish to separate the rezoning proposal from the additional reserves proposal, but in my view they can quite properly be linked and an assessment of the costs and benefits of the proposals for the community at large should weigh up the total "package". There are many situations in planning where this sort of thing occurs; for example the trading of additional development rights in exchange for preservation of historic buildings.
26. The area behind the existing main row of baches is, I believe, particularly important because in combination with the existing legal road it provides the opportunity for intensive public use without intruding on the sensitive vegetation immediately behind the beach. The Council has carried out considerable work in recent years to re-establish this vegetation and protect it from the public by providing defined walkways. Some planting for shade would enhance the attractiveness of this area for picnicing etc. The additional land available would make it more feasible to provide access for vehicles and the opportunity to park in inclement weather with a view of the sea - the main car park does not allow this. Alternatively it could be developed with pedestrian access only.
27. The future of the valley floor area would seem to be as part of a park with sufficient space for large organised picnic groups, similar to Orton Bradley Park in Charteris Bay. Addition of the hill areas to the Godley Head Farm Park would allow a round trip walk from Taylors Mistake and a link with the Summit Road could be established.

Conclusions

28. In my assessment the proposed Residential Holiday Zone, subject to the controls specified in the Change, will lead to an unobtrusive development which will allow the better use of the Taylors Mistake resource. The zone would not, in my view, interfere with public use of the beach and existing reserve areas. When the prospect of substantial additional public areas is taken into account, I believe the proposed Change is in the public interests.

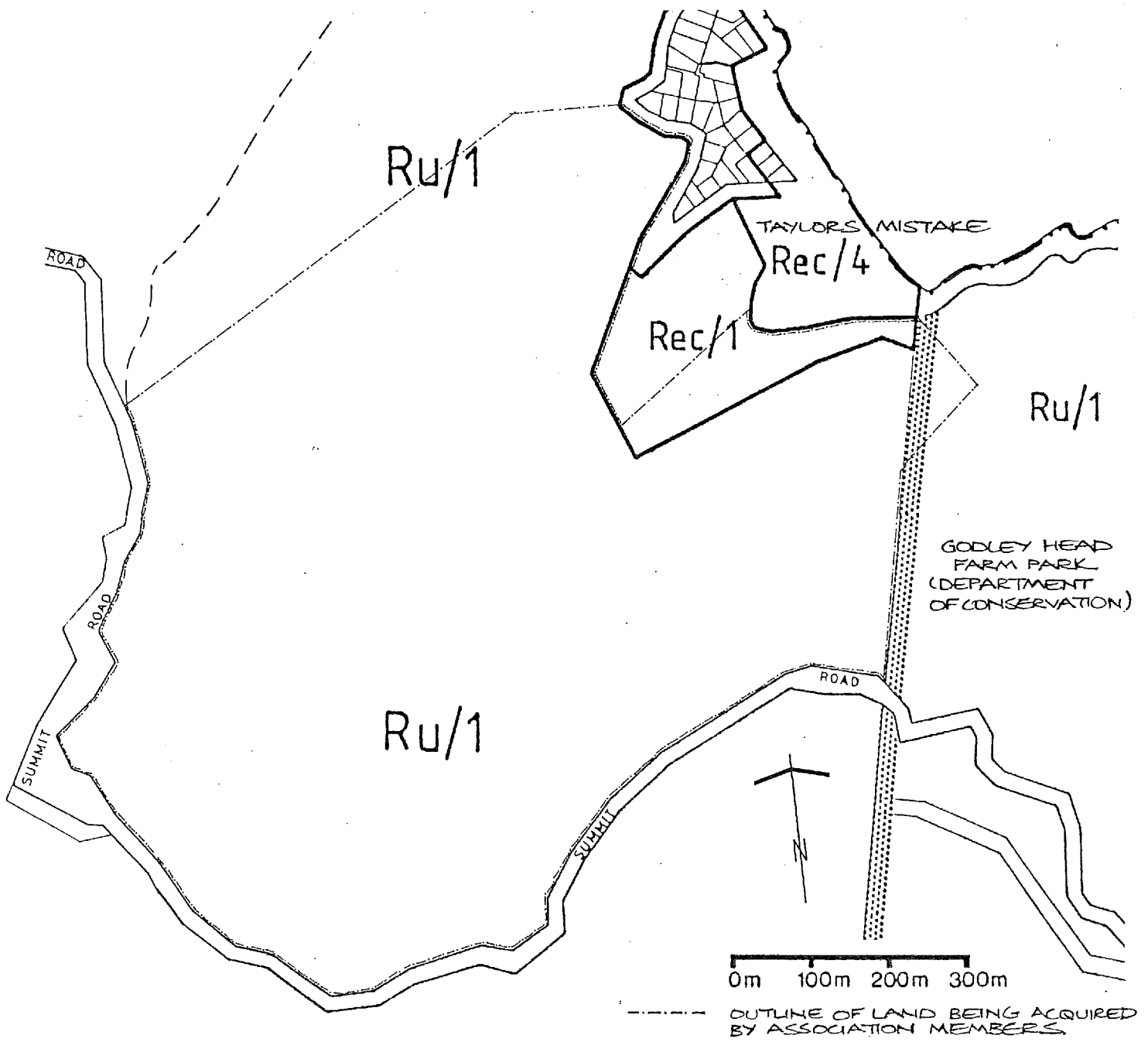
Objections

29. A number of objections have been lodged to the scheme and the Taylors Mistake Association Land Company Limited lodged cross objections opposing four of these.

Two of these, the objections from the United Council and the Forest and Bird Protection Society were very broad and I would simply comment that those organisations may not have taken into account the implications of additional areas of what is currently private land being made available for the public.

30. An objection by O. and M.J. Snoep made some specific requests. The objection suggested that the zone should be located on the other side of the valley to reduce the visual impact "from the residential hill zone and beach". I have already referred to the problem of shading on that side of the valley. From my observation, the houses in the residential hill zone tend to be oriented towards the sea and the north. Their view is not primarily towards the area of the proposed Residential Holiday Zone. As for the view from the beach, I would comment that similarly, people using the beach are focussed primarily on the beach and the sun. Provided the proposed zone is set well back so there is no impression of the beach being overlooked (which is a problem at present) I would not expect beach users to be conscious of the baches. The Snoeps also suggested that the value of development costs should be bonded to ensure completion. The concern appears to be that baches could be built before services such as sewerage were provided but I believe the Council is in a position to prevent this occurring as in a traditional subdivision.

31. The North Canterbury Catchment Board objection requests that the zone boundaries be modified "to pull them away from an eroding watercourse and off the steep hillside". An 8 m setback from the zone boundary along the base of the hill is also recommended. As I indicated earlier, it is difficult to define exactly where the zone boundary falls on the ground without an accurate survey. It was my intention however, and I believe the intention of the Council Officers, that the upper boundary would include the formed track but not the erodible hillside above, and, as noted earlier, the zone would extend up the valley only as far as the watercourse referred to by the Catchment Board. That being the case, it seems to me that there would be room to form a stormwater cut off drain within the 4.5 m setback specified in the Ordinance, without the need for a further setback as suggested by the Catchment Board.



LAND BEING ACQUIRED BY ASSOCIATION MEMBERS