



PROACTIVE RELEASE COVERSHEET

Minister	Chris Bishop	Portfolio	RMA Reform
Title of briefing paper	BRF-5720 Christchurch City Council intensification planning instrument: Recommendations referred for decisions	Date to be published	27 June 2025

List of documents that have been proactively released

Date	Title	Author
12 May 2025	BRF-5720 Christchurch City Council intensification planning instrument: Recommendations referred for decisions	Ministry for the Environment
5 June 2024	Signed letter to Mayor Phil Mauger on minister's decisions on referred recommendations	Hon Chris Bishop, Minister Responsible for RMA Reform

Information redacted: YES

Any information redacted in this document is redacted in accordance with the Ministry for the Environment's policy on proactive release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Summary of reasons for redaction

Some information has been withheld under Section 9(2)(a) of the Official Information Act 1982 to protect the privacy of natural persons, including that of deceased natural persons.

Some information has been withheld under Section 9(2)(h) of the Official Information Act 1982 for the reason of maintaining legal professional privilege.

Briefing: Christchurch City Council intensification planning instrument: Recommendations referred for decisions

Date submitted: 12 May 2025

Tracking number: BRF-5720

Security level: In-Confidence

MfE priority: Non-urgent

Actions sought from Ministers		
Name and position	Action sought	Response by
To Hon Chris BISHOP Minister Responsible for RMA Reform	Please record your decisions on the recommendations in Appendix 1. Please review and sign the letter in Appendix 3.	26 May 2025
CC Hon Chris BISHOP Minister of Housing	No action required	N/A
CC Hon Penny SIMMONDS Minister for the Environment		

Actions for Minister's office staff	
Return the signed briefing to the Ministry for the Environment s 9(2)(a)	
Send signed response letter (Appendix 3) to Christchurch City Council.	

Appendices and attachments	
Appendix 1:	Detailed analysis and recommendations for decisions under clause 105 of Schedule 1 of the Resource Management Act 1991
Appendix 1A:	Maps referenced in Appendix 1
Appendix 1B:	Supporting information on key documents in the Intensification Streamlined Planning Process
Appendix 2:	Letter from Christchurch City Council referring rejected IHP recommendations
Appendix 2A:	Addendum to the Council's referral letter
Appendix 3:	Draft letter to the Mayor of Christchurch on your decisions
Appendix 4:	Minutes of Christchurch City Council, 2 December 2024
Appendix 5:	Excerpts from the IHP's recommendations report
Appendix 6:	Excerpts from the Council's notification and section 32 documents

Appendix 7:	Excerpts from the Council's section 42A report and right of reply
Appendix 8:	Excerpts from submissions and hearings evidence
Appendix 9:	Excerpts from IHP minutes

Key contacts at Ministry for the Environment			
<i>Position</i>	<i>Name</i>	<i>Cell phone</i>	<i>First contact</i>
Responsible Manager	Stephanie Gard'ner	s 9(2)(a)	✓
General Manager	Martyn Pinckard	s 9(2)(a)	

Minister's comments

Christchurch City Council intensification planning instrument: Recommendations referred for decisions

Key messages

1. This briefing seeks your decisions on recommendations referred to you by Christchurch City Council (the Council) on part of its Intensification Planning Instrument (IPI), Plan Change 14 (PC14).
2. On 2 December 2024, the Council decided on the parts of PC14 that implement Policies 3 and 4 of the National Policy Statement on Urban Development 2020 (NPS-UD). On 24 February 2025 the Council referred 20 of the Independent Hearings Panel's (IHP) recommendations along with its corresponding alternative recommendations to you for final decisions.
3. The Council has until 12 December 2025 to make decisions on the remaining parts of PC14. The Council has requested an extension to this deadline. We provided advice on this request on 1 May 2025 [BRF-6127 refers] and you have declined this request.
4. This briefing provides advice for you to make decisions on 17 recommendations. Some of these recommendations are on matters that extend across Christchurch City. Your decisions on these recommendations will only relate to sites where the Council has decided on the underlying zoning.
5. We consider the three remaining recommendations to be incomplete as the Council has not yet decided on the underlying zoning in these areas. These recommendations relate to qualifying matters for two heritage buildings (Daresbury House and Antonio Hall) and the Piko residential character area. We have drafted text into your letter to the Christchurch Mayor advising that decisions from the Council on zoning for these areas are required before you decide on these matters.
6. As required by clause 105 of Schedule 1 of the Resource Management Act 1991 (RMA), the Minister for the Environment (or a relevant Minister with appropriate delegations or transfer of powers under section 7 of the Constitution Act 1986, which in this case is you) must decide to accept or reject the referred IHP recommendations. If you reject an IHP recommendation you must decide whether to accept the council's alternative recommendation.
7. The matters you may take into account in making your decisions are limited to material the IHP could have taken into account. You may also have regard to compliance with procedural requirements and timeframes.
8. We recommend you:
 - a) accept the following IHP recommendations, to:
 - i. enable the medium density residential standards (MDRS) to apply to each site in a relevant residential zone, while also ensuring development enabled prior to

PC14 is not restricted using a method the Council is calling the “residential pathways approach” (**Matter 1**)

- ii. reject sunlight access as a qualifying matter (**Matter 2**)
- iii. permit greater intensification within the Airport Noise Influence Area qualifying matter and limited notification of consents to the Airport (**Matter 3**)
- iv. reject the City Spine (core Christchurch public transport route) as a qualifying matter (**Matter 4**)
- v. not include the Riccarton Bush Interface Area as a qualifying matter (**Matter 5**)
- vi. provide for a larger High Density Residential Zone catchment around the Riccarton Town Centre (**Matter 6**)
- vii. provide for a larger High Density Residential Zone catchment around the Hornby Town Centre (**Matter 8**)
- viii. permit higher building heights in the Hornby Town Centre Zone (**Matter 9**)
- ix. permit higher building heights in the Hornby High Density Residential Zone (**Matter 10**)
- x. provide for a larger High Density Residential Zone catchment around the Linwood Town Centre (**Matter 11**)
- xi. permit higher building heights and heights in relation to boundary in the Linwood Town Centre Zone (**Matter 12**)
- xii. permit higher building heights in the Linwood High Density Residential Zone (**Matter 13**)
- xiii. provide a Medium Density Residential Zone catchment around the Peer Street Local Centre (**Matter 14**)
- xiv. not include additional matters of discretion regarding the Papanui War Memorial Avenue Trees for development requiring resource consent in that area (**Matter 17**)

b) reject the following IHP recommendations and instead accept Council’s alternative recommendations to:

- i. permit higher building heights at 25 Deans Avenue (**Matter 7**)
- ii. provide for a local centre intensification precinct around the centres of Bishopdale, Barrington, Northwest Belfast, Halswell, Prestons, Sydenham south and Richmond (**Matter 15**)
- iii. align the zoning boundary with the parcel boundary at 231 Milton Street and 12 Johnson Street (**Matter 16**).

9. Officials consider you should wait until the Council has decided on the underlying zoning before making decisions on the following recommendations:

- a) the qualifying matter and listing of the Heritage Building at 9 Daresbury Lane - Daresbury House
- b) the qualifying matter and listing of the Heritage Building at 265 Riccarton Road - Antonio Hall
- c) retaining the Piko Residential Character Area as a qualifying matter.

10. **Appendix 1** provides:

- a) summaries of the IHP's referred recommendations and the Council's alternatives
- b) officials' advice and recommended decisions
- c) suggested reasons for accepting the officials' recommended decisions to send to the Council.

11. **Appendix 1A** provides the maps referred to in **Appendix 1**.

12. If you agree to the recommendations in this briefing, we recommend you send Christchurch Mayor, Phil Mauger the letter in **Appendix 3** to notify the Council of your decisions. The letter includes draft text on the decisions required from the Council before you decide on the recommendations relating to Daresbury House, Antonio Hall and the Piko residential character area.

Recommendations

We recommend that you:

- a. **note** 17 of the recommendations referred to you by Christchurch City Council, our detailed analysis and advice, and space for your decisions on these recommendations are included in **Appendix 1**
- b. **note** officials will provide additional material relevant to your decisions (such as submissions and further submissions and hearings evidence) on request
- c. **note** officials consider decisions from the Christchurch City Council on the underlying zoning for Daresbury House, Antonio Hall, and the Piko residential character area are required before you decide on these recommendations
- d. **sign** the letter to the Mayor of Christchurch included in **Appendix 3** notifying the Christchurch City Council of your decisions, reasons for your decisions and advising the Council decisions on the underlying zoning are required before you decide on the three remaining recommendations

Yes | No

- e. **agree** that this briefing and appendices will be released proactively on the Ministry for the Environment's website within the next eight weeks

Yes | No

If you would like to make different decisions from those recommended by officials, or would like to discuss the recommendations:

- f. **meet** with officials to discuss.

Yes | No

Signatures

Stephanie Gard'ner
Manager, Urban Policy
12 May 2025

Hon Chris BISHOP
Minister Responsible for RMA Reform
Date:

Christchurch City Council intensification planning instrument: Recommendations referred for decisions

Purpose

1. This briefing seeks your decisions on recommendations referred to you by the Christchurch City Council (the Council) on part of its Intensification Planning Instrument (IPI), Plan Change 14 (PC14).
2. On 24 February 2025, the Council referred 20 of the Independent Hearings Panel's (IHP) recommendations on the parts of its IPI that relate to Policy 3 and 4 of the National Policy Statement on Urban Development 2020 (NPS-UD) along with its corresponding alternative recommendations to you for final decisions.
3. Officials consider recommendations on three matters to be incomplete and recommend you do not decide on these until the Council has made the necessary decisions on PC14. We have provided advice in **Appendix 1** to support your decisions on the remaining 17 recommendations.

Background

Intensification planning instruments and Ministerial statutory functions

4. Specified territorial authorities (including Christchurch City Council) must prepare an IPI and use the Intensification Streamlined Planning Process (ISPP) to give effect to the intensification requirements of the NPS-UD and implement the Medium Density Residential Standards (MDRS).
5. An IHP hears submissions and makes recommendations on the IPI. If a council accepts an IHP's recommendations, they become operative. If a council rejects one or more of the recommendations, it must refer these, along with reasons for rejecting them to the Minister for the Environment (or a relevant Minister with appropriate delegations or transfer of powers under section 7 of the Constitution Act 1986). In this case, you are the relevant Minister. The council may also refer alternative recommendations to the Minister.
6. Clause 105(2) of Schedule 1 of the Resource Management Act 1991 (RMA) sets out the matters the Minister may take into account and may have regard to when making a decision on referred recommendations¹ which include:

¹ 105(2) In making a decision under subclause (1), the Minister—

- (a) may take into account only those considerations that the independent hearings panel could have taken into account when making its recommendation; but
 - (i) may have regard to—
 - (ii) whether the specified territorial authority has complied with the procedural requirements, including time frames, required by the direction made under section 80L; and
 - (iii) whether and, if so, how the independent hearings panel has had regard to that direction; and
 - (iv) whether and, if so, how the specified territorial authority and the independent hearings panel have had regard to the statement of expectations (if any) included in that direction.

- a) considerations the IHP could have taken into account when making its decision, including the submissions and evidence before it
 - b) the council's compliance with procedural requirements
 - c) how the council had regard to any statement of expectations.
7. You must decide whether to accept or reject each IHP recommendation referred to you. If you decide to reject the IHP's recommendation, you must decide whether to accept or reject the council's alternative recommendation. As per clauses 105(4) and 105(5) of Schedule 1 of the RMA, you may only alter a recommendation in a way that has a minor effect or to correct a minor error.

Christchurch City Council's intensification planning instrument, Plan Change 14

- 8. On 11 April 2022, the former Minister for the Environment directed the Council to notify decisions on its IHP's recommendations by 20 August 2023.
- 9. On 13 September 2022 the Council voted not to notify its IPI, PC14. The former Minister for the Environment decided to investigate under section 24A of RMA how the Council was performing its functions in relation to notifying PC14. An independent person was appointed to conduct the investigation and work constructively with the Council. The Council notified PC14, on 17 March 2023.
- 10. On 7 June 2023, the Council requested a 13-month extension to notify its decisions on the IHP's recommendations on PC14. The former Minister of the Environment granted the Council an extension until 12 September 2024 and introduced reporting requirements.
- 11. On 8 December 2023, the Council requested a further extension in response to the release of the Government's proposed Going for Housing Growth policy. On 13 February 2024, you and Hon Penny Simmonds met with the Mayor of Christchurch to discuss the Council's extension request.
- 12. On 26 March 2024, you granted the Council a partial extension of 15 months [BRF-4432 refers]. You directed the Council to notify decisions on the IHP's recommendations on the parts of PC14 **not** subject to Policies 3 and 4 of the NPS-UD by **12 December 2025**. The timeframe for decision on parts of PC14 **subject to** Policies 3 and 4 of the NPS-UD remained 12 September 2024.
- 13. On 29 July 2024, the IHP provided its recommendations to the Council on all aspects of Plan Change 14.
- 14. On 22 August 2024, the Council requested a three-month extension to complete the ISPP for those parts of PC14 **subject to** Policies 3 and 4 of the NPS-UD, until **20 December 2024**, which you granted [BRF-5249 refers].
- 15. The Council made its first decisions on recommendations of the IHP on 18 September 2024, when it accepted the recommendations in respect of part of the City Centre zone, related qualifying matters and the delisting of six heritage items. The relevant provisions were made operative on 3 October 2024 and are now part of the District Plan.
- 16. The Council made decisions on the balance of recommendations required to give effect to Policies 3 and 4 of the NPS-UD on 2 December 2024. The Council decided to reject 20 recommendations. The Council complied with its amended timeframe for its substantive

plan change and wrote to you (**Appendix 2**) to notify you of its decisions on the IHPs recommendations on 24 February 2025.

17. On 8 April 2025, the Council wrote to you requesting an additional nine months to notify its decisions on the IHP's recommendations on the remainder of PC14 until 30 September 2026. Advice on this request was provided to you on 1 May [BRF-6127 refers] and you have declined this request. This will mean the balance of the Council's decisions on PC14 (ie, to incorporate the MDRS) are required by 12 December 2025.

Analysis and advice

Matters to support decision-making – information and legislative requirements

18. Schedule 1, clause 105 of the RMA means that the matters you may take into account in making your decisions are limited to material the IHP could have taken into account when making its recommendations. New evidence cannot be commissioned to inform decisions on the recommendations referred to you.
19. You may have regard to the Council's compliance with procedural requirements and timeframes and, if issued, whether the Council had regard to a 'statement of expectations'. The Council and the IHP has broadly met the procedural requirements of the ISPP.
20. We note the Direction² includes a requirement for the Council to "*provide a report to the Ministry for the Environment every two months from the date of this notice about its progress of the intensification streamlined planning process for Plan Change 14.*" The Council provided a combination of written and verbal reports to Ministry officials through our regular engagement with council officers. We have a constructive working relationship with council officers and consider our regular engagement with council officers fulfils the intent of this requirement. The Council was not required to have regard to a 'statement of expectations' because no statement was issued.
21. Officials have prepared advice for this briefing by referring to the material listed below (these documents have been appended to this briefing to support your decision making):
 - a) the Council's referral letter, including the Council's reasons for rejecting the IHP's recommendation and the Council's alternative recommendation (**Appendix 2**)
 - b) excerpts from the IHP's recommendations report (**Appendix 5**)
 - c) excerpts from the Council's notification the section 32 documents (**Appendix 6**)
 - d) excerpts from the Council's section 42A report and right of reply (**Appendix 7**)
 - e) excerpts from submissions and hearings evidence (**Appendix 8**)
 - f) excerpts from select IHP minutes (**Appendix 9**).

² <https://environment.govt.nz/acts-and-regulations/acts/intensification-streamlined-planning-process/#christchurch-city-council>

22. **Appendix 1B** provides a diagram showing at which stages of the ISPP the different documents were produced and a short explanation of the function of key documents.
23. If you wish to see additional evidence or submissions (including further submissions) considered by the IHP, officials will provide you with these documents. Full copies of the section 32 (evaluation report that accompanied the notified version of PC14) and the section 42A report (provided before a hearing to support the IHP) can also be provided.
24. Officials sought clarification from Council staff to confirm the specific parts of evidence that supported the Council's alternative recommendations, and to ensure we were interpreting the recommendations as intended and to clarify some details for our analysis. In response the Council provided an addendum report to the referral letter (**Appendix 2A**).

Recommendations referred to you by Christchurch City Council

25. The IHP made recommendations on the whole of PC14 on 29 July 2024. However, the Direction to the Council enabled it to make decisions on the IHP's recommendations in tranches. The Council wrote to you (**Appendix 2**) to notify you of its decisions on the first tranche of its decisions on the IHPs recommendations on 24 February 2025. This briefing is on recommendations on parts of PC14 subject to Policies 3 and 4 of the NPS-UD.³
26. **Appendix 1** sets out our analysis and advice on 17 of the recommendations with space for your decisions. These recommendations relate to:
 - a) enabling the medium density residential standards (MDRS) to apply to each site in a relevant residential zone, while also ensuring development enabled prior to PC14 is not restricted using a method the Council is calling the "residential pathways approach" (**Matter 1** – Residential pathways)
 - b) qualifying matters (**Matter 2** – Sunlight Access, **Matter 3** – Airport Noise Influence Area, **Matter 4** – the City Spine public transport route, **Matter 5** – the Riccarton Bush Interface Area matter)
 - c) the size of walkable catchments around town centres (**Matter 6** – Riccarton, **Matter 8** – Hornby, **Matter 11** – Linwood)
 - d) building heights (**Matter 7** – Deans Avenue, **Matter 9** – Hornby town centre zone, **Matter 10** – Hornby high density residential zone, **Matter 12** – Linwood town centre zone, **Matter 13** – Linwood high density residential zone)
 - e) local centre catchments and intensification requirements (**Matter 14** – Peer Street local centre and **Matter 15** – local centre intensification precinct)
 - f) site specific zoning (**Matter 16** – 231 Milton Street and 12 Johnson Street)
 - g) matters of discretion (**Matter 17** – Papanui War Memorial Avenue Trees).

³ The Council has also decided on a small area of zoning outside of a policy 3 area next to Riccarton Bush.

27. You must also provide the Council with reasons for your decisions. We have included suggested reasons (alongside the corresponding recommendations) in **Appendix 1** and seek your agreement to these.

28. s 9(2)(h)



29. **Table 1** on page 14 of this briefing provides a summary of the IHP's recommendations rejected by the Council, the corresponding alternative recommendations and officials' suggested reasons for your decisions.

30. We have provided additional advice below on the implications of the Council making its decisions in tranches for your decisions on:

- a. Residential pathways (**Matter 1**)
- b. Citywide qualifying matters (**Matter 2** – Sunlight Access, **Matter 3** – Airport Noise Influence Area and **Matter 4** – the City Spine public transport route)
- c. Riccarton Bush Interface Area (**Matter 5**).

31. We also consider further decisions are required from the Council on the underlying zoning for three matters referred to you: Daresbury House, Antonio Hall and the Piko Residential Character Area. Our rationale requiring further decisions from the Council on these three matters is also provided below.

The residential pathways approach and your decision on how it applies

32. **Matter 1** – Residential pathways is about how the Council is proposing to enable the medium density residential standards (MDRS) to apply to each site in a relevant residential zone, while allowing the district plan provisions that applied to the site before PC14 was introduced to continue to apply.

33. This approach was introduced by the IHP in response to its interpretation of the High Court decision *Kāpiti Coast District Council v Waikanae Land Company Limited*. It works by having the new PC14 provisions as the underlying zoning (the first pathway) and the pre-PC14 provisions as an 'overlay' (the second pathway).

34. The Council and the IHP differ on how the pathways should apply to a site overtime. The IHP's recommendation would see people being able to choose either set of provisions (either pathway) for a development and then continue to choose again which provisions to use for any future development. The Council considers once a pathway has been chosen for development that pathway should be the only one that can be used on that site for any future development.

35. Your decision on the residential pathways approach will initially only impact residential sites where the Council has made decisions on the underlying zoning. Once the Council decides on the zoning for more areas your decision on the pathways approach will impact these sites.

Scope of your decisions on the citywide qualifying matters for sunlight access, the airport noise influence area and the city spine

36. PC14 proposed three city wide qualifying matters, impacting areas across Christchurch City to different extents:
- a) **Matter 2** – Sunlight access qualifying matter (proposed to apply to all residential zones)
 - b) **Matter 3** – Airport noise influence area qualifying matter (proposed to apply to suburbs in the northwest and west of the city including Harewood, Burnside, Russley, Yaldhurst, Templeton, Avonhead, Ilam, Fendalton and Riccarton)
 - c) **Matter 4** – City spine qualifying matter (proposed to apply as a corridor from Belfast in the north of the city to Hornby in the south-west via the central city).
37. The IHP made recommendations on these qualifying matters for the whole of PC14. However, the letter from the Council (**Appendix 2**) along with confirmation in the Minutes of the Council for Monday 2 December 2024 (**Appendix 4**) mean the Council's alternative recommendations for these qualifying matters relate only to "Medium and High Density Residential zones decided upon" by the Council.⁴
38. Therefore, we have interpreted the scope of your decisions on these qualifying matters as limited to areas Council has made a decision on zoning (such as the policy 3 areas). Once the Council has made further decisions on PC14 there is a chance it may refer recommendations to you on the same qualifying matters for sites in the city not subject to policy 3. We will provide you with advice on these recommendations should this situation arise.

Scope of your decision on the Riccarton Bush Interface Area

39. **Matter 5** – Riccarton Bush Interface Area is about applying a qualifying matter to the areas surrounding Riccarton Bush. The IHP recommends rejecting the qualifying matter and applying medium or high density residential zoning to the area that would have been subject to the qualifying matter. The Council's alternative recommendation would retain the qualifying matter and apply medium density residential zoning throughout the area subject to the qualifying matter.
40. The Council's referral letter (**Appendix 2**) provides anticipated zoning for the Riccarton Bush Interface Area. It describes the anticipated zoning for the IHP's recommendation as resulting in:
- HRZ [high density residential zoning] within the Policy 3 catchments, leaving the balance of the QM [qualifying matter] area outside of the Policy 3 area as per operative zoning until a decision is made on the balance of PC14.*
41. However, officials consider that as both recommendations provide underlying zoning your decision on either recommendation would apply the medium density residential zone to areas not subject to policy 3.
42. Your Direction to the Council requires it to notify decisions on the IHP's recommendations on parts of PC14 subject to Policy 3 and Policy 4 of the NPS-UD by 20 December 2024, and on the rest of PC14 by 12 December 2025. The Direction does not impact your ability

⁴ See Appendix 4, Minutes of the Christchurch City Council, 2 December 2024, p 27 para 56, p 27-28 para 57, p 31 para 64

to make decisions on recommendations referred to you even if they are on areas not subject to NPS-UD Policy 3 and 4.

Three recommendations require additional decisions from the Council

43. Section 80E of the RMA sets out that an IPI is a plan change to implement the MDRS and policies 3, 4 and 5 of the NPS-UD. It may also include related provisions that support or are consequential on that purpose. Officials consider that for related provisions (in this case to delist heritage items or remove existing character areas from the district plan), until a zoning decision has been made it will be hard to determine if these provisions “support” or are “consequential on” the MDRS or policy 3.
44. The Council has not decided on the underlying zoning for the following recommendations:
 - a) the qualifying matter and listing of the Heritage Building at 9 Daresbury Lane - Daresbury House
 - b) the qualifying matter and listing of the Heritage Building at 265 Riccarton Road - Antonio Hall
 - c) retaining the Piko Residential Character Area as a qualifying matter.
45. We consider it appropriate to wait until the Council has decided on the underlying zoning before you make a decision on these qualifying matters. We suggest you tell the Council you will decide on these matters once it has advised you of its decisions on the zoning for these matters. We consider the Council can make these zoning decisions in advance of deciding on the balance of PC14. **Appendix 3** contains a draft letter with suggested wording. **s 9(2)(h)**

Table 1: Summary of the Independent Hearings Panel's and the Council's recommendations and reasoning behind officials' recommendations

	Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Suggested reasons for decisions to accept the recommendations
Matter 1: Residential Pathways	The two residential pathways are not fully independent. A particular pathway can be selected for a development and then either pathway can be selected again for any future development (officials' recommendation) .	The residential pathways are fully independent. Once a pathway is selected for a particular site that pathway will be the only one that can be used for development on that site.	<i>I consider the Council's alternative recommendation is not compliant with the Resource Management Act 1991 (RMA) as it does not provide for the medium density residential standards to apply to a site (as required by RMA section 77G) if a landowner selects the pathway that applies the pre-Plan Change 14 district plan provisions.</i>
Matter 2: Sunlight Access qualifying matter	Reject the Sunlight Access qualifying matter, apply the medium density residential standard for height in relation to boundary of 4 metres and 60 degrees (officials' recommendation) . This recommendation only relates to the parts of Plan Change 14 that the Council has made zoning decisions on.	Apply the Sunlight Access qualifying matter as per the Council Reply: reducing the height in relation to boundary standard to 3 metres and between 50-60 degrees depending on orientation. All height in relation to boundary exemptions are retained. This recommendation only relates to the parts of Plan Change 14 that the Council has made zoning decisions on.	<i>I consider the IHP's recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD). There is insufficient evidence to support the Council's alternative recommendation that sunlight access is a qualifying matter (within the (NPS-UD) policy 3 areas). By contrast, the IHP's recommendation is supported by evidence, which has been tested through the hearings process. Note my decision on this recommendation only relates the parts of Plan Change 14 the Council has made zoning decisions on.</i>

	Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Suggested reasons for decisions to accept the recommendations
Matter 3: Airport Noise Influence Area qualifying matter	The Airport Noise Influence Area qualifying matter means resource consent is required for developments with four or more residential units and the consent applications are limited notified to the Christchurch International Airport Limited, unless the Airport's written approval is obtained (officials' recommendation). This recommendation only relates to the parts of Plan Change 14 that the Council has made zoning decisions on.	Within the Airport Noise Influence Area qualifying matter resource consent is required for developments with <i>three or more</i> residential units and the clause requiring Christchurch International Airport Limited's written approval or limited notification is removed. This recommendation only relates to the parts of Plan Change 14 that the Council has made zoning decisions on.	<i>I consider the IHP's recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD). The IHP's recommendation would better give effect to the NPS-UD, by providing additional permitted development capacity compared to the Council's alternative recommendation. There is insufficient evidence to support the Council's alternative recommendation regarding the Airport Noise Influence Area. By contrast, the IHP's recommendation is supported by evidence, which has been tested through the hearings process. Note my decision on this recommendation only relates the parts of Plan Change 14 the Council has made zoning decisions on.</i>
Matter 4: City Spine qualifying matter	Reject the City Spine qualifying matter and apply the medium density residential standards front yard setbacks, being 1.5 metres for Medium and High Density Residential zones (officials' recommendation). This recommendation only relates to the parts of Plan Change 14 that the Council has made zoning decisions on.	Retain the City Spine qualifying matter which retains all pre-Plan Change 14 road boundary setbacks for sites that front a road across the City Spine qualifying matter area. This recommendation only relates to the parts of Plan Change 14 that the Council has made zoning decisions on.	<i>I consider the IHP's recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD). The IHP's recommendation will allow for more development capacity than the Council's alternative recommendation. There is insufficient evidence to support the Council's alternative</i>

	Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Suggested reasons for decisions to accept the recommendations
			<i>recommendation that the City Spine is a qualifying matter (within the NPS-UD policy 3 areas). By contrast, the IHP's recommendation is supported by evidence that has been tested through the hearings process.</i> <i>Note my decision on this recommendation only relates the parts of Plan Change 14 the Council has made zoning decisions on.</i>
Matter 5: Riccarton Bush interface area qualifying matter	Reject the Riccarton Bush interface area qualifying matter (that reduces intensification provisions) and apply the Medium or High Density Residential Zone to the areas that were proposed to be subject to the qualifying matter (officials' recommendation).	The qualifying matter is provided for with Medium Density Residential zoning applied throughout the qualifying matter area.	<i>I consider the IHP's recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD). The IHP's recommendation would better give effect to the NPS-UD, by providing additional development capacity in an area close to services and public transport.</i> <i>There is insufficient evidence to support the Council's alternative recommendation that the Riccarton Bush Interface Area is a qualifying matter. By contrast, the IHP's recommendation is supported by evidence, which has been tested through the hearings process.</i>
Matter 6: Riccarton Town Centre	Zone residential areas around Riccarton town centre High Density Residential and zone 25 Deans Ave	Reduce the area around Riccarton town centre zoned High Density Residential (including within the Riccarton Bush	<i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the NPS-</i>

	Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Suggested reasons for decisions to accept the recommendations
Policy 3(d) catchment	Medium Density Residential (officials' recommendation).	Interface Area) and zone 25 Deans Ave Mixed Use.	<i>UD for Riccarton town centre which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i>
Matter 7: Building height for 25 Deans Avenue	25 Deans Avenue has a building height precinct applied that permits a building height up of to 20 metres (6 storeys).	25 Deans Avenue has a building height precinct applied that permits a building height up to 36 metres (12 storeys) (officials' recommendation).	<i>I consider the Council's alternative recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD). The Council's alternative recommendation would better give effect to the NPS-UD, by providing additional development capacity compared to the IHP's recommendation. The Council's alternative recommendation is supported by evidence, which has been tested through the hearings process.</i>
Matter 8: Hornby Town Centre Policy 3(d) catchment	Zone residential areas around Hornby town centre High Density Residential (officials' recommendation).	Reduce the area around Hornby town centre zoned High Density Residential.	<i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 for Hornby town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i>

	Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Suggested reasons for decisions to accept the recommendations
			<i>There is insufficient evidence to justify the change sought by the Council through its alternative recommendation. By contrast, the IHP's recommendation is supported by evidence, which has been tested through the hearings process.</i>
Matter 9: Hornby Town Centre Zone building height	Permit a building height of 32 metres (8-10 storeys) in the Town Centre Zone of Hornby (officials' recommendation).	Permit a building height of 22 metres (6 storeys) in the Town Centre Zone of Hornby.	<i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 for Hornby town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i>
Matter 10: Hornby High Density Residential Zone (HRZ) building height	Permit a building height of 14 metres (3-4 storeys) in High Density Residential zoned areas around the Hornby town centre (officials' recommendation).	Permit a building height of 12 metres (three storeys) in High Density Residential zoned areas around the Hornby town centre.	<i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 for Hornby town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> <i>There is insufficient evidence to justify the change sought by the Council through its alternative recommendation.</i>

	Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Suggested reasons for decisions to accept the recommendations
Matter 11 Linwood Town Centre Policy 3(d) catchment	Zone residential areas around Linwood town centre High Density Residential, as per the Council's Right of Reply (officials' recommendation).	Reduce the area around Linwood town centre zoned High Density Residential.	<i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development for Linwood town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i>
Matter 12: Linwood Town Centre Zone (TCZ) building height and form	Permit a building height of 22 metres (6 storeys, with greater flexibility for ceiling heights) in Linwood Town Centre Zone and apply the MDRS height in relation to boundary standard (4 metres and 60 degrees) along the boundary with residential zones (officials' recommendation).	Permit a building height of 20 metres (6 storeys) in Linwood Town Centre Zone and apply the Sunlight Access qualifying matter height in relation to boundary standard (3 metres and between 50 and 60 degrees depending on site orientation) along the boundary with residential zones.	<i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the NPS-UD for Linwood town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i>
Matter 13: Linwood High Density Residential Zone (HRZ) building height	Permit building heights of 14 metres (3-4 storeys) in High Density Residential areas around Linwood town centre (officials' recommendation).	Permit building heights of 12 metres (three storeys) in High Density Residential areas around Linwood town centre.	<i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the NPS-UD for Linwood town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> <i>There is insufficient evidence to justify the change sought by the Council through its alternative recommendation.</i>

	Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Suggested reasons for decisions to accept the recommendations
Matter 14: Peer Street Local Centre Policy 3(d) catchment	Zone residential areas around Peer St local centre Medium Density Residential (officials' recommendation).	Defer decisions on the zoning of these areas until decisions are made on the balance of Plan Change 14 (required by 12 December 2025).	<i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the NPS-UD for Peer Street local centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i>
Matter 15: Local Centre Intensification Precinct	Reject the Local Centre Intensification Precinct.	Retain the Local Centre Intensification Precinct, applying it to residential areas around eight local centres, whilst altering the provisions to align with the 12 metre (three storey) building height limit recommended by the IHP (officials' recommendation).	<i>I consider the Council's recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 which are to building heights and densities of urban form commensurate with the level of commercial activities and community services.</i>
Matter 16: 231 Milton Street and 12 Johnson Street	Apply High Density Residential Zone for 231 Milton Street and 12 Johnson Street in accordance with what Council notified, which reflects parcel boundaries prior to the boundary adjustment between lots.	The boundary of the High Density Residential Zoning for 231 Milton Street and 12 Johnson Street is modified to align with the current parcel configuration (officials' recommendation).	<i>I consider the Council's alternative recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020. The Council's alternative recommendation to remove the split zoning aligns the zone boundary with the property boundary. There is insufficient evidence to support retaining split zoning over 231 Milton Street and 12 Johnson Street.</i>
Matter 17: Papanui War	No additional matters of discretion for the Papanui War Memorial Avenues are	The Papanui War Memorial Avenues are considered as a matter of discretion	<i>I consider the IHP's recommendation to be consistent with the requirements of</i>

	Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Suggested reasons for decisions to accept the recommendations
Memorial Avenues	included in the District Plan for decisions on intensification developments that require resource consent (officials' recommendation).	for breaches of building height, building setback, and building coverage rules.	<i>the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020.</i> <i>There is insufficient evidence to support the Council's alternative recommendation regarding the Papanui War Memorial Avenues.</i>

Te Tiriti analysis

46. No Treaty of Waitangi / Te Tiriti o Waitangi issues are associated with the proposals in this briefing.

Other considerations

s 9(2)(h)

47. s 9(2)(h)

48. s 9(2)(h)

49. s 9(2)(h)

s 9(2)(h)

50. s 9(2)(h)

51. s 9(2)(h)

s 9(2)(h)

52. s 9(2)(h)

53. s 9(2)(h)

54. s 9(2)(h)

55. s 9(2)(h)

56. s 9(2)(h)

s 9(2)(h)

57. s 9(2)(h)

s 9(2)(h)

58. s 9(2)(h)

59. s 9(2)(h)

Financial, regulatory and legislative implications

60. No financial, regulatory, or legislative implications are associated with the proposals in this briefing.

Next steps

61. If you agree to the recommendations in this briefing, please review and send Christchurch Mayor Phil Mauger the letter in **Appendix 3** to notify the Council of your decision.
62. The Council will publish your letter and incorporate your accepted recommendations into its District Plan and publicly notify those changes, including your reasons for your decisions. When this is carried out the provisions become operative (clause 106 of Schedule 1 of the RMA).
63. We will continue to work with the Council on the remaining decisions on their IPI and brief you on any referred recommendations as they arise.
64. If you would like to make different decisions to those recommended in this briefing, officials suggest a meeting for discussion.

Appendix 1: Detailed analysis and recommendations for decisions under clause 105 of Schedule 1 of the Resource Management Act 1991

Matter 1: Residential pathways

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
The two residential pathways are not fully independent. A particular pathway can be selected for a development and then either pathway can be selected again for any future development.	The residential pathways are fully independent. Once a pathway is selected for a particular site that pathway will be the only one that can be used for development on that site.	Context In December, Christchurch City Council (the Council) largely accepted a recommendation from the Independent Hearings Panel (IHP) on Plan Change 14 (PC14) to establish a 'residential pathways approach' which applies two sets of plan provisions to relevant residential sites. The zoning in the plan enables the first pathway and is the new rules introduced by PC14, while the second pathway enables the provisions from the pre-PC14 district plan as an 'overlay'. This approach means that when applying for a consent, applicants can choose either pathway. The residential pathways approach is operative for policy 3 and 4 areas that the Council made decisions on zoning for. The IHP introduced the residential pathways approach in their recommendations, in response to its interpretation of a High Court decision (<i>Waikanae</i>¹) released after the hearings had closed and when the IHP was deliberating on its recommendations². The approach was not proposed by the Council in PC14 as notified, nor proposed by the Council or submitters through submissions or the hearings. The Council largely accepted the 'residential pathways approach' in their decisions. However, it rejected the IHP's recommendation on how the pathways should apply. Your decision relates to how the two pathways apply to a particular site over time. The IHP's application of the pathways approach enables people to choose a particular pathway for a development while retaining the ability to choose either pathway again for any future development. If the site changes ownership, future owners can also choose which pathway to apply for a future development. The Council's alternative recommendation is that the two pathways be independent. This would mean that once people had selected a pathway for a particular site, the selected set of rules would apply to the site. Future owners of the site would be required to follow the selected rules. Notified provisions When the Council notified PC14 there was only one set of planning provisions proposed. The Council introduced the medium density residential standards (MDRS) into all relevant residential zones by adapting the existing Residential Medium Density Zone provisions to create a new Medium Density Residential Zone (MRZ). This new zoning was extended across relevant residential zones. PC14 also introduced a High Density Residential Zone (HRZ). This approach incorporated the MDRS and would significantly increase development capacity, but also meant in some cases obtaining resource consent for specific activities might be more challenging under the new MRZ provisions. The MRZ replaced several existing residential zones in the pre-PC14 district plan, each with different rules, some more enabling than others. Standardising all these provisions into one set for the MRZ means some developments might now breach rules that were not relevant to them before (eg, an outlook space rule). The Council did not consider having 'less enabling' rules was an issue as the Council considered that the <i>Waikanae</i> case was wrongly decided by the Environment Court.	Agree to either: 1. officials' recommended suite of recommendations: a. accept the Independent Hearings Panel's recommendation; b. reject Christchurch City Council's alternative recommendation; c. agree to reason for decision: <i>I consider the Council's alternative recommendation is not compliant with the Resource Management Act 1991 (RMA) as it does not provide for the medium density residential standards to apply to a site (as required by RMA section 77G) if a landowner selects the pathway that applies the pre-Plan Change 14 district plan provisions.</i> Yes No
			Or 2. meet with officials for further discussion. Yes No

¹ The High Court case was an appeal by Kāpiti Coast District Council (KCDC) against a decision of the Environment Court in the case of *Kāpiti Coast District Council v Waikanae Land Company Limited* (Waikanae). The case revolved around whether the Council had the statutory power to list a new area of significance to Māori in the district plan through its IPI process. Waikanae Land Company argued KCDC exceeded its statutory power by adding the site through the IPI process. The Environment Court found that the inclusion of the site did not support the medium density residential standards (MDRS) and was not consequential on them. Instead, it precluded the operation of the MDRS and exceeded KCDC's power. The High Court upheld this decision, dismissing KCDC's appeal.

² Appendix 5, IHP Recommendations Report – Part 4, para 6.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		<i>Submissions, hearings and evidence</i> The residential pathway approach was not raised as an option through submissions or evidence presented at the hearings. However, there was extensive discussion about <i>Waikanae</i> at the hearing, which was prior to the release of the High Court's decision. The High Court decision was issued after the close of the hearing. However, the IHP did not seek to invite further legal submissions on interpretation as they considered that the interpretation had been well covered at the hearing. Reasons for the IHP's recommendation The IHP released its recommendations after the High Court's <i>Waikanae</i> decision. Based on their understanding of the High Court's decision, the IHP found it could not determine if PC14 would meet the legal requirements of sections 80E and 77G of the Resource Management Act 1991 (RMA). The IHP recommended the Council redraft part of PC14 to ensure PC14 would not limit development previously enabled by the pre-PC14 district plan. The IHP recommended that this should be done by providing a framework within the structure of the district plan that offers different development pathways. The IHP concluded that there is no other way to provide for the requirements set out in the <i>Waikanae</i> decision. The IHP considered that the 'residential pathways' were the simplest means, in the time available, of retaining pre-existing development enablements while also incorporating the MDRS. <u>Correspondence between the Council and IHP following the release of the IHP's recommendations report</u> Originally the IHP recommended three pathways. However, after the recommendations were released, several Minutes were issued by the IHP, in response to correspondence from the Council. This resulted in the following two pathways being recommended by the IHP: (a) Pathway 14A – development not complying with the relevant pre-PC14 district plan development standards but complying with the relevant MRZ/HRZ development standards (b) Pathway 14B – development that complies with the relevant pre-PC14 district plan development standards (ie, existing development enablements), including activity classifications and matters of control and discretion. This would result in a residential property being subject to zoning (either MRZ or HRZ), but also having the pre-PC14 district plan zoning as an overlay. The district plan would contain both all the previous pre-PC14 district plan provisions, as well as the new MRZ and HRZ provisions. Therefore, a proponent of a development who did not want to use the new PC14 provisions (Pathway 14A) can choose to continue to rely on the pre-PC14 district plan provisions (Pathway 14B) not only for permitted activities but also as a consenting pathway. In the Council's memorandum to the IHP dated 2 August 2024, the Council said plan users would be advised Pathway 14A is a separate and independent pathway to Pathway 14B. This would mean the two different consenting paths would not apply at the same time to the same activity that is being sought to be consented. Therefore, a plan user could choose either the consenting path under Pathway 14A or under Pathway 14B. In Minute 50, the IHP confirmed that the pathways should be separate and independent. Then, on 18 October 2024, the Council, in another memorandum to the IHP raised the issue of 'hybridisation', where a developer could use the two pathways interchangeably over time. The Council considered this would likely lead to disjointed, mismatched developments and poor planning outcomes. The Council provided some examples of what they considered to be poor outcomes, including where someone could use Pathway 14A for a development and then undertake further development under Pathway 14B and so avoid an urban design assessment or needing to comply with a glazing standard. Council staff suggested that to rectify these 'hybridisation' issues, the pathways should be fully independent, so if a site is developed under one pathway, the developer is effectively tied to that pathway for any future development.	

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		In response, the IHP issued Minute 56, which acknowledged the 'hybridisation' issues the Council raised and confirmed that it was their <i>"intention that the pathways would be independent, and that an applicant could not mix and match the pathways"</i>. Then, in Minute 58, the IHP drafted the changes below to the introductory section explaining the pathways in Chapter 14 that the Council considers means that the pathways are no longer fully independent. Red strike-through text indicates deletions. Red underlined text indicates additions. e. If ~~sub-c~~Chapter 14A is used for a development, the Chapter 14B pathway ~~ceases to be~~ <u>is</u> available for development on the site <u>only if either:</u> <u>i. the existing Chapter 14A development still complies with the permitted activity status or the conditions of the application resource consent; or</u> <u>ii. resource consent is concurrently applied for any non-compliance with the Chapter 14A development at the same time approval for the Chapter 14B pathway development.</u> Council officers say they did not have sufficient time between when the IHP released Minute 58 on 20 November 2024, and the Council meeting on 2 December 2024, to seek clarification as to why the IHP made those drafting changes to no longer make the pathways independent. There was no commentary on this in Minute 58. On 28 November 2024, Cindy Robinson (IHP Chair) emailed Mark Stevenson (the Council's Acting Head of Planning and Consents) to advise that the IHP's amendment in Minute 58 was not in error and to clarify compliance must be maintained <i>"with Pathway B where a site contains existing buildings to be retained if later redevelopment of a site is proposed via pathway A"</i>. The email was provided to the Mayor and Councillors in advance of the decisions made on recommendations from the Panel on 2 December 2024. Detailed description of Council's alternative recommendation 1. Chapter 14A represents what is enabled by Plan Change 14, and Chapter 14B represents the pathway that applies the pre-PC14 enablements (defined as the 'Chapter 14B Pathway'). 2. Chapter 14B details all pre-PC14 residential zones that are relevant residential zones, though these are expressed as overlays that sit over MRZ and HRZ areas. 3. All objectives, policies and methods contained in each sub-chapter are considered independently. 4. The alternative Chapter 14B Pathway only applies if an applicant states their intention to apply it – otherwise the Chapter 14A zone approach enabled by PC14 applies. 5. Given the permitted status of some activities, regulations state that applicants must also state which rules are intended to apply for building consent applications. 6. Enacting whichever pathway means that the opportunity to use the alternative pathway is foreclosed – i.e. if an applicant elects to use the Chapter 14B Pathway, then Chapter 14A is not available at a later date. 7. If a new vacant allotment is created this acts as a reset, whereby an applicant can decide whichever pathway to apply. 8. The independence of the pathways is further protected, by stating the confined limitations of applying a permitted baseline, assessment of effects, and evaluation for the purposes of notification is confined to each pathway in isolation. The Council is currently choosing to record decisions about which pathway applies to a property on internal property records. It would also be shown on a LIM purchased for the property and would be provided if there was a public enquiry about the property. However, there is no consent notice or annotation on a record of title. Reasons for the Council's alternative recommendation In its decisions, the Council has largely accepted the IHP's 'pathways' approach but has rejected several specific provisions that would have allowed development to occur on a site under both pathways. The Council considers it important to ensure that the residential pathways are independent from one another, to avoid the adverse consequences	

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		of mis-matched development. For example, the existing Residential Suburban Density Transition Zone in Christchurch permits up to four residential units as of right on a site with a height limit of 8 metres (two storeys), whereas MDRS permits three residential units as of right on a site up to three storeys. Therefore, by combining the pathways four residential units up to three storeys could be developed in two stages as of right on a site. In its referral letter (Appendix 2), the Council explains that it prefers the alternative recommendation, as the Council considers the framework recommended by the IHP to be unworkable. The Council also cites a number of reasons why it considers it important the pathways are independent including as noted above mis-matched development, confusion about what information to include on Building Act 2004 Project Information Memoranda and confusion about the permitted base line, which could also impact on notification tests. Advice We recommend you accept the IHP's recommendation. We consider the IHP's recommendation that the pathways are <u>not</u> independent gives effect to RMA section 77G(1) as both the MDRS and the level of development enabled by the pre-PC14 district plan can be used for current and future developments. This means people can continue to choose whether to use the overlay (pre-PC14 rules) or the underlying zone (PC14 rules) each time they do a development. The pathways also only apply where Council has made decisions on zoning. The Council's alternative recommendation of pathways being independent would require applicants to choose whether to use the overlay (pre-PC14 rules) or the underlying zone (PC14 rules) to progress their development. The property will then be locked into that pathway. The Council will assess any future development on the property against that pathway only. For properties locked into Pathway 14B (ie, the existing development enablements prior to PC14), this will mean the MDRS will not be able to be used for future development, even if ownership of the property changes. This means that the Council's alternative recommendation is not compliant with the Resource Management Act 1991 (RMA) as it does not provide for the MDRS to apply to a site (as required by RMA section 77G), if a landowner selects the pathway that applies the operative plan provisions. The Council is concerned the IHP's recommendation will mean people can circumvent resource consent requirements resulting in development that does not meet zone objectives. However, as the Council's alternative recommendation does not give effect to the RMA, we consider the IHP's recommendation is the only option that you can accept. The Council will have the option to progress a normal Schedule 1 plan change to improve the workability of the framework following this process. Your decision on this recommendation is not whether you support the pathways approach or whether a pathway approach is necessary as a result of the <i>Waikanae</i> decision. The only decision you can make on this matter is whether to accept the IHP's recommendation or the Council's alternative recommendation for how the residential pathways approach applies to a particular site overtime. If you wished to not accept either recommendation, the residential pathways approach would still apply to sites where decisions on zoning has been made, however there would not be clarity on how it is to be applied over time.	

Matter 2: Sunlight Access Qualifying Matter

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
Reject the Sunlight Access qualifying matter, apply the medium density residential standard for height in relation to boundary of 4 metres and 60 degrees. This recommendation only relates to the parts of Plan Change 14 that the Council has made zoning decisions on.	Apply the Sunlight Access qualifying matter as per the Council Reply: reducing the height in relation to boundary standard to 3 metres and between 50-60 degrees depending on orientation. All height in relation to boundary exemptions are retained. This recommendation only relates to the parts of Plan Change 14 that the Council has made zoning decisions on.	Context Many district plans set standards regarding height in relation to boundary (HiRB). The effect of the standards is that the taller the proposed building is, the further away from the neighbouring boundary the higher parts of the building must be. This is to provide sunlight and daylight access for neighbours. The standard is often provided as a recession plane that is inclined at a certain angle from a certain height above the site boundary towards the interior of a site through which no part of a building may protrude. The MDRS enable a recession plane of a 60 degree angle taken from 4 metres above the site boundary (as shown by the diagram below). <i>Medium Density Residential Standards - Height in relation to boundary standard (4 metres and 60 degrees)</i> The Sunlight Access qualifying matter (QM) covers the entire City, but the Council has only referred the parts of the QM that apply to areas where it has made a decision on zoning to you for a decision. Whether the MDRS HiRB density standard is appropriate for Christchurch was already considered by Parliament when MDRS was set through the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (RMA-EHS). As part of the Parliamentary Process, in response to submissions, including those on this topic, the MDRS HiRB density standard was reduced from what was originally proposed. Parliament did not consider that any further reduction in the HiRB density standard was appropriate. Notified provisions PC14 introduced a citywide Sunlight Access QM affecting all residential-zoned land, replacing the recession plane in the MDRS with lower recession planes (a recession plane of a 50 degree angle on the southern boundary, 55 degrees on the eastern and western boundaries, and a 60 degree angle on the northern boundary taken from 3 metres above the site boundary). As a result of the citywide sunlight access QM, none of the MDRS provisions had any legal effect when PC14 was notified, preventing any site in Christchurch from using the MDRS permitted activity provisions.	Agree to either: 3. officials' recommended suite of recommendations: a. accept the Independent Hearings Panel's recommendation; b. reject Christchurch City Council's alternative recommendation; c. agree to reason for decision: <i>I consider the IHP's recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD).</i> <i>There is insufficient evidence to support the Council's alternative recommendation that sunlight access is a qualifying matter (within the (NPS-UD) policy 3 areas). By contrast, the IHP's recommendation is supported by evidence, which has been tested through the hearings process.</i> <i>Note my decision on this recommendation only relates the parts of Plan Change 14 the Council has made zoning decisions on.</i> Yes No Or 4. meet with officials for further discussion. Yes No

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		The Council's section 32 evaluation explained the Sunlight Access QM and why the MDRS recession plane was deemed inappropriate. Council was concerned that because Christchurch is further south than other tier 1 cities and the sun is lower in the sky in Christchurch in winter, buildings built to the MDRS recession plane would impose more shading than in other tier 1 cities. The Council aimed to achieve levels of sunlight access, similar to other tier 1 councils, using Auckland as a baseline. Submissions, hearings and evidence There were over 500 submission points on the sunlight access QM. The Council officer's section 42A report categorised these submissions into three groups: 1. Remove the QM: Many submitters wanted to eliminate the Sunlight Access QM, arguing it lacked supporting evidence, led to inefficient land use, and reduced housing supply. 2. Retain the QM: Some submitters supported keeping the QM as notified. 3. Modify the QM: Others sought to make the QM more restrictive, either by retaining the current recession planes or applying more specific controls to certain areas. The majority favoured removing the QM, noting it did not adequately address the intensification required by new legislation. About 150 submitters pointed out that cities at similar latitudes in Europe have achieved higher densities successfully, without the recession planes that Council are proposing. The Panel stated that they received little expert evidence directly addressing the sunlight access QM³. However, Kāinga Ora – Homes and Communities (Kāinga Ora) filed corporate evidence from Mr Liggett; and economic evidence from Mr Colegrave. Mr Colegrave referred to the following analysis on the costs and benefits of intensification for Christchurch: - In 2020, PWC was commissioned to estimate the likely costs and benefits of intensification, as enabled by the NPS-UD [National Policy Statement on Urban Development 2020]. The overall result for Christchurch was \$535 million of benefits versus circa \$200 million of costs, yielding a benefit/cost ratio of 2.7. The cost from the overshadowing by tall buildings was estimated to contribute \$9 million of the \$200 million of costs. - PWC & Sense Partners, Cost-Benefit Analysis of proposed MDRS stated that MDRS could increase the number of dwellings in Greater Christchurch by 12% and reduce prices by 9%, generating \$1.3 billion of economic benefits to 2043.⁴ Mr Colegrave concludes that “<i>overall, I expect greater height to have positive economic effects for the city.</i>”⁵ The Council did not present any expert evidence from an economist on the matter. The Council officer's section 42A report presented by Mr Kleynbos, relied on expert evidence from Mr Hattam (urban design) and Mr Liley (atmospheric science). After reviewing the submissions and considering this expert evidence, Mr Kleynbos reiterated his support for the PC14 notified approach with the sunlight access QM. In their legal submissions to the IHP Kāinga Ora submitted: <i>The bar for promoting alternative standards based on the very same effects that Parliament was grappling with in setting the standard must be extremely high. Using the section 77L calculus, there must be something which applies at such a site-specific context, and with effects so significant, that the clear expectation set down by Parliament in relation to a reasonable degree of sunlight access needs to be amended. For all the reasons identified by Mr Liggett, and despite the earnest efforts of the Council witnesses to justify it, we say the standard simply has not been met.</i>⁶	

³ Appendix 5, IHP Recommendations Report – Part 4, para 120.

⁴ Appendix 8, Statement of Evidence, Fraser Colegrave (Kāinga Ora) – Economics, para 5.50-5.54.

⁵ Appendix 8, Statement of Evidence, Fraser Colegrave (Kāinga Ora) – Economics, para 1.13.

⁶ Appendix 8, Legal submission (Kāinga Ora) – Residential Provisions and related Qualifying Matters, para 9.8.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		Reasons for the IHP's recommendation The Panel concluded that sunlight access was not a QM and the MDRS's HiRB standard must be adopted due to a lack of satisfactory evidence for the Council's proposed recession planes. The IHP found that the Council erred by not evaluating the MDRS as an alternative in its section 32 evaluation, implying a predetermined rejection of the MDRS. This compromised the Council's evidence supporting the sunlight QM. For the HRZ, the IHP generally accepted the Council's section 32 and section 32AA analysis for building heights above 12 metres (eg, beyond the heights enabled by the MDRS) but recommended replacing the recession plane for heights below 12 metres with the MDRS standard. They found this approach to be the most appropriate response to policy 3 of the National Policy Statement on Urban Development 2020 (NPS-UD) and determined that no additional reporting or evaluation was needed. Reasons for the Council's alternative recommendation The Council rejects the IHP recommendations for the Sunlight Access QM, recommending that the QM is applied to all medium and high-density residential zones in accordance with the Council Reply. The Council's position is that sunlight access is a QM under section 77I(j) as they consider higher density, as provided for by the MDRS is inappropriate in Christchurch and a less enabling HiRB density standard should be required in Christchurch instead. In their referral letter the Council says they prefer the alternative recommendation because the IHP recommendation of applying the MDRS would result in reduced sunlight access for residents in Christchurch compared to any district in the North Island because the city is further south. The Council mentions in their referral letter (Appendix 2) that the Council recommendation includes some exceptions to the HiRB rule (for example exceptions for the upper storeys of tall buildings in the HRZ), and the Council considers these are highly enabling. However, officials note that these exceptions apply to the IHP recommendation as well. The Council's alternative recommendation is consistent with the position they presented to the IHP. Advice We recommend you <i>accept the IHP's recommendation</i> to reject the Sunlight Access QM as it applies to areas where Council has made decisions on zoning. Council proposed sunlight access as an 'other' QM under section 77I(j) of the RMA so sections 77J and 77L of the RMA need to be satisfied. Officials consider there is insufficient evidence to satisfy sections 77J and 77L, including a lack of a site-specific analysis. The sunlight access QM is proposed to apply across all of Christchurch City, and the analysis provided by the Council in support of the QM was provided at a city-wide level, rather than being site-specific. There was also insufficient evidence in support of the QM presented to the IHP on the costs and benefits of the sunlight access as required by section 32 of the RMA. Officials consider that the IHP's recommendation is supported by evidence, which was tested throughout the hearings process. The IHP's recommendation is more consistent with the NPS-UD (particularly Objectives 1-4) and would provide greater development capacity. The IHP recommendation is for a more enabling HiRB boundary standard than the Council's alternative recommendation.	

Matter 3: Airport Noise Influence Area Qualifying Matter

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
The Airport Noise Influence Area qualifying matter means resource consent is required for developments with <u>four or more</u> residential units and the consent applications are limited notified to the Christchurch International Airport Limited, unless the Airport's written approval is obtained. This recommendation only relates to the parts of Plan Change 14 that the Council has made zoning decisions on.	Within the Airport Noise Influence Area qualifying matter resource consent is required for developments with <u>three or more</u> residential units and the clause requiring Christchurch International Airport Limited's written approval or limited notification is removed. This recommendation only relates to the parts of Plan Change 14 that the Council has made zoning decisions on.	Context For many years planning restrictions on development within the 50 dBA Ldn⁷ noise contour around Christchurch Airport have been in place. These restrictions are in place to manage the effects on development under the flight paths of noise from aircraft landing and taking off. Policy 6.3.5 of the Canterbury Regional Policy Statement (CRPS) specifically mentions the airport noise contour and directs that noise sensitive activities are avoided within the 50dBA Ldn contour, unless they are in an existing residentially zoned urban area. The 50dBA Ldn noise contour extends North and South of the airport into the surrounding districts of Waimakariri and Selwyn, as well as east and west including partially covering the existing residentially zoned areas of Harewood, Burnside, Russley, Yaldhurst, Templeton, Avonhead, Ilam, Fendalton and Riccarton. Figure 3.1 (Appendix 1A) shows the 50dBA Ldn noise contour and the policy 3 areas subject to the Airport Noise QM. Note: While the Airport Noise Influence Area QM covers the all the area within the 50dBA Ldn noise contour around Christchurch, the Council has only referred the parts of the QM to you for a decision where they have made zoning decisions. Environment Canterbury has begun the process of reviewing the airport noise contours as part of its CRPS review. The review was not complete at the time of notification of PC14. However, draft revised contours were being considered by an Independent Expert Peer Review process. The revised contours are referred to as the 'Remodelled Contour'. In the operative pre-PC14 district plan, residential activities, not provided for as permitted or controlled activities, located within the 50dBA Ldn Air Noise Contour are a restricted discretionary activity. The District Plan states that any application arising from this rule shall not be publicly notified and shall be limited notified only to Christchurch International Airport Limited (the Airport), unless the airport has given its written approval. Notified provisions The notified PC14 proposal introduces an Airport Noise Influence Area QM, which restricts noise-sensitive activities within the 50dBA Ldn Contour. This is achieved by maintaining the existing pre-PC14 district plan residential zones and density provisions, without applying the MDRS or enabling more development to give effect to policy 3 of the NPS-UD. Residential activities, education activities; preschools; health care facilities, visitor accommodation in a heritage item, and unhosted visitor accommodation within this contour not meeting the permitted or controlled density standards require resource consent as a restricted discretionary activity, with applications needing to be limited notification to the Airport, unless their written approval is obtained. The Airport is recognised as nationally significant infrastructure. Therefore, the Council proposed the QM under section 771(e) of the RMA, "a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure". The Council states that the Airport Noise QM aims to address community health and amenity, and the risk of reverse sensitivity effects that could constrain airport operations. The Council proposed it is an existing qualifying matter, as there are existing rules regarding the Airport Noise Contours in the pre-PC14 district plan. The spatial extent of the Airport Noise QM is based on a 2021 revised version of the Operative Contour proposed by the Airport. Submissions, hearings and evidence There were submissions in support of and in opposition to the proposed Airport Noise QM. Supporters, who favoured retaining the pre-PC14 district plan zoning, aimed to preserve the area's amenity values. Opponents questioned the method's appropriateness, debated whether the QM should be based on the 50 or 55dBA Ldn contours, and suggested mitigation measures like ventilation and air conditioning as better alternatives.	Agree to either: 5. officials' recommended suite of recommendations: a. accept the Independent Hearings Panel's recommendation; b. reject Christchurch City Council's alternative recommendation; c. agree to reason for decision: <i>I consider the IHP's recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD).</i> <i>The IHP's recommendation would better give effect to the NPS-UD, by providing additional permitted development capacity compared to the Council's alternative recommendation.</i> <i>There is insufficient evidence to support the Council's alternative recommendation regarding the Airport Noise Influence Area. By contrast, the IHP's recommendation is supported by evidence, which has been tested through the hearings process.</i> <i>Note my decision on this recommendation only relates the parts of Plan Change 14 the Council has made zoning decisions on.</i> Yes No
			Or 6. meet with officials for further discussion. Yes No

⁷ Ldn is the average noise level over a 24-hour period.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		Mr Christopher Day, an acoustic expert for the Airport presented evidence that recent overseas studies have shown that between 50dBA and 55dBA Ldn, 18 to 27 per cent of people were found to be highly annoyed by aircraft noise.⁸ The Airport's position is that residential intensification within the area between the 50dBA and 55dBA Ldn contour will lead to a greater number of people being highly annoyed by aircraft noise and increase the incidence of complaints about noise and/or indirect pressure for the Airport to take steps to amend its operations. In her expert evidence Ms Felicity Hayman on behalf of the Airport considered this to be a very real concern which has and is being experienced at various airports internationally. Ms Natalie Hampson provided expert economic evidence on behalf of the Airport and considered the economic benefits of applying the Airport Noise QM to restrict further intensification outweighs the costs of reduced development capacity in parts of the Christchurch urban area.⁹ Kāinga Ora opposed the 50dBA Ldn setting, arguing it imposed unnecessary restrictions and costs on urban development in existing residential areas. They also contested the use of the updated contours, which had not yet been tested. They said that in no other New Zealand city are there land use restrictions beyond a 55 dBA contour. Kāinga Ora described the retention of pre-PC 14 district plan zoning as an overly blunt tool, lacking evidence to justify the restrictions, and argued that Christchurch would become an outlier both nationally and internationally under the Council's approach. Kāinga Ora said that there is no evidence before the IHP that Christchurch residents are more highly annoyed by airport noise or otherwise affected to a greater degree than other New Zealanders.¹⁰ Mr Jon Styles, an acoustics expert on behalf of Kāinga Ora, said that having no density restrictions between the 50dBA and 55dBA Ldn is an appropriate response to aircraft noise which was consistent with other airports in New Zealand and the international research on annoyance levels.¹¹ Professor John-Paul Clarke presented expert evidence on airport noise, on behalf of Miles Premises and Equus.¹² He said the Airport's modelling of the Airport Noise Contour takes an unreasonable worst-case assumption that will not eventuate in practice. In particular he referenced the lack of consideration for the likelihood that fleet upgrades and air traffic procedures would improve over a 60-year period and result in a 5dB quieter fleet. His evidence was that most countries that have land use planning controls have limits corresponding to 55 dBA Ldn or higher. His opinion was that outside of the 55dBA Ldn contour very few people will be affected, and only sporadic noise complaints will be registered. He considers that the premise that densification will result in a disproportionate increase in the percentage of people annoyed has not been proven. He said there are many competing factors that drive annoyance, and it is not clear that the relationship between densification and annoyance is both non-linear and increases consistently. Professor Clarke and Mr Styles considered that intensification generates the opportunity for a higher proportion of buildings to be acoustically treated, mitigating noise effects. A number of submitters submitted evidence regarding whether the Policy 6.5.3 of the CRPS requires the avoiding of intensification within the Airport Noise Contour within existing residentially zoned areas. Environment Canterbury, as the authority responsible for the CRPS, stated at the hearing that their position is that the policy provides an exemption for existing residentially zoned land and does not go so far as to freeze in time the intensification that was allowed in those zoned areas when the CRPS became operative in 2013. They stated that if the land was residentially zoned in 2013, then any new development is not subject to the avoidance direction in Policy 6.3.5. In terms of the matters subject to the referred recommendation, Council officers maintain the notified position throughout the hearing. Reasons for the IHP's recommendation	

⁸ Appendix 8, Statement of Evidence, Christopher Day (Christchurch International Airport Ltd) – Acoustics, para 18.

⁹ Appendix 8, Statement of Evidence, Natalie Hampson (Christchurch International Airport Ltd) – Economics, para 13.

¹⁰ Appendix 8, Legal submission (Kāinga Ora) – Airport Noise, para 1.2-1.3.

¹¹ Appendix 8, Statement of Evidence, Jon Styles (Kāinga Ora) – Noise (Airport Noise), p 9-11.

¹² Appendix 8, Statement of Evidence, John-Paul Clarke (Miles Premises Ltd and Equus Trust) – Airport Noise, p 4-5.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		The IHP recommends that the Airport Noise Contour QM as notified by Council is rejected, but an amended form of the QM be adopted including the features listed below. 1. Rezoning: Areas within the Airport Noise Contours QM should not retain the existing pre-PC14 zoning, but be rezoned to MRZ (or HRZ where the IHP has recommended that). 2. Permitted activities: One to three new residential units per site are permitted in all MRZ and HRZ zones within the Airport Noise Contour QM, with insulation and ventilation requirements applying to the building of noise sensitive activities (including residential units) to reduce internal noise as part of the QM. 3. Restricted Discretionary Activities: Four or more new residential units per site are restricted discretionary activities in MRZ and HRZ zones within the 50dBA Ldn Contour, focusing on managing reverse sensitivity effects and meeting insulation and ventilation standards. 4. Notification: Resource consent applications for four or more new residential units will be limited notified to Christchurch International Airport Limited, unless the airport's written approval is obtained. 5. Geographical Area: The Airport Noise QM should apply within both the operative 50dBA Ldn Noise Contour and the 2023 Remodelled 50dB Ldn Outer Envelope Contour. The Panel considers their recommended approach to be most appropriate for several reasons: 1. Mitigation Measures: It allows for insulation and ventilation to address health and safety, particularly sleep disturbance, within the Airport Noise Contour, without limiting the quantum of development permitted under MDRS. 2. Housing Choice and Affordability: The recommendations enable increased housing density with appropriate acoustic treatments, while providing discretion for further intensification to manage reverse sensitivity effects. The IHP consider that not enabling residential intensification could have prevented areas with a need for increased housing choice and affordability from meeting NPS-UD goals. 3. Economic Considerations: The economic cost of reverse sensitivity effects on the Airport is speculative and uncertain. 4. Low Risk to Airport Operations: The risk of intensification affecting airport operations is considered low. 5. Noise Management: Noise effects within the areas between the operative 50dBA Ldn Noise Contour and the 2023 Remodelled Noise Contour are managed cautiously, with future rule framework reviews anticipated. 6. Alignment with the CRPS: The Panel finds that incorporating the MDRS is consistent with the CRPS, as Policy 6.5.3(4) and (5) does not preclude intensification in existing urban areas. Instead, these policies align with assessing how development affects airport operations, which is the Panel's duty when evaluating QMs under RMA sections 77K, 77J, and 77L. However, the Panel did not agree that it was a QM listed under section 77I(e) of the RMA, as they considered there was insufficient evidence that intensification within the Airport Noise Contours would impact the safe or efficient operation of nationally significant infrastructure (ie, the Airport). They considered that the evidence presented to them on this matter is speculative and uncertain: Instead, the Panel concluded it is a QM that is an 'other matter' under section 77I(j) and satisfies sections 77J and 77L. Overall, the Panel finds a more targeted QM, enabling intensification with appropriate insulation and ventilation, to be more efficient and effective than a blanket restriction on intensification within the Airport Noise Contour. Reasons for the Council's alternative recommendation The Council rejects in-part the IHP recommendations for the Airport Noise Influence Area QM and alternatively recommends that resource consent is required for three or more residential units to manage reverse sensitivity effects on the Christchurch International Airport, and that the clause requiring limited notification to, or written approval from, the Airport is removed. This is to align with the operative rules for medium density residential areas within the noise contour in the pre-PC14 district plan and to give Council discretion over whether to notify a resource consent application.	

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		The Council considers that the alternative recommendation provides an approach more consistent with the pre-PC14 operative threshold and with the application of notification decisions under section 95 of the RMA. Council considers it is unclear why the IHP recommended increasing the consent threshold from 3 to 4 or more units in the IHP recommendation, notwithstanding its acceptance of the QM. Further, Council questions the appropriateness of applying a more restrictive notification regime over an area where none existed prior to PC14 (ie, within the new 2023 remodelled extent and outside the operative contour), considering the High Court's decision on <i>Kāpiti Coast District Council v Waikanae Land Company Limited</i>. Advice We recommend you accept the IHP's recommendation that up to three residential units are permitted in the Airport Noise Influence Area and the limited notification clause be retained. The IHP's recommendation would provide greater development capacity, so is more consistent with the NPS-UD (particularly Objectives 1-4). Officials consider that the IHP's recommendation is supported by evidence, which was tested throughout the hearings process. The Council says in the referral letter (Appendix 2) it is unclear why the IHP recommended increasing the number of units permitted from two to three in the IHP recommendation. Here it is referring to the Residential Medium Density Zone in the pre-PC14 district plan which permitted up to two residential units. However, officials note there were other residential zones in the pre-PC 14 district plan under the Airport Noise Contours including the Residential Suburban Density Transition Zone where up to three residential units were permitted (ie, consent was only required for 4 or more residential units). Therefore, in some cases the Council's alternative recommendation is less enabling than the previous pre-PC14 district plan, whereas the IHP recommendation does not reduce development rights that existed under that plan. The Council's alternative recommendation is not consistent with the position they presented to the IHP. Therefore, no evidence was presented to the IHP in support of the Council's alternative recommendation of only permitting up to two residential units (regardless of the site size, size of the residential units and zone where it is located). The Council's position at the hearing was that the existing pre-PC14 district plan zoning is retained within the Airport Noise Contours, which is largely Residential Suburban Zone, where one residential unit is permitted per 450m² of land (plus a detached minor residential unit of 80m²), with pockets of higher density in some locations. Furthermore, no evidence was provided to the IHP on the Council's alternative recommendation that the limited notification clause be removed. Officials consider there is insufficient evidence to support the Council's alternative recommendation.	

Matter 4: City Spine Qualifying Matter

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
Reject the City Spine qualifying matter and apply the medium density residential standards front yard setbacks, being 1.5 metres for Medium	Retain the City Spine qualifying matter which retains all pre-Plan Change 14 road boundary setbacks for sites that front a	Context The City Spine relates to a core public transport route connecting major centres from the north and south-west with the Central City, and the neighbouring districts of Selwyn and Waimakariri. It is planned as a city-shaping corridor to attract greater population densities and major growth in business activity. The City Spine QM is a targeted infrastructure QM applying only to where road widths are 24 metres or less, managing building layout to ensure adequate space is available for tree planting along the road frontage.	Agree to either: 7. officials' recommended suite of recommendations: a. accept the Independent Hearings Panel's recommendation;

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
and High Density Residential zones. This recommendation only relates to the parts of Plan Change 14 that the Council has made zoning decisions on.	road across the City Spine qualifying matter area. This recommendation only relates to the parts of Plan Change 14 that the Council has made zoning decisions on.	Figure 4.1 (Appendix 1A) shows the City Spine in relation to the rest of the city, including several centres. NPS-UD policy 3 areas are faded, but still shown to provide spatial context. Areas of PC14 on which the Council has not yet made decisions, are greyed out. The City Spine extends between Belfast in the north of the city to Hornby in the south-west via the Central City. It follows Main North, Papanui, Riccarton and Main South Roads, as well as Victoria Street, parts of Kilmore, Manchester and Tuam Streets and Riccarton Avenue in the Central City. Currently, several of the highest frequency bus routes in Christchurch use the corridor, and it is identified for future rapid transit in the Canterbury Regional Public Transport Plan. This recommendation only relates to the parts of the QM that are within areas the Council has made zoning decisions (ie, where the route is within the catchment of a centre), even though the City Spine QM covers the entire route between Belfast and Hornby.¹³ Notified provisions Council proposed the City Spine as an 'other' QM under section 77I(j) of RMA. The City Spine is not mentioned in the pre-PC14 district plan. Under the pre-PC14 district plan there are no road boundary setbacks that are specific to the City Spine. Rather the building setbacks are determined by the zone rules, and building within these road boundary setbacks is a restricted discretionary activity with no matters of discretion specifically related to the City Spine. PC14 proposed provisions for the City Spine QM of a 4 metre front yard setback in Medium Density Residential (MRZ) and High Density Residential (HRZ) zones, limits on front fence heights, and restrictions on placing outdoor living spaces closer than 1.5 metres from the road boundary for sites adjoining the City Spine corridors where the road reserve is less than 24 metres wide. Infringements were proposed to be a restricted discretionary activity. The section 32 evaluation report supported the QM, arguing it would achieve better land use and transport integration. However, the proposed PC14 provisions did not include specific requirements for tree planting within the setback area, despite frequent references to the benefits of tree planting in the evaluation. The evaluation considered the City Spine QM and the unqualified MDRS/NPS-UD policy 3 response, concluding that the QM was warranted for long-term outcomes and city objectives. Submissions, hearings and evidence There were nine submissions on the City Spine QM. Two supported it (Environment Canterbury and Josie Schroder), while the remaining seven opposed it (Ministry of Housing and Urban Development, Kāinga Ora, Diane Gray, New Zealand Transport Agency (Waka Kotahi), Carter Group Limited, The Catholic Diocese of Christchurch, and Ōtautahi Community Housing Trust). Waka Kotahi opposed the City Spine QM and questioned whether this is the most appropriate method for achieving integration of land use and transport planning. Waka Kotahi considered that this qualifying matter reduces the potential for development capacity along the City Spine Transport Corridor. Waka Kotahi provided evidence but then withdrew it before the hearing. Kāinga Ora opposed the City Spine QM through evidence from Mr Liggett¹⁴ and Mr Joll¹⁵, who criticised the Council's framing of the QM as infrastructure-related, arguing it was actually focused on amenity outcomes. Ms Sarah Oliver's section 42A report¹⁶ stated the City Spine QM was aimed to ensure adequate space for tree planting along the road frontage (even though tree planting was not mandatory) and to prevent permanent structures from hindering future transport improvements. The City Spine QM was intended to enhance amenity and ensure new builds did not compromise future transport options. It imposed more stringent setbacks than the MDRS.	b. reject Christchurch City Council's alternative recommendation; c. agree to reason for decision: <i>I consider the IHP's recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD). The IHP's recommendation will allow for more development capacity than the Council's alternative recommendation.</i> <i>There is insufficient evidence to support the Council's alternative recommendation that the City Spine is a qualifying matter (within the NPS-UD policy 3 areas). By contrast, the IHP's recommendation is supported by evidence that has been tested through the hearings process.</i> <i>Note my decision on this recommendation only relates the parts of Plan Change 14 the Council has made zoning decisions on.</i> Yes No
			Or 8. meet with officials for further discussion. Yes No

¹³ A discussion on official's approach to scope of recommendations is provided in BRF-5720.

¹⁴ Appendix 8, Statement of Evidence, Brendan Liggett (Kāinga Ora) – Corporate (Statement 1: Strategic Overview), para 9.2(h).

¹⁵ Appendix 8, Statement of Evidence, Tim Joll (Kāinga Ora) – Planning, para 9.1-9.19.

¹⁶ Appendix 7, Section 42A Report, Sarah Oliver – Strategic Overview, Strategic Directions Chapter 3, Qualifying Matters relating to Strategic and City Infrastructure and Coastal Hazards, para 12.105-12.121.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		Ms Oliver's section 42A report highlighted three main issues: whether a designation would be more appropriate, the impact on development capacity, and the validity of the QM in qualifying the MDRS or NPS-UD policy 3 response. She initially recommended retaining the QM but suggested changes to the restrictions of the QM. At the hearing, Ms. Oliver changed her stance, recommending the QM as notified, and stated that the QM was primarily about street amenity. Reasons for the IHP's recommendation The IHP found the proposed City Spine QM inappropriate for several reasons and recommended it be rejected.¹⁷ They preferred the evidence from Mr Joll of Kāinga Ora, who argued against the necessity of the QM. The Council's evidence was deemed unpersuasive, particularly because it failed to demonstrate that trees or landscaping could not be accommodated within the existing road reserve. The proposed 4 metre setback for tree planting was seen as inconsistent and not compelling. The IHP also found that the Council's analysis understated the costs and overstated the benefits of the QM. The IHP noted that the Council did not provide a clear, specific amenity outcome that justified the setback. They also pointed out that no final transport solution had been determined for the corridor, making it premature to impose definitive standards. The Council's approach was criticised for potentially leading to inconsistent landscaping and for not adequately evaluating alternatives, such as using a Notice of Requirement or designation for additional road width. The IHP concluded that the City Spine QM was unnecessary and would impose more restrictions than the default MDRS and NPS-UD policy 3 provisions. They suggested using a designation to manage any future road widening needs would be more appropriate, rather than the proposed setbacks. Reasons for the Council's alternative recommendation The Council rejects the recommendations in-part to remove the City Spine qualifying matter and alternatively recommends that all operative road boundary setbacks apply for sites that front the City Spine. As noted in its letter the Council is seeking <i>"the protection of this highly significant public transport corridor, and not foreclosing the future expansion of the road reserve to accommodate the expansion of public transport services and development as a sub-regional greenway"</i>. The Council's alternative recommendation is slightly inconsistent with the position they presented to the IHP. The Council previously recommended additional requirements as part of the QM, such as that Outdoor Living Spaces could not be located within the road boundary setback, but the alternative recommendation only includes controls that seek to retain the pre-PC14 residential road boundary setbacks along the corridor. While the Council sought an alternative recommendation to the City Spine QM that restricts building within the road building setback along the proposed rapid transit route and considers the route is planned sufficiently to justify the QM, they did not propose to enable greater density and building heights of at least six storeys within the walkable catchment of these planned rapid transit routes, as required by policy 3(c)(i) of the NPS-UD on the basis that the rapid transit stops on these routes are not sufficiently planned.¹⁸ Advice We recommend you accept the IHP's recommendation to reject the City Spine qualifying matter because it is not supported by sufficient evidence. Officials agree with the IHP that the Council has not provided sufficient evidence to satisfy the requirements of RMA sections 77J and 77L. Officials consider that the IHP's recommendation is supported by evidence, which was tested throughout the hearings process.	

¹⁷ Appendix 5, IHP Recommendations Report – Part 5, para 335 -347..

¹⁸ Appendix 5, IHP Recommendations Report – Part 1, para 224.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		The IHP's recommendation would also provide greater development capacity, as it requires smaller setbacks in the area than the Council alternative recommendation and is more aligned with the NPS-UD (particularly Objectives 1-4).	

MATTERS 5-7: RICCARTON TOWN CENTRE

Riccarton is a large town centre in the inner west of Christchurch. In the absence of metropolitan centres, Riccarton is one of Christchurch's most significant commercial centres outside of the city centre (along with the other large town centres of Papanui and Hornby).¹⁹ It includes a range of commercial activities and community services (eg, a supermarket, shopping mall, recreation centre, medical centre). It is also located near the University of Canterbury campus. Riccarton town centre and its surrounding policy 3 catchment are shown in **Figure 5.1 (Appendix 1A)**.

The Council has referred three IHP recommendations relating to Riccarton (**Matters 5, 6 and 7**). **Matter 5** concerns the Riccarton Bush Interface Area qualifying matter (QM) and the associated zoning of residential sites subject to that QM; **Matter 6** concerns the extent of the policy 3(d) High Density Residential catchment around Riccarton town centre, and the zoning of 25 Deans Avenue; and **Matter 7** is about whether to apply a building height precinct over 25 Deans Avenue.

Your decision on **Matter 5** should align with your decision on **Matter 6**, as both recommendations relate to the zoning of areas within the Riccarton Bush Interface Area. We recommend that you accept the IHP's recommendations in both instances. Conversely, your decision on **Matter 6** can be made independently from your decision on **Matter 7**, even though both recommendations cover the same site (25 Deans Avenue).

Matter 5: Riccarton Bush Interface Area Qualifying Matter

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
Reject the Riccarton Bush interface area qualifying matter (that reduces intensification provisions) and apply the Medium or High Density Residential Zone to the areas that were proposed to be subject to the qualifying matter.	The qualifying matter is provided for with Medium Density Residential zoning applied throughout the qualifying matter area.	Context Riccarton Bush / Pūtārikamotu (the Bush) is the last remaining remnant of podocarp forest on the low Canterbury Plains and one of the oldest documented protected natural areas in New Zealand.²⁰ The Bush is adjacent to historic buildings (Riccarton House and Cottage). The nearby Riccarton commercial centre has been classified by the Council as a 'Large Town Centre'. Part of the proposed Riccarton Bush Interface Area is within the NPS-UD policy 3(d) catchment. Policy 3(d) of the NPS-UD requires the Council to enable, within and adjacent to town centres zones (eg, Riccarton), building heights and densities of urban form commensurate with the level of commercial activity and community services. The pre-PC14 district plan zoned areas directly adjoining Riccarton Bush for low density purposes (a combination of Residential Suburban Zone and Residential Medium Density Zone) and had controls on the activities in proximity to the bush area. For example, works (including earthworks), vehicular traffic; sealing or paving, storage of materials, vehicles, plant or equipment; or the release, injection or placement of chemicals within 10 metres of the base of any tree in the Significant Trees area at Riccarton Bush, was a restricted discretionary activity.²¹ Figure 5.2 (Appendix 1A) shows the IHP's recommended zoning and the Council's alternative zoning for residential areas within the Riccarton Bush Interface Area. Policy 3 areas that the Council has already decided on (eg, some High Density Residential areas and the town centre itself) are faded, but still shown to provide spatial context. Note: Your decision for this referred recommendation should align with your decision on Matter 6, as both recommendations relate to the zoning of areas within the Riccarton Bush Interface Area (outlined in red on the above map). We recommend you accept the IHP's recommendations in both instances.	Agree to either: 9. officials' recommended suite of recommendations: a. accept the Independent Hearings Panel's recommendation; b. reject Christchurch City Council's alternative recommendation; c. agree to reason for decision: <i>I consider the IHP's recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD). The IHP's recommendation would better give effect to the NPS-UD, by providing additional development capacity in an area close to services and public transport.</i> <i>There is insufficient evidence to support the Council's alternative recommendation</i>

¹⁹ Appendix 7, Section 42A Report, Ike Kleybos – Residential Chapter and Qualifying Matters, para 7.1.32.

²⁰ Appendix 6, Section 32 Evaluation – Appendix 43: Pūtaringamotu Riccarton Bush Heritage Landscape Review, p 5 (p7).

²¹ Rule 9.4.4.1.3 RD6 in the Christchurch District Plan.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		Notified provisions PC14 proposed the Riccarton Bush Interface Area surrounding the Bush as a QM. The Interface Area covers 296 properties, whereas the pre-PC14 district plan controls applied to 40 properties. Rather than applying MDRS, the QM retained some of the density controls in the pre-PC14 district plan (8 metre height limit (2 storeys), 35 per cent site coverage) for properties closest to the Bush (the area with diagonal white hatching in Figure 5.2 (Appendix 1A) and rezoned the other properties in the interface area further from the Bush as Medium Density Residential Zone (MRZ), rather than HRZ (even though they are within the walkable catchment of the Riccarton Town Centre). The Council proposed the Riccarton Bush Interface Area as a qualifying matter under RMA section 77I(a) as it considered it relates to matters of national importance under section 6(b), (e), and (f) of the RMA. Submissions, hearings and evidence Submissions were received from 21 submitters, generating 43 submission points. Submitters: - supported, and sought to retain, the QM as notified - sought to extend the interface area and/or apply a blanket 8 metre (two storey) height limit within it - sought to reduce the interface area to just 40 properties or only the northern side, away from the transport corridor and Riccarton town centre - opposed and sought removal of the QM. The hearing focused on two main issues: - scope: whether the RMA enables the QM to be imposed in the proposed manner - merit: whether the provisions, as notified or amended, are necessary to protect the values associated with Riccarton Bush. In his section 42A report, Mr Kleynbos (for the Council) recommended rejecting all requests to alter or delete the QM, except for those by the Riccarton Bush – Kilmarnock Residents' Association and the Waipuna Halswell-Hornby-Riccarton Community Board.²² These exceptions were based on Dr Hoddinott's (for the Council) technical evidence on Heritage Landscapes which incorporated the views of local mana whenua, Ngāi Tūāhūriri Rūnanga, via consultation with Mahaanui Kurataiao Limited. Dr Hoddinott's evidence was that the "<i>views of the kahikatea forest canopy above the adjacent houses are considered a distinctive and defining element across the skyline, and what we see today relates to depictions in early paintings of the area</i>".²³ Dr Hoddinott considered that a permitted building height of 12 metres (three storeys) would significantly obstruct the expanse of Riccarton Bush above the rooftops of adjacent houses creating adverse visual effects, weakening the connection to the broader heritage setting. A joint witness statement by Dr Hoddinott and Sophie Strachan (Kāinga Ora)²⁴ addressed points of agreement and disagreement on issues related to the Riccarton Bush Interface Area. The witnesses were able to reach agreement on the need to protect viewshafts and elements relating to height, site coverage, setbacks, lot sizes and the principle of limiting residential units per site. They disagreed on site coverage where it related to the MRZ, side yard setbacks and how many residential units should be allowed per site. Reasons for the IHP's recommendation	<i>that the Riccarton Bush Interface Area is a qualifying matter. By contrast, the IHP's recommendation is supported by evidence, which has been tested through the hearings process.</i> Yes No
			Or 10. meet with officials for further discussion. Yes No

²² Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 10.1.432.

²³ Appendix 7, Statement of Evidence, Wendy Hoddinott (Council) – Heritage Landscape (Qualifying Matter: Riccarton Bush), para 24.

²⁴ Appendix 8, Statement of Evidence, Sophie Strachan (Kāinga Ora) – Landscape, p 1-2.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		The IHP considered the Riccarton Bush Interface Area should not proceed as a QM for these reasons:²⁵ - insufficient case: the Council did not provide enough evidence to show more intensive development would harm the values of Riccarton Bush. The IHP did not accept that the interface area was a QM listed under section 77I(a)-(i) of the RMA. Therefore, evidence would need to be provided that satisfy the requirements of sections 77J and 77L of the RMA for the area to be an unlisted qualifying matter, which the IHP considers that it does not. - excessive restrictions: the proposed provisions would impose more restrictions than exist under the current pre-PC14 district plan. - inappropriate provisions: even if the provisions were justified under an IPI, they are not suitable based on the required RMA section 32 evaluation. In its recommendations report, the IHP stated: <i>"We agree that Riccarton Bush itself clearly hosts ecological, heritage, and landscape values that are significant in [section 6 of the RMA] terms. However, that has been obvious for some considerable time; it is something that is expressly acknowledged in the ODP [pre-PC14 district plan]. What we do not agree with the Council and some submitters on, however, is that those values would be compromised by intensification otherwise enabled by PC 14 in the surrounding area to the extent that the provisions proposed by the Council can be justified with recourse to their identification as a QM.</i> <i>We have not been presented with any material evidence that the ecological values associated with the Riccarton Bush are at risk from that intensification, such that the Riccarton Bush would require any additional measures beyond the 10m setback from the perimeter predator-proof fence that already applies with respect to development adjoining the Riccarton Bush Significant Trees Area".²⁶</i> The IHP also noted that the Bush is already partially concealed by the existing surrounding urban development, so they considered that 'full profile' views cannot therefore be considered significant.²⁷ The IHP also noted: <i>"Notwithstanding the consensus the landscape witnesses may have reached, we conclude that the proposed Interface Area QM fails on merits. In this respect, we prefer the planning evidence of Ms Seaton and Mr Joll that the provisions are in general overly prescriptive and likely ineffective, and do not outweigh the benefits of increased housing density in close proximity to the Riccarton commercial centre and public transport network".²⁸</i> Reasons for the Council's alternative recommendation The Council rejected the IHP's recommendation to remove the Riccarton Bush Interface Area. The reason for the Council's alternative recommendation is the Council supports the qualifying matter and considers it is necessary to recognise and provide for the matters of national importance set out in section 6(b), section 6(e), and section 6(f) of the RMA.²⁹ The Council considers its alternative recommendation better protects the cultural and historic heritage of Christchurch and the significant value Pūtarikamotu (Riccarton Bush) has to Ngāi Tūāhuiriri Rūnanga.³⁰ The NPS-UD policy 4/QM	

²⁵ Appendix 5, IHP Recommendations Report – Part 5.

²⁶ Appendix 5, IHP Recommendations Report – Part 5, para 454-455.

²⁷ Appendix 5, IHP Recommendations Report – Part 5, para 458.

²⁸ Appendix 5, IHP Recommendations Report – Part 5, para 467.

²⁹ Sections 6(b), (e) and (f) of the RMA are:

6(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

6(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

6(f) the protection of historic heritage from inappropriate subdivision, use, and development:

³⁰ Appendix 7, Section 42A Report, Ike Kleybos – Residential Chapter and Qualifying Matters, Appendix G.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		response is considered appropriate given the section 6 RMA directives and the agreement of experts at the conclusion of the hearing. The Council's alternative recommendation is consistent with the position they presented in evidence to the IHP. Advice We recommend you accept the IHP's recommendation to reject the Riccarton Bush Interface Area qualifying matter, as the IHP's recommendation is supported by evidence, which was tested throughout the hearings process. Officials agree with the IHP's analysis that the Riccarton Bush Interface Area is not a QM under section 77I(a)-(i) and therefore sections 77J and 77L of the RMA need to be satisfied for it to be considered an 'other' QM under section 77I(j). We consider there is insufficient evidence to support the QM to satisfy sections 77J and 77L and therefore there is insufficient evidence to support Council's alternative recommendation. The Council's referral letter (Appendix 2) notes that <i>"if accepted, the IHP recommendation would result in HRZ within the Policy 3 catchment, leaving the zoning of the balance of the QM area outside of the Policy 3 area to be decided when Council makes decisions on the rest of the IPI"</i>. Officials disagree with the Council's interpretation and consider the RMA requires you to decide on the IHP's recommendation in full where the Council's alternative recommendation is complete. In this case, both the IHP recommendation and the Council's alternative recommendation in the referral letter (Appendix 2) include zoning for the whole of the Riccarton Bush Interface Area. We consider this means your decision includes the area north of Riccarton Bush. Both the IHP and Council recommend be zoned MRZ (even though the Council notes this as being outside of the policy 3 area).³¹ Your Direction to the Council requires it to notify decisions on the IHP's recommendations on parts of PC14 subject to policy 3 and policy 4 of the NPS-UD by 20 December 2024, and on the rest of PC14 by 12 December 2025. The Direction does not impact your ability to make decisions on recommendations referred to you even if they are on areas not subject to NPS-UD policy 3 and 4. Part of the Riccarton Bush Interface Area is also within the NPS-UD policy 3(d) catchment of the Riccarton Town Centre where High Density Residential Zoning is proposed. Therefore, by removing the restrictions on intensification that the QM imposes, the IHP's recommendation is more consistent with the NPS-UD (particularly Objectives 1-4), as it would provide greater development capacity. It enables higher heights and greater density in the area than the Council's alternative recommendation and building heights and densities of urban form commensurate with level of commercial activities and community services in and around Riccarton as required by policy 3(d) of the NPS-UD. Officials also consider that the Council's alternative recommendation would be ineffective at achieving its objective (preventing intensification from concealing views of the bush) as the Residential Pathway B (the pre-PC14 district plan overlay) provides for breaches of height limits as a restricted discretionary activity, with no discretion to consider protecting views of Riccarton Bush, especially from properties that are not adjacent to the bush.	

³¹ A discussion on official's approach to scope of recommendations is provided in BRF-5720.

Matter 6: Riccarton Town Centre Policy 3(d) catchment

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
Zone residential areas around Riccarton town centre High Density Residential and zone 25 Deans Ave Medium Density Residential.	Reduce the area around Riccarton town centre zoned High Density Residential (including within the Riccarton Bush Interface Area) and zone 25 Deans Ave Mixed Use.	Context This matter is about the spatial extent of the policy 3(d) High Density Residential (HRZ) catchment around Riccarton town centre and the zoning of 25 Deans Avenue. Policy 3(d) of the NPS-UD requires the Council to enable, within and adjacent to town centres zones (eg, Riccarton), building heights and densities of urban form commensurate with the level of commercial activity and community services. High Density Residential (HRZ) zoning around Riccarton town centre is part of the Council's policy 3(d) response. Figure 6.1 (Appendix 1A) shows the IHP's recommended zoning and the Council's alternative zoning for residential areas around Riccarton town centre and 25 Deans Avenue. Policy 3 areas that the Council has already decided on (eg, some High Density Residential areas, commercial areas, including the town centre itself) are faded, but still shown to provide spatial context. Your decision for this matter (Matter 6) should align with your decision on Matter 5, as both recommendations relate to the zoning of areas within the Riccarton Bush Interface Area. We recommend you accept the IHP's recommendations in both instances. The analysis and advice regarding the zoning of areas within the Riccarton Bush Interface Area has already been undertaken as part of Matter 5, so this section will focus on the zoning of sites accessed via Matai St West and the zoning of 25 Deans Ave. Notified provisions Residential areas within a 600 metre walking catchment of Riccarton town centre, including both sites accessed by Matai St West and 25 Deans Ave, were notified as High Density Residential (HRZ). In its section 32 evaluation report, the Council noted that enabling high density residential development within a 600 metre walking catchment of Riccarton town centre would <i>"provide for a scaled response to [the] centre based on local context and will lead to an efficient and effective means to address Policy 3(d) of the NPS-UD"</i>.³² Submissions, hearings and evidence The size of Riccarton's policy 3(d), HRZ catchment changed throughout the hearings process, but the sites accessed via Matai St West and 25 Deans Ave were always within the proposed HRZ catchment. 157 submitters supported the Council's notified HRZ approach,³³ with a couple of submissions specifically seeking the expansion of the policy 3(d) catchment around Riccarton,³⁴ while 23 submitters opposed the Council's policy 3 response in relation to the HRZ.³⁵ In their section 42A report, Council officers recommended extending the policy 3(d) HRZ catchment around Riccarton town centre from 600 metres to 800 metres, noting that this would <i>"better reflect the proximity between centres, the strong public transport corridor that Riccarton Road provides, the degree of core bus services and major cycle routes, and the proximity of Canterbury University and other amenities"</i>.³⁶ Council officers noted that areas north of Riccarton Road, including those sites accessed via Matai St West, have:	Agree to either: 11. officials' recommended suite of recommendations: a. accept the Independent Hearings Panel's recommendation; b. reject Christchurch City Council's alternative recommendation; c. agree to reason for decision: <i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the NPS-UD for Riccarton town centre which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> Yes No Or 12. meet with officials for further discussion. Yes No

³² Appendix 6, Section 32 Evaluation – Residential Chapter, p 71.

³³ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, p 146.

³⁴ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 6.1.82.

³⁵ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, p 165.

³⁶ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 6.1.82.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		<i>“the greatest value in being developed to HRZ, being in very close proximity to multiple core public transport and active transport connections, proximity to the centre itself, and open space and schooling, while not being subject to any other substantive qualifying matters.”</i>³⁷ Council officers also noted that under the operative, pre-PC14 district plan the “area is...already zoned for infill development, being zoned RSDT [Residential Suburban Density Transition] and RMD [Residential Medium Density].”³⁸ Reasons for the IHP's recommendation The IHP generally accepted Council officers' approach for the policy 3(d) HRZ catchment around Riccarton town centre (as per their section 42A report and right of reply), and recommended zoning residential areas within an 800 metre catchment of Riccarton town centre—including those sites accessed via Matai St West—High Density Residential (HRZ). The IHP found that this was an appropriate policy 3(d) response, commensurate with the function of the centre.³⁹ The exact extent of the IHP's recommended policy 3(d) HRZ catchment differed slightly from the catchment proposed by Council officers in their section 42A report, because of the IHP's method for determining an appropriate policy 3(d) response. To identify appropriate policy 3(d) responses for different centres across Christchurch, the IHP applied walking catchments proportionate to the role and function of each centre, starting in 200 metre increments from the core of each centre.⁴⁰ In doing so, the IHP considered the extent of commercial activity and community services with each centre.⁴¹ The IHP's assessment of what they considered commensurate for each centre was based on a combination of site visits, the section 32 evaluation report, submitter evidence (both in support of and in opposition to the extent of walking catchments) and hearings evidence (including the section 42A report).⁴² While the IHP agreed with Council officers (and the Council's notified PC14 position) that sites accessed by Matai St West should be zoned High Density Residential (HRZ), they recommended zoning 25 Deans Ave Medium Density Residential (rather than HRZ, as proposed by the Council), as it was located outside of their recommended policy 3(d) HRZ catchment. Reasons for the Council's alternative recommendation The Council rejected the IHP's recommendation to zone sites accessed via Matai St West High Density Residential (HRZ) and to zone 25 Deans Ave Medium Density Residential (MRZ). In its referral letter (Appendix 2), the Council argues that the policy 3(d) HRZ catchment around Riccarton should “exclude sites accessed via Matai Street West because of [their] unique character” and that “25 Deans Avenue should be rezoned to Mixed Use Zone (MUZ) to enable a wider range of activities on the site”, particularly as the site is “mostly bordered by industrial or commercial MUZ zoning with a large transition area to the residential area to the north”. Overall, the Council considers that the reduced HRZ extent “better reflects the suburban characteristics of the area”. Advice We recommend you accept the IHP's recommendation to zones areas around Riccarton town centre (including both sites accessed via Matai St West and sites within the Riccarton Bush Interface Area)—High Density Residential (HRZ) and zone 25 Deans Ave Medium Density Residential (MRZ), and to reject the Council's alternative recommendation. The IHP's recommendation is more consistent with the requirements of policy 3(d) of the NPS-UD, which are to enable building heights and densities of urban form around Riccarton town centre commensurate with the level of commercial	

³⁷ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 6.1.90.

³⁸ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 6.1.90.

³⁹ Appendix 5, IHP Recommendations Report – Part 3, para 303.

⁴⁰ Appendix 5, IHP Recommendations Report – Part 3, para 300.

⁴¹ Appendix 5, IHP Recommendations Report – Part 3, para 301.

⁴² Appendix 5, IHP Recommendations Report – Part 3, para 300.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		activities and community services. The IHP's recommendation is also supported by evidence, which was tested throughout the hearings process, with input from Council experts. Sites accessed by Matai St West were proposed to be zoned High Density Residential (HRZ) as part of the Council's policy 3(d) response throughout the entire PC14 process. The HRZ zoning of these sites is supported by the Council's notification evidence, as well as Council officers in their section 42A report and hearings evidence. In their section 42A report, Council officers noted that these sites are particularly well-suited to intensification, given their proximity to core public transport and active transport connections, as well as the city centre itself, without being subject to any substantive qualifying matters.⁴³ The Council has not provided sufficient evidence to support its alternative recommendation or demonstrate why these sites should no longer be zoned HRZ as part of the Council's policy 3(d) response. The Council also proposed zoning 25 Deans Ave High Density Residential (HRZ) throughout the PC14 process (from notification, through to the right of reply). It has not provided any evidence to support its alternative recommendation of zoning the site Mixed Use (MUZ). We consider that sites within the Riccarton Bush Interface Area should be zoned High Density Residential (HRZ), as per the IHP's recommendation—advice on this is provided in Matter 5.	

Matter 7: Building height for 25 Deans Avenue

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
25 Deans Avenue has a building height precinct applied that permits a building height up of to 20 metres (6 storeys).	25 Deans Avenue has a building height precinct applied that permits a building height up to 36 metres (12 storeys).	Context 25 Deans Avenue is a 4.5 hectare site in the inner west of Christchurch, located between Hagley Park and the Main North Railway Line. It is the site of the derelict and abandoned Canterbury Sale Yards, also known as the Addington Saleyards. Part of the site is currently being used as a park and ride carpark for a shuttle van service to the nearby Christchurch Hospital. The site is adjacent to transport corridors on all sides (Deans Ave to the east, Lester Lane to the South, the railway line to the west and the old Blenheim Road alignment to the north which is currently being used as a walk/cycleway). The site is privately owned. The site was zoned Residential Medium Density in the pre-PC14 district plan and had a Medium Density (Higher Height Limit) Overlay with a 20 metre (6 storey) permitted building height limit and more enabling recession planes. This recommendation is about the height limit for 25 Deans Avenue, whereas Matter 6 is a recommendation which includes the zoning of the site. As the two recommendations are separate, your decision on this recommendation can be made independent of your decision on Matter 6. Notified provisions 25 Deans Ave was notified as High Density Residential (HRZ) with a 14 metre height limit (3-4 storeys). This was lower than the 20 metre height limit (6 storeys) that applied to this site in the pre-PC14 district plan. Submissions, hearings and evidence	Agree to either: 13. officials' recommended suite of recommendations: a. reject the Independent Hearings Panel's recommendation; b. accept Christchurch City Council's alternative recommendation; c. agree to reason for decision: <i>I consider the Council's alternative recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD). The Council's alternative recommendation would better give effect to the NPS-UD, by providing additional development capacity compared to the IHP's recommendation.</i>

⁴³ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 6.1.90.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		The key submission for this matter was from Kāinga Ora. They submitted that the site should be part of a height variation control area, which should have a permitted 36 metre (12 storey) height limit. Mr Jonathan Clease in planning evidence on behalf of Kāinga Ora explained why they proposed the site is included within the 36 metre height variation control: <i>"the area between Riccarton Mall and Hagley Park which should all be 36m reflecting both the amenity provided by Hagley Park and the proximity to the City Centre."</i>⁴⁴ In supporting the 36 metre height limit, Mr Clease relied on Ms Ruth Allen's evidence on behalf of Council that the feasibility of buildings between 3 and 12 storeys remains challenging and where development can reach heights of 12 storeys the feasibility improves.⁴⁵ Mr Clease's evidence presented to the IHP is that a 36 metre building height limit can provide for a 10-12 storey building⁴⁶. Mr Clease concluded that a 36 metre height limit is more appropriate than a 20 or 14 metre height limit. The Council's position through their right of reply at the hearing was that the site is included within the Riccarton Residential Intensification Precinct, which provides for a building height of 8 storeys (28 metres) around the Riccarton Town Centre Zone. Reasons for the IHP's recommendation The IHP recommended that the pre-PC14 district plan height limit of 20 metre be retained for 25 Deans Ave.⁴⁷ The IHP did not accept that Kāinga Ora's submission for a 36 metre height limit.⁴⁸ The IHP concluded in its recommendation report that a maximum building height of more than 14 metres (3-4 storeys) is not necessary or appropriate and they thought it was bordering on fanciful to imagine a permitted activity of up to 3 dwellings requiring more than a 14 metre tall building and the height in relation to boundary standard and site widths would preclude height above 14 metre being achievable without infringing those either.⁴⁹ However, after the recommendation report was released and following further correspondence from the Council, in Minute 55⁵⁰ the IHP changed its recommendation and recommended a 20 metre height limit for the site as that retained what was permitted under the existing, pre-PC14 district plan. Reasons for the Council's alternative recommendation The Council is proposing in their alternative recommendation that 25 Deans Ave should have a permitted height limit of 36 metres as they consider that gives effect to policy 3(d) of the NPS-UD by enabling <i>"within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services."</i> The Council's referral letter (Appendix 2) states the reasons why Council prefers the alternative recommendation: <i>"Council considers that the site should be part of the Policy 3(d) response for the Town Centre Zone of Riccarton. MUZ with further increased building height best reflects the setting of the site and provides for the most development opportunities, given its vacant nature and the context of its surrounds."</i> <i>The Operative District Plan also contains a specific greater building height [20 metre permitted building height] overlay for the site, reflecting the strong potential of the site for greater built form. The proposal seeks a continuation of this, expanding on this proportional to the greater building height direction PC14 proposes."</i>	<i>The Council's alternative recommendation is supported by evidence, which has been tested through the hearings process.</i> Yes No Or 14. meet with officials for further discussion. Yes No

⁴⁴ Appendix 8, Statement of Evidence, Jonathan Clease (Kāinga Ora) – Planning, para 3.173.

⁴⁵ Appendix 7, Summary Statement of Evidence, Ruth Allen (Council), para 4-6.

⁴⁶ Appendix 8, Statement of Evidence, Jonathan Clease (Kāinga Ora) – Planning, para 3.88.

⁴⁷ Appendix 9, IHP Minute 55 – Response to Final Clarifications Sought, p 21.

⁴⁸ Appendix 5, IHP Recommendations Report – Part 3, para 299-303(a).

⁴⁹ Appendix 5, IHP Recommendations Report – Part 4, para 92.

⁵⁰ Appendix 9, IHP Minute 55 – Response to Final Clarifications Sought, p 21.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		The Council's alternative recommendation is different to the position they presented in evidence to the IHP. Advice We recommend you accept the Council's alternative recommendation of a 36 metre (12 storey) height limit for 25 Deans Avenue. Officials consider that the Council's alternative recommendation is consistent with requirements under the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD). Officials also consider the Council's alternative recommendation is supported by evidence, which has been tested through the hearings process. Whilst the IHP raised that the height in relation to boundary standard and site widths could preclude height above 14 metres being achievable, due to the size and location of 25 Deans Avenue that is not a significant issue. The height in relation to boundary standard does not apply to a boundary with a road. The site is surrounded by roads on three sides, so the site is largely exempt from the height in relation to boundary standard. The remaining boundary is the railway line boundary. Whilst a height in relation to boundary standard would apply to this boundary, due to the size of the site it will only cover a small portion of the site. Whilst consent would be required for four or more units, increasing the height limit removes a non-compliance that would need to be considered under such as resource consent. Furthermore, the site could be subdivided, so the permitted baseline could provide for much more than four units. Therefore, the Council's alternative recommendation provides more development capacity than the IHP recommendation, and so <i>would better give effect to the NPS-UD</i>.	

MATTERS 8-10: HORNBY TOWN CENTRE

Hornby is a large town centre in the west of Christchurch, and includes a range of commercial activities and community services (eg, shopping mall, supermarkets, community centre and library). In the absence of metropolitan centres, Hornby is one of Christchurch's most significant commercial centres outside of the city centre, along with the other two large town centres of Riccarton and Papanui.⁵¹ Hornby Town Centre and its surrounding policy 3 catchment are shown in **Figure 8.1 (Appendix 1A)**.

The Council has referred three IHP recommendations relating to Hornby (**Matters 8, 9 and 10**). **Matter 8** concerns the extent of the policy 3(d) High Density Residential catchment around Hornby town centre; **Matter 9** concerns permitted building heights within the Hornby Town Centre Zone (TCZ); and **Matter 10** concerns permitted building heights within the High Density Residential Zone (HRZ) around Hornby. You can make these decisions independently of one another as, even though Matters 8 and 10 overlap spatially, none of these decisions are consequential or dependent on each other.

Matter 8: Hornby Town Centre Policy 3(d) catchment

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
Zone residential areas around Hornby town centre High Density Residential.	Reduce the area around Hornby town centre zoned High Density Residential.	Context This matter is about the extent of the policy 3(d) High Density Residential (HRZ) catchment around Hornby town centre. Policy 3(d) of the NPS-UD requires the Council to enable, within and adjacent to town centres zones, building heights and densities of urban form commensurate with the level of commercial activity and community services. The High Density Residential (HRZ) zoning of residential areas around Hornby town centre is part of the Council's policy 3(d) response.	Agree to either: 15. officials' recommended suite of recommendations: a. accept the Independent Hearings Panel's recommendation;

⁵¹ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 7.1.32.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		Figure 8.2 (Appendix 1A) shows the IHP's recommended zoning and the Council's alternative zoning for residential areas around Hornby town centre. Policy 3 areas that the Council has already decided on (eg, some High Density Residential areas, commercial areas, including the town centre itself) are faded, but still shown to provide spatial context. Notified provisions Residential areas within a 600 metre walking catchment of Hornby town centre were notified as High Density Residential (HRZ). In its section 32 evaluation report, the Council noted that enabling high density residential development within a 600 metre walking catchment of Hornby town centre would “provide for a scaled response to [the] centre based on local context and will lead to an efficient and effective means to address Policy 3(d) of the NPS-UD”.⁵² Submissions, hearings and evidence 157 submitters supported the Council's notified HRZ approach in general,⁵³ while 23 submitters opposed the Council's policy 3 response in relation to the HRZ.⁵⁴ The size of Hornby's policy 3(d) HRZ catchment changed throughout the hearings process, but the sites subject to this recommendation were always within the catchment, and proposed to be zoned HRZ. In response to submissions, including from the Ministry of Housing and Urban Development, Council officers in their section 42A report recommended extending the HRZ catchment around Hornby, from 600 metres to 800 metres. Council officers considered this extended catchment “more appropriate to meet the outcomes of the NPS-UD”,⁵⁵ as it better reflected both the role and the scale of these centres in the context of Christchurch (ie, in the absence of metropolitan centres, large town centres such as Hornby are the most significant commercial centres outside of the city centre).⁵⁶ Reasons for the IHP's recommendation The IHP generally accepted Council officers' approach for the policy 3(d) HRZ catchment around Hornby town centre (as per their section 42A report and right of reply), and recommended zoning residential areas within an 800 metre catchment of Hornby town centre HRZ. The IHP found that this was an appropriate policy 3(d) response, commensurate with the function of the centre.⁵⁷ The extent of the IHP's recommended HRZ catchment differs from that recommended by Council officers in their section 42A report because the IHP used a different method for determining appropriate policy 3(d) catchments.⁵⁸ However, the sites subject to this recommendation were still within the catchment and remained HRZ. Reasons for the Council's alternative recommendation The Council rejected the IHP's recommended policy 3(d) HRZ catchment around Hornby town centre, proposing instead a reduced catchment. In its referral letter (Appendix 2), the Council states that reducing the extent of residential areas zoned HRZ around the Hornby town centre “better reflects the scale of the Hornby commercial centre”, and also reflects the extent of the pre-PC14 district plan Residential Medium Density Zone. The Council argues that reducing the spatial extent of HRZ zoning around Hornby would “better ensure the HRZ is established in areas already enabled for intensification prior to PC14”.	b. reject Christchurch City Council's alternative recommendation; c. agree to reason for decision: <i>The IHP's recommendation is more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 for Hornby town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> <i>There is insufficient evidence to justify the change sought by the Council through its alternative recommendation. By contrast, the IHP's recommendation is supported by evidence, which has been tested through the hearings process.</i> Yes No
			Or 16. meet with officials for further discussion. Yes No

⁵² Appendix 6, Section 32 Evaluation – Residential Chapter, p 71.

⁵³ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, p 146.

⁵⁴ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, p 165.

⁵⁵ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 7.1.32.

⁵⁶ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 7.1.32.

⁵⁷ Appendix 5, IHP Recommendations Report – Part 3, para 303.

⁵⁸ Appendix 5, IHP Recommendations Report – Part 3, para 300.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		Advice We recommend you accept the IHP's recommendation to zone residential areas around Hornby town centre High Density Residential (HRZ), and reject the Council's alternative recommendation. The IHP's recommendation is more consistent with the requirements of policy 3(d) of the NPS-UD, which are to enable building heights and densities of urban form around Hornby town centre commensurate with the level of commercial activities and community services. Sites covered by this recommendation were proposed to be zoned High Density Residential (HRZ), as part of the Council's policy 3(d) response throughout the entire PC14 process. The HRZ zoning of these sites is supported by the Council's notification evidence, as well as Council officers in their section 42A report and hearings evidence. The Council has not provided sufficient evidence to support its alternative recommendation or demonstrate why these sites should no longer be zoned HRZ as part of the Council's policy 3(d) response.	

Matter 9: Hornby Town Centre Zone (TCZ) building height

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
Permit a building height of 32 metres (8-10 storeys) in the Town Centre Zone of Hornby.	Permit a building height of 22 metres (6 storeys) in the Town Centre Zone of Hornby.	Context This matter is about permitted building heights within the Hornby Town Centre Zone (TCZ). Policy 3(d) of the NPS-UD requires the Council to enable, within town centre zones, building heights and densities of urban form commensurate with the level of commercial activity and community services. Hornby's TCZ provisions, including permitted building heights, are part of the Council's policy 3(d) response. Notified provisions Hornby's TCZ was notified with a permitted building height of 22 metres (6 storeys). The Council applied the TCZ to most town centres in Christchurch. This permitted building heights of up to 20 metres (6 storeys). However, the Council recommended an increased 22 metre building height limit for Hornby (still 6 storeys, but allowing for more flexibility of ceiling heights), as well as the other two large town centres of Riccarton and Papanui <i>"to reflect the increased level of commercial activities and community services in these centres in comparison to other centres (to give effect to Policy 3d)."</i>⁵⁹ This additional two metres of building height <i>"provides greater flexibility to develop more functional commercial ceiling heights"</i>.⁶⁰ Submissions, hearings and evidence 21 submitters submitted on the building height provisions for centre zones. Several submitters opposed increasing centre zones (relative to the pre-PC14 district plan) or sought reductions in permitted building height, whereas others (including Kāinga Ora) supported building heights of 6-10 storeys (18-32 metres).	Agree to either: 17. officials' recommended suite of recommendations: a. accept the Independent Hearings Panel's recommendation; b. reject Christchurch City Council's alternative recommendation; c. agree to reason for decision: <i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 for Hornby town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> Yes No

⁵⁹ Appendix 6, Section 32 Evaluation – Commercial Chapter, p 41.

⁶⁰ Appendix 7, Section 42A Report, Kirk Lightbody – Commercial Chapter, para 8.3.6.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		In their section 42A report, Council officers noted that <i>“Riccarton, Papanui and Hornby are significantly larger in commercial scale than the other Town Centres”</i>,⁶¹ and also <i>“provide a range of community services”</i>.⁶² They concluded that an increased building height limit of 32 metres (8-10 storeys) was appropriate for the Hornby TCZ, noting that this would achieve intensification commensurate to the centre.⁶³ In the accompanying section 32AA evaluation, they explain that <i>“increased development within centres [enabled by an increased building height limit] will lead to positive agglomeration effects, enabling a wider and more vibrant range of businesses to be able to establish”</i>.⁶⁴ Reasons for the IHP's recommendation The IHP accepted the evidence presented by Council officers in their section 42A report and hearings evidence, and recommended that the building height limits for large Town Centre Zones (TCZ)—including Hornby TCZ—be increased to 32 metres (8-10 storeys), as per the Council's right of reply.⁶⁵ Reasons for the Council's alternative recommendation The Council rejected the IHP's recommended building height limit of 32 metres (8-10 storeys), instead recommending that building heights in Hornby's TCZ be limited to 22 metres (6 storeys), as per the Council's notified position. In its referral letter (Appendix 2), the Council states that <i>“the recommended 32m building height limit is not commensurate with the commercial centre of Hornby or its surrounds”</i>. The Council's view is that its proposed alternative building height limit of 22 metres <i>“aligns with the building height limit of other similar Town Centres”</i>. Advice We recommend you accept the IHP's recommendation to permit building heights of up to 32 metres (8-10 storeys) in Hornby's Town Centre Zone (TCZ), and reject the Council's alternative recommendation. The IHP's recommendation is more consistent with the requirements of policy 3(d) of the NPS-UD, which are to enable building heights and densities of urban form within Hornby town centre commensurate with the level of commercial activities and community services. The IHP's recommendation is supported by the Council's hearings evidence (eg, section 42A report) and the expert planning evidence of Council officers. The Council has not provided sufficient evidence to support its alternative recommendation or demonstrate why a building height limit of 32 metres is inappropriate for Hornby or a disproportionate policy 3(d) response for the centre. Officials also note that Hornby is classified as a Large Town Centre, along with Riccarton and Papanui. Both the Riccarton and Papanui TCZs have a building height limit of 32 metres (8-10 storeys), as recommended by the IHP and accepted by the Council.⁶⁶	Or 18. meet with officials for further discussion. Yes No

⁶¹ Appendix 7, Section 42A Report, Kirk Lightbody – Commercial Chapter, para 8.2.13.

⁶² Appendix 7, Section 42A Report, Kirk Lightbody – Commercial Chapter, para 8.2.14.

⁶³ Appendix 7, Section 42A Report, Kirk Lightbody – Commercial Chapter, para 8.3.4.

⁶⁴ Appendix 7, Section 42A Report, Kirk Lightbody – Commercial Chapter, para 8.3.7.

⁶⁵ Appendix 5, IHP Recommendations Report – Part 3, para 355(b).

⁶⁶ Appendix 5, IHP Recommendations Report – Part 3, para 355(b).

Matter 10: Hornby High Density Residential Zone (HRZ) building height

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
Permit a building height of 14 metres (3-4 storeys) in High Density Residential zoned areas around the Hornby town centre.	Permit a building height of 12 metres (three storeys) in High Density Residential zoned areas around the Hornby town centre.	Context This matter is about permitted building heights within High Density Residential Zone (HRZ) around Hornby town centre. It covers all HRZ zoned areas around Hornby (see Figure 8.1 in Appendix 1A). Notified provisions The notified High Density Residential Zone (HRZ) permitted building heights of up to 14 metres (3-4 storeys). HRZ areas around Hornby town centre were also covered by a Town Centre Intensification Precinct (TCIP), enabling building heights of up to 20 metres (6 storeys).⁶⁷ Policy 3(d) of the NPS-UD requires the Council to enable, within and adjacent to town centres zones (eg, Hornby), building heights and densities of urban form commensurate with the level of commercial activity and community services. HRZ provisions, including permitted building heights, were part of the Council's policy 3(d) response. In its section 32 evaluation report, the Council concluded that enabling building heights of 20 metres (via the HRZ and TCIP) for residential areas around Hornby town centre would “provide for a scaled response to [the] centre based on local context and will lead to an efficient and effective means to address Policy 3(d) of the NPS-UD”.⁶⁸ Submissions, hearings and evidence In their section 42A report, Council officers recommended increasing the building height limit within the HRZ to 22 metres (6 storeys) and removing the TCIP.⁶⁹ The purpose of this change was to better give effect to the NPS-UD by “better enable[ing] six storey development and architectural and building design variation and innovation”.⁷⁰ Council officers reiterated their recommendation to permit building heights of up to 22 metres within the HRZ in their Right of Reply.⁷¹ Reasons for the IHP's recommendation The IHP accepted Council officers' recommendation to remove the TCIP, however they recommended the HRZ only permit building heights of up to 14 metres (3-4 storeys, aligning with the Council's notified position), explaining that they were not persuaded “that a maximum building height of more than 14 m (as notified) is necessary or appropriate” for the HRZ.⁷² They considered it “bordering on fanciful to imagine a permitted activity of up to 3 dwellings requiring more than a 14m-tall building”, meaning that “in almost every imaginable scenario buildings taller than 14m would be in the 4 or more dwellings category, already needing a land use consent”.⁷³ Reasons for the Council's alternative recommendation The Council rejected the IHP's recommended High Density Residential Zone (HRZ) building height limit of 14 metres (3-4 storeys), proposing instead a maximum permitted building height of 12 metres (3 storeys) for the HRZ. In its referral letter (Appendix 2), the Council argues that its alternative recommended maximum building height of 12 metres for the HRZ around Hornby town centre “better reflects a commensurate response under Policy 3(d) for the centre, while better aligning with pre-PC14 operative building height limits”.	Agree to either: 19. officials' recommended suite of recommendations: a. accept the Independent Hearings Panel's recommendation; b. reject Christchurch City Council's alternative recommendation; c. agree to reason for decision: <i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 for Hornby town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> <i>There is insufficient evidence to justify the change sought by the Council through its alternative recommendation.</i> Yes No
			Or 20. meet with officials for further discussion. Yes No

⁶⁷ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 6.1.57.

⁶⁸ Appendix 6, Section 32 Evaluation – Residential Chapter, p 71.

⁶⁹ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, paras 6.1.56 and 10.1.139.

⁷⁰ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 10.1.139.

⁷¹ Appendix 7, Reply for Christchurch City Council, para 10.7.

⁷² Appendix 5, IHP Recommendations Report – Part 4, para 91.

⁷³ Appendix 5, IHP Recommendations Report – Part 4, para 91.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		The Council notes that its alternative recommendation also aligns with <i>“the reduced building height limit that Council has alternatively recommended for the Town Centre Zone of Hornby” (Matter 9)</i>. Advice We recommend you <i>accept the IHP's recommendation</i> to permit building heights of up to 14 metres (3-4 storeys) within HRZ areas around Hornby town centre, and reject the Council's alternative recommendation. The IHP's recommendation is more consistent with the requirements of policy 3(d) of the NPS-UD, which are to enable building heights and densities of urban form around Hornby town centre commensurate with the level of commercial activities and community services. The IHP's recommendation is supported by the Council's notification evidence (section 32 evaluation report), which was tested throughout the hearings process. The Council has not provided sufficient evidence to support its alternative recommendation or to demonstrate why a permitted building height of 12 metres (3 storeys) is an appropriate or commensurate policy 3(d) response for HRZ area around Hornby.	

MATTERS 11-13: LINWOOD TOWN CENTRE

Linwood is a town centre in the inner east of Christchurch (it is smaller than the large town centres of Riccarton and Hornby), and includes a range of commercial activities and community services (eg, shopping mall, supermarket, schools, parks and library). Linwood Town Centre and its surrounding policy 3 catchment are shown in **Figure 11.1 (Appendix 1A)**.

The Council has referred three IHP recommendations related to Linwood (**Matters 11, 12 and 13**). **Matter 11** concerns the extent of the policy 3(d) High Density Residential catchment around Linwood town centre; **Matter 12** concerns permitted building heights within the Linwood Town Centre Zone (TCZ) and the height in relation to boundary standard for the boundary of TCZ sites where they adjoin residentially zoned sites; and **Matter 13** concerns permitted building heights within the High Density Residential Zone (HRZ) around Linwood. You can make these decisions independently of one another as, even though **Matters 11 and 13** overlap spatially, none of these decisions are consequential or dependent on each other.

Your decision on **Matter 12**, however, should align with your decision on **Matter 2**, as both recommendations relate to the Sunlight Access qualifying matter. We have recommended that you accept the IHP's recommendation in both instances. This is discussed further in **Matter 12**.

Matter 11: Linwood Town Centre Policy 3(d) catchment

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
Zone residential areas around Linwood town centre High Density Residential, as per the Council's Right of Reply.	Reduce the area around Linwood town centre zoned High Density Residential.	Context This matter is about the spatial extent of the policy 3(d) High Density Residential (HRZ) catchment around the Linwood Town Centre Zone (TCZ). Policy 3(d) of the NPS-UD requires the Council to enable, within and adjacent to town centres zones, building heights and densities of urban form commensurate with the level of commercial activity and community services. The High Density Residential (HRZ) zoning of residential areas around Linwood town centre was part of the Council's policy 3(d) response. Figure 11.2 (Appendix 1A) shows the IHP's recommended zoning and the Council's alternative zoning for residential areas around Linwood town centre. Policy 3 areas that the Council has already decided on (eg, High Density Residential areas closer to the town centre) are faded, but still shown to provide spatial context. Notified provisions Residential areas within a 400 metre walking catchment Linwood town centre were notified as High Density Residential (HRZ). In its section 32 evaluation report, the Council noted that enabling high density residential development within a 400 metre walking catchment of Linwood town centre would <i>"provide for a scaled response to [the] centre based on local context and will lead to an efficient and effective means to address Policy 3(d) of the NPS-UD"</i>.⁷⁴ Submissions, hearings and evidence 157 submitters supported the Council's notified HRZ approach,⁷⁵ while 23 submitters opposed the Council's policy 3 response in relation to the HRZ.⁷⁶ In their section 42A report, Council officers revised their approach to policy 3(d) catchments around town centres, including Linwood. They explained that the notified catchments <i>"would not align with the requirements of Policies 1 and 3 of the NPS-UD, or with Objective 1, because catchments are not sufficiently responsive to the scale and nature of each centre and levels of accessibility throughout"</i>.⁷⁷	Agree to either: 21. officials' recommended suite of recommendations: a. accept the Independent Hearings Panel's recommendation; b. reject Christchurch City Council's alternative recommendation; c. agree to reason for decision: <i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development for Linwood town centre which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> Yes No
			Or 22. meet with officials for further discussion.

⁷⁴ Appendix 6, Section 32 Evaluation – Residential Chapter, p 71.

⁷⁵ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, p 146.

⁷⁶ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, p 165.

⁷⁷ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 6.1.69.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		Consequently, Council officers recommended extending the policy 3(d), HRZ catchments around town centres, explaining that this would “<i>best reflect the scale of each centre</i>”,⁷⁸ and “<i>best give effect to objectives and policies of the NPS-UD</i>”.⁷⁹ They recommended extending the Linwood TCZ catchment to 600 metres.⁸⁰ Reasons for the IHP's recommendation The IHP accepted the Council's evidence and recommended a 600 metre policy 3(d) HRZ catchment around the Linwood TCZ,⁸¹ in line with Council officers' section 42A and Right of Reply position.⁸² Reasons for the Council's alternative recommendation In its referral letter (Appendix 2), the Council considers that a reduced, 400 metre HRZ catchment around Linwood TCZ, as per the notified version of PC14, “<i>better reflects a commensurate response under Policy 3(d) for the centre and reduces the negative social impacts of local intensification</i>”. The Council also notes its alternative recommendation “<i>best reflects the pre-PC14 intensification extent and represents a consistent and proportionate response</i>” by aligning with that extent. Advice We recommend you <i>accept the IHP's recommendation</i>, to zone residential areas within a 600 metre walking catchment of Linwood TCZ High Density Residential (HRZ)—and reject the Council's alternative recommendation. The IHP's recommendation is more consistent with the requirements of policy 3(d) of the NPS-UD, which are to enable building heights and densities of urban form around Linwood town centre commensurate with the level of commercial activities and community services. The Council has not provided sufficient evidence to support its alternative recommendation or demonstrate why these sites should no longer be zoned HRZ as part of the Council's policy 3(d) response.	Yes No

Matter 12: Linwood Town Centre Zone (TCZ) building height and form

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
Permit a building height of 22 metres (6 storeys, with greater flexibility for ceiling heights) in Linwood Town Centre Zone and	Permit a building height of 20 metres (6 storeys) in Linwood Town Centre Zone and apply the Sunlight Access qualifying	Context This matter is about permitted building heights in Linwood Town Centre Zone (TCZ) and the height in relation to boundary (HiRB) standard for the boundary of TCZ sites where they adjoin residentially zoned sites. Matter 2 provided advice and sought your decision on the Sunlight Access qualifying matter (QM), which impacts the HiRB standard for residential zones. PC14 also proposed the HiRB standard for residential zones be matched by the	Agree to either: 23. officials' recommended suite of recommendations: a. accept the Independent Hearings Panel's recommendation;

⁷⁸ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 6.1.80.

⁷⁹ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 6.1.69.

⁸⁰ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 6.1.100.

⁸¹ Appendix 5, IHP Recommendations Report – Part 3, para 304.

⁸² Appendix 9, IHP Minute 53 – Response to Mapping Clarifications, p 6.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
apply the MDRS height in relation to boundary standard (4 metres and 60 degrees) along the boundary with residential zones.	matter height in relation to boundary standard (3 metres and between 50 and 60 degrees depending on site orientation) along the boundary with residential zones.	HiRB standard along the adjoining boundary of non-residential zoned sites (eg, TCZ sites). The analysis and advice regarding the Sunlight Access QM has already been undertaken in Matter 2, so this section will focus on building heights within the Linwood TCZ. Notified provisions Linwood TCZ was notified with a building height limit of 20 metres (6 storeys)⁸³ and a HiRB standard for the boundary of TCZ sites adjoining a residential zone of 3 metres and a recession plane of between 50 and 60 degrees (with the angle of the recession plane based on boundary orientation).⁸⁴ This is the same HiRB standard as applied under the Sunlight Access qualifying matter (see Matter 2). These provisions were part of the Council's response to policy 3(d) of the NPS-UD, which requires the Council to enable building heights and densities of urban form commensurate with the level of commercial activity and community services in and around urban centres such as Linwood. Submissions, hearings and evidence Kāinga Ora, in its submission, requested an increased building height limit of 22 metres (still 6 storeys, but allowing for more flexibility of ceiling heights) for TCZs, including Linwood.⁸⁵ In their section 42A report, Council officers supported this request, noting it “<i>provides greater flexibility to develop more functional commercial ceiling heights</i>”.⁸⁶ Consequently, they recommended the building height limit for Linwood TCZ be increased to 22 metres.⁸⁷ Council officers reiterated this revised approach in their right of reply.⁸⁸ The HiRB standard for the boundary of TCZ sites adjoining residential zones was not discussed separately from the Sunlight Access qualifying matter (Matter 2). Reasons for the IHP's recommendation The IHP accepted the evidence presented by both Kāinga Ora and the Council and recommended a 22 metre building height limit for Linwood TCZ, as per the Council's Right of Reply.⁸⁹ Matter 2 notes that the IHP rejected the Sunlight Access qualifying matter and recommended the MDRS HiRB standard of 4 metres and 60 degrees. The IHP also amended the HiRB standard for TCZ sites adjoining a residential zone align with the MDRS standard.⁹⁰ Reasons for the Council's alternative recommendation In its referral letter (Appendix 2), the Council states the “<i>pre-PC14 building height limit of 20 metres is sufficient to enable building heights and densities of urban form commensurate with the level of commercial activity and community services in [Linwood]</i>”. In relation to the height in relation to boundary controls, the Council states that “<i>retaining a recession plane angle that applies the Sunlight Access QM better supports the wellbeing of neighbouring residents</i>”. Overall, the Council states that its alternative approach “<i>better reflects the residential context that the [Linwood] TCZ area lies within</i>”.	b. reject Christchurch City Council's alternative recommendation; c. agree to reason for decision: <i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the NPS-UD for Linwood town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> Yes No
			Or 24. meet with officials for further discussion. Yes No

⁸³ Appendix 6, Notified PC14 Chapter 15 – Commercial, 15.4.2.2.

⁸⁴ Appendix 6, Notified PC14 Chapter 15 – Commercial, 15.4.2.5.

⁸⁵ Appendix 8, Submission #834 (Kāinga Ora), p 145.

⁸⁶ Appendix 7, Section 42A Report, Kirk Lightbody – Commercial Chapter, para 8.3.6.

⁸⁷ Appendix 7, Section 42A Report, Kirk Lightbody – Commercial Chapter, para 8.3.6.

⁸⁸ Appendix 7, Reply for Christchurch City Council, para 9.44(a)(ii).

⁸⁹ Appendix 5, IHP Recommendations Report – Part 3, para 355(e).

⁹⁰ Appendix 5, IHP recommended Chapter 14.16 – Residential Appendices, Appendix 14.15.2.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		Advice We recommend you accept the IHP's recommendation—to permit building heights of up to 22 metres (6 storeys) within the Linwood TCZ and apply a recession plane of 4 metres and 60 degrees along the boundary of sites adjoining residential zones—and reject the Council's alternative recommendation. The IHP's recommendation is more consistent with the requirements of policy 3(d) of the NPS-UD, which are to enable building heights and densities of urban form within Linwood town centre commensurate with the level of commercial activities and community services. The IHP's recommendation is supported by the Council's section 42A report and hearings evidence, including the expert planning advice of Council officers, as well as Kāinga Ora's evidence.⁹¹ The Council has not provided sufficient evidence to support its alternative recommendation, nor to demonstrate why the 22 metre building height limit recommended by the IHP is an inappropriate policy 3(d) response for Linwood, not commensurate with the scale of the centre. Furthermore, the Council's alternative approach is inconsistent with its policy 3(d) response for other town centres. The IHP recommended building height limits of 22 metres for every other town centre across Christchurch—except for the large town centres of Riccarton, Papanui and Hornby, where it recommended a building height limit of 32 metres—and the Council accepted each these recommendations. The Council has not provided sufficient evidence to support deviating from this broader building heights framework in the case of Linwood. Your decision for this matter (Matter 12) should align with your decision on Matter 2, as both recommendations relate to the Sunlight Access qualifying matter. We recommend you accept the IHP's recommendations in both instances. Agreeing to accept the IHP's recommendation for both Matter 2 and for this matter will align the HiRB standard for sites adjoining residential areas with the HiRB for residential areas. This will continue to support the transition between the zones.	

Matter 13: Linwood High Density Residential Zone (HRZ) building height

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
Permit building heights of 14 metres (3-4 storeys) in High Density Residential areas around Linwood town centre.	Permit building heights of 12 metres (three storeys) in High Density Residential areas around Linwood town centre.	Context This matter is about permitted building heights within the High Density Residential Zone (HRZ) around Linwood town centre. It covers the entire HRZ area around Linwood, as indicated in Figure 11.1 (Appendix 1A). Notified provisions The notified High Density Residential Zone (HRZ) permitted building heights of up to 14 metres (3-4 storeys). HRZ areas around Linwood town centre were also covered by a Town Centre Intensification Precinct (TCIP), enabling building heights of up to 20 metres (6 storeys).⁹² Policy 3(d) of the NPS-UD requires the Council to enable, within and adjacent to town centre zones (eg, Linwood), building heights and densities of urban form commensurate with the level of commercial activity and community services. High Density Residential (HRZ) provisions, including permitted building heights, were part of the Council's policy 3(d) response. In its section 32 evaluation report, the Council concluded that enabling building heights of 20 metres (6 storeys,	Agree to either: 25. officials' recommended suite of recommendations: a. accept the Independent Hearings Panel's recommendation; b. reject Christchurch City Council's alternative recommendation; c. agree to reason for decision: <i>I consider the IHP's recommendation to be more consistent with the requirements</i>

⁹¹ Appendix 8, Statement of Evidence, Jonathan Cleese (Kāinga Ora) – Planning, para 3.160.

⁹² Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 6.1.57.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		via the HRZ and TCIP) for residential areas around Linwood town centre would “provide for a scaled response to [the] centre based on local context and will lead to an efficient and effective means to address Policy 3(d) of the NPS-UD”.⁹³ Submissions, hearings and evidence In their section 42A report, Council officers recommended increasing the permitted building height within the HRZ from 20 metres to 22 metres (still 6 storeys, but with more flexibility for ceiling height),⁹⁴ and removing the TCIP.⁹⁵ This purpose of these changes was to better give effect to the NPS-UD by “better enable[ing] six storey development and architectural and building design variation and innovation”,⁹⁶ and to simplify the HRZ framework.⁹⁷ Council officers reiterated their approach to enabling building heights of up to 22m within the HRZ in their Right of Reply.⁹⁸ Reasons for the IHP's recommendation The IHP accepted Council officers' recommendation to remove the TCIP, however they recommended the HRZ only permit building heights of up to 14 metres (3-4 storeys, aligning with the Council's notified position), explaining that they were not persuaded “that a maximum building height of more than 14 m (as notified) is necessary or appropriate” for the HRZ.⁹⁹ They considered it “bordering on fanciful to imagine a permitted activity of up to 3 dwellings requiring more than a 14m-tall building”, meaning that “in almost every imaginable scenario buildings taller than 14m would be in the 4 or more dwellings category, already needing a land use consent”.¹⁰⁰ Reasons for the Council's alternative recommendation The Council rejected the IHP's recommended High Density Residential Zone (HRZ) building height limit of 14 metres (3-4 storeys), proposing instead a maximum permitted building height of 12 metres (3 storeys) for the HRZ. In its referral letter (Appendix 2), the Council explains that its alternative recommendation “better aligns with pre-PC14 operative building heights” and argues that it would “reduce the negative social impacts of local intensification”. The Council explains that the “overarching response in Linwood is not dissimilar in nature to pre-PC14 enablement”, and that its alternative recommendation “seeks to ensure that the permitted building height [of HRZ areas] better aligns with the 11m permitted building height of pre-PC14 Residential Medium Density zoning”. Advice We recommend you accept the IHP's recommendation to permit building heights of up to 14 metres (3-4 storeys) within High Density Residential (HRZ) areas around Linwood town centre, and reject the Council's alternative recommendation. The IHP's recommendation is more consistent with the requirements of policy 3(d) of the NPS-UD, which are to enable building heights and densities of urban form around Linwood town centre commensurate with the level of commercial activities and community services. The IHP's recommendation is supported by the Council's notification evidence (section 32 evaluation report), which was tested throughout the hearings process. The Council has not provided sufficient evidence to support its alternative recommendation or to demonstrate why a permitted building height of 12 metres (three storeys) is an appropriate or commensurate policy 3(d) response for HRZ area around Linwood.	<i>of Policy 3(d) of the NPS-UD for Linwood town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> <i>There is insufficient evidence to justify the change sought by the Council through its alternative recommendation.</i> Yes No Or 26. meet with officials for further discussion. Yes No

⁹³ Appendix 6, Section 32 Evaluation – Residential Chapter, p 71.

⁹⁴ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 10.1.139.

⁹⁵ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 13.1.9.

⁹⁶ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 10.1.139.

⁹⁷ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 13.1.9.

⁹⁸ Appendix 7, Reply for Christchurch City Council, para 10.7.

⁹⁹ Appendix 5, IHP Recommendations Report – Part 4, para 91.

¹⁰⁰ Appendix 5, IHP Recommendations Report – Part 4, para 91.

MATTERS 14-16: LOCAL CENTRES AND SPOT ZONING

Matter 14: Peer Street Local Centre Policy 3(d) catchment

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
Zone residential areas around Peer St local centre Medium Density Residential.	Defer decisions on the zoning of these areas until decisions are made on the balance of Plan Change 14 (required by 12 December 2025).	Context The Peer Street Centre is a local centre in the suburb of Ilam, west of Christchurch, near the University of Canterbury campus and several halls of residence. It includes a large format supermarket. Before PC14, the areas covered by this recommendation were zoned either Residential Suburban (low density) or Residential Suburban Density Transition (medium density, earmarked for infill development). Policy 3(d) of the NPS-UD requires the Council to enable, within and adjacent to local centres zones, building heights and densities of urban form commensurate with the level of commercial activity and community services. The Medium Density Residential (MRZ) zoning of residential areas around Peer Street local centre formed part of the Council's policy 3 response. Figure 14.1 (Appendix 1A) shows the IHP's recommended zoning and the Council's alternative zoning for residential areas around Peer St local centre. Policy 3 areas that the Council has already decided on and the University of Canterbury campus are faded, but still shown to provide spatial context. Notified provisions Residential areas around Peer Street local centre were notified as Medium Density Residential (MRZ). In its section 32 evaluation report, the Council noted MRZ was proposed around Peer Street local centre, and considered that this approach would provide for a scaled response based on local context, which would lead to an efficient and effective means to address policy 3(d) of the NPS-UD.¹⁰¹ The Council did not propose a specific policy 3(d) catchment, as it considered that the baseline MRZ zoning was an appropriate policy 3(d) response. Submissions, hearings and evidence In their section 42A report, Council officers recommended applying a 200 metre catchment around Peer Street local centre, within which residential areas would be zoned Medium Density Residential (MRZ).¹⁰² While functionally the same as the notified version of PC14, which zoned areas around Peer St local centre MRZ, this change updated the Council's policy 3(d) response for Peer Street, by defining a specific catchment around the centre and noting that this catchment was responsive to the scale and nature of the centre.¹⁰³ The Council's officers' proposed 200 metre catchment means that the MRZ areas around Peer Street are part of the Council's policy 3(d) response. Reasons for the IHP's recommendation The IHP generally accepted Council officers' proposed approach for Peer Street local centre, finding that zoning residential areas within a 200 metre catchment of Peer Street local centre Medium Density Residential (MRZ) was an appropriate policy 3(d) response, commensurate with the function of the centre.¹⁰⁴ This zoning also aligns with the Council's notified position, where sites subject to this recommendation were also proposed to be zoned MRZ. To identify the appropriate policy 3(d) responses for different centres across Christchurch, the IHP applied walking catchments proportionate to the role and function of each centre, starting in 200 metre increments from the core of each	Agree to either: 27. officials' recommended suite of recommendations: a. accept the Independent Hearings Panel's recommendation; b. reject Christchurch City Council's alternative recommendation; c. agree to reason for decision: <i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the NPS-UD for Peer Street local centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> Yes No
			Or 28. meet with officials for further discussion. Yes No

¹⁰¹ Appendix 6, Section 32 Evaluation – Residential Chapter, p 71.

¹⁰² Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, paras 6.1.70, 6.1.79 and 6.1.80.

¹⁰³ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 6.1.80.

¹⁰⁴ Appendix 5, IHP Recommendations Report – Part 3, para 307.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		centre.¹⁰⁵ In doing so, the IHP considered the extent of commercial activity and community services with each centre.¹⁰⁶ The IHP's assessment of what they considered commensurate for each centre was based on a combination of site visits, the section 32 evaluation report, submitter evidence (both in support of and in opposition to the extent of walking catchments) and hearings evidence (including the section 42A report).¹⁰⁷ Reasons for the Council's alternative recommendation The Council rejected the IHP's recommendation to zone sites around Peer St local centre Medium Density Residential (MRZ), as part of its policy 3(d) response. In its referral letter (Appendix 2), the Council explains that it does not consider Peer St local centre to be of sufficient scale to warrant the IHP recommended policy 3(d) response (ie, MRZ within 200 metres of the centre). The Council considers that removing the MRZ walking catchment around Peer St local centre is an appropriate policy 3(d) response, better reflecting—and commensurate with—the scale of the commercial centre. Specifically, the Council argues that <i>"no change to the operative zoning is required to enable building heights and densities of urban form commensurate with the level of commercial activity and community services in this location"</i>.¹⁰⁸ Consequently, the Council is recommending that decisions on the zoning of residential areas surrounding Peer St local centre are deferred until decisions are made on the balance of PC14 and that these sites retain their operative, pre-PC14 zoning in the meantime. Advice We recommend you accept the IHP's recommendation to zone residential areas around Peer Street local centre Medium Density Residential (MRZ) and reject the Council's alternative recommendation. The IHP's recommendation is more consistent with the requirements of policy 3(d) of the NPS-UD, which are to enable building heights and densities of urban form around Peer Street local centre commensurate with the level of commercial activities and community services. The IHP's recommendation is consistent with the Council's position throughout the PC14 process and is consequently supported by its notification and hearings evidence (section 32 evaluation report, section 42A report), which was tested through the hearings process. While the Council argues that no change to the operative zoning is required to give effect to policy 3(d), and consequently has recommended no MRZ catchment around Peer St local centre, it has not provided sufficient evidence to support this alternative recommendation, nor demonstrated why the 200 metre MRZ catchment recommended by the IHP is not commensurate with the scale of Peer Street local centre and hence why it is an inappropriate policy 3(d) response. Furthermore, the Council's alternative approach is inconsistent with its policy 3(d) response for other local centres. The IHP recommended applying MRZ within 200 metres of every other local centre in Christchurch, considering it an appropriate policy 3(d) response, commensurate with the function of those centres.¹⁰⁹ The Council has accepted the IHP's recommendations in each of these instances, applying MRZ around these local centres—Peer Street is the exception. The Council has not provided sufficient evidence to support deviating from this broader policy 3(d) approach in the case of Peer Street.	

¹⁰⁵ Appendix 5, IHP Recommendations Report – Part 3, para 300.

¹⁰⁶ Appendix 5, IHP Recommendations Report – Part 3, para 301.

¹⁰⁷ Appendix 5, IHP Recommendations Report – Part 3, para 300.

¹⁰⁸ Appendix 2, Letter from Christchurch City Council referring rejected IHP recommendations, p 5.

¹⁰⁹ Appendix 5, IHP Recommendations Report – Part 3, para 307.

Matter 15: Local Centre Intensification Precinct (LCIP)

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
Reject the Local Centre Intensification Precinct.	Retain the Local Centre Intensification Precinct, applying it to residential areas around eight local centres, whilst altering the provisions to align with the 12 metre (three storey) building height limit recommended by the IHP.	Context The eight local centres covered by this recommendation (Bishopdale, Barrington, Northwest Belfast, Halswell, Prestons, Wigram, Sydenham South and Richmond) are located across Christchurch. The Council has identified each of them as being particularly well-suited to intensification, given their scale, prospective growth and the level of commercial activities and community services they offer. Notified provisions PC14 proposed introducing Local Centre Intensification Precincts (LCIPs), which are Medium Density Residential (MRZ) zoned areas around local centres where a greater degree of intensification is enabled than the default MDRS. The purpose of these precincts is to “<i>enable the development of four- to five-storey town houses and multi-storey apartments</i>” around local centres.¹¹⁰ LCIP density standards were initially applied to Medium Density Residential (MRZ) zoned areas within 200 metres catchments of the local centres of Bishopdale, Barrington and Prestons. The LCIP provisions allowed for a greater degree of intensification in these areas than the baseline MRZ, by: - enabling building heights of up to 14 metres (3-4 storeys, instead of the 12 metres (3 storeys) provided for by the MRZ);¹¹¹ and - removing height in relation to boundary controls for the first 20 metres of the site, enabling perimeter block development.¹¹² Policy 3(d) of the NPS-UD requires the Council to enable, within and adjacent to local centre zones, building heights and densities of urban form commensurate with the level of commercial activity and community services. Applying these LCIP density standards to residential areas around these local centres is part of the Council's policy 3 response. In its section 32 evaluation report, the Council noted that the LCIP provisions would “<i>provide for a scaled response to each centre based on local context and will lead to an efficient and effective means to address Policy 3(d) of the NPS-UD</i>”.¹¹³ Submissions, hearings and evidence Ten submitters submitted on the LCIP, with some opposing it on the grounds that it was too enabling and others arguing that it was not enabling enough, saying that the Council should just zone residential areas around the local centres High Density Residential.¹¹⁴ In their section 42A report, Council officers reiterated that the LCIP “<i>sets the intended direction for levels of intensification around relevant commercial centres, in accordance with Policy 3(d) of the NPS-UD</i>” and recommended applying the LCIP to five additional local centres; Northwest Belfast, Halswell, Wigram, Sydenham South and Richmond.¹¹⁵ Council officers found these local centres, together with the three local centres initially proposed to have the LCIP applied around them (Bishopdale, Barrington and Prestons), to be the most suitable for additional intensification (ie, above and beyond the intensification enabled by the MRZ), based on an assessment of the following criteria: scale of the centre, prospective growth, number of commercial services and number of community facilities.¹¹⁶	Agree to either: 29. officials' recommended suite of recommendations: reject the Independent Hearings Panel's recommendation; accept Christchurch City Council's alternative recommendation; agree to reason for decision: <i>I consider the Council's alternative recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> Yes No
			Or 30. meet with officials for further discussion. Yes No

¹¹⁰ Appendix 6, Notified PC14 Chapter 14.1-14.3 – Residential, para 14.2.6.2.

¹¹¹ Appendix 6, Notified PC14 Chapter 14.5 – Residential (MRZ), para 14.5.2.3.

¹¹² Appendix 6, Notified PC14 Chapter 14.5 – Residential (MRZ), para 14.5.2.6.

¹¹³ Appendix 6, Section 32 Evaluation – Residential Chapter, p 71.

¹¹⁴ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, p 131.

¹¹⁵ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 9.1.116.

¹¹⁶ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 6.1.72 and 6.1.73.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		In addition, Council officers considered the local centres of Bishopdale, Barrington, Northwest Belfast, Halswell to be particularly well-served by public and active transport (core bus services, cycle routes),¹¹⁷ and consequentially recommended applying the LCIP within 400 metres of these centres, rather than the initially recommended 200 metres.¹¹⁸ Reasons for the IHP's recommendation In Part 3 of their report, the IHP recommended zoning residential areas within 200 metre catchments of local centres—including the eight local centres subject to this recommendation—Medium Density Residential (MRZ). The IHP considered that this was an appropriate policy 3(d) response, commensurate with the function of those centres.¹¹⁹ However, in Part 4 of their report, the IHP recommended removing the LCIP from around local centres, noting the LCIP had been “<i>rendered obsolete in our NPS-UD Policy 3(d) finding that Local Centres should have an area of land within 200m of the central point of the relevant centre zone re-zoned as HRZ [...] In this respect we have accepted the Precinct in part but prefer a simpler and more consistent Plan response via the HRZ.</i>”¹²⁰ Officials note that the IHPs recommendation report appears to recommend both MRZ and HRZ zoning around local centres. On 20 March 2025, officials sought clarification from Council staff regarding the IHP's recommendation. Council staff directed us to Minute 51 (Response to Second Council Request for Clarification), where the IHP clarified that they recommended MRZ zoning.¹²¹ In light of this clarification, the IHP's reason to recommend removing the LCIP is not clear (the LCIP will not be obsolete, as it would modify the underlying MRZ zoning to make it more enabling). Reasons for the Council's alternative recommendation In its referral letter (Appendix 2), the Council states the IHP's recommendation is “<i>not responsive to the scale of respective commercial centres under NPS-UD Policy 3(d)</i>”. The Council notes its alternative recommendation, to apply the LCIP around the eight local centres, “<i>better enables perimeter block development around centres as a commensurate response under Policy 3(d)</i>”, while its recommendation to tweak the LCIP provisions to align with the 12 metre (three storey) building height control of the underlying MRZ “<i>reflect[s] the reduced height limit as recommended by the IHP</i>”. Advice We recommend you accept the Council's alternative recommendation to apply the Local Centre Intensification Precinct to residential areas within 200 metres of select local centres (Bishopdale, Barrington/Spreydon, Northwest Belfast, Halswell, Prestons, Wigram, Sydenham South and Richmond), and reject the IHP's recommendation. The Council's alternative recommendation is more consistent with the requirements of policy 3(d) of the NPS-UD, which are to enable building heights and densities of urban form around these eight local centres commensurate with the level of commercial activities and community services. Given the uncertainty about the IHP's reasoning for its recommendation, combined with the strong policy rationale and evidential basis behind the Council's alternative recommendation, we recommend you accept the Council's alternative recommendation for this matter.	

¹¹⁷ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 6.1.74.

¹¹⁸ Appendix 7, Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, para 6.1.75.

¹¹⁹ Appendix 5, IHP Recommendations Report – Part 3, para 307.

¹²⁰ Appendix 5, IHP Recommendations Report – Part 4, para 99(a).

¹²¹ Appendix 9, IHP Minute 51 – Response to Second Request for Clarification, p 26.

Matter 16: Zoning for 231 Milton Street and 12 Johnson Street

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
Apply High Density Residential Zone for 231 Milton Street and 12 Johnson Street in accordance with what Council notified, which reflects parcel boundaries prior to the boundary adjustment between lots.	The boundary of the High Density Residential Zoning for 231 Milton Street and 12 Johnson Street is modified to align with the current parcel configuration.	Context 231 Milton Street and 12 Johnson Street is part of the former Council depot in the Christchurch suburb of Sydenham (south of the Central City). ChristchurchNZ (the Council's economic development agency) is working on redevelopment options for the site. The site is over 2ha in size and has been named the Sydenham Yard. ChristchurchNZ is working with developers, investors and other agencies to create an exemplar development project that includes a sustainable residential neighbourhood, a new research facility and upgraded infrastructure on the site. In the pre-PC14 district plan the southern part of the Sydenham Yard had an Industrial General zoning, and the northern part was zoned Residential Medium Density. The boundary between the two zones reflected the internal boundaries of the property parcels at the time. Notified provisions When PC14 was notified the portion of the site that was zoned Residential Medium Density in the pre-PC14 district plan was proposed to be zoned HRZ and the portion of the site that was zoned Industrial General was proposed to be zoned Mixed Use Zone (MUZ). HRZ was proposed to give effect to policy 3(d) of the NPS-UD as the site is considered to be within the walkable catchment of the Sydenham Local Centre. After PC14 was notified there was a boundary adjustment between the internal property parcels. This resulted in one of those parcels having a split zoning (part industrial and part residential zoning). Submissions, hearings and evidence Christchurch NZ made a submission in regard to this site seeking that the zone boundary reflects the latest parcel boundary (post the recent boundary adjustment)¹²². In evidence Ms Adele Radburnd on behalf of ChristchurchNZ said that in her view it is highly desirable to avoid the split zoning of parcels because this can unnecessarily complicate the development and approvals process. Ms Radburnd considered that a single consistent zoning would be more appropriate for this land and in her opinion residential zoning would be more appropriate than industrial or mixed use zoning given that the immediate context is primarily residential and the site benefits from excellent access to parks, shops and public transport.¹²³ In the Council's section 42A report ChristchurchNZ's submission point regarding zoning of the site was accepted. Reasons for the IHP's recommendation The IHP's recommendation report does not specifically state why they have not recommended changing the zoning of the site as per the ChristchurchNZ's submission to align with the new parcel boundaries. However, the panel did not recommend the rezoning of Industrial General Zone to Mixed Use Zone and therefore recommended that the Industrial General zoning remain. Following the release of the IHP's decision, the Council sought clarification from the IHP on the zoning of the site. However, the IHP did not specifically address the site in their reply in Minute 51.¹²⁴ The Addendum to Part 3 of the Recommendations Report¹²⁵ mentions that the site is within the walkable catchment of the Sydenham Local Centre. However, it also does not specifically address what the zoning of the site should be. Reasons for the Council's alternative recommendation	Agree to either: 31. officials' recommended suite of recommendations: a. reject the Independent Hearings Panel's recommendation; b. accept Christchurch City Council's alternative recommendation; c. agree to reason for decision: <i>I consider the Council's alternative recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020. The Council's alternative recommendation to remove the split zoning aligns the zone boundary with the property boundary.</i> <i>There is insufficient evidence to support retaining split zoning over 231 Milton Street and 12 Johnson Street.</i> Yes No Or 32. meet with officials for further discussion. Yes No

¹²² Appendix 8, Submission #760 (ChristchurchNZ), p 331.

¹²³ Appendix 8, Statement of Evidence, Adele Radburnd (ChristchurchNZ) – Planning, para 71.

¹²⁴ Appendix 9, IHP Minute 51 – Response to Second Request for Clarification.

¹²⁵ Appendix 5, Addendum to IHP Recommendations Report – Part 3, p 4-5.

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		In their referral letter Council states the HRZ extent no longer reflects the parcel boundary between lots, given the boundary adjustment that occurred after notification and was addressed in the submission from the site owner, ChristchurchNZ. This applies best practice to apply a zoning boundary along a legal parcel boundary. The approach delivers a far more effective application of HRZ, rather than triggering the need for additional consents as two zones would apply to one parcel. This referred recommendation is essentially to provide for a 'tidy up' of the zoning boundary to align with the property parcel boundary. Council's anticipated zoning if IHP recommendation is accepted The zoning will mean the boundary of the Industrial General zoning and the High Density zoning will not align with the new parcel boundary (following the boundary adjustment). Council's anticipated zoning if Council's alternative recommendation is accepted The zoning will means the boundary of the Industrial General zoning and the High Density zoning will align with the new parcel boundary (following the boundary adjustment). Advice We recommend you <i>accept the Council's alternative recommendation</i>. Officials consider there is insufficient evidence to support the IHP's recommendation. The IHP has not provided any reasoning as to why they have decided to not align the boundary of the Industrial General zoning and the High Density Zoning with the new parcel boundary (following the boundary adjustment). Whereas the Council has provided reasoning for their alternative recommendation to align the zone boundary with the parcel boundary based on evidence presented to the IHP on behalf of Christchurch NZ. The Council's alternative recommendation is consistent with the requirements of the RMA and is better aligned with the policy intent of the NPS-UD. The Council's alternative recommendation will assist with better enabling redevelopment of the site and a more efficient use of the property than the IHP's recommendation.	

Matter 17: Papanui War Memorial Avenues

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
No additional matters of discretion for the Papanui War Memorial Avenues are included in the District Plan for decisions on intensification developments that require resource consent.	The Papanui War Memorial Avenues are considered as a matter of discretion for breaches of building height, building setback, and building coverage rules.	Context The Papanui War Memorial Avenues are 15 streets in Christchurch's northern suburbs with trees and plaques as a living memorial to the memory of fallen soldiers of World War Two. The trees were planted after the Minister of Internal Affairs in 1943 suggested that New Zealand's communities should consider planting memorial trees in honour of their fallen soldiers. The memorial trees are a variety of species and were mostly planted in the road berms in 1946. The Council agreed to maintain the trees and plaques, and residents of the Papanui were required to contribute to the costs. The streets where the trees are planted are Alpha Avenue, Claremont Avenue, Condell Avenue, Dormer Street, Gambia Street, Halton Street, Hartley Avenue, Kenwyn Avenue, Lansbury Avenue, Norfolk Street, Perry Street, Scotson Avenue, St James Avenue, Tomes Road and Windermere Road. Notified provisions When the Council notified PC14 they proposed the Papanui War Memorial Avenue Trees as a new heritage item (and therefore a qualifying matter (QM)). However, the trees are located on public land (road reserve), so this did not include	Agree to either: 33. officials' recommended suite of recommendations: a. accept the Independent Hearings Panel's recommendation; b. reject Christchurch City Council's alternative recommendation; c. agree to reason for decision: <i>I consider the IHP's recommendation to be consistent with the requirements of the Resource</i>

Summary of the Independent Hearings Panel's recommendation	Summary of the Council's alternative recommendation	Ministry for the Environment officials' advice	Ministry for the Environment officials' recommendations and reasons for decisions
		any provisions restricting development on private land unless the development impacted the trees (eg, if building a vehicle crossing to a private site impacted the trees). Council did not include the provisions (ie, the matters of discretion) that they have now included in their alternative recommendation when they notified PC14. Submissions, hearings and evidence Some submitters supported the protection of the Papanui War Memorial Avenue trees. Matthew Stobbart provided arboricultural technical evidence on behalf of the Council. He concluded that where risks to trees are identified, there are design interventions which the Council could put in place to assist in managing these risks to these street trees, other than restricting the level of intensification.¹²⁶ Stobbart's evidence also addresses the potential for additional shading of trees by new multi-storey housing under the proposed zone heights. He does not consider this a significant risk to the health of the species planted in the avenues. Stobbart also concludes that rather than having detrimental effects, intensification has the potential for canopy related benefits and ecosystem services to be used and realised in more instances and by a greater number of people. There was no evidence presented to the IHP supporting what Council has proposed in its alternative recommendation regarding the Papanui War Memorial Avenues. Reasons for the IHP's recommendation The IHP did not specifically comment on the Papanui War Memorial Avenue trees in its recommendation report. However, for scope reasons (ie, the <i>Waikanae</i> decision) the IHP did not accept any new heritage items, which includes the Papanui War Memorial Avenue trees. The IHP did not include the Papanui War Memorial Avenue trees as matters of discretion for developments proposals that require consent. Therefore the impact on the trees will not be taken into consideration for the consents for any restricted discretionary activities. Reasons for the Council's alternative recommendation The Council rejects this approach to the Papanui War Memorial Ave Trees and alternatively recommends that the impacts on the Papanui War Memorial Avenue Trees are considered as a matter of discretion for breaches of building height, building setback, and building coverage. The Council considers that this better considers the heritage value of the memorial avenues. The Council is not proposing in their alternative recommendation that the matters of discretion for the Papanui War Memorial Avenue Trees are introduced as a qualifying matter, but rather that the matters of discretion are included as provisions consequential to the introduction of greater density under s80E(b)(iii) of the RMA. Council's alternative recommendation is not consistent with the position they presented to the IHP. The Council proposed in their alternative recommendation new matters of discretion that they did not propose through the hearing, so did not provide evidence on this. Advice We recommend you accept the IHP's recommendation that the Papanui War Memorial Avenues is not a matter of discretion. Insufficient evidence was provided to the IHP in support of the Council's alternative recommendation to include matters of discretion on the Papanui War Memorial Avenues.	<i>Management Act 1991 and the National Policy Statement on Urban Development 2020.</i> <i>There is insufficient evidence to support the Council's alternative recommendation regarding the Papanui War Memorial Avenues.</i> Yes No
			Or 34. meet with officials for further discussion. Yes No

¹²⁶ Appendix 7, Statement of Evidence, Matthew Stobbart (Council) – Qualifying Matter: Heritage (Heritage Sites), paras 18-27.

Appendix 1A: Maps referenced in Appendix 1

Figure 3.1: Airport Noise Influence Area Qualifying Matter and affected Policy 3 areas



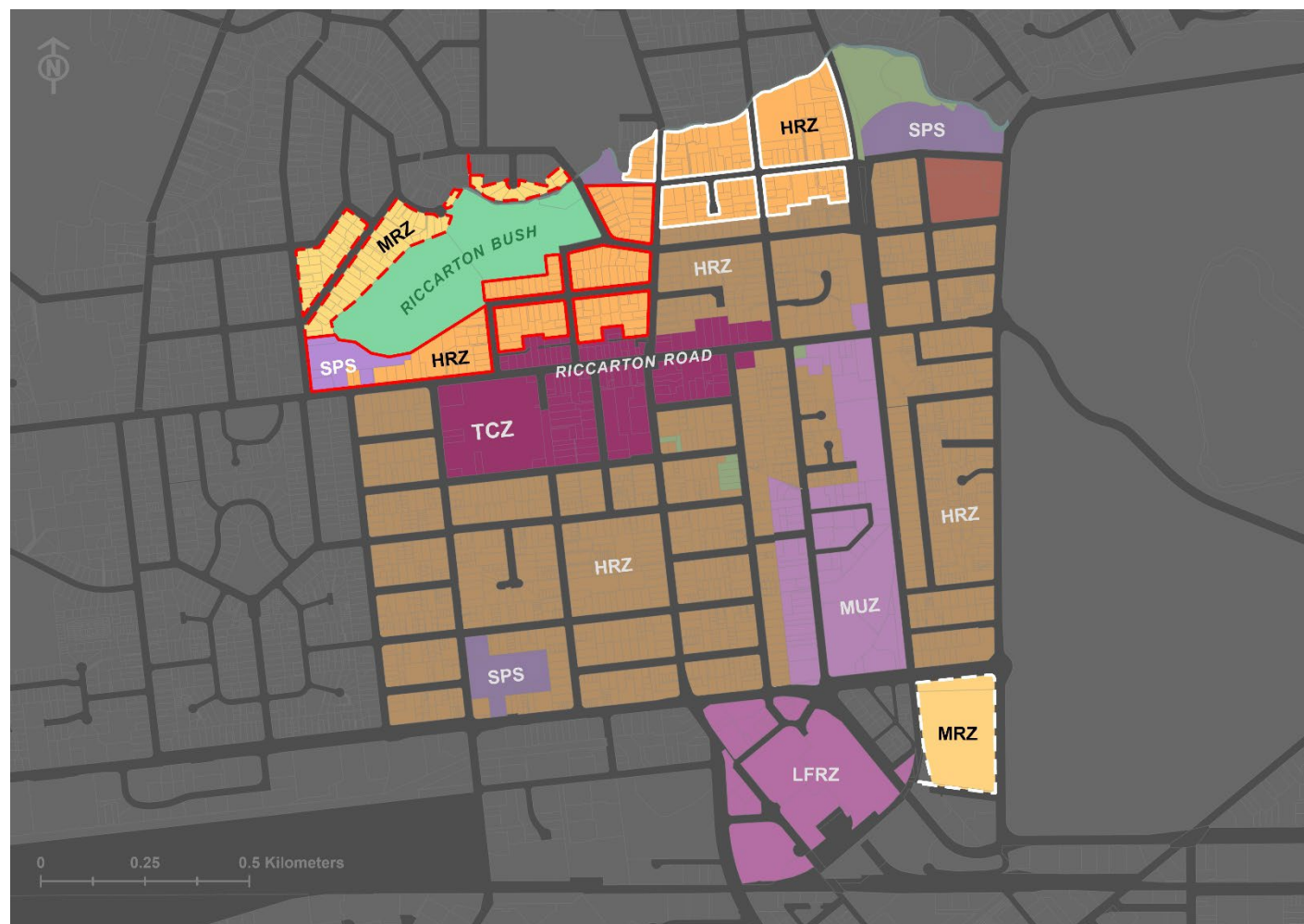
Red border	Residential sites within Airport Noise Influence Area (Matter 3)
White diagonal hatching	50dBA Ldn Airport Noise Contour
HRZ	High Density Residential
MRZ	Medium Density Residential
Faded coloured areas	Policy 3 areas not subject to this recommendation
	Non-Policy 3 areas

Figure 4.1: City Spine Qualifying Matter



Yellow line	City Spine (Matter 4)
Faded coloured areas	Policy 3 areas
Grey	Non-Policy 3 areas
Dark grey	Area outside of Christchurch City Council jurisdiction

Figure 5.1: Riccarton Town Centre and its Policy 3(d) catchment (IHP recommended zoning)



Red dashed border	Non-Policy 3 sites within Riccarton Bush Interface Area (Matter 5)

Red border	Policy 3 sites within Riccarton Bush Interface Area (Matter 5 and 6)

White border	Sites accessed via Matai St West (Matter 6)

White dashed border	25 Deans Avenue (Matter 6 and 7)

TCZ	Riccarton Town Centre
Bush	Riccarton Bush
HRZ	High Density Residential
MRZ	Medium Density Residential

SPS	Schools
MUZ	Mixed Use
LFRZ	Large Format Retail
	Non-Policy 3 areas

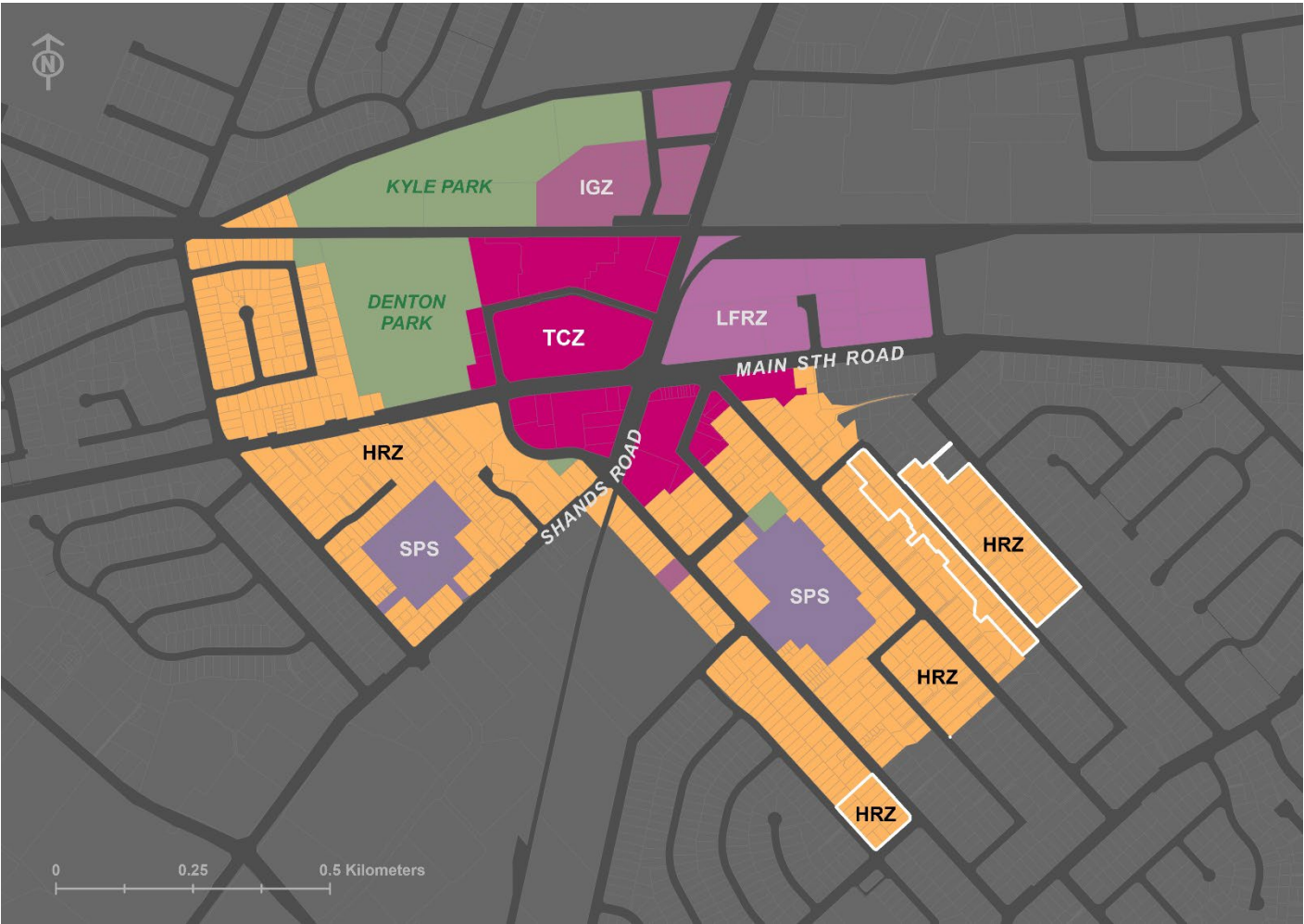
Figure 5.2: Riccarton Bush Interface Area Qualifying Matter



Figure 6.1: Riccarton Town Centre Policy 3(d) catchment and 25 Deans Ave



Figure 8.1: Hornby Town Centre and its Policy 3(d) catchment (IHP recommended zoning)



White border	Sites subject to decision on Policy 3(d) catchment (Matter 8)
TCZ	Hornby Town Centre (Matter 9)
HRZ	High Density Residential (Matter 10)
IGZ	Industrial
LFRZ	Large Format Retail
SPS	School
Park	Park
	Non-Policy 3 areas

The figure consists of two side-by-side maps of a residential area, comparing the IHP (Integrated Housing Plan) recommendation with the Council's alternative recommendation for PC14 zoning. Both maps show the same geographical area, including 'MAIN STH ROAD' and various colored zones: TCZ (Hornby Town Centre, dark pink), LFRZ (Large Format Retail, light pink), SPS (School, purple), and HRZ (High Density Residential, orange). The IHP map shows several HRZ sites outlined with a white border, indicating they are subject to the recommendation. The Council's alternative map shows a different set of HRZ sites outlined with a white border. A legend at the bottom explains the symbols: a white border indicates 'Sites subject to this recommendation (Matter 8)', an orange box indicates 'HRZ', and a grey box indicates 'Sites to retain pre-PC14 zoning until Council decides on balance of PC14'. A color key at the bottom identifies the zones: TCZ (Hornby Town Centre), LFRZ (Large Format Retail), and SPS (School).

Symbol/Color	Description
White border	Sites subject to this recommendation (Matter 8)
HRZ	High Density Residential
	Sites to retain pre-PC14 zoning until Council decides on balance of PC14
TCZ	Hornby Town Centre
LFRZ	Large Format Retail
SPS	School

Sites subject to this recommendation (**Matter 8**)

High Density Residential

Sites to retain pre-PC14 zoning until Council decides on balance of PC14

Hornby Town Centre

Large Format Retail

School

Figure 11.1: Linwood Town Centre and its Policy 3(d) catchment (IHP recommended zoning)

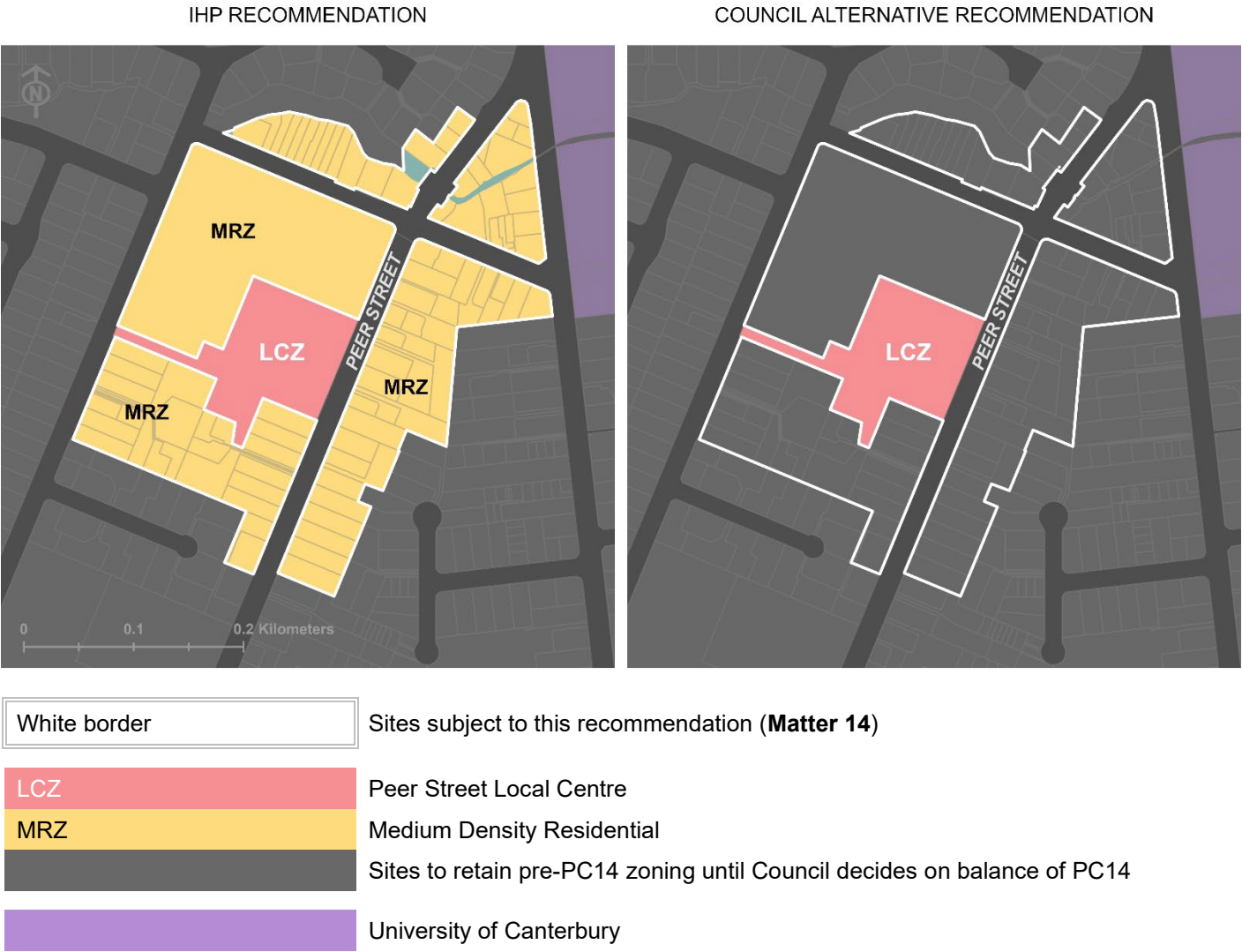


White border	Sites subject to decision on Policy 3(d) catchment (Matter 11)
TCZ	Linwood Town Centre (Matter 12)
HRZ	High Density Residential (Matter 13)
SPS	School
Park	Park
	Non-Policy 3 areas

Figure 11.2: Linwood Town Centre Policy 3(d) catchment



Figure 14.1: Peer Street Local Centre Policy 3(d) catchment



Appendix 1B: Supporting information on key documents in the Intensification Streamlined Planning Process

Diagram 1: Stages at which key documents in the Intensification Streamlined Planning Process are produced

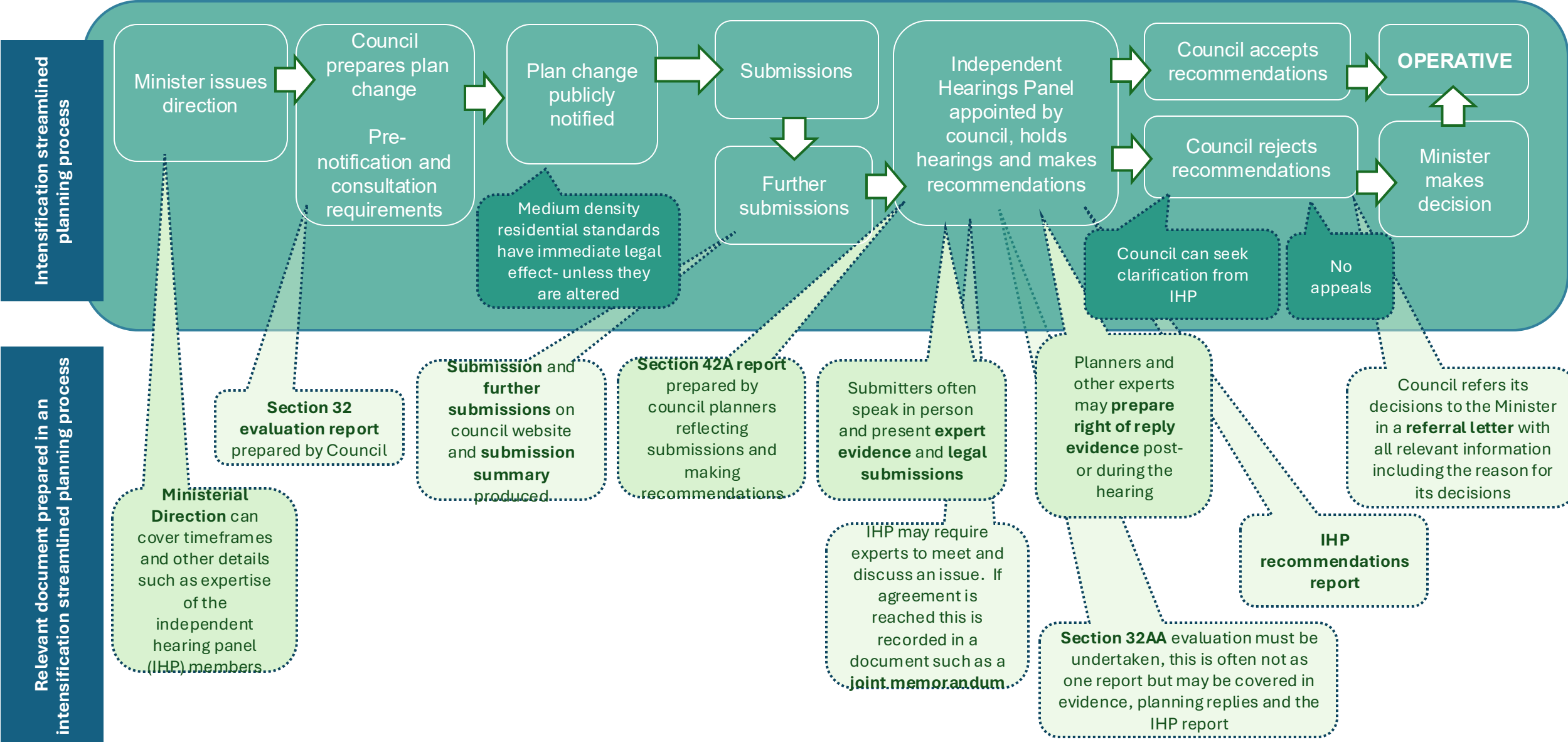


Table 2: Glossary of key Intensification Streamlined Planning Process documents

Document	Description
Operative district plan	An operative district plan contains the provisions including objectives, policies and rules that direct decisions about subdivision and land use in a district. An operative plan has been through the full plan making process (submissions, further submissions, decisions and appeals). Once the appeal period has passed or appeals have been resolved the plan will be operative.
Proposed district plan	This is a district plan that has been publicly notified and goes through a plan making process under the Resource Management Act 1991 (RMA) before becoming operative. The RMA sets out where certain provisions in a proposed district plan can have immediate legal effect (such as the protection of historic heritage) otherwise provisions need to have gone through the full plan making processes to have full effect.
Section 32 evaluation report	Section 32 of the RMA is integral to ensuring transparent, robust decision-making on RMA plans and policy statements (proposals). The section requires: • new proposals be examined for their appropriateness in achieving the purpose of the RMA • the benefits and costs, and risks of new policies and rules on the community, the economy and the environment need to be clearly identified and assessed • all advice received from iwi authorities and the response to the advice needs to be summarised • the analysis must be documented, so stakeholders and decision-makers can understand the rationale for policy choices; this documentation is called the section 32 evaluation report.
Submission	Anyone can make a submission on an RMA provided that submission does not seek to gain an advantage in trade competition.
Summary of submissions	The summary of submissions is produced after the initial submission period has closed. The council must summarise and publicly notify all the decisions requested by submitters.
Further submission	A further submission is a submission made in support of, or opposition to, an original submission. Under Schedule 1, clause 8 of the RMA, further submissions can only be made by: • persons who are representing a relevant aspect of the public interest • persons who have an interest in the proposed policy statement or plan that is greater than the interest the general public has (including persons who made an original submission) • the council itself.

	A person who makes a further submission must serve a copy of it on the person who made the original submission.
Section 42A report	The section 42A report is prepared by or on behalf of a council to help support hearings. They include reasons for accepting or rejecting submissions made on all the plan provisions.
Right of reply evidence	These documents allow hearing participants, including council officers, to reply to additional points raised by submitters during the hearings. These are often requested by the IHP.
Section 32AA evaluation	Section 32AA aims to ensure any changes to plan provisions during the hearings process are subject to a similarly high level of analytical rigour and transparency as the original evaluation. Section 32AA outlines the requirements for further evaluation. A further evaluation must include all matters in the original section 32, but only in relation to the changes that have been made to a proposal since the section 32 evaluation report was completed. A section 32 AA evaluation may be carried out by producing an evaluation report, or it may be documented as part of the overall decision-making record.

Appendix 2: Letter from Christchurch City Council referring rejected IHP recommendations

Christchurch City Council report for referred recommendations on Plan Change 14 (IPI) to the Minister for the Environment

24 February 2025

Minister of Housing, Hon Chris Bishop

C/- Rebecca Scannell
Rebecca.Scannell@mfe.govt.nz
C/- Sarah McCarthy
Sarah.McCarthy@mfe.govt.nz
C/- David Falconer
David.Falconer@mfe.govt.nz

03 941 8999
53 Hereford Street
Christchurch 8013
PO Box 73012
Christchurch 8154
ccc.govt.nz

Tēnā koe Minister,

On 2 December 2024, Christchurch City Council (Council) made decisions on part of its Intensification Planning Instrument (IPI), Plan Change 14 (PC14). The decision is in accordance with the Gazette Notice of 16 September 2024¹ and responds to your letter of 10 September 2024, which outlined an amended timeframe requiring Council to decide only on recommendations related to Policies 3 and 4 of the National Policy Statement on Urban Development (NPS-UD) by 20 December 2024.

The decisions mark the beginning of a significant shift for Christchurch. They accelerate development opportunities within the City Centre and enable high-density development in and around 10 commercial centres, with areas in and around approximately 40 additional commercial centres enabled for medium-density development. While Council adopted the majority of recommendations of the Independent Hearings Panel (IHP), 20 recommendations from the IHP have been rejected, with alternative recommendations proposed.

The following report outlines these alternatives and provides supporting materials. We are grateful to the Ministry's staff for their engagement and support to date and look forward to working collaboratively to explain these matters further, if necessary.

Summary of Plan Change 14 – Housing and Business Choice (IPI)

- PC14 is the IPI notified by the Council on 17 March 2023. PC14 sought to also amend or include related provisions under s80E and provisions relating to financial contributions (for tree canopy cover) under s77E of the Resource Management Act 1991 (RMA). An IHP was established in mid-2022, with members appointed taking into account the views of Te Rūnanga o Ngāi Tahu, and it first convened on 2 September 2022, with hearings beginning on 10 October 2023 and ending on 24 April 2024. The IHP issued its recommendation report on 29 July 2024 on all aspects of PC14 to implement both Schedule 3A of the RMA and give effect to Policies 3 and 4 of the NPS-UD. Council made decisions on only Policies 3 and 4 of

¹ <https://gazette.govt.nz/notice/id/2024-sl4625>

the NPS-UD and financial contributions on 18 September and 2 December 2024, accepting all recommendations of the IHP except for 20 matters which were rejected and for which alternative recommendations are made, as described below.

- Decisions on Policies 3 and 4 of the NPS-UD and other matters were publicly notified on 30 September² and 12 December³ 2024.
- The Council is not required to make a decision on the balance of PC14 (i.e. relevant residential zones outside of a Policy 3 area) until 12 December 2025 at the latest.

Referred alternative recommendations

- While the Council accepted the vast majority of the IHP's recommendations (as relevant to its decisions), the Council has rejected a number of the IHP's recommendations. In each case the Council has made an alternative recommendation for the Minister to consider.
- These matters are summarised below, either in table format or, in respect of one matter (concerning 'pathways' for development in certain residential zones), in a separate section of the report that follows the table.

IHP provisions / recommendation rejected by the Council	Description of IHP recommendation	Reasons why the Council does not support this recommendation	Alternative recommendation	Why is the alternative recommendation preferred?
Riccarton Bush Interface Area qualifying matter (QM). <i>Please see Attachment 1.</i>	Reject the Riccarton Bush Interface Area QM and zoning of surrounding residential areas (which were proposed to be subject to the QM) as Medium or High Density Residential Zone (Part 5, section 20 (including Addendum 2 of Recommendation Report). Anticipated zoning: If accepted, the IHP recommendation would result in HRZ within the Policy 3 catchment, leaving the balance of the QM area outside of the Policy 3 area as per	Council supports the QM and considers it is necessary to recognise and provide for the matters set out sections 6(b), 6(e), and 6(f) of the RMA.	Council recommends that the QM is provided for, with Medium Density Residential Zoning (MRZ) applied accordingly (as per 14.5.3 provisions in Council Reply). Anticipated zoning: If accepted, this alternative would result in MRZ applying throughout the QM area, which is beyond the Policy 3 catchment. This zoning would be nuanced by the 'Riccarton Bush	This better protects the cultural and historic heritage of Christchurch and the significant value Pūtarikamotu [Riccarton Bush] has to Ngāi Tūāhūiriri Rūnanga ⁵ . The Policy 4 / QM response is considered appropriate given the strong section 6 RMA directives and the agreement of experts at the conclusion of the hearing.

² See the 30 September 2024 public notice on the CCC webpage here: <https://ccc.govt.nz/news-and-events/public-notices/show/1255>

³ See the 12 December 2024 public notice on the CCC webpage here: <https://ccc.govt.nz/news-and-events/public-notices/show/1275>

⁵ Mahaanui Kurataiao statement of Riccarton Bush cultural values, Appendix G (page 780 of s42A report PDF)

IHP provisions / recommendation rejected by the Council	Description of IHP recommendation	Reasons why the Council does not support this recommendation	Alternative recommendation	Why is the alternative recommendation preferred?
	operative zoning until a decision is made on the balance of PC14.		Interface Area' overlay, as indicated in Right of Reply mapping ⁴ . This leaves some of the QM area unaffected by the overlay, being MRZ instead of HRZ. See Attachment 2 for an overview map.	
Papanui War Memorial Avenues. <i>The s42A report of Suzanne Richmond considered this topic (see pages 121 to 131) with expert arboricultural evidence of Matthew Stobbart.</i>	For jurisdictional (rather than merits) reasons, not accept the Papanui War Memorial Avenues as a new heritage item and therefore not include rules associated with the QM (Parts 4 (section 3) and 8 (Appendix H) of Recommendation Report). Anticipated zoning: this does not modify zoning.	Council accepts the limits of an IPI as explained by the High Court in <i>Waikanae</i> ⁶ , but believes that an IPI can validly provide for the heritage values of a site not previously listed in the District Plan to be considered as a part of a resource consent application via new matters of discretion. The Council considers this aligns with section 80E of the RMA, the restricted discretionary activity status required by Schedule 3A and the NPS-UD regulations.	The Papanui War Memorial Avenues are considered as a matter of discretion for breaches of building height, building setback, and building coverage rules. Anticipated zoning: this does not modify zoning. <i>See the updated matters of discretion provisions 14A.11.</i>	The alternative better recognises and provides for the heritage values of the Memorial Avenues (as required by section 6(f) of the RMA).
Policy 3(d) High Density Residential Zone (HRZ) catchment around the Town Centre Zone of Riccarton. <i>Please see Attachment 3.</i>	Use an 800-metre walking catchment as an input to the HRZ catchment around the Town Centre Zone of Riccarton as the Policy 3(d) response. This applies HRZ over parts of what would otherwise be subject to the Riccarton Bush Interface Area, rejected by the IHP – see previous page (Part	The HRZ catchment should exclude sites accessed via Matai Street West because of its unique character, and 25 Deans Avenue should be rezoned to Mixed Use Zone (MUZ) to enable a wider range of activities on the site.	The Policy 3(d) response surrounding the Town Centre Zone of Riccarton is modified to end where sites are accessed via Matai Street West, and HRZ does not apply within the Riccarton Bush Interface. Apply	The modified HRZ extent integrates with the Riccarton Bush Interface Area alternative (refer to previous page) and better reflects the suburban characteristics of the area, better achieving a high density response. 25 Deans Avenue is mostly bordered by industrial or commercial MUZ zoning with a large transition area to the residential area to the

⁴ Note the ability to filter qualifying matter layers in the webmap so that specific layers are more easily seen.

⁶ *Waikanae Land Company Limited v Heritage New Zealand Pouhere Tāonga* [2023] NZEnvC 56.

IHP provisions / recommendation rejected by the Council	Description of IHP recommendation	Reasons why the Council does not support this recommendation	Alternative recommendation	Why is the alternative recommendation preferred?
	3, Section 5 of Recommendation Report). Anticipated zoning: if accepted, the IHP recommendation would result in HRZ being applied within the Policy 3 catchment specified. 25 Deans Avenue would retain operative zoning until a decision is made on the balance of PC14.		MUZ over 25 Deans Avenue. Anticipated zoning: If accepted, this alternative recommendation would reduce the Policy 3 catchment north of the Riccarton Town Centre Zone, thereby retaining operative zoning in the area identified where sites are accessed via Matai Street West until a decision is made on the balance of PC14. 25 Deans Avenue would be rezoned MUZ. See Attachment 2 for an overview map of Riccarton. <i>See mapping of the alternative recommendation on the CCC Policy 3 Decision webmap.</i>	north where Blenheim Road was once located, better supporting a rezoning to MUZ.
25 Deans Avenue increased height precinct. <i>Please see Attachment 3.</i>	Zone the site Medium Density Residential Zone (MRZ) (Part 3, Section 5 of Recommendation Report). Anticipated zoning: if accepted, the IHP recommendation would result in 25 Deans Avenue retaining operative zoning until a decision is made on the balance of PC14.	Council considers that the site should be part of the Policy 3(d) response for the Town Centre Zone of Riccarton. MUZ with further increased building height best reflects the setting of the site and provides for the most development opportunities, given its vacant nature and the context of its surrounds.	25 Deans Avenue has a building height precinct applied that permits a building height of 36m. Anticipated zoning: if accepted, this alternative would apply an overlay over any operative or new zoning to permit a building height of 36m.	The Operative District Plan also contains a specific greater building height overlay for the site, reflecting the strong potential of the site for greater built form. The proposal seeks a continuation of this, expanding on this proportional to the greater building height direction PC14 proposes.

IHP provisions / recommendation rejected by the Council	Description of IHP recommendation	Reasons why the Council does not support this recommendation	Alternative recommendation	Why is the alternative recommendation preferred?
Policy 3(d) catchment for Peer Street Local Centre Zone. <i>Please see Attachment 3.</i>	Use a 200 metre walking catchment measured from a central point of Local Centre Zones to define the Policy 3(d) residential response, being Medium Density Residential Zone (Part 3, Section 6 of Recommendation Report). Anticipated zoning: if accepted, the IHP recommendation would result in MRZ within the identified Policy 3 catchment surrounding the centre.	Council does not consider the centre is of a sufficient scale to warrant the IHP Recommended Policy 3(d) response. No change to the operative zoning is required to enable building heights and densities of urban form commensurate with the level of commercial activity and community services in this location.	No decision is made – i.e. retain pre-PC14 operative zoning for surrounding residential areas. Anticipated zoning: if accepted, this alternative would retain operative zoning surrounding the commercial centre until a decision has been made on the balance of PC14.	Excluding a walking catchment around the Peer Street Local Centre Zone from the Policy 3 decision better reflects (and is commensurate with) the scale of the commercial centre.
City Spine QM. <i>The s42A report of Sarah Oliver considered this matter on pages 112 to 116, with supporting evidence of William Field (including in the Hearing Statement).</i>	Reject the City Spine QM; apply applicable MDRS density standard (Part 5, Section 17 of Recommendation Report). Anticipated zoning: this does not modify zoning.	Council seeks the protection of this highly significant public transport corridor for future investment, and not foreclosing the future expansion into the road reserve to accommodate the expansion of public transport infrastructure and development as a sub-regional greenway.	Retain the City Spine QM, but only controls which seek to retain pre-PC14 residential road boundary setbacks along the corridor. Anticipated zoning: this does not modify zoning, only associated rules. <i>See mapping⁷ of the alternative recommendation on the CCC Policy 3 Decision webmap. Alternative recommendation provisions are included under 14A.5.3.2.2 (page 38).</i>	The alternative recommendation addresses the <i>Waikanae</i> issues with the QM as notified, only restricting development to a degree that is no more restrictive than prior to PC14. These controls better protect the corridor from any future expansion to more adequately provide for public transport along this highly strategic corridor.

⁷ Mapping was also detailed in the [Hearing Statement](#) of Sarah Oliver and in [Appendix J](#) (from page 10) of the s42A report.

IHP provisions / recommendation rejected by the Council	Description of IHP recommendation	Reasons why the Council does not support this recommendation	Alternative recommendation	Why is the alternative recommendation preferred?
Sunlight Access QM. <i>Please see Attachment 4.</i>	Reject the Sunlight Access QM; apply applicable MDRS density standard for height in relation to boundary (Part 4 (section 4) of Recommendation Report, including Addendum). Anticipated zoning: this does not modify zoning.	Council seeks that the height in relation to boundary provisions associated with MDRS developments reflect the fact that Christchurch has latitudinal and climatic characteristics that are different (in some cases, markedly) than where the vast majority of areas (70%, by population) where the MDRS applies.	Apply the Sunlight Access QM as per the Council Reply: reducing the angle origin to 3m and modifying the recession plane angle to between 50-60° depending on orientation. All height in relation to boundary exemptions are retained. Anticipated zoning: this does not modify zoning, only associated rules. <i>See updated provisions of MRZ (14A.5.2.6) and HRZ (14A.6.2.2).</i>	Applying the MDRS unmodified across Christchurch would result in reduced sunlight access for residents who are subject to the MDRS when compared to any district in the North Island. Put simply, the effects of the MDRS would be unequal (i.e. allow less sunlight access) in Christchurch due to the latitudinal variance between northern and southern New Zealand. Exemptions that apply along with the QM are also highly enabling and, in many cases, provide for a building form that is more enabling than the MDRS height in relation to boundary standard (see the Hearings Statement of Ike Kleynbos, pages 16-19). The QM is therefore a pragmatic response within an IPI context, as opposed to a means to retain pre-PC14 levels of sunlight, which it does not provide for.
Policy 3(d) catchment around the Town Centre Zone of Hornby. <i>Please see Attachment 3.</i>	Use an 800-metre walking catchment as an input to the High Density Residential Zone (HRZ) catchment around the Town Centre Zone of Hornby as the Policy 3(d) response (Part 3, Section 5 of Recommendation Report). Anticipated zoning: if accepted, the IHP recommendation would result in HRZ within the identified Policy 3 catchment.	Council considers the modified HRZ extent as per the alternative recommendation better reflects the scale of the Hornby commercial centre, which also reflects the current location of the pre-PC14 operative Residential Medium Density Zone.	Reducing the catchment to reflect the reduced walking catchment around Hornby Town Centre, removing HRZ between Neill and Oakhampton streets, and aligning the HRZ boundary with the operative Residential Medium Density Zone boundary between Blankney and Trevor streets	This small modification better ensures the HRZ is established in areas already enabled for intensification prior to PC14.

IHP provisions / recommendation rejected by the Council	Description of IHP recommendation	Reasons why the Council does not support this recommendation	Alternative recommendation	Why is the alternative recommendation preferred?
			(along Trevor Reserve). Anticipated zoning: if accepted, the alternative recommendation would apply a reduced Policy 3 catchment, with HRZ within the catchment and the operative zone being retained outside of the catchment until a decision is made on the balance of PC14. <i>See mapping of the alternative recommendation on the CCC Policy 3 Decision webmap.</i>	
Permitted building height within Hornby High Density Residential zoned areas. <i>Please see Attachment 3.</i>	Permit a building height of 14 metres in HRZ (Part 4, Section 3 of Recommendation Report). Anticipated zoning: this does not modify zoning.	Council considers the alternative better reflects a commensurate response under Policy 3(d) for the centre, while better aligning with pre-PC14 operative building height limits, and the alternative proposed Town Centre zone building height limit (see below).	The permitted building height (14.6.2.1.a) within HRZ surrounding the Town Centre Zone of Hornby is 12 metres. Anticipated zoning: this does not modify zoning, only associated rules. <i>See updated provisions of HRZ (14A.6.2.1).</i>	Applying a 12-metre building height limit provides a more commensurate response for the area and aligns with the reduced building height limit that Council has alternatively recommended for the Town Centre Zone of Hornby.
Policy 3(d) Town Centre Zone (TCZ) building height for Hornby. <i>Please see Attachment 3.</i>	Permit a building height of 32 metres for TCZ for Hornby (Part 3, Section 5 of Recommendations Report). Anticipated zoning: this does not modify zoning.	Council considers that the recommended 32 metre building height limit is not commensurate with the commercial centre of Hornby or its surrounds.	A building height standard (15.4.2.2.a.ii) for the Town Centre Zone of Hornby of 22 metres. Anticipated zoning: this does not modify zoning, only associated rules.	The alternative building height aligns with the building height limit of other similar Town Centres.

IHP provisions / recommendation rejected by the Council	Description of IHP recommendation	Reasons why the Council does not support this recommendation	Alternative recommendation	Why is the alternative recommendation preferred?
			See updated provisions for TCZ in 15.4.	
Policy 3(d) Town Centre Zone (TCZ) building height and form for Linwood. <i>Please see Attachment 3.</i>	Permit a building height of 22 metres for the TCZ at Linwood and apply the MDRS height in relation to boundary control along the boundary with residential zones (Part 3, Section 5 of Recommendations Report). Anticipated zoning: this does not modify zoning.	The pre-PC14 building height limit of 20 metres is sufficient to enable building heights and densities of urban form commensurate with the level of commercial activity and community services in this location. Moreover, retaining a recession plane angle that applies the Sunlight Access QM better supports the wellbeing of neighbouring residents.	A building height limit of 20 metres and a recession plane control along residentially-zoned boundaries that applies the Sunlight Access qualifying matter. Anticipated zoning: this does not modify zoning, only associated rules. See updated provisions for TCZ in 15.4.	The alternative approach better reflects the residential context that the TCZ area lies within.
Policy 3(d) catchment around the Town Centre Zone of Linwood. <i>Please see Attachment 3.</i>	Use an 600-metre walking catchment as an input (the Council Reply position) to the High Density Residential Zone (HRZ) catchment around the Town Centre Zone of Linwood as the Policy 3(d) response (Part 3, Section 5 of Recommendation Report). Anticipated zoning: if accepted, the IHP recommendation would result in HRZ within the identified Policy 3 catchment.	The Council notified position (400-metre catchment) better reflects a commensurate response under Policy 3(d) for the centre and reduces the negative social impacts of local intensification.	Reducing the HRZ catchment to the notified position, using a 400-metre walking catchment as an input. Anticipated zoning: if accepted, the alternative recommendation would apply a reduced Policy 3 catchment, with HRZ within the catchment and the operative zone being retained outside of the catchment until a decision is made on the balance of PC14. See mapping of the alternative recommendation on the CCC Policy 3 Decision webmap.	The IHP recommendation only increases commercial building height in the TCZ to a minor degree, and the alternative recommendation best reflects the pre-PC14 intensification extent and represents a consistent and proportionate response. The 400-metre walking catchment provides for this by aligning with the pre-PC14 extent for intensification (Residential Medium Density Zone).

IHP provisions / recommendation rejected by the Council	Description of IHP recommendation	Reasons why the Council does not support this recommendation	Alternative recommendation	Why is the alternative recommendation preferred?
Permitted building height within Linwood High Density Residential zoned areas. <i>Please see Attachment 3.</i>	Permit a building height of 14 metres in HRZ (Part 4, Section 3 of Recommendation Report). Anticipated zoning: this does not modify zoning.	The alternative better aligns with pre-PC14 operative building heights and reduces the negative social impacts of local intensification.	The permitted building height (14.6.2.1.a) within the High Density Residential Zone surrounding the Town Centre Zone of Linwood is 12 metres. Anticipated zoning: this does not modify zoning, only associated rules. <i>See updated provisions of HRZ (14A.6.2.1).</i>	As above, the overarching response in Linwood is not dissimilar in nature to pre-PC14 enablement, and this alternative seeks to ensure that the permitted building height better aligns with the 11 metre permitted building height of pre-PC14 Residential Medium Density zoning.
Airport Noise Influence Area QM. <i>Please see Attachment 5. Note that the Hearings Statement of Sarah Oliver provides an overview of the QM, with the evidence of Laural Smith detailing the acoustic contours and the evidence from Marshall Day reporting on updated noise contours.</i>	Apply a QM response to reflect both the operative airport noise contours (as annual average) and the 2023 remodelled noise contours (as outer envelope) (Part 4, Section 6 of Recommendation Report). Within the 50 dB noise contour (both operative and remodelled extents), apply a restricted discretionary activity rule for any development of four units or more (instead of a threshold of three units, as per the operative Plan), specifically requiring consideration of effects on Christchurch International Airport and limited notification to Christchurch International Airport Limited (CIAL), absent its written approval.	The threshold of the number of permitted units does not align with the pre-PC14 operative residential controls within medium density areas (despite adopting operative contours), and Council considers it more appropriate to leave the notification decision for only Council to consider under the RMA. Stating a party for limited notification within the Plan presupposes that the relevant effects threshold is met, which may or may not be the case.	The restricted discretionary activity trigger is modified to instead apply from three or more residential units (i.e. 2 units are permitted rather than 3), with the same matter of discretion applying as recommended by the IHP (reverse sensitivity). The limited notification clause requiring approval from CIAL within any 50 dB air noise contour is removed. Anticipated zoning: this does not modify zoning. <i>See updated provisions of MRZ (14A.5.1.3 RD33) and HRZ (14A.6.1.3 RD 30).</i>	The alternative provides an approach which is more consistent with the pre-PC14 operative threshold and with the application of notification decisions under s95 of the Act. It is unclear why the IHP recommended increasing the consent threshold from 3 to 4 or more units in the IHP recommendation, notwithstanding its acceptance of the QM. Further, Council questions the appropriateness of applying a more restrictive notification regime over an area where none existed prior to PC14 (i.e. within the new 2023 remodelled extent and outside the operative contour), considering the High Court's decision on <i>Waikanae</i>.

IHP provisions / recommendation rejected by the Council	Description of IHP recommendation	Reasons why the Council does not support this recommendation	Alternative recommendation	Why is the alternative recommendation preferred?
	Anticipated zoning: this does not modify zoning.			
High Density Residential zoning (HRZ) for 231 Milton Street and 12 Johnson Street. <i>The s42A report of Ike Kleynbos considered this matter on page 718 of PDF (noted as 2 Barnett Ave and 14 Johnston Street).</i>	Apply HRZ in accordance with the notified position, which reflects parcel boundaries prior to the boundary adjustment between lots (Part 3, Section 5 of Recommendation Report and Minute 51, Item #27 in Appendix A). Anticipated zoning: if accepted, the IHP recommendation would result in a split zone for 31 Milton Street and 12 Johnson Street, where each of these parcels have both HRZ and IG (industrial general) zoning on some of each parcel.	The HRZ extent no longer reflects the parcel boundary between lots, given the boundary adjustment that occurred after notification and was addressed in the submission from the site owner, ChristchurchNZ.	Modify the HRZ extent to a minor degree to reflect the current parcel configuration. Anticipated zoning: if accepted, the alternative recommendation would retain HRZ solely to the 12 Johnstone Street Site and IG zoning solely to the 231 Milton Street site. Zoning would conform to current parcel boundaries. <i>See mapping of the alternative recommendation on the CCC Policy 3 Decision webmap.</i>	This applies best practice to apply a zoning extent along a legal parcel boundary. The approach delivers a far more effective application of HRZ, rather than triggering the need for additional consents as two zones would be in effect for any development along the parcel boundary.
Local Centre Intensification Precinct (LCIP). <i>Please see Attachment 3.</i>	Remove the LCIP from Medium Density Residential zones around select Local Centre Zones (Part 4, Section 3 of Recommendation Report). Anticipated zoning: this does not modify zoning.	The recommendation is not responsive to the scale of respective commercial centres under NPS-UD Policy 3(d).	The LCIP is applied to Medium Density Residential zones surrounding the centres of Bishopdale, Barrington, Northwest Belfast, Halswell, Prestons, Wigram, Sydenham South, Richmond, but aligned to the 200m NPS-UD Policy 3 catchment recommended by the IHP for Local Centres. It is recommended that Council Reply provisions are adopted while being altered to align with the 12-	LCIP better enables perimeter block development around centres as a commensurate response under Policy 3(d), whilst reflecting the reduced height limit as recommended by the IHP. This weighting under Policy 3(d) is actively considered in the s42A report of Ike Kleynbos (pages 40 to 46).

IHP provisions / recommendation rejected by the Council	Description of IHP recommendation	Reasons why the Council does not support this recommendation	Alternative recommendation	Why is the alternative recommendation preferred?
			metre building height control of the zone (for both permitted height standards and height in relation to boundary exemption). Anticipated zoning: this does not modify zoning, only associated rules. <i>See mapping of the alternative recommendation on the CCC Policy 3 Decision webmap. See updated provisions of MRZ (14A.5.2.3.a.vii [building height] and 14A.5.2.6.b.v [recession plane exemption]).</i>	
Daresbury heritage listing QM⁸. <i>Please see Attachment 6.</i>	Retain the heritage item and associated heritage setting for Daresbury (9 Daresbury Lane, Fendalton). Anticipated zoning: if accepted, the IHP recommendation would result in MRZ being applied to the relevant site as a consequence of deciding on the QM.	Council considers that the house has been damaged to an extent where it is uneconomic to repair, as reflected in the evidence of the landowner.	Daresbury heritage listing (Item 185) and associated heritage setting (Item 602) are removed. Anticipated zoning: if accepted, the alternative recommendation would retain operative zoning as this lies outside of an identified Policy 3 area. The zoning would be subject to	As per column 3.

⁸ Council's position in evidence for the retention of Daresbury on the heritage schedule, which was accepted by the IHP, was that the "unreasonable" costs test in the heritage scheduling policy was not met and relied on [quantity surveyor evidence](#) that repair costs were similar or less than combined costs of demolition and construction of a new building to equivalent floor area. [Conservation architect evidence](#) for Council noted that the repair cost was proportionate to the scale of the project and the level of heritage significance of the building. [Council's planning evidence](#) also argued that the owner had recently subdivided the heritage setting and suggested that the return from this could assist in funding repairs. See [Policy 9.3.2.2.1 c.ii](#) for the 'reasonableness' direction provided for delisting a heritage item or setting.

IHP provisions / recommendation rejected by the Council	Description of IHP recommendation	Reasons why the Council does not support this recommendation	Alternative recommendation	Why is the alternative recommendation preferred?
			the decision on the balance of PC14.	
Antonio Hall heritage listing QM. <i>Please see Attachment 7.</i>	Retain the heritage item and associated heritage setting (with modification) of 265 Riccarton Road [Antonio Hall], Upper Riccarton. Anticipated zoning: if accepted, the IHP recommendation would result in MRZ being applied to the relevant site as a consequence of deciding on the QM.	Council considers that the building is significantly compromised and the site is better placed to deliver housing given its highly accessible location.	Antonio Hall heritage listing (Item 463) and associated heritage setting (Item 203) is removed. Anticipated zoning: if accepted, the alternative recommendation would retain operative zoning as this lies outside of an identified Policy 3 area. The zoning would be subject to the decision on the balance of PC14.	As per column 3.
Piko Residential Character Area QM. <i>The s42A report of Liz White considered Residential Character Areas (see pages 24 to 36).</i>	Retain the Residential Character Area (with modification) as a QM. Anticipated zoning: if accepted, the IHP recommendation would retain operative zoning as this lies outside of an identified Policy 3 area. The zoning would be subject to the decision on the balance of PC14.	Council considers that housing has deteriorated in this area and is better placed to deliver new housing given its highly accessible location.	Remove the Piko Residential Character Area. Anticipated zoning: if accepted, the alternative recommendation would result in MRZ being applied to the relevant site as a consequence of deciding on the QM. <i>See mapping of the alternative recommendation on the CCC Policy 3 Decision webmap.</i>	As per column 3.

Residential Pathways Alternative Recommendations

In PC14 as notified, the Council sought to introduce the MDRS into all relevant residential zones by adapting the existing Residential Medium Density Zone (RMD) provisions in the operative Plan to create a new Medium Density Residential Zone (MRZ) and extending that zoning across relevant residential zones. The existing Residential Central City Zone (RCC) was used as the base to apply both the MDRS and the Policy 3 response to create the High Density Residential Zone (HRZ).

While this had the effect of incorporating the MDRS and significantly increasing development capacity across the relevant residential zones, this standardisation process of replacing existing zoning with MRZ/HRZ gave rise to some instances where it might be somewhat more onerous to obtain resource consent for a specific activity under the new provisions, compared with the old (lower-density) zoning. This is because of the naturally wide variety of provisions in the various operative residential zones being standardised into one set of MRZ provisions.

This situation is markedly different from the facts in Waikanae, involving the introduction of a new site-specific protection, removing permitted activity status for a residential activity.

Nonetheless, the IHP's recommendations reflect its desire to ensure that all existing 'enablements' are preserved through PC14.

This led the IHP to recommend that multiple development 'pathways' be provided through the District Plan, one being based on the (pre-PC14) operative rules applying in any particular location, and one based on the MDRS and new MRZ zoning.

In its decisions, the Council has largely accepted the IHP's 'pathways' approach but has rejected a number of specific provisions that would have allowed development to be undertaken on a site under both pathways. The Council considers it important to ensure that the residential pathways in the Plan are independent from one another, to avoid the adverse consequences of mis-matched development.

The Council has made an alternative recommendation accordingly.

These matters are explained in more detail below.

IHP provisions / recommendation rejected by Christchurch City Council

The Council has rejected a number of provisions recommended by the IHP relating to the Residential Pathways controls within Chapter 14, which the Council considers would remove the independence of each pathway. The rejected provisions, by reference to the chapter version in [Minute 58](#), are as follows:

Page 21 (of the PDF linked above):

- Advice note #7 (from the introduction to the Definitions List in the Plan) – that is, the IHP recommended that the advice note be included, and the Council has rejected that provision.

From page 106 of the PDF:

- 14.2.d (the last sentence).
- Additions to 14.2.e, to add i. and ii. that allow for resource consent to be applied against both pathways.
- 14.2.g.v (the last line following "Chapter 14B Pathway").
- Consequential changes to numbering throughout.

Page 117:

- Rule reference of 14A.5.1.a to apply consequential rule reference changes to 14.2.

Page 152:

- The rule reference of 14A.6.1.a (consequential rule reference changes to 14.2).

Page 195:

- Rule reference of 14B.4.1.a (apply consequential rule reference changes to 14.2).
 - a. As noted in Minute 58, this change would apply to the beginning of all Activity status tables for the other overlay chapters in 14B.

Description of IHP recommendation

The Residential Pathways are the IHP's response to the High Court's determination on *Waikanae*, in the context of Chapter 14: Residential of the District Plan.

As briefly summarised above, in developing PC14 the Council sought to apply MRZ zoning to relevant residential zones across the city, in order to incorporate the MDRS. Section 80E of the RMA envisages zoning as a valid mechanism for introducing MDRS (section 80E(1)(b)(iii): an IPI may also amend or include related provisions, including zones, that support the MDRS).

Specific to the *Waikanae* decision, Council's case throughout PC14 was that the Environment Court had erred in its decision regarding s80E and accordingly did not seek to specifically modify the proposal, however, did seek to illustrate to the IHP throughout the hearing where controls removed pre-PC14 status quo enablements.

The High Court decision was issued after Council submitted its Council Reply, with Council noting the decision via memo to the IHP⁹. However, the IHP did not seek to invite further legal submissions on interpretation "given that the interpretation was squarely on the table throughout the hearing" and had therefore already concluded their interpretation¹⁰.

The IHP considered that the 'residential pathways' summarised above were the simplest means, in the time available, of retaining pre-existing development enablements while also introducing the MDRS. However, the specific issue the IHP had with PC14 as it was recommended by Council officers, requiring (in the IHP's view) the retention of the operative 'pathway', is unclear to Council. For example:

- [Part 1](#) [173] states: "...the Council's approach to drafting PC14, which essentially took the opposite direction to *Waikanae*, has left the Panel with considerable difficulty in separating out matters that are related to the mandatory requirements of the MDRS and Policy 3 response, and those which remove existing enablements."
- [Part 4](#) [6] states: "...the Panel found that the Council approached the drafting of changes to the notified PC 14 version and Reply version of Chapter 14, from the starting position that *Waikanae* was wrongly decided, and that the Council was entitled "without limitation" to amend provisions in Chapter 14 so as to achieve a well-functioning urban environment. This included amendments that affected the consenting status and matters of control and discretion for existing land uses. This has resulted in a set of provisions that the Panel is unable to unpick so that they meet the legal requirements of s80E and s77G, as we have interpreted them to be in Part 1 of the Report, and as they have been interpreted by the High Court in *Waikanae*."

⁹ Council Memorandum 26 June 2024, paragraph 7.

¹⁰ See [IHP Recommendation Report Part 1](#) [158] page 49.

- **Part 4 [59]** states: “...an amended or new restriction of discretion giving the Council greater opportunities to refuse consent than it previously held could be seen as a reduction in enablement to the extent that the Council could now take into account matters that it had previously excluded itself from. We find that this would only be the case if the relevant underlying ODP enablements in terms of activity status and applicable standards had also not changed. However, PC 14 does change, in both the MRZ and HRZ, the status quo in all instances so as to allow more development including as a permitted activity than previously.”
- **Part 4 [60]** states: We are satisfied that where a permitted level of development has been increased from the status quo, amended or additional restrictions of discretion (or assessment matters) may be able to be added in a manner that still satisfies the boundary of not removing status-quo levels of enablement.
- **Part 4 [65]** states: “...we prefer the Council’s assessment of foreseeable development issues, relevant effects to be managed, and extent and depth of s32 analysis (and s32AA analysis) of the overall package of zone provisions in each of the MRZ and HRZ.”

The above does not clarify which specific parts of Chapter 14 (as recommended by officers) the IHP considered would breach *Waikanae*, with the only direction in Part 4 [6] being “the consenting status and matters of control and discretion for existing land uses”. As above, Council was not offered the opportunity to state its position on the High Court’s determination on *Waikanae*, and therefore provides the following commentary for the assistance of the Ministry:

- **Consenting status:** both the Act¹¹ and the NPS-UD¹² specifically limit what is deemed to be enabled to activities that are permitted, controlled and restricted discretionary under these respective instruments. This has been applied throughout. In doing so, this has meant that in select instances, a less stringent activity status (such as controlled) provided by the operative Plan has increased, through PC14 (as recommended by officers), to a restricted discretionary activity, i.e. it has become more stringent. In Council’s view, this still seeks to reflect the direction of Schedule 3A for residential activities, however there may be some instances where the activity status change relates to non-Schedule 3A matter, such as ancillary controls that are consequential on the application of the MDRS and Policy 3.
- **Matters of control and discretion:** the matters to be considered for any non-compliance were reviewed and modified in accordance with the new permitted level of activity enabled through the MDRS and Policy 3 of the NPS-UD. This resulted in several matters being expanded or modified in a way that requires greater evaluation from applicants subject to these matters, proportionate to the increase in enablements. However, the wholesale application of matters of discretion across the Chapter means that some of these modified matters are linked to standards that are out of scope for the IPI, such as non-residential activities or residential zone standards associated with zones not considered ‘relevant residential zones’ under the Act.
- **Ancillary standards:** while not specifically discussed by the IHP, it is worth noting that PC14 has introduced a number of ancillary standards that are consequential on the application of the MDRS and Policy 3 of the NPS-UD. This includes, for example, the location of mechanical ventilation, indoor storage volumetric requirements, location of parking / garaging, building length, and minimum floor area. Existing controls such as fencing have also been modified to respond to the street-engagement direction of the MDRS density standards, with front boundary fencing controls being more prescriptive. These ancillary controls are, in Councils view, the application of s80E(1)(b)(iii) that are consequential on the application of the MDRS and Policy 3 of the NPS-UD.

In conclusion, it remains unclear to Council how the IHP specifically considers that Chapter 14 does not conform with its interpretation of *Waikanae*.

¹¹ Clause 4, Schedule 3A.

¹² Clause 3.4(2) of the NPS-UD (updated May 2022).

[Part 4](#) [7] of the IHP Recommendation report recommended that Council redraft Chapter 14 Residential to provide for the 'pathways' described above – ie under the operative Plan provisions, and by reference to MDRS. The following memos from Council and subsequent Minutes detail the clarification sought on how the pathways should apply and their drafting into the Chapter:

- Council Memorandum [2 August 2024](#) – Initial clarification on Residential Pathways
- IHP Minute 50 on [6 August 2024](#) – Response to 2 August memo
- Council Memorandum [19 August 2024](#) – Clarification on IHP's interpretation of Waikanae
- IHP Minute 52 on [27 August 2024](#) – Response to 19 August memo
- Council Memorandum [18 October 2024](#) – First memo detailing drafting of residential redraft to apply Residential Pathways, including the criteria used and limitations of the framework.
- IHP Minute 56 on [31 October 2024](#) – Responding to first redraft (18 October memo)
- Council Memorandum [11 November 2024](#) – Final residential redraft applying Residential Pathways
- IHP Minute 58 on [30 November 2024](#) – Response to 11 November memo
- Council Memorandum [3 December 2024](#) – Recording correspondence received from the IHP regarding the Council Decision Report's summation of the Residential Redraft

Of critical importance are the changes recommended by the IHP in **Minute 58**, aspects of which the Council has rejected and which are the subject of this alternative recommendation. Council details in its Decision Report¹³ how these changes would compromise the independence of the Residential Pathways and how the final Minute from the IHP contradicts earlier recommendations, as well as other provisions that changes are intended to work alongside with. Reference should be made to Council's 18 October 2024 memo, which details the importance of retaining the independence of the pathways.

Council notes that the IHP was critical of the conclusions reached by Council in the Decision report relating to the recommendations made by the IHP in Minute 58. Please see the linked memo above from 3 December 2024.

Do the IHP's Residential Pathways align with the requirements of the Act?

One specific consideration is whether what the IHP has recommended is supported by the Act, specifically, whether it conflicts with the requirements of Clause 2(2) of Schedule 3A. This reads:

There must be no other density standards included in a district plan additional to those set out in [Part 2](#) of this schedule relating to a permitted activity for a residential unit or building.

Council considers that providing two 'pathways' in the Plan – one based on MDRS and the other on the operative Plan provisions (including density standards) – complies with clause 2(2) of Schedule 3A because the operative provisions are an *alternative* development pathway, rather than providing an *additional* set of density standards to regulate development. Taking a purposive and contextual approach to interpretation (consistent with section 10 of the Legislation Act 2019 and related case law), clause 2(2) is concerned to ensure that permitted activities are not constrained by density standards other than MDRS. Clause 2(2) is fulfilled as the MDRS applies by default with no "additional" standards. The pathways provide *alternative* standards that only apply if an applicant chooses not to

¹³ [Council 2 December 2024 Decision on Plan Change 14](#) (see from paragraph 4.9).

apply the MDRS-derived controls of PC14, i.e. it is only if an applicant elects to follow an operative pathway different to MDRS.

Reasons why the Council does not support aspects of the IHP's recommendation regarding pathways

As noted above, Council's 18 October 2024 memo¹⁴ details the importance of retaining the independence of the pathways and the criteria used when completing the redraft. This was as follows:

- **Hybridisation:** in a number of important respects, the built form and other environmental outcomes anticipated by new MRZ / HRZ are at odds with those anticipated by the previous residential zones. As such, allowing a developer to use, interchangeably, those two permitted activity or consent pathways would likely lead to disjointed, mismatched developments and poor outcomes. The provisions form a package to manage the effects of development in an integrated way and to 'pick and choose' runs the risk of a lack of integrated planning.
- **Project Information Memoranda:** section 37 of the Building Act 2004 requires the Council to issue a certificate if a resource consent is required that materially affects certain building work. Determining this may require an understanding of which permitted pathway is relied upon by the developer.
- **Permitted baseline:** given that two different forms of permitted development would be enabled, the permitted baseline may be difficult to identify and apply. For example, if a person applies for consent under Chapter 14B (Pathway A) for a dwelling exceeding the permitted height in the operative Plan (say, a 9m building in the RS zone), would the permitted building height under Chapter 14A (Pathway B), of 11m plus 1m in MRZ, be relevant to consider?
- **Notification tests:** rules associated with each pathway contain various notification exemptions that apply under specific conditions. The Council must otherwise apply the standard notification tests, considering effects thresholds in light of what is enabled by the Plan. As with the permitted baseline, this exercise would be made more complex and ambiguous if the two permitted pathways are not made fully independent of each other.

The 'How to' section of the Chapter in 14.2 (as per pages 10-12 in Council's 11 November 2024 memo) provides the framework for how the Residential Pathways are intended to be administered. The provisions are summarised as follows:

- a. Chapter 14A represents what is enabled by Plan Change 14 and Chapter 14B represents the pathway to apply pre-PC14 enablements (defined as the 'Chapter 14B Pathway').
- b. Chapter 14B details all pre-PC14 residential zones that are relevant residential zones, though these are expressed as overlays that sit over MRZ and HRZ areas.
- c. All objectives, policies and methods contained in each sub-chapter are considered independently.
- d. The alternative Chapter 14B Pathway only applies if an applicant states their intention to apply it - failure to do so means that the 'standard' Chapter 14A zone approach enabled via PC14 applies.
- e. Given the permitted status of some activities, regulations state that applicants must also elect to state which rules are intended to apply for building consent applications.
- f. Enacting whichever pathway means that the opportunity to use the alternative pathway is foreclosed – i.e. if an applicant elects to use the Chapter 14B Pathway, then Chapter 14A is not available at a later date.
- g. The above 'in perpetuity principle' does not apply if a new vacant allotment is created. This acts as a reset, whereby an applicant can decide whichever pathway to apply.

¹⁴ See paragraphs 9 to 14.

- h. The independence of pathways is further protected, by stating the confined limitations of applying a permitted baseline, assessment of effects, and evaluation for the purposes of notification is confined to each pathway in isolation.

Council has found the exercise of creating the Residential Pathways framework in a way that avoids applying a pathway 'in perpetuity' challenging. Its sole purpose is to ensure that the so called 'pick and mix' scenario of provisions is avoided. As reiterated in Council's 11 November 2024 memo, there are a number of perverse outcomes that could arise if a hybrid of pre-PC14 provisions and PC14-enabled provisions operate together.

A simple example is what is currently enabled in the Residential Suburban Density Transition Zone (RSDT). This permits up to four residential units per site at 8m, or at about two storeys. If rules were to be blended, an applicant could use this to establish four units as a permitted activity, and subsequently seek to apply the MDRS-derived rules to add a third storey due to the 11+1m building height control in MRZ, or double the number of storeys if HRZ applies. Staged in this way, each of these activities could be achieved without resource consent as each stage compartmentalises the proposal to match the most enabling parts of each framework. The key issue being that such an approach circumnavigates any resource consent requirement, which would otherwise be required if applied for comprehensively through either pathway. This would not achieve the objectives of each respective zone. The example described could occur in quick succession or over a longer period of time and would permanently apply successive development rights.

Council's memorandum [18 October 2024](#) further details additional examples of the adverse outcomes of hybridisation of Residential Pathways (see paragraph 13).

Alternative recommendation

The Council alternative is not a rejection of the Pathways themselves, but rather a rejection of the recommendations made in Minute 58 to further modify how these are governed. As such, the following changes have been recommended (with *italicised text* adding commentary, as needed):

Chapter 2 – Definitions:

- Remove advice note #7, stating that all previously operative definitions apply.
 - *This increases complexity and confusion of the framework. Definitions themselves have already been annotated accordingly.*

Chapter 14.2 – How to interpret and apply the rules:

- 14.2.c.xi – to be reinstated as the operative overlay must apply as part of the Chapter 14B approach, as noted by the IHP in subsequent sections.
- 14.2.d – reinstate the Council proposed text:
 - The Chapter 14B pathway only applies if eligible applicants state their intention to apply the Chapter 14B pathway, otherwise the provisions of sub-chapter 14A shall apply.
- 14.2.e – remove all IHP recommended changes, except the change from “sub-chapter” to “Chapter” at the start of the clause.
 - *This is critical to retaining independence, as reflected by subsequent sub-clauses in g., h., and i.*

- 14.2.g.v – reinstate the latter of the clause as per Council recommendation, with modification:
 - “..., with any such decision subject to the conditions under **g.i** to **g.iv.** above and **h.** and **i.** below.”

Chapter 14A.5 – Medium Density Residential Zone

- 14A.5.1.a – Reinstate the IHP amended text at the latter of the provision to read:
 - “...Chapter 14B Pathway, **as per Rules 14.2 d. to i.**.”

Chapter 14A.6 – High Density Residential Zone

- 14A.6.1.a – Reinstate the IHP amended text at the latter of the provision to read:
 - “...Chapter 14B Pathway, **as per Rules 14.2 d. to i.**.”

Chapter 14B.4 – Residential Suburban Overlay and Residential Suburban Density Transition Overlay

- 14B.4.1.a – Reinstate the IHP amended text at the latter of the provision to read:
 - “...Chapter 14B Pathway, **as per Rules 14.2 d. to i.**.”
 - *As noted in Minute 58, this change would apply to the beginning of all Activity status tables for all other overlay chapters in 14B.*

Council staff have discussed the administration of the Residential Pathways, given their current operative effect and the number of applicants who are choosing to apply the Chapter 14B Pathway. Council is currently choosing to annotate this on internal property records, however this annotation would be shown on any LIM purchased for the property or any other public enquiry for the property. There is no consent notice or annotation on a record of title.

Why is the alternative recommendation preferred?

The alternative recommendation is preferred, as Council considers the framework recommended by the IHP to be unworkable. As outlined in this report, the IHP’s recommendation appears contradictory—both in relation to previous recommendations and within its most recent recommendations in Minute 58. This inconsistency is evident in the amendments to section 14.2, which allow an applicant to seek consent under both pathways. However, provisions inserted before the activity rule tables in relevant zone chapters still state that rules should be applied independently. Council considers this omission a critical flaw that must be addressed for the Residential Pathways to remain functional.

It is important to reiterate that, given Council’s inability to state its position on the High Court’s determination regarding *Waikanae*, and the IHP’s approach in directing the Residential Pathways, Council has had little choice but to determine the best way to implement the IHP’s direction. An alternative approach that specifically addresses any restriction of status quo enablements is likely to result in a more effective, less administratively burdensome, and less litigious outcome for both Council and the community.

Relevant information to support alternative recommendations

- Relevant s42A material and evidence associated with specific matters has been referenced and linked to for each alternative, as applicable.
- Decision material has also been referenced within specific matters, including links to mapping of the 2 December 2024 Policy 3 Decision, which includes Alternative Recommendations that are spatial in nature.
- A table showing the acceptance and rejection of specific submission points relative to the Council Alternative Recommendations was prepared as part of the [Decision Report to Council](#) (see Attachment B).
- The following summaries of evidence via referenced links have also been attached:
 - **Attachment 1** – Summary of IHP Information on the Riccarton Bush Interface Area
 - **Attachment 2** – Overview maps of zoning outcome of Riccarton alternative recommendations.
 - **Attachment 3** – Summary of IHP Information on walking catchments and residential intensification under Policy 3(d)
 - **Attachment 4** – Summary of IHP Information on Sunlight Access qualifying matter
 - **Attachment 5** – Summary of IHP Information on Airport Noise qualifying matter
 - **Attachment 6** – Summary of IHP Information on Daresbury heritage listing
 - **Attachment 7** – Summary of IHP Information on Heritage Items and Settings

Please contact the underwriter for any further information, or contact the Christchurch City Council City Planning unit directly at planchange@ccc.govt.nz.

Ngā mihi nui,



Mark Stevenson, Acting Head of Planning and Consents
Christchurch City Council
Mark.Stevenson@ccc.govt.nz

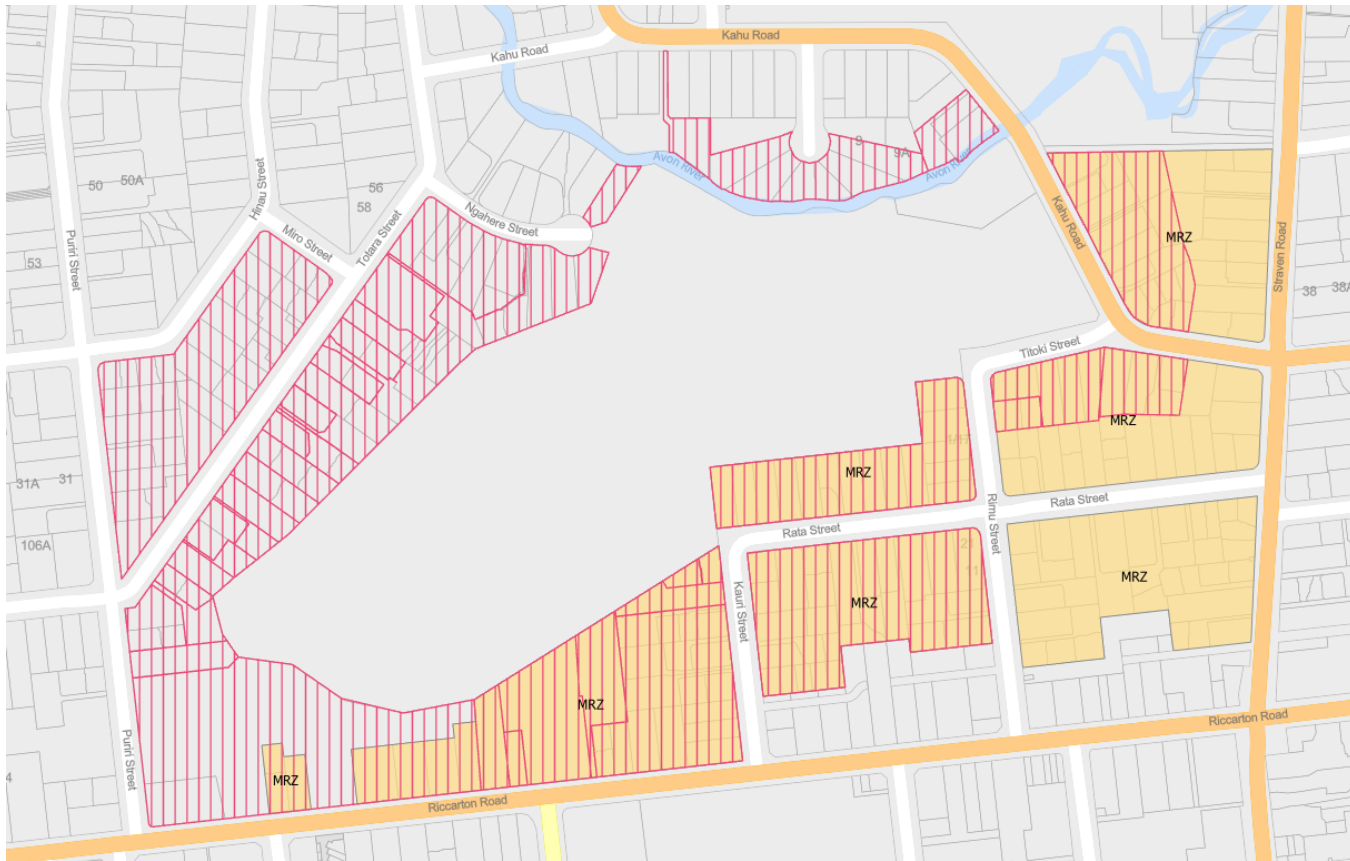
Attachment 1 – PC14 evidence summary – Riccarton Bush Interface QM

Source	Links / Detail
Notified provisions	• RS/RSDT Rules: Building height – 14.4.2.3 • MRZ Rules: Building height and maximum number of storeys – 14.5.2.3
S32 Evaluation Report	Qualifying Matters – Part 2, section 6.11 (page 95, or 31 of PDF): • Appendix 43 – Pūtaringamotu Riccarton Bush Heritage Landscape Review
Submission search	Search submissions and further submissions on the Consult24 webpage. <i>Please refer to relevant submitters detailed in s42A reporting, as per below.</i>
S42A Officer Recommendations report	S42A Report of Ike Kleynbos, 11 August 2023: • Pages 67-75 – Overall consideration • Pages 238-241 – Submission consideration • Page 780 – Appendix G Themes of submissions considered: • Seek modification • Support with modification • General support for QM • Oppose, remove QM S42A Updated Residential Provisions: • RS/RSDT Rules: Building height – 14.4.2.3 • MRZ Rules: Building height and maximum number of storeys – 14.5.2.3, Area-specific Discretionary Activities – 14.5.3.1.4 D3, Area-specific built form standards – 14.5.3.2, Building height – 14.5.3.2.3, Setbacks – 14.5.3.2.8.d, Building coverage – 14.5.3.2.9.e, Site density – 14.5.3.2.15.b
Council pre-hearing evidence (incl. Rebuttal)	Rebuttal Evidence – Ike Kleynbos, 16 October 2023 (paras 13-20, 72-74) Riccarton Bush Heritage Landscape Evidence – Wendy Hoddinott, 11 August 2023
Submitter pre-hearing evidence	Expert evidence on behalf of Riccarton Bush Trust (#44, #2085) – David Norton, 20 September 2023 Planning evidence on behalf of Kāinga Ora (#834, FS2082) – Tim Joll, 20 September 2023 (paras 6.1 and 6.2)

Source	Links / Detail
	Landscape evidence on behalf of Kāinga Ora (#834, FS2082) – Sophie Strachan , 20 September 2023 (paras 1.2, 3.1 – 3.14, and Appendix A)
Council legal submission(s)	Dave Randal / Cedric Carranceja (paras 4.19-4.23, 6.14), 26 October 2023
Submitter legal submission(s)	Riccarton Bush Trust (#44, #2085) – Andrew Schulte , 15 November 2023 Kāinga Ora (#834, FS2082) – Bal Matheson (paras 8.1 and 8.2), 22 November 2023
Council hearing summary statement(s) & associated material	Ike Kleynbos – Hearing Summary Statement (page 10), 1 November 2023 Wendy Hoddinott – Hearing Summary Statement, 1 November 2023 (IHP took this as read)
Submitter hearing summary statement(s) & associated material	Shona Willis , Riccarton Bush Trust (#44, #2085), 22 November 2023 Helen Broughton , Waipuna Halswell - Hornby - Riccarton Community Board (#902 #1090 #2027), 18 October 2023 Helen Broughton , Waipuna Halswell - Hornby - Riccarton Community Board (#902 #1090 #2027), 8 November 2023 Helen Broughton (#886 #2046), 22 November 2023 (including attachment) Tony Simons , Riccarton Bush Kilmarnock Residents' Association (#188 #2062), 8 November 2023 (pages 3-4) Brendon Liggett , Kāinga Ora - Homes and Communities (#834 #2082 #2099) (pages 9-10), 29 November 2023 Tim Joll , Kāinga Ora - Homes and Communities (#834 #2082 #2099) (pages 6, 15-16), 29 November 2023 Sophie Strachan , Kāinga Ora - Homes and Communities (#834 #2082 #2099), 29 November 2023 Marcus Langman , Christchurch City Council Submission (#751), 2 November 2023
Hearing appearances	<i>Please see the following relevant schedules:</i>

Source	Links / Detail
	Hearing Proceedings – Week 1 (10-12 Oct 2023) Hearing Proceedings – Week 4 (31 Oct, 1-2 Nov 2023) Hearing Proceedings – Week 7 (21-23 Nov 2023) Hearing Proceedings – Week 8 (28-30 Nov 2023) <i>Please see all hearing recording links on the IHP webpage (right-hand column):</i> https://chch2023.ihp.govt.nz/hearings/
IHP information request(s) & response(s)	On 1 November 2023, during the Council hearing presentation, the IHP requested a table showing all submitters and whether they were located within the proposed overlay. • Council Memo to IHP, 23 November 2023 (outlines that the response is provided in Appendix G) • Appendix G, separately provided on IHP webpage
Any relevant Council or IHP Memos not otherwise covered above	N/A
Council Right of Reply	Reply by CCC to matters arising during the hearing of submissions on proposed plan change 14 (Pages 105 and 106), 17 May 2024 Right of Reply Updated Residential Provisions: • RS/RSDT Rules: Discretionary Activities – 14.4.1.4 D11, Building height – 14.4.2.3. • MRZ Rules: Building height and maximum number of storeys – 14.5.2.3, Area-specific Discretionary Activities – 14.5.3.1.4 D3, Area-specific built form standards – 14.5.3.2, Building height – 14.5.3.2.3, Setbacks – 14.5.3.2.8.d, Building coverage – 14.5.3.2.9.e, Site density – 14.5.3.2.15.b
IHP Recommendation(s) reference	Part 5 – City wide qualifying matters (pages 107 – 116) Addendum to Part 5 (page 5) Addendum 2 to Part 5 (pages 5-6)

Attachment 2 – Overview maps of zoning outcome pf Riccarton alternative recommendations

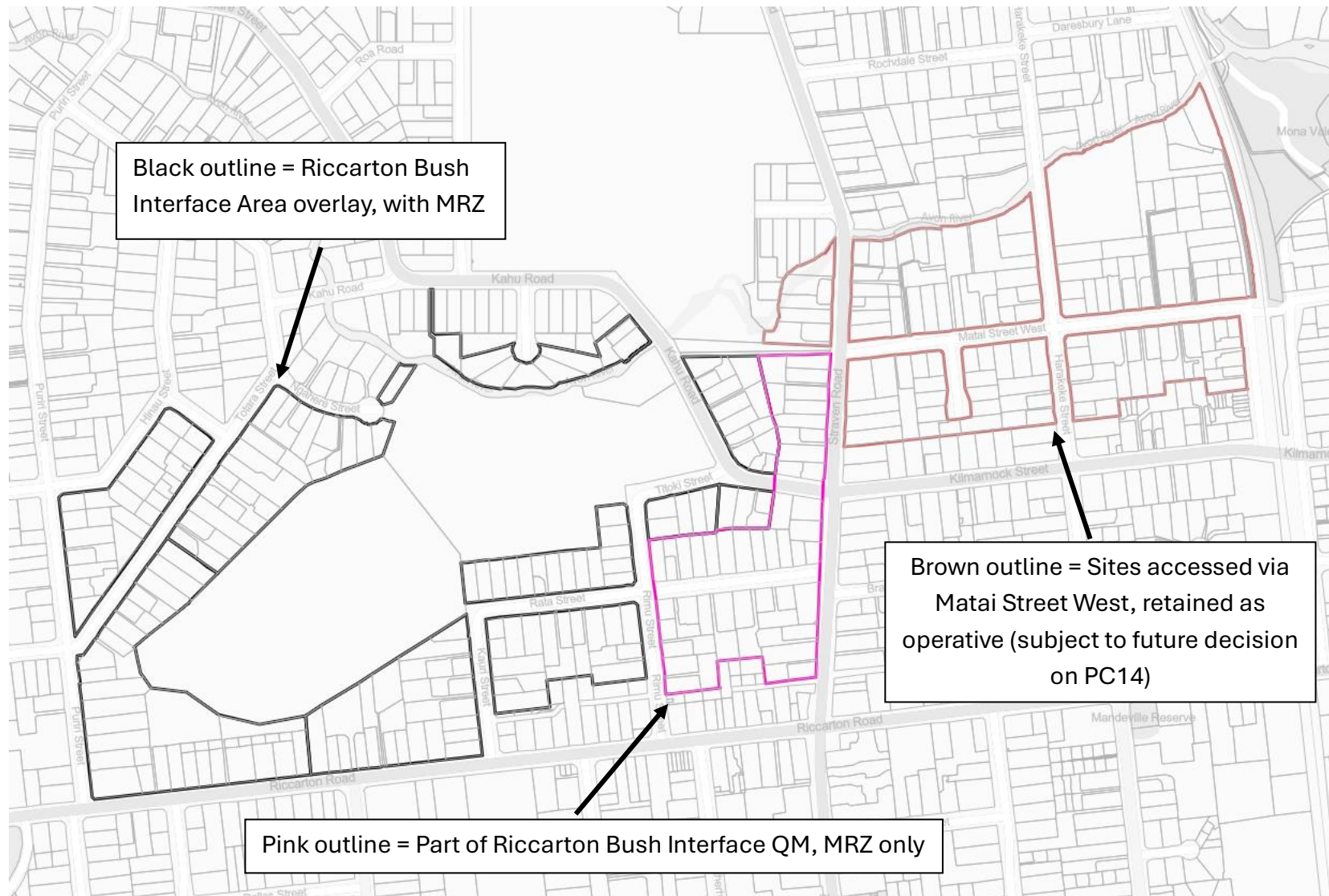


In the above:

Red hatch: represents the Riccarton Bush Interface Area, which represents the area where housing would be limited to two storeys (with associated built form controls), except for those areas that were Residential Medium Density Zone prior to PC14 (see MRZ area-specific rules under 14A.5.3). In the scenario where the Minister supports the alternative recommendation, he would be making a decision on both the zone and the restrictions to it (the qualifying matter), and therefore all of the hatched area would be zoned MRZ.

MRZ area (Shaded brown fill): represents the zoning response due to the Riccarton Bush Interface Area, within the Policy 3 catchment area. While most of this is covered by the overlay, a large part near Straven Road is not subject to the overlay. Here, the qualifying matter response is simply to limit zoning to MRZ (unencumbered), rather than the HRZ response that would otherwise apply within the Policy 3 catchment. If the Minister supports the alternative recommendation, both this MRZ area and all of the area beneath the red hatch would be MRZ. If the Minister supports the IHP recommendation, then only the displayed MRZ would change to HRZ.

Overview of Riccarton zoning via alternative recommendations:



Attachment 3 – PC14 evidence summary – Walking catchments and residential intensification

Source	Links / Detail
Notified provisions	• Interactive PC13/PC14 planning map • MRZ Rules, Building height and maximum number of storeys (14.5.2.3, pages 23-25) • HRZ Rules, Building height (14.6.2.1, pages 16-17)
S32 Evaluation Report	Residential S32 Evaluation Report: • Pages 13-14 – Issue 2 • Page 14 – Issue 3 • Pages 49-64 – Issues 2 costs and benefits • Pages 65-72 – Issues 3 costs and benefits • Pages 98-102 – Evaluation of provisions • Pages 109-112 – Costs and benefits of provisions • Appendix 7 – A Summary of a National Survey on Living Locally in Aotearoa, New Zealand - University of Waikato • Appendix 9 – Economic cost benefit assessment of Christchurch City residential zones & intensification precincts • Appendix 10 – Aotearoa Urban Street Planning & Design Guide, Waka Kotahi • Appendix 11 – Understanding and implementing intensification provisions for the National Policy Statement on Urban Development, MfE & MHUD • Appendix 12 – Spatial overview of walking catchments and accessibility
Submission search	Search submissions and further submissions on the Consult24 webpage. <i>Please refer to relevant submitters detailed in s42A reporting, as per below.</i>
S42A Officer Recommendations report	S42A Report of Ike Kleynbos, 11 August 2023: • Pages 37-40 – Policy 3(c) • Pages 40-57 – Policy 3(d) • Pages 57-64 – General mapping themes (incl. walking catchment mapping) • Page 108 – Out of scope submissions, Re Policy 3(c) • Pages 193-196 – Submission on: HRZ spatial application of walking catchment • Pages 146-179 – Submissions on: Level of enablement under NPS-UD

Source	Links / Detail
	• Appendix C – Recommended mapping changes to around Commercial Centres (pages 524-535). Updated mapping: • Interactive PC14 planning map of s42A recommendations • Interactive map – Commercial Centre Walking Catchments s42A Recommendations Updated provisions: • MRZ Rules, Building height and maximum number of storeys (14.5.2.3, pages 25-27) • HRZ Rules, Building height (14.6.2.1, pages 19-20)
Council pre-hearing evidence (incl. Rebuttal)	Rebuttal Evidence – Ike Kleynbos, 16 October 2023: • Accommodation and Community facilities Overlay – Scenic Hotels Group (#809) – page 14 • North Halswell HRZ – Danne Mora Limited (#903) & Milns Park Limited (#916) – page 17 • Kāinga Ora (#334) – pages 18-23 Brian Norton – Stormwater Engineering Evidence (paras 21-40, 83-89), dated 11 August 2023 Michele McDonald – Water and Wastewater Engineering Evidence (paras 16-33, Appendix A), dated 11 August 2023
Submitter pre-hearing evidence	Planning Evidence for Christchurch Casinos Limited (#2077) – Anita Collie, 20 September 2023 Planning Evidence for Danne Mora Limited (#903) and Milns Park Limited (#916) – Andrew Mactier, 20 September 2023 Civil Engineering Evidence for Danne Mora Limited (#903) and Milns Park Limited (#916) – Jamie Verstappen, 20 September 2023 Planning Evidence for Canterbury Regional Council (#689) – Meg Buddle (para 21, 22, 89-110), 20 September 2023 • Appendix 1 and 2, 20 September 2023

Source	Links / Detail
	Stormwater Engineering Evidence for Canterbury Regional Council (#689) – Mathew Surman, 20 September 2023 Planning Evidence for Glenara Family Trust (#91) – David Mountford (paras 25-35), 20 September 2023 Planning Evidence (Centre Hierarchy and Commercial Zone Rules) for Kāinga Ora (#834) – Jonathan Clease (paras 3.1-3.107, 3.136-3.214, section 6, Appendix 1, Appendix 3-6), 20 September 2023 Planning Evidence (Residential Zones) for Kāinga Ora (#834) – Jonathan Clease, 20 September 2023 Economic Evidence for Kāinga Ora (#834) – Fraser Colegrave, (sections 1, 3, 4, 5 (Items 1-3), 15 September 2023 Corporate Evidence for Kāinga Ora (#834) – Brendan Liggett, (Sections 7, 8), 20 September 2023 Corporate Evidence (Residential Matters) for Kāinga Ora (#834) – Brendan Liggett, (Section 2), 20 September 2023 Planning Evidence for Lendlease New Zealand Limited (#855) – Mark Arbuthnot (paras 4.19-4.32), 20 September 2023 Planning Evidence for University of Canterbury (#184) – Caroline Hutchison (paras 5.6-5.8, 8.1-9.3), 20 September 2024 [note updated evidence presented] Planning Evidence for Winton land Limited (#556) – Clare Dale, 20 September 2023
Council legal submission(s)	Dave Randal / Cedric Carranceja – Residential Zones (para 1.3-3.14), 26 October 2023 Dave Randal / Cedric Carranceja – Central City and Commercial Zones (sections 4-5), 17 October 2023 Dave Randal / Cedric Carranceja – Opening Legal Submission (para 2.26-2.33, 3.22-3.29), 3 October 2023
Submitter legal submission(s)	Canterbury Regional Council (#689) – Michelle Mehlhopt (paras 29-48, Appendix 3), 17 April 2024

Source	Links / Detail
	Kāinga Ora (#834) – Bal Matheson (section 3), 22 November 2023 Kāinga Ora (#834) – Bal Matheson (section 8), 6 October 2023 Christchurch Casinos Limited (#2077) / NHL Developments Limited (#706) – J Appleyard / A Hawkins / A Lee, 27 October 2023 Lendlease Management Limited (#855) – Bianca Tree / Amy Colebourn, 24 October 2023 Glenara Family Trust (#91) – David Caldwell (para 10), 12 October 2023
Council hearing summary statement(s) & associated material	Ike Kleynbos – Hearing Summary Statement (pages 1-7), 1 November 2023 Brian Norton – Hearing Summary Statement, 18 October 2023 Brian Norton – Hearing Summary Statement, 2 November 2023 Michele McDonald – Hearing Summary Statement, 2 November 2023
Submitter hearing summary statement(s) & associated material	Kāinga Ora (#834) – Jonathan Cleese, 26 October 2023 Christchurch Casinos Limited (#2077) / NHL Developments Limited (#706) – Anita Collie, 30 October 2023 Lendlease Management Limited (#855) – Mark Arbuthnot, 31 October 2023 Victoria Residents Association (VNZ) – Geoff Banks (pages 13-14), 7 November 2023 Deans Avenue Precinct Society Incorporated (#222) – Claire Mulcock and Grant Read, 8 November 2023 • Powerpoint Presentation, 8 November 2023 Waipuna Halswell-Hornby-Riccarton Community Board (#902) – Helen Broughton, 8 November 2023 Bruce Taylor and Diana Taylor (#328), 8 November 2023

Source	Links / Detail
	Ilam and Upper Riccarton Residents' Association (#39) - Lynette Hardie Willis, 8 November 2023 Riccarton Bush Kilburn Residents' Association (#188) – Tony Simons (page 6-11), 8 November 2023 • Associated hearing presentation material, 8 November 2023 • Member Ray Sleeman, 8 November 2023 • Member Tim Preston, 8 November 2023 Winton Land Limited (#556) – Clare Dale, 14 November 2023 Marjorie Manthei (pages 3-4, 6-12) (#237), 14 November 2023 Dr Christina Stachurski (#763), 15 November 2023 Tim Priddy and John Hudson (#895), 22 November 2023 Geoff Banks (#918), 22 November 2023 Kāinga Ora - Homes and Communities (#834) – Jonathan Cleave, 29 November 2023 Architecture Designers New Zealand (ADNZ) (#685) – Glen Murdoch (presentation material), 17 April 2024 Central Riccarton Residents' Association (#638) – Joscelyne Silcock and Kay Risdon, 18 April 2024 Canterbury Regional Council (#689) – Matthew Surman, 24 April 2024 Riccarton Bush Kilburn Residents' Association (#188) - Catherine Shipton, 24 April 2024
Hearing appearances (please detail if there is any cross-examination and include links to video(s))	<i>Please see the following relevant schedules:</i> Hearing Proceedings – Week 3 (24-26 Oct 2023) Hearing Proceedings – Week 4 (31 Oct, 1-2 Nov 2023) Hearing Proceedings – Week 5 (7-9 Nov 2023) Hearing Proceedings – Week 6 (14-16 Nov 2023) Hearing Proceedings – Week 7 (21-23 Nov 2023) Hearing Proceedings – Week 8 (28-30 Nov 2023) Hearing Proceedings – Week 9 (15-18 Apr 2024) Hearing Proceedings – Week 10 (23-24 Apr 2024)

Source	Links / Detail
	Please see all hearing recording links on the IHP webpage (right-hand column): https://chch2023.ihp.govt.nz/hearings/
IHP information request response(s)	IHP Minute 4 – 1 August 2023: [para 50]: “On behalf of the Panel, at the hearing Commissioner McMahon set out a range of ‘strategic’ and ‘mechanics’ of how PC 14 works’ [Appendix 3] information matters that he requested Council provide and speak to at the commencement of the hearing in order that all parties have a common bundle of information that can be readily referenced (and potentially added to).” • Council Memo, 1 August 2023, noting that the information was provided in the 28 July 2023 memo to the IHP: • Supplementary response: Council Memo, 31 October 2023 (pages 9 and 10) IHP Minute 39 – 9 April 2024: “The Council is to provide an update on the legal status of the Spatial Plan by way of a memorandum by 3pm on Monday 15 April 2024” • Council Memo, 15 April 2024
Any relevant Council or IHP Memos not otherwise covered above	-
Council Right of Reply	Reply by CCC to matters arising during the hearing of submissions on proposed plan change 14 (Pages 84-94), 17 May 2024 Right of Reply Updated Residential Provisions: • MRZ Rules, Building height and maximum number of storeys (14.5.2.3, pages 25-27) • HRZ Rules, Building height (14.6.2.1, pages 22-23) • Interactive Planning Maps for Right of Reply
IHP Recommendation(s) reference	Part 3 – Part 3 – Central city, Commercial, Mixed Use and Industrial Zones (page 93 – 101) Part 4 – Relevant residential zones including medium density residential zone and high density residential zone [and associated QMs] (page 9 – 35)

Attachment 4 – PC14 evidence summary – Sunlight Access QM

Source	Links / Detail
Notified provisions	• MRZ Rules, Height in relation to boundary – 14.5.2.6 • HRZ Rules, Height in relation to boundary – 14.6.2.2 • Residential Appendices, Recession planes – 14.16.2
S32 Evaluation Report	Qualifying Matters – Part 3, section 6.30 (page 354, or 163 of PDF): • Appendix 35 – Technical Report – Recession Planes in Christchurch
Submission search	Search submissions and further submissions on the Consult24 webpage. <i>Please refer to relevant submitters detailed in s42A reporting, as per below.</i>
S42A Officer Recommendations report	S42A Report of Ike Kleynbos, 11 August 2023: • Pages 75-83 – Overall consideration • Pages 203-216 – Submission consideration • Pages 299-305 – MRZ Height in Relation to Boundary rule submissions (Sunlight Access QM approach) • Pages 348-353 – HRZ Height in Relation to Boundary rule submissions (Sunlight Access QM approach) Themes of submissions considered: • Support Sunlight Access approach • Support the approach, with greater restrictions • Support, with use of alternate metric • Support, with interface transition • Further MDRS modification • Modification of proposed rule • MRZ exemptions • Oppose, remove the qualifying matter • General opposition to intensification S42A Updated Residential Provisions: • MRZ Rules, Height in relation to boundary – 14.5.2.6 • HRZ Rules, Height in relation to boundary – 14.6.2.2 • Residential Appendices, Recession planes – 14.16.2

Source	Links / Detail
Council pre-hearing evidence (incl. Rebuttal)	David Anthony Hattam – Urban Design Evidence (pages 11-17, 47-55) – 11 August 2023 John Benjamin (Ben) Liley – Atmospheric Science Evidence – 11 August 2023 Supplementary Evidence – Ike Kleynbos, 15 September 2023 (pages 2-4, 6, Appendix 1) Appendix 1 – List of Submissions and Further Submissions on Sunlight Access QM Rebuttal Evidence – Ike Kleynbos, 16 October 2023 (para 138-139)
Submitter pre-hearing evidence	Planning Evidence for Andrew McCarthy (#681, FS2081) – Helen Bealey (page 10), 20 September 2023 Corporate Evidence for Kāinga Ora (#834, FS2082) – Brendon Liggett (pages 16-17), 22 September 2023 Corporate Evidence for Kāinga Ora (#834, FS2082) – Brendon Liggett (pages 8-9), 29 November 2023
Council legal submission(s)	Dave Randal / Cedric Carranceja (pages 9 & 21), 26 October 2023
Submitter legal submission(s)	Kāinga Ora (#834, FS2082) – Bal Matheson (pages 14-16), 22 November 2023
Council hearing summary statement(s) & associated material	Ike Kleynbos – Hearing Summary Statement (pages 9-10, 16-19), 1 November 2023 David Anthony Hattam – Hearing Summary Statement (pages 1-2), 2 November 2023 John Benjamin (Ben) Liley – Hearing Summary Statement, 2 November 2023
Submitter hearing summary statement(s) & associated material	Victoria Residents Association (VNA) (#61) – Geoff Banks Hearings Statement (Pages 5-9), 7 November 2023 Victoria Residents Association (VNA) (#61) – Tabled documents (Pages 15-18), 7 November 2023 Deans Avenue Precinct Society Inc. (#222) – Claire Mulcock and Grant Read Hearing Statement (page 4), Presentation Material, 8 November 2023

Source	Links / Detail
	Waipuna Halswell, Hornby, Riccarton Community Board (#902) – Helen Broughton Hearing Statement (page 4), 8 November 2023 Marjorie Manthei (#237) – Hearing Statement (page 5), 14 November 2023 David Townshend (#599) – Lay evidence statement, 31 October 2023 Andrew McCarthy (#681, FS2081) – Hearing statement (pages 2-3), 16 November 2023 Terry Sissons (#636) – Hearings statement, 29 November 2023 Philippa Rutledge (#875) – Lay evidence statement (page 1), 30 November 2023 Christian Paul Jordan (#737) – Hearing statement (pages 4, 12, 22-23 [of PDF]), 15 April 2024 Tony Dale (#679) – Hearing statement (page 2), 24 April 2024.
Hearing appearances	<i>Please see the following relevant schedules:</i> Hearing Proceedings – Week 4 (31 Oct, 1-2 Nov 2023) Hearing Proceedings – Week 5 (7-9 Nov 2023) Hearing Proceedings – Week 6 (14-16 Nov 2023) Hearing Proceedings – Week 8 (28-30 Nov 2023) Hearing Proceedings – Week 9 (15-18 Apr 2024) Hearing Proceedings – Week 10 (23-24 Apr 2024) <i>Please see all hearing recording links on the IHP webpage (right-hand column):</i> https://chch2023.ihp.govt.nz/hearings/
IHP information request(s) & response(s)	IHP Minute 4 – 1 August 2023: [para 50]: “On behalf of the Panel, at the hearing Commissioner McMahon set out a range of ‘strategic’ and ‘mechanics’ of how PC 14 works’ [Appendix 3] information matters that he requested Council provide and speak to at the commencement of the hearing in order that all parties have a common bundle of information that can be readily referenced (and potentially added to).”

Source	Links / Detail
	• Council Memo, 1 August 2023, noting that the information was provided in the 28 July 2023 memo to the IHP: ○ Paras 44-50 and Appendix 2. • Supplementary response: Council Memo, 31 October 2023 IHP Minute 7 – 28 August 2023: <i>IHP acknowledges concern raised by submitter David Townshend (#599) regarding s42A reporting of Ike Kleynbos concerning the Sunlight Access QM and requesting the disclosure of Council legal advice on the matter. IHP invited Council to respond by 4 September 2023.</i> • Council Memo, 4 September 2023 IHP Minute 9 – 11 September 2023: [para 10] “...It would, however, assist the IHP if the s42A Reporting Officer Mr Kleynbos could extract a list of all submissions and further submissions summaries on the sunlight access Qualifying Matter and identify these by submitter name and submission point number and group them into those supportive of the sunlight access qualifying matter, those opposed to it and those seeking an alternative outcome.” • Response provided within Supplementary Evidence of Ike Kleynbos, dated 15 September 2023 (see above under ‘Council pre-hearing evidence’). IHP Request #49: “Provide updated sunlight access modelling demonstrating the effect of the proposed qualifying matter planes (compared to MDRS) during lower sun angles in the early morning and late afternoon/evening.” • Initial Council response – Memorandum of Counsel, 29 November 2023 (Appendix M) • Final Council response – Memorandum of Counsel, 11 April 2024 (Appendix E, pages 81-103 [of PDF])
Any relevant Council or IHP Memos not otherwise covered above	IHP Minute 4 – 11 August 2023: • Preliminary legal issues – para 9 • Access to sunlight qualifying matter – paras 12-15

Source	Links / Detail
	Council Memo – 15 September 2023: - Regarding Minute 9 (page 3) IHP Minute 19 – 19 October 2023: - Regarding submission of evidence by Ike Kleynbos (page 2) IHP Minute 29 – 14 December 2023: - Recommendation for submitter #762 to speak to Mr Kleynbos regarding whether s42A report addresses outstanding matters (page 9). <i>See Minute 51 below correcting an omission made by the IHP regarding the evaluation of evidence.</i>
Council Right of Reply	Reply by CCC to matters arising during the hearing of submissions on proposed plan change 14 (Pages 98-100), 17 May 2024 Right of Reply Updated Residential Provisions: MRZ Rules, Height in relation to boundary – 14.5.2.6 HRZ Rules, Height in relation to boundary – 14.6.2.2 Residential Appendices, Recession planes – 14.16.2
IHP Recommendation(s) reference	Part 4 – Relevant residential zones including medium density residential zone and high density residential zone [and associated QMs] (page 37 – 50) Minute 51 (pages 3, 20) Addendum to Part 4 (up to page 8)

Attachment 5 – PC14 evidence summary – Airport Noise QM

Source	Links / Detail
Notified provisions	Chapter 14 - Residential • RS and RSDT Rules ○ 14.4.1.1 P16-P20 Activity specific standard ix ○ 14.4.1.3 RD30, RD34 Chapter 15 – Commercial • 15.2.4.6 Policy – Strategic Infrastructure • 15.4.1.1 P21 Activity specific standard g • 15.4.1.5 NC2 • 15.5.1.1 P21 Activity specific standard g • 15.5.1.5 NC2 • 15.6.1.1 P19 Activity specific standard a.ii • 15.6.1.5 NC2 • 15.10.1.1 P27 Activity specific standard e • 15.10.1.5 NC1
S32 Evaluation Report	Qualifying Matters – Part 2, section 6.20 (pp 70-71, or pp 134-135 of PDF): • Appendix 10 – Airport Related Qualifying matters in the Christchurch District Plan • Appendix 11 – Airport Contour s77K Appendix One: AAOCB Contour • Appendix 12 – Airport Contour s77K Appendix Two: Airbiz Report – Airport Operations and Safeguarding • Appendix 13 - Airport Contour s77K Appendix Three: International and Domestic Airfreight Assessment Paling Consultants • Appendix 14 - Airport Contour s77K Appendix Four: CIAL Operational Constraints Economic Assessment • Appendix 15 - Airport Contour s77K Appendix Five: Assessment of Noise Effects: Annual Average Contour • Appendix 16 - Airport Contour s77K Appendix Six: Land Use Planning 50-55dB Ldn • Appendix 17 - Airport Contour s77K Appendix Seven: Caselaw extracts • Appendix 18 - Airport Contour s77K Appendix Eight: Section 32 Evaluation

Source	Links / Detail
	• Appendix 19 - Airport Contour s77K Appendix Nine: Housing Capacity in Greater Christchurch in relation to airport noise impacted areas only
Submission search	Search submissions and further submissions on the Consult24 webpage. Submissions on this topic – Refer to pages 42 - 54
S42A Officer Recommendations report	S42A Report of Sarah Oliver (pg 79-105), 11 August 2023 updated 10 October 2023
Council pre-hearing evidence (incl. Rebuttal)	Sarah Oliver – Planning Evidence (pages 79-103) – 11 August 2023 Rebuttal Evidence – Sarah Oliver 9 October 2023 (para 14-30)
Submitter pre-hearing evidence	Darryl Millar – Planning Evidence for Christchurch International Airport Limited – 20 September 2023 Garry Sellars - Housing Capacity Evidence for Christchurch International Airport Limited – 20 September 2023 Laurel Smith – Acoustic Evidence for Christchurch International Airport Limited – 20 September 2023 Christopher Day – Acoustic Evidence for Christchurch International Airport Limited – 20 September 2023 Sebastian Hawken – Aviation Evidence for Christchurch International Airport Limited – 20 September 2023 Natalie Hampson - Economic Evidence for Christchurch International Airport Limited – 20 September 2023 Meg Buddle – Planning Evidence for Canterbury Regional Council – 20 September 2023 Matthew Lindenburg – Planning Evidence for Kainga Ora – 20 September 2023

Source	Links / Detail
	Jonathan Selkirk – Ventilation Evidence for Kainga Ora – 20 September 2023 Jon Styles – Noise Evidence for Kainga Ora – 20 September 2023 Fiona Aston – Planning Evidence for Miles Premises Limited and Equus Trust – 20 September 2023 John-Paul Clarke – Aviation Evidence for Miles Premises Limited and Equus Trust – 20 September 2023
Joint Witness Statements	Joint Witness Statement – Economics – 5 October 2023 Joint Witness Statement – Airport Noise – 7 November 2023
Council legal submission(s)	Dave Randal / Cedric Carranceja pg 8-10
Submitter legal submission(s)	Miles Premises Limited and Equus Trust – Sarah Eveleigh 16 April 2024 Kainga Ora – Nick Whittington 16 April 2024 Canterbury Regional Council – M A Mehlhopt 16 April 2024 pg 12-17 Christchurch International Airport Limited – Jo Appleyard 16 April 2024 New Zealand Airports Association - A A Arthur-Young / N K Dally 16 April 2024
Council hearing summary statement(s) & associated material	Sarah Oliver – Hearing Summary Statement, 23 April 2024
Submitter hearing summary statement(s) & associated material	John Kyle Planning Statement – Christchurch International Airport Limited – 8 April 2024 Felicity Hayman Company Statement - Christchurch International Airport Limited – 16 April 2024 Sebastian Hawken Aviation Statement – Christchurch International Airport Limited – 23 April 2024

Source	Links / Detail
	Gary Sellars Housing Capacity Statement - Christchurch International Airport Limited – 23 April 2024 Natalie Hampson Economics Statement - Christchurch International Airport Limited – 23 April 2024 Christopher Day Acoustics Statement - Christchurch International Airport Limited – 23 April 2024 David Compton-Moen Urban Design Statement – Christchurch International Airport Limited – 23 April 2024 Billie Moore Corporate Statement – New Zealand Airports Association – 24 April 2024 Brendon Leggett Corporate Statement – Kainga Ora – 24 April 2024 Matthew Lindenberg Planning Statement – Kainga Ora – 24 April 2024 Jonathan Selkirk Ventilation Statement – Kainga Ora – 24 April 2024 Meg Buddle Planning Statement – Canterbury Regional Council – 24 April 2024 Helen Broughton summary statement– Waipuna Hornby Halswell Riccarton Community Board – 24 April 2024 Tony Dale summary statement – 24 April 2024
Hearing appearances	<i>Please see the following relevant schedules:</i> Hearing Proceedings – Week 10 (23-24 Apr 2024) <i>Please see all hearing recording links on the IHP webpage (right-hand column):</i> https://chch2023.ihp.govt.nz/hearings/

Source	Links / Detail
IHP information request(s) & response(s)	None requested
Any relevant Council or IHP Memos not otherwise covered above	None provided
Council Right of Reply	Reply by CCC to matters arising during the hearing of submissions on proposed plan change 14 (Pages 144-155), 17 May 2024 Right of Reply Updated Airport Qualifying Matter Provisions: Chapter 14 – Residential • 14.4.1.1 P16-P20 Activity specific standard ix • 14.4.1.3 RD30, RD34 Chapter 15 – Commercial • 15.4.1.1 P21 Activity specific standard g • 15.4.1.5 NC2 • 15.5.1.1 P21Activity specific standard g • 15.5.1.5 NC2 • 15.6.1.1 P19 Activity specific standard a.ii • 15.6.1.5 NC2 • 15.10.1.1 P27 Activity specific standard e • 15.10.1.5 NC1
IHP Recommendation(s) reference	RECOMMENDATIONS REPORT: PART 4 – pages 70-118 Addendum to Part 4 – from page 8

**Attachment 6 – PC14 evidence summary – Daresbury heritage item and setting,
9 Daresbury Lane**

Source	Links / Detail
Notified provisions	N/A. The property at 9 Daresbury Lane was included on the heritage schedule notified in Plan Changes 13 and 14 as an existing Highly Significant heritage item in 9.3.7.2 of the district plan, and identified on the schedule as a Category 1 Historic Place with Heritage New Zealand Pouhere Taonga. No changes were proposed to the heritage item or setting.
S32 Evaluation Report	Plan Change 13 Heritage - Section 32 Evaluation , page 38, paragraph 3.5.14. During pre-notification consultation the building owner sought the removal of Daresbury from the heritage schedule. Insufficient information was provided in the timeframe to enable staff to determine whether it was appropriate to remove the heritage item from the schedule prior to the plan change being notified.
Submission search	6. PC14 Reply Accept and Reject Table - Suzanne Richmond (Heritage Items), page 63: Daresbury Limited S874.14 Historic Places Canterbury S835.25 Christchurch Civic Trust S1089.6, FS2037.626 Heritage New Zealand Pouhere Taonga, FS2051.96 Christian Jordan FS2084.5 Search submissions and further submissions on the Consult24 webpage. <i>Please refer to relevant submitters detailed in s42A reporting, as per below.</i>
S42A Officer Recommendations report	S42A Report of Suzanne Richmond, 11 August 2023: - Pages 51-54, paragraphs 8.1.24-8.1.33, and pages 57-58 paragraphs 8.1.44-8.1.47. Submissions considered: - Daresbury Limited sought the removal of the heritage item and setting from the heritage schedule. - Submissions and further submissions by Historic Places Canterbury, Christchurch Civic Trust, Heritage New Zealand Pouhere Taonga and Christian Jordan supported the retention of the heritage item and setting on the heritage schedule.

Source	Links / Detail
	Council's planning evidence (linked above) and specialist evidence in relation to this heritage item (linked below) concluded that the building could be repaired and could continue to meet the criteria for scheduling, and that engineering and financial factors under the district plan scheduling policy <i>did not</i> make it unreasonable or inappropriate to continue to schedule the heritage building: • 45 Amanda Ohs Statement of evidence final (Heritage values evidence, paragraphs 215-232) • 22 William Fulton Statement of Evidence final (Conservation Architect evidence) • 31 Stephen Hogg Statement of evidence final (Heritage engineering evidence, paragraphs 32-44) • 53 Gavin Stanley Statement of evidence final (Quantity Surveyor evidence, paragraphs 28-33).
Council pre-hearing evidence (incl. Rebuttal)	• 07. Rebuttal Evidence Suzanne Richmond (planning evidence, paragraphs 17-29) • 45. Rebuttal Evidence Amanda Ohs (Heritage values evidence, paragraphs 36-39) • 31. Rebuttal Evidence Stephen Hogg (Heritage engineering evidence, paragraphs 26-35) • 53. Rebuttal Evidence - Gavin Stanley - updated appendices 13 October 2023 (Quantity Surveyor evidence, paragraphs 9-18). Note: no rebuttal evidence required from Council's conservation architect.
Submitter pre-hearing evidence	The submitter's planning and specialist evidence (linked below) concluded that the building could be repaired and could continue to meet the criteria for scheduling, but that there were financial factors which made it unreasonable or inappropriate to continue to schedule the heritage building: • Daresbury Limited #874 #2053 - Evidence of Jonathan Clease - Planning • Daresbury Limited #874 #2053 - Evidence of Mark Shalders - Valuation • Daresbury Limited #874 #2053 - Evidence of Stewart Harrison - Quantity Surveying • Daresbury Limited #874 #2053 - Evidence Brett Gilmore - Engineering • Daresbury Limited #874 #2053 - Evidence David Pearson - Heritage

Source	Links / Detail
	• Daresbury Limited #874 #2053 - Mark Shalders (Valuation) Summary Statement - 17 April 2024
Council legal submission(s)	• Christchurch City Council - Legal Submissions - Historic Heritage - Hearing week 7 - 23 November 2023 (paragraphs 6.10-6.13)
Submitter legal submission(s)	• Daresbury Limited #825 #2043 - Legal Submissions - Heritage QM - Hearing week 9 - 12 April 2024
Council hearing summary statement(s) & associated material	• 07 Suzanne Richmond - Summary Statement with Addendum - Hearings 28 November 2023 (planning evidence, Addendum paragraphs 5-6) • 45 Amanda Ohs - Summary Statement - Hearings 28 November 2023 (Heritage values evidence, paragraph 16) • 22 William Fulton - Summary Statement - Hearings 23 November 2023 (Conservation Architect evidence) • 31 Stephen Hogg - Summary Statement - Hearings 28 November 2023 (Heritage engineering evidence, paragraph 8) • 53 Gavin Stanley - Summary Statement - Hearings 28 November 2023 (Quantity Surveyor evidence, paragraph 4.2)
Submitter hearing summary statement(s) & associated material	• Daresbury Limited #874 #2053 - Stewart Harrison (QS) Summary Statement - 17 April 2024 • Daresbury Limited #874 #2053 - Brett Gilmore (Structural Engineer) Summary Statement - 17 April 2024 • Daresbury Limited #874 #2053 - David Alan Pearson (Heritage) Summary Statement - 17 April 2024 • Daresbury Limited #874 #2053 - Statement of Evidence - James Milne (Company) - Hearing 17 April 2024 • Daresbury Limited #874 #2053 & Church Property Trustees #825 #2043 - Jonathan Clease - Heritage Key Points (Summary of Statement) - 18 April 2024 • Daresbury Limited #874 #2053 & Church Property Trustees #825 #2043 - Jonathan Clease (Planning) Summary Statement - 17 April 2024

Source	Links / Detail
Hearing appearances	<i>Please see the following relevant schedules:</i> • Hearing proceedings for week 8: 28, 29 and 30 November 2023 (Council evidence for 9 Daresbury Lane presented) • Hearing proceedings for week 9: 15, 16, 17 and 18 April 2024 (Submitter evidence for 9 Daresbury Lane presented) <i>Please see all hearing recording links on the IHP webpage (right-hand column):</i> https://chch2023.ihp.govt.nz/hearings/
IHP information request(s) & response(s)	N/A
Any relevant Council or IHP Memos not otherwise covered above	N/A
Council Right of Reply	Reply by CCC to matters arising during the hearing of submissions on proposed plan change 14 (Pages 126-127, para. 12.7-12.11, and page 131, para.12.13-12.15).
IHP Recommendation(s) reference	Part 5, section 10 Heritage Items - page 26, para. 87(e)(ii), and pages 48-49, para. 188-193. The IHP recommended the <i>rejection</i> of the Daresbury Limited submission seeking the removal of the heritage protection for 9 Daresbury Lane.

Attachment 7 – PC14 evidence summary – Residential Heritage Areas and Heritage Items Provisions QMs

Source	Links / Detail
Notified provisions	• Sub-chapter-9.3-Historic-Heritage • Statements-of-Significance-New-Items • Heritage-Aerial-Maps-New-Items • HA-2-RHA-Report-and-Record-Forms • HA-3-Report-and-Record-Forms-Final-for-Notification • HA-4-RHA-Report-and-Record-forms • HA-5-RHA-Report-and-Record-Forms • HA-6-RHA-Report-and-Record-Forms • HA-7-Lyttelton-Township-RHA-final-report • HA-7-2-Lyttelton-Township-RHA-final-report • HA-8-RHA-Report-and-Record-Forms • HA-9-RHA-Report-and-Record-Forms • HA-10-RHA-Report-and-Record-Forms • HA-11-RHA-Report-and-Record-Forms • HA-12-RHA-Report-and-Record-Forms • Chapter 2 - Abbreviations and Definitions • Sub-chapter-6.8-Signs • Sub-chapters-8.1-8.6 • Sub-chapters-8.7-8.9 • Sub-chapter-13.2-Cemetery • Sub-chapter-14.5-Rules-RMD-Zone-MRZ2 • Sub-chapter-14.8-Rules-RBP-Zone • Chapter-15-Commercial2 • Sub-chapter-15.15-Appendices • Appendix-9.3.7.7-RHA-Aerial-Maps-combined • Appendix-9.3.7.8-RHA-Contributions-Maps-Combined • Appendix-9.3.7.9-RHA-interface-overlap-maps-combined • Heritage-Planning-Maps
S32 Evaluation Report	• PC14-Section-32-Qualifying-Matters-Part-2.pdf, sections 6.6, 6.12 and 6.13 • PC14/Section-32-Appendices-1/PC13-Section-32-Appendix-14-Heritage-Cost-Benefit-Analysis-December-2022 • PC14/Section-32-Appendices-1/PC-13-s32-Appendix-16-Qualifying-Matter-Central-City-Heritage-Interface-Arts-Centre-and-New-Regent-Street • PC14/Section-32-Appendices-1/PC-13-14-Central-City-Heritage-Height-Limits-S32-Heritage

Source	Links / Detail
	• PC13-Section-32-report Relevant PC13 Section 32 appendices not also notified under PC14: • PC13 -Reasons-for-Rule-Amendments-for-notification • PC-13-Section-32-Appendix-10-RHA-review-criteria-template • PC-13-S32-Appendix-15-QM-RHA-Interface-Modelling-Chester-Street-East
Submission search	Search submissions and further submissions on the Consult24 webpage. <i>Please refer to relevant submitters detailed in s42A reporting, as below.</i>
S42A Officer Recommendations report	Residential Heritage Areas: Glenda-Dixon-Section-42A-Report, 11 August 2023: Themes of submissions considered: • Chester St/Dawson St RHA • Macmillan Avenue RHA • Inner City West RHA • Heaton Street RHA • Church Property Trustees/North St Albans RHA • Shelley/Forbes RHA • Piko/Shand State Housing RHA • Lyttelton RHA • Requested additional RHAs • Opposition to Concept of RHAs, or to the Number of RHAs • Support RHAs/Seek More RHAs • Amend RHA rules to be less restrictive • Clarify how RHA rules will work/make minor amendments so they work better • Oppose or support RHA interface overlays • Question/Oppose zoning in and around RHAs • Other Miscellaneous RHA submissions Other Heritage Provisions: Suzanne-Richmond-Section-42A-Report, 11 August 2023 S42A Updated Provisions: Re RHAs:

Source	Links / Detail
	• PC14 for s42A - Sub-Chapter 9.3 Historic Heritage: repairs to a defining or contributory building – Rule 9.3.4.1.1.P2; clarification note Rule 9.3.4.1.3 RD1.b; installation of sustainability measures - Rule 9.3.4.1.3 RD6.iv; amendments to matters of discretion in RHAs – Rule 9.3.6.4. All these in purple font. • Sub-Chapter-14.5-Rules-RMD-Zone-MRZ 18 Aug; Shift of Lyttelton RHA provisions into MRZ zone, at 14.5.3.1.1 P5, 14.5.3.1.3 RD21, 14.5.3.2.2.d, 14.5.3.2.3.vi, 14.5.3.2.7.c & d., 14.5.3.2.8.b. & c, 14.5.3.2.9.c.and d., 14.5.3.2.15.a. All these in purple font.
Council hearing evidence (incl. Rebuttal)	RHAs: • Dr Ann McEwan Statement of evidence final • Glenda Dixon - Supplementary Statement of Evidence - 29 November 2023 – explanation of how RHA rules work • Glenda Dixon - Supplementary Statement of Evidence - 14 December 2023- consultation on RHAs and RCAs • Rebuttal Evidence Glenda Dixon
Submitter hearing evidence (incl rebuttal)	RHAs: Planning Evidence for Carter Group Limited #814 #824 #2045 - Evidence of Jeremy Phillips - Planning, eg p9-14, p22-23, p28-31, p33- 35. Carter Group Limited #814 #824 #2045 - Evidence of Dave Compton-Moen - Urban Design, p4-7 Christs College #699 - Evidence Catherine Boulton - Planning Kainga Ora Homes and Communities #834 #2082 #2099 - Evidence John Brown - Heritage Kainga Ora Homes and Communities #834 #2082 32099 - Evidence Brendan Liggett - Corporate, p16-17 Kainga Ora Homes and Communities #834 #2082 32099 - Evidence Brendan Liggett - Corporate - Statement 2 (p3-4)

Source	Links / Detail
	Kainga Ora Homes and Communities #834 #2082 #2099 - Evidence Tim Joll - Planning, p8-16
Council legal submission(s)	RHAs: Christchurch City Council - Legal Submissions - Residential Zones - (Weeks 4-7 hearing) (25 October 2023) - 31 October 2023, p10-11
Submitter legal submission(s)	RHAs: Carter Group #814 #824 - Legal Submissions for Residential Zones - Hearing week 6 - 16 November 2023, p3-6 Kainga Ora Homes and Communities #834 #2082 #2099 - Legal Submissions - Hearing week 8 - 29 November 2023, p11-12
Council hearing summary statement(s) & associated material	Glenda Dixon - Summary Statement - Hearing 1 November 2023 Dr Ann McEwan - Summary Statement - Hearing 2 November 2023
Submitter hearing summary statement(s) & associated material	RHAs: N/A
Hearing appearances	<i>Please see the following relevant schedules:</i> Hearing Proceedings - Week 4 (1 & 2 Nov 2023) Hearing Proceedings - Week-5 (8 Nov 2023) Hearing Proceedings – Week 6 (16 Nov 2023) Hearing Proceedings – Week 8 (29 Nov 2023) Hearing Proceedings – Week 9 (18 Apr 2024) <i>Please see all hearing recording links on the IHP webpage (right-hand column):</i> https://chch2023.ihp.govt.nz/hearings/
IHP information request(s) & response(s)	Memorandum of Counsel for Christchurch City Council - 20 December 2023 - updated list of information requests and providing information. This memo lists IHP information requests and Council responses with the following relating to RHAs: <u>Request No. 22:</u>

Source	Links / Detail
	Please explain how the heritage rules in PC14 work, including by reference to: • activity status in the context of Residential Heritage Areas, and any implications of the Waikanae decision – Ms Dixon. Answer: • Initial explanation provided by Ms Dixon on 1 November 2023. (in s42A report and summary statement.) • Ms Dixon's supplementary statement addressing this request was provided as Appendix E to Council memo dated 29 November 2023. Glenda Dixon - Supplementary Statement of Evidence - 29 November 2023 <u>Request No.26:</u> Explain the residential heritage areas methodology and the 'Site Contributions Maps'. Answer: Explained by Ms Dixon when she appeared at the hearing on Wednesday, 1 November 2023 – summary statement. See also paragraphs 5 to 10 of Ms Dixon's hearing summary and paragraphs 6.1 and 6.2 of Ms Dixon's section 42A report . <u>Request No. 42:</u> Multiple RHA and RCA information requests. Answer: Appendix H to Council memo of 29 November includes 8 sets of information and maps. H1- summary table of RHAs and RCAs H2- table comparing criteria for identifying RHAs and RCAs. H3- table of RHA provisions that are equivalent to, more enabling or more restrictive than the status quo. H5 – RHA contributions maps already notified H6- RHA and RCA overlap (and RHA interface) maps on aerial bases H7 – Changes to RHAs recommended in S42a report by Ms Dixon H8 – RCA site contributions maps (not notified) and 6 contributions maps for areas where RHAs and RCAs overlap. <u>Request No. 60:</u>

Source	Links / Detail
	Advise of Council consultation with and notice given, in the context of PC14, to landowners whose properties are within the proposed RHAs and RCAs. Answer: Response is provided in a supplementary brief of evidence of Ms Dixon. Glenda Dixon - Supplementary Statement of Evidence - 14 December 2023 <u>Request No. 79:</u> For RHAs, provide a diagram showing the linkage between the policies (including any direction such as avoid / manage / etc), rule triggers (including exceedances of built form standards) and activity status for relevant activities, for both the notified and current recommended versions of Plan Change 14. Answer: Response provided in Appendix M to Council's 20 December 2023 memo. Appendix M - Response to question 79 - Diagrams 1 and 2 RHAs - 1 - 20 December 2023
Any relevant Council or IHP Memos not otherwise covered above	• N/A
Council Right of Reply	Reply by CCC to matters arising during the hearing of submissions on proposed plan change 14 (Pages 100-103), 17 May 2024 Right of Reply Updated Residential Heritage Area Provisions: • Chapter-9.3-Historic-Heritage • Chapter-14.5-Rules-RMD-Zone-MRZ, eg 14.5.3- area specific rules- Medium Density Residential zone For amendments to other chapters, consult list of notified provisions.
IHP Recommendation(s) reference	Recommendations Report - Part 5 City Wide Qualifying Matters

Appendix 2A: Addendum to the Council's referral letter

Christchurch City Council report for referred recommendations on Plan Change 14 (IPI) to the Minister for the Environment – Addendum Report

2 April 2025

Minister of Housing, Hon Chris Bishop

C/- Rebecca Scannell
Rebecca.Scannell@mfe.govt.nz
C/- Sarah McCarthy
Sarah.McCarthy@mfe.govt.nz
C/- David Falconer
David.Falconer@mfe.govt.nz

03 941 8999

53 Hereford Street
Christchurch 8013

PO Box 73012
Christchurch 8154

ccc.govt.nz

Tēnā koe Minister,

Addendum Report to 24 February 2025 report on Alternative Recommendations

On 24 February 2025, Christchurch City Council (Council) submitted a report referring to the Minister under cl.101(2) of Schedule 1 of the Resource Management Act 1991 the 20 Independent Hearings Panel recommendations that Council rejected, and its alternative recommendations, on its IPI – Plan Change 14.

Ministry for Environment staff in early March 2025 requested Council to provide more detail on specific parts of evidence that supported the alternative recommendations put forward, to detail the s77I and s77O alignment for qualifying matters, and address any errors or omissions in the original report.

The following is a verbatim list of the alternative recommendations in the original report, providing the additional information requested, as relevant. Council notes that the IHP recommended and the Council accepted the introduction of a new [sub-chapter 6.1A – Qualifying Matters](#) – which Council proposed in response to the evaluative requirements of sections 77J and 77P of the Act.

Council Alternative Recommendation Summary	Any additional details on evidence, s77I/s77O alignment, or other relevant information
Have a Riccarton Bush Interface Area qualifying matter (QM).	This was proposed as a QM under s77I(a) – section 6 matter of national importance. The Alternative Recommendation seeks to apply the Council Reply position, and therefore all associated materials referenced in the 24 February 2025 report are applicable.

Council Alternative Recommendation Summary	Any additional details on evidence, s771/s770 alignment, or other relevant information
Add to matters of discretion to consider Papanui War Memorial Avenues.	This is not a QM as it does not restrict development enabled by MDRS or any building height or density enabled under Policy 3 of the NPS-UD, therefore making s771 unapplicable. There is no specific evidence on this alternative in the IHP records because the Council was seeking to protect these values as a QM. The alternative is to protect the values without being a QM and without changing the consenting threshold. This alternative reflects the IHP's interpretation on the High Court precedent. All relevant material is contained in the 24 February 2025 report.
Reduce the Policy 3(d) High Density Residential Zone (HRZ) catchment around the Town Centre zone of Riccarton.	This is not a QM but is the Council's recommendation on achieving Policy 3(d) surrounding the Town Centre zone of Riccarton in a way that the Council considers preferable to the recommendation of the IHP. Please refer to 24 February 2025 report for all other relevant information.
Increase the height overlay for 25 Deans Avenue from 20m to 36m.	This is not a QM but rather a different interpretation of the required application of Policy 3(d) from the Town Centre zone of Riccarton. The Alternative Recommendation for a 36m building height overlay originates from the Kāinga Ora (#834) submission on PC14 regarding Riccarton¹. This was later supported by the planning evidence of Mr Jonathan Clease², though this site appears to be beyond the 400m catchment boundary where 36m should be limited to, as recommended by Mr Clease (see Appendix 6 of associated evidence). Planning conclusions are further supported by economic evidence of Mr Fraser Colgrave³.
Remove the Policy 3(d) catchment for Peer Street Local Centre Zone.	This is not a QM but is the Council's recommendation on achieving Policy 3(d) surrounding the Local Centre zone of Peer Street in a way that the Council considers preferable to the recommendation of the IHP. The Alternative Recommendation seeks to apply the Council position throughout Plan Change 14 that only select Local Centre zoned areas were at a scale where a proportionate response under Policy 3(d) was justified. This is reflected in the larger Local Centre surrounds that were proposed as High Density Residential Zone and the lesser category where the 'Local Centre

¹ See page 700 of [submission content](#) on PC14, noting the reference to "Height Variation Control – 36m".

² Planning evidence of [Jonathan Clease](#) on Centre Hierarchy and Commercial Provisions, 20 September 2023, specifically pages 59-60.

³ Economic evidence of [Fraser Colgrave](#), 15 September 2023.

Council Alternative Recommendation Summary	Any additional details on evidence, s77I/s77O alignment, or other relevant information
	Intensification Precinct' (LCIP) was proposed to apply. The applicable evidence is contained in the notified Residential section 32 evaluation report and the s42A report of Mr Ike Kleynbos (see referenced evidence for Alternative Recommendation for LCIP).
Have a City Spine QM.	This was proposed as a QM under s77I(j) – other matter. It is noted that the aforementioned Chapter 6.1A incorrectly lists this as a matter under “s77J” while the section 32 evaluation report⁴ correctly describes this as an ‘other matter’. Please refer to 24 February 2025 report for all other relevant information.
Have a Sunlight Access QM.	This was proposed as a QM under s77I(j) – other matter. The Alternative Recommendation seeks to apply the Council Reply position, and therefore all associated materials referenced in the 24 February 2025 report are applicable.
Reduce the Policy 3(d) catchment around the Town Centre Zone of Hornby.	This is not a QM but is the Council’s recommendation on achieving Policy 3(d) surrounding the Town Centre zone of Hornby in a way that the Council considers preferable to the recommendation of the IHP. Please refer to 24 February 2025 report for all other relevant information.
Reduce the permitted building height within Hornby High Density Residential zoned areas.	This is not a QM but is the Council’s recommendation on achieving Policy 3(d) surrounding the Town Centre zone of Hornby in a way that the Council considers preferable to the recommendation of the IHP. Please refer to 24 February 2025 report for all other relevant information.
Reduce the Policy 3(d) Town Centre Zone (TCZ) building height for Hornby.	This is not a QM but is the Council’s recommendation on achieving Policy 3(d) for the Town Centre zone of Hornby in a way that the Council considers preferable to the recommendation of the IHP. Please refer to 24 February 2025 report for all other relevant information.
Reduce the Policy 3(d) Town Centre Zone (TCZ) building height and form for Linwood.	This is not a QM but is the Council’s recommendation on achieving Policy 3(d) for the Town Centre zone of Linwood in a way that the Council considers preferable to the recommendation of the IHP.

⁴ Qualifying Matters section 32 evaluation report ([Part 3](#)), paragraph 6.31.9, page 396 (or 205 of PDF).

Council Alternative Recommendation Summary	Any additional details on evidence, s771/s770 alignment, or other relevant information
	This Alternative Recommendation seeks alignment with Council's Alternative Recommendation for the Sunlight Access qualifying matter, however such a change in approach to recession planes along residential boundaries is not considered a qualifying matter as the Policy 3(d) response is still provided for. Please refer to 24 February 2025 report for all other relevant information.
Reduce the Policy 3(d) catchment around the Town Centre Zone of Linwood.	This is not a QM but is the Council's recommendation on achieving Policy 3(d) surrounding the Town Centre zone of Linwood in a way that the Council considers preferable to the recommendation of the IHP. The Alternative Recommendation applies Council's notified position captured in the Residential section 32 evaluation report⁵.
Reduce the permitted building height within Linwood High Density Residential zoned areas.	This is not a QM but is the Council's recommendation on achieving Policy 3(d) surrounding the Town Centre zone of Linwood in a way that the Council considers preferable to the recommendation of the IHP. The Alternative Recommendation report notes the negative social implications of intensification, which is reflected in various submissions, including material presented⁶ to the IHP during the PC14 hearing. Please refer to 24 February 2025 report for all other relevant information.
Modify the Airport Noise Influence Area QM.	This was proposed as a QM under s771(e) – Safe or efficient operation of nationally significant infrastructure. Council's 24 February 2025 report provides links to all relevant information. The following specific key pieces of evidence are noted as they relate to the Alternative Recommendation: • Council's alternative recommendation largely relies on the evidence of CIAL (Christchurch International Airport Limited), as noted in the s32 report on qualifying matters⁷ and the s42A report of Ms Sarah Oliver⁸. Other options were also briefly discussed in paragraph 6.20.6 of the s32 evaluation report.

⁵ Part 3 of Plan Change 14 evaluation report: [Residential](#). See 'Issue 3' pages 65-72 and associated evidence.

⁶ For example, Te Whare Roimata #105 presented to the IHP on 22 November 2023 and were subsequently requested to provide additional material. The results of a [Participatory Research Study](#) were later provided to the IHP outlining the negative social implications experienced in the eastern suburbs of Christchurch.

⁷ Part 2 of the [s32 evaluation report](#) on Qualifying Matters, paragraph 6.20.5.

⁸ S42A Report of [Sarah Oliver](#), 11 August 2023, paragraph 12.41.

Council Alternative Recommendation Summary	Any additional details on evidence, s77I/s77O alignment, or other relevant information
	• The CIAL s32 report evidence⁹ states that the operative rules should apply. • Council further considered the revised airport noise contours and options available in the s42A report of Ms Oliver¹⁰. Section 12 of this report also discusses the proposal of retaining HRZ (High Density Residential zone) over an area north of Riccarton Road, within the contour.
Modify the High Density Residential zoning (HRZ) for 231 Milton Street and 12 Johnson Street.	This is not a QM, but rather a correction of zone boundaries to reflect the change in boundary configuration between the dates of notification of the plan change and s42A report publication. It is acknowledged that the referenced address of '12 Johnson Street' is also described as 14 Johnson Street and 2 Barnett Ave in other reports or evidence. Please refer to 24 February 2025 report for relevant information and the Planning evidence of Adele Radburnd¹¹.
Have a Local Centre Intensification Precinct (LCIP).	This is not a QM but rather a different interpretation of required application of Policy 3(d) for Local Centre Zones. The Alternative Recommendation seeks to apply the Council Reply position (modified to align with the balance of the IHP Recommendation), and therefore all associated materials referenced in the 24 February 2025 report are applicable. The key evidence is contained in the s32 report on residential matters¹² and the s42A report of Mr Ike Kleynbos¹³.
Remove the Daresbury heritage listing QM.	This was proposed as a QM under s77I(a) – section 6 matter of national importance. Specific evidence that relates to the heritage significance of Daresbury has been summarised as follows. Please refer to 24 February 2025 report for all other relevant information, specifically, Attachment 6 to the 24 February report. For the submitter:

⁹ Section 32 Evaluation Report: [Airport Relation Qualifying Matters in the Christchurch District Plan](#), CIAL, 8 July 2022. Specifically, paragraph 2.7.3 and pages 22 to 25.

¹⁰ S42A Report of [Sarah Oliver](#), 11 August 2023. Specifically, paragraphs 12.21 to 12.23 and 12.34.

¹¹ Planning Evidence of [Adele Radburnd](#), ChistchurchNZ Limited, 19 September 2023. See pages 22-22 and Appendix 2.

¹² Part 3 of Plan Change 14 evaluation report: [Residential](#).

¹³ S42A report of [Ike Kleynbos](#), specifically, paragraphs 6.1.70 to 6.1.75, and 6.1.100.

Council Alternative Recommendation Summary	Any additional details on evidence, s771/s770 alignment, or other relevant information
	- Mr David Pearson¹⁴ provided heritage evidence stating that heritage values and integrity have been compromised as a result of the Canterbury Earthquakes. He is silent on whether he considers the building in its current state to be ‘significant’ rather than ‘highly significant’ as a result of those compromised heritage values and integrity. He considers that after the repair works, the building may be assessed as significant rather than highly significant due to a reduced level of integrity and authenticity caused by the required works. - Mr Pearson’s Hearing Statement¹⁵ suggests that a further assessment of Daresbury in its present condition could result in it being assessed as a ‘significant’ rather than a ‘highly significant’ heritage item and that this may continue to be the situation if ever the building were to be restored. He notes that a further assessment of Daresbury may determine that it is now a “Significant” historic heritage place, which, in his opinion, would be an appropriate outcome. - Mr Jonathan Clease¹⁶ provided Planning evidence that Daresbury is likely to still retain heritage values, albeit degraded as a result of damage to fabric. Mr Clease notes Mr Pearson’s conclusions, where he considers that after repair, the building would be considered Significant rather than Highly Significant in terms of heritage values. For Council: - Mr William Fulton¹⁷ provided heritage evidence that the heritage categorisation of Daresbury remains ‘Highly Significant’ and should therefore remain identified as such in the schedule. He states that the proposed works will not compromise the heritage significance of Daresbury. - Ms Amanda Ohs¹⁸ provided further heritage evidence and considered that the heritage item and setting meet the policy for scheduling as a ‘Highly Significant’ heritage item.

¹⁴ Heritage evidence of [David Pearson](#), Daresbury Limited, 20 September 2023. Specifically, paragraphs 18, 19, 43, 57, 58, 61, and 64.

¹⁵ Hearing Statement of [David Pearson](#), Daresbury Limited, 17 April 2024. Specifically, paragraphs 20 and 23.

¹⁶ Planning evidence of Jonathan Clease, Daresbury Limited, 20 September 2023. Specifically, paragraphs 27 and 40.2.

¹⁷ Heritage evidence of [William Fulton](#), Christchurch City Council, 11 August 2023. Specifically, paragraphs 60 and 70.

¹⁸ Heritage evidence of [Amanda Ohs](#), Christchurch City Council, 11 August 2023. Specifically, paragraphs 215 to 222.

Council Alternative Recommendation Summary	Any additional details on evidence, s77I/s77O alignment, or other relevant information
	Ms Suzanne Richmond¹⁹ provides Planning evidence that adopts the technical evidence of Ms Ohs and considers that the dwelling is nationally significant, and continues to meet the significance threshold for a heritage item in c.i. of the scheduling policy 9.3.2.2.1 in its current condition.
Remove Antonio Hall heritage listing QM.	This was proposed as a QM under s77I(a) – section 6 matter of national importance. Council’s 24 February 2025 report contains all other relevant information for heritage items and settings.
Remove the Piko Residential Character Area.	This was proposed as a QM under s77I(j) – other matter, in accordance with the definition of ‘existing qualifying matter’ under s77K(3) of the Act, as the area was already a character area prior to the IPI. The 24 February 2025 report contains an error on page 12 when describing the anticipated zoning for either decision on the Piko Residential Character Area. This should instead describe that the anticipated zoning under the scenario of the Council’s adoption of the IHP Recommendation (to retain the Character Area in a reduced form) would be Medium Density Residential Zone (MRZ), while the anticipated zoning under adoption of the Council Alternative Recommendation (to remove the Character Area) would be to retain operative zoning of Residential Suburban Density Transition zone (RSDT). It is further noted that this area intersects with the Airport Noise QM and, if the Minister accepts the IHP recommendation to retain the Character Area QM (thereby re-zoning the area MRZ), the Airport Noise QM would also apply here, the details of which are also part of an Alternative Recommendation. Please refer to 24 February 2025 report for all other relevant information.
Modify Residential Pathways.	This is not a qualifying matter but rather a product of the IHP’s interpretation of the High Court precedent on s80E. Please refer to 24 February 2025 report for all other relevant information.

¹⁹ S42A report of [Suzanne Richmond](#), Christchurch City Council, 11 August 2023. Specifically, paragraphs 8.1.44 and 8.1.47.

Lastly, it is noted that the evidence summaries included in the 24 February report made reference to the Consult24 webpage to search submissions. This webpage is no longer available and all submission materials are now instead available on the [PC14 webpage](#) under the 'Submissions' heading at the end of the page.

Please do not hesitate to contact Council should you require any further information.

Ngā mihi nui,

A handwritten signature in blue ink that reads "Mark Stevenson". The signature is written in a cursive style with a horizontal line across the middle of the name.

Mark Stevenson, Acting Head of Planning and Consents
Christchurch City Council
Mark.Stevenson@ccc.govt.nz

Appendix 3: Draft letter to the Mayor of Christchurch on your decisions

Phil Mauger
Mayor of Christchurch
Christchurch City Council

cc John Higgins
General Manager Strategy, Planning and Regulatory Services.
Christchurch City Council
john.higgins@ccc.govt.nz

cc Mark Stevenson
Head of Planning and Consents, Christchurch City Council
mark.stevenson@ccc.govt.nz

Dear Phil

On 24 February 2025 I received a letter from you on behalf of the Christchurch City Council (the Council) referring twenty rejected Independent Hearings Panel recommendations and the Council's alternative recommendations to me for a final decision.

The recommendations relate to residential pathways, sunlight access, the Airport Noise influence area, the City Spine, Riccarton Bush interface area, zoning around Riccarton, Linwood, Hornby and the Peer Street local centre, building heights in and around Hornby and Linwood, 25 Deans Avenue, 231 Milton Street and 12 Johnson Street, the local centre intensification precinct, two heritage buildings, and a residential character area.

My decisions made in accordance with Schedule 1, clause 105 of the Resource Management Act 1991 (RMA), along with the reasons for my decision are set out in table format in Attachment A.

Please note I am not making decisions on the referred recommendations relating to Daresbury House, Antonio Hall and the Piko Residential Character Area at this time. This is because the Council has not yet made decisions on the zoning of these areas. I intend to consider these three referred recommendations, once the Council has decided on the zoning of these areas. The Council may advise me its decisions in advance of deciding on the balance of Plan Change 14.

I want to thank the Councillors, the Independent Hearings Panel and Council staff for the work undertaken on the Intensification Streamlined Planning Process so far. I note there are further decisions for the Council to make on the remaining parts of Plan Change 14.

My officials have contacted the Council's staff to inform them of my decisions.

Yours sincerely

Hon Chris Bishop
Minister Responsible for RMA Reform

Attachment A: Accepted recommendations with reasons and alterations

Accepted recommendation	Reasons for accepting
Matter 1: Residential Pathways Independent Hearings Panel's recommendation: The two residential pathways are not fully independent. A particular pathway can be selected for a development and then either pathway can be selected again for any future development.	<i>I consider the Council's alternative recommendation is not compliant with the Resource Management Act 1991 (RMA) as it does not provide for the medium density residential standards to apply to a site (as required by RMA section 77G) if a landowner selects the pathway that applies the pre-Plan Change 14 district plan provisions.</i>
Matter 2: Sunlight Access qualifying matter Independent Hearings Panel's recommendation: Reject the Sunlight Access qualifying matter, apply the medium density residential standard for height in relation to boundary of 4 metres and 60 degrees.	<i>I consider the IHP's recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD).</i> <i>There is insufficient evidence to support the Council's alternative recommendation that sunlight access is a qualifying matter (within the (NPS-UD) policy 3 areas). By contrast, the IHP's recommendation is supported by evidence, which has been tested through the hearings process.</i> <i>Note my decision on this recommendation only relates the parts of Plan Change 14 the Council has made zoning decisions on.</i>

Accepted recommendation	Reasons for accepting
Matter 3: Airport Noise Influence Area qualifying matter Independent Hearings Panel's recommendation: The Airport Noise Influence Area qualifying matter means resource consent is required for developments with <u>four or more</u> residential units and the consent applications are limited notified to the Christchurch International Airport Limited, unless the Airport's written approval is obtained. This recommendation only relates to the parts of Plan Change 14 that the Council has made zoning decisions on.	<i>I consider the IHP's recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD).</i> <i>The IHP's recommendation would better give effect to the NPS-UD, by providing additional permitted development capacity compared to the Council's alternative recommendation.</i> <i>There is insufficient evidence to support the Council's alternative recommendation regarding the Airport Noise Influence Area. By contrast, the IHP's recommendation is supported by evidence, which has been tested through the hearings process.</i> <i>Note my decision on this recommendation only relates the parts of Plan Change 14 the Council has made zoning decisions on.</i>
Matter 4: City Spine qualifying matter Independent Hearings Panel's recommendation: Reject the City Spine qualifying matter and apply the medium density residential standards front yard setbacks, being 1.5 metres for Medium and High Density Residential zones. This recommendation only relates to the parts of Plan Change 14 that the Council has made zoning decisions on.	<i>I consider the IHP's recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD).</i> <i>The IHP's recommendation will allow for more development capacity than the Council's alternative recommendation.</i> <i>There is insufficient evidence to support the Council's alternative recommendation that the City Spine is a qualifying matter (within the NPS-UD policy 3 areas). By contrast, the IHP's recommendation is supported by evidence that has been tested through the hearings process.</i> <i>Note my decision on this recommendation only relates the parts of Plan Change 14 the Council has made zoning decisions on.</i>

Accepted recommendation	Reasons for accepting
Matter 5: Riccarton Bush interface area qualifying matter Independent Hearings Panel's recommendation: Reject the Riccarton Bush interface area qualifying matter and apply the Medium or High Density Residential Zone to the areas that were proposed to be subject to the qualifying matter.	<i>I consider the IHP's recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD). The IHP's recommendation would better give effect to the NPS-UD, by providing additional development capacity in an area close to services and public transport.</i> <i>There is insufficient evidence to support the Council's alternative recommendation that the Riccarton Bush Interface Area is a qualifying matter. By contrast, the IHP's recommendation is supported by evidence, which has been tested through the hearings process.</i>
Matter 6: Riccarton Town Centre Policy 3(d) catchment Independent Hearings Panel's recommendation: Zone residential areas around Riccarton town centre High Density Residential and zone 25 Deans Ave Medium Density Residential	<i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the NPS-UD for Riccarton town centre to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i>
Matter 7: Building height for 25 Deans Avenue Christchurch City Council's alternative recommendation: 25 Deans Avenue has a building height precinct applied that permits a building height up to 36 metres.	<i>I consider the Council's alternative recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD). The Council's alternative recommendation would better give effect to the NPS-UD, by providing additional development capacity compared to the IHP's recommendation.</i> <i>The Council's alternative recommendation is supported by evidence, which has been tested through the hearings process.</i>

Accepted recommendation	Reasons for accepting
Matter 8: Hornby Town Centre Policy 3(d) catchment Independent Hearings Panel's recommendation: Zone residential areas around Hornby town centre High Density Residential.	<i>The IHP's recommendation is more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 for Hornby town centre to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> <i>There is insufficient evidence to justify the change sought by the Council through its alternative recommendation. By contrast, the IHP's recommendation is supported by evidence, which has been tested through the hearings process.</i>
Matter 9: Hornby Town Centre Zone building height Independent Hearings Panel's recommendation: Permit a building height of 32 metres in the Town Centre Zone of Hornby.	<i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 for Hornby town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i>
Matter 10: Hornby High Density Residential Zone (HRZ) building height Independent Hearings Panel's recommendation: Permit a building height of 14 metres in High Density Residential zoned areas around the Hornby town centre.	<i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 for Hornby town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> <i>There is insufficient evidence to justify the change sought by the Council through its alternative recommendation.</i>
Matter 11 Linwood Town Centre Policy 3(d) catchment Independent Hearings Panel's recommendation: Zone residential areas around Linwood town centre High Density Residential, as per the Council's Right of Reply.	<i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development for Linwood town centre to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i>

Accepted recommendation	Reasons for accepting
Matter 12: Linwood Town Centre Zone (TCZ) building height and form Independent Hearings Panel's recommendation: Permit a building height of 22 metres in Linwood Town Centre Zone and apply the MDRS height in relation to boundary standard (4 metres and 60 degrees) along the boundary with residential zones.	<i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the NPS-UD for Linwood town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i>
Matter 13: Linwood High Density Residential Zone (HRZ) building height Independent Hearings Panel's recommendation: Permit building heights of 14 metres in High Density Residential areas around Linwood town centre.	<i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the NPS-UD for Linwood town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> <i>There is insufficient evidence to justify the change sought by the Council through its alternative recommendation.</i>
Matter 14: Peer Street Local Centre Policy 3(d) catchment Independent Hearings Panel's recommendation: Zone residential areas around Peer St local centre Medium Density Residential.	<i>I consider the IHP's recommendation to be more consistent with the requirements of policy 3(d) of the NPS-UD for Peer Street local centre to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i>
Matter 15: Local Centre Intensification Precinct Christchurch City Council's alternative recommendation: Retain the Local Centre Intensification Precinct, applying it to residential areas around eight local centres, whilst altering the provisions to align with the 12 metre building height limit recommended by the IHP.	<i>I consider the Council's alternative recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i>

Accepted recommendation	Reasons for accepting
Matter 16: 231 Milton Street and 12 Johnson Street Christchurch City Council's alternative recommendation: The boundary of the High Density Residential Zoning for 231 Milton Street and 12 Johnson Street is modified to align with the current parcel configuration.	<i>I consider the Council's alternative recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020. The Council's alternative recommendation to remove the split zoning aligns the zone boundary with the property boundary.</i> <i>There is insufficient evidence to support retaining split zoning over 231 Milton Street and 12 Johnson Street.</i>
Matter 17: Papanui War Memorial Avenues Independent Hearings Panel's recommendation: No additional matters of discretion for the Papanui War Memorial Avenues are included in the District Plan for decisions on intensification developments that require resource consent.	<i>I consider the IHP's recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020.</i> <i>There is insufficient evidence to support the Council's alternative recommendation regarding the Papanui War Memorial Avenues.</i>

Appendix 4: Minutes of Christchurch City Council, 2 December 2024



Christchurch City Council

MINUTES

Date: Monday 2 December 2024
Time: 9:30 am
Venue: Council Chambers, Civic Offices,
53 Hereford Street, Christchurch

Present

Chairperson	Mayor Phil Mauger
Deputy Chairperson	Deputy Mayor Pauline Cotter
Members	Councillor Kelly Barber
	Councillor Melanie Coker
	Councillor Celeste Donovan - via audio/visual link
	Councillor Tyrone Fields
	Councillor James Gough – via audio/visual link
	Councillor Tyla Harrison-Hunt
	Councillor Victoria Henstock
	Councillor Yani Johanson
	Councillor Aaron Keown
	Councillor Sam MacDonald
	Councillor Jake McLellan
	Councillor Andrei Moore
	Councillor Mark Peters
	Councillor Tim Scandrett
	Councillor Sara Templeton

Principal Advisor

John Higgins
GM Strategy, Planning & Regulatory
Tel: 941 8999
john.higgins@ccc.govt.nz

Meeting Advisor

Katie Matheis
Senior Democratic Services Advisor
Tel: 941 5643
Katie.Matheis@ccc.govt.nz

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www.ccc.govt.nz/the-council/meetings-agendas-and-minutes/



Centre Zone, with further modification to include 25 Deans Avenue (Pt RS 9 Canterbury District) within the High Density Residential Zone.

- ii. Recommend zoning the area within the Riccarton Bush Interface Area only to Medium Density Residential Zone, subject to acceptance of the alternative recommendation, ~~including any property that has access to Matai Street West.~~

Councillor Harrison-Hunt/Councillor Peters

Carried

Councillors Moore and Templeton requested that their votes against Resolution 53(a)(ii) be recorded.

Secretarial Note: Due to further questions raised by the Elected Members and discussion during debate about accommodating possible changes to Alternative Recommendations 54 (25 Deans Avenue Building Height Precinct) and 55 (Local Centre Zone Residential Catchments), consideration of these Alternative Recommendations was deferred. This was to allow time for Council Officers to come back with further information. Please refer below for the resolution of these Items and voting record.

5.16 Alternative Recommendation 56

Council Resolved CNCL/2024/00203

Alternative Recommendation accepted without change

City Spine Qualifying Matter

That the Council

- 56. Regarding the Panel's recommendation on the City Spine qualifying matter:
 - a. Accepts the alternative recommendation to (refer to **Attachment 2** to this report):
 - i. Reject in-part the Panel's Part 5 Recommendations to remove the City Spine (section 17) qualifying matter, to the extent that any operative front yard setbacks (only) are retained along the identified corridor, only where Medium or High Density Residential zoned areas are decided on; and
 - ii. Accept the Panel's rejection of any other provision the qualifying matter had proposed.

Councillor Harrison-Hunt/Councillor Peters

Carried

5.17 Alternative Recommendation 57

Council Resolved CNCL/2024/00204

Alternative Recommendation accepted without change

Sunlight Access Qualifying Matter

That the Council:

- 57. Regarding the Panel's recommendation to remove the Sunlight Access qualifying matter:
 - a. Accepts the alternative recommendation to (refer to **Attachment 2** to this report):

- i. Reject the Panel's Part 4 (section 4, including Addendum) Recommendations to remove the Sunlight Access qualifying matter and the application of the MDRS height in relation to boundary density standard over Medium and High Density Residential zones areas decided upon.
- ii. Recommend adopting the Sunlight Access qualifying matter approach within Medium and High Density Residential zones, as per the Council Reply, but only limited to those Medium and High Density Residential zones decided upon.

Councillor MacDonald/Councillor Peters

Carried

Councillor Moore requested that his vote against the Resolutions be recorded.

5.18 Alternative Recommendation 58

Council Resolved CNCL/2024/00205

Alternative Recommendation accepted without change

High Density Residential Zone Catchment around Hornby Town Centre Zone

That the Council:

- 58. Regarding the Panel's recommendations for High Density Residential zoning surrounding Hornby's Town Centre Zone:
 - a. Accepts the alternative recommendation to (refer to **Attachment 2** to this report):
 - i. Reject in-part the Panel's Part 3 (section 5) Recommendations regarding the High Density Residential Zone catchment surrounding Hornby's Town Centre Zone, reducing the catchment between Neill and Oakhampton streets, and aligning the zone boundary with the operative Residential Medium Density Zone boundary between Blankney and Trevor streets (along Trevor Reserve).

Councillor Peters/Councillor MacDonald

Carried

Deputy Mayor Cotter and Councillor Coker requested that their votes against the Resolutions be recorded.

5.19 Alternative Recommendation 59

Council Resolved CNCL/2024/00206

Alternative Recommendation accepted without change

High Density Residential Zone Permitted Building Height in Hornby

That the Council:

- 59. Regarding permitted building heights for the High Density Residential Zone in Hornby:
 - a. Accepts the alternative recommendation to (refer to **Attachment 2** to this report):
 - i. Reject in-part the Panel's Part 4 (section 3) Recommendations regarding the permitted 14 metre building height within HRZ, as applied around the Hornby Town Centre Zone.

Airport Noise Influence Area Controls

That the Council:

64. Regarding controls associated with the Airport Noise Influence Area qualifying matter:
- a. Accepts the alternative recommendation to (refer to **Attachment 2** to this report):
 - i. Reject in-part the Panel's Part 4 (section 6) Recommendations regarding the Airport Noise Influence Area qualifying matter over Medium and High Density Residential zoned areas decided upon.
 - ii. Recommend further modifying the residential controls relating to development within both the 50 dB Ldn Air Noise Contour and the 2023 Remodelled 50 dB Ldn Outer Envelope Contour (over Medium and High Density Residential zoned areas decided upon) by:
 - Setting the Restricted Discretionary Activity rule regarding development within these contours to from three units (rather than from four units) in Chapter 14A for both Medium and High Density Residential zones; and
 - Removing the limited notification clause (b.) requiring notification to the Christchurch International Airport Limited absent written approval.

Councillor MacDonald/Councillor Peters

Carried

Councillors Johanson and McLellan requested that their abstentions from the vote be recorded.

Secretarial Note: Due to further questions raised by the Elected Members regarding Alternative Recommendation 65 (City Centre Walking Catchment and Sydenham Mixed Use Zoning) and discussion about ways in which Recommendation 65(a)(ii) could be split to accommodate voting preferences, the meeting agreed to defer consideration of this Item. This was to allow time for Council Officers to come back with further information and a modified option at the request of Councillor Templeton as the Mover. Please refer below for the resolution of this Item and voting record.

5.26 Alternative Recommendation 66

Council Resolved CNCL/2024/00212

Alternative Recommendation accepted without change

High Density Residential Zoning for 231 Milton Street and 12 Johnson Street

That the Council:

66. Regarding High Density Residential zoning for 231 Milton Street and 12 Johnson Street:
- a. Accepts the alternative recommendation to (refer to **Attachment 2** to this report):
 - i. Reject in-part the Panel's Part 3 (section 5) recommendation regarding HRZ zone boundary over 231 Milton Street and 12 Johnson Street and alternatively zone this in accordance with the current parcel configuration, as per the Council Reply position.

Councillor Templeton/Councillor Moore

Carried

Appendix 5: Excerpts from the IHP's recommendations report

IHP Recommendations Report – Part 1

IHP Recommendations Report – Part 3

Addendum to IHP Recommendations Report – Part 3

IHP Recommendations Report – Part 4

IHP Recommendations Report – Part 5

IHP recommended Chapter 14.16 – Residential Appendices, Appendix 14.15.2

IN THE MATTER OF

Resource Management Act 1991

AND

IN THE MATTER OF

Proposed Plan Change 14 Housing and
Business Choice pursuant to Part 5, subpart
5A and Part 6 of Schedule 1 of the Resource
Management Act 1991

**RECOMMENDATIONS REPORT: PART 1 - INTRODUCTION, LEGISLATIVE
REQUIREMENTS AND SCOPE ISSUES, GENERAL THEMES AND SUBMISSIONS**

- (d) within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services.

Policy 4: Regional policy statements and district plans applying to tier 1 urban environments modify the relevant building height or density requirements under Policy 3 only to the extent necessary (as specified in subpart 6) to accommodate a qualifying matter in that area.

[221] NPS-UD subpart 6 at cl 3.32 provides for the types of QMs that may modify the height and density requirements of Policy 3 and is mirrored in sections 77I and O.

Policy 3(a)

[222] It is not disputed that the operative Central City Zone is a city centre zone for the purposes of Policy 3(a), and Part 3 and Part 4 of this Report addresses submissions on the required response.

Policy 3(b)

[223] In the context of PC 14 there is an issue as to whether any of the centres within Christchurch should be described as a metropolitan centre. PC 14 as notified does not propose a Metropolitan Centre, however submitters (Kāinga Ora, Scentre and Lendlease) submit that all or some of the proposed 'Large Town Centres' of Riccarton, Papanui and Hornby should have been categorised as Metropolitan Centres and subject to a Policy 3(b) response. We address this further in Part 3 of the Report.

Policy 3(c)

[224] There are no existing or planned rapid transport stops in Christchurch, and only a preliminary business case has been developed for future rapid transport stops. PC 14 proposes some future proofing for a future rapid transport route through the introduction of the City Spine QM, but it is accepted this does not trigger a response under Policy 3(c)(i) at this time. The merits of the City Spine QM are addressed in Part 5 of this Report.

[225] We address Policy 3(c)(ii) building heights within a walkable catchment of the "edge of the central city" in Part 3 of the Report, which includes the provision for HRZ and CCMUZ zones.

**RECOMMENDATIONS REPORT: PART 3 - CENTRAL CITY, COMMERCIAL, MIXED USE
AND INDUSTRIAL ZONES**

- (b) the use of the qualifier 'evolving' amenity values.
- (c) proposed building heights on CCMUZ and building base height
- (d) rules regarding amenity and urban design outcomes
- (e) changes to CCMUZ zone boundaries

[279] In relation to 'High Quality' and 'evolving' qualifiers we have addressed these at 55] and [57] above.

[280] On the topic of building heights in the CCMUZ, Ms. Williams provided evidence on the urban design provisions relating to the CCMUZ and CCMUZ (SF) zones and recommended the PC 14 notified building height of 32m (except for a few small areas close to Bealey Ave as shown on the map in her evidence).⁹³ Ms Williams recommendation is subject to amendments to the built form standards to manage the potential adverse effects of the additional building height on ensuring a well-functioning urban environment. For the CCMUZ (SF) zone Ms Williams recommended the retention of the PC 14 notified height limit of 21m, with an exception to this for the block bound by Manchester, Lichfield, Madras and Tuam Streets, which do not front High Street as their legal street address where Ms. Williams considers elevating to 32m is appropriate, particularly given the proximity of this area to Te Kaha. Ms Gardiner has adopted those recommendations.

[281] In relation to the building base and tower requirements for the CCZU, a number of submissions sought their removal.

Rules regarding amenity, and urban design outcomes

[282] Submissions sought a range of outcomes, form supporting the notified version⁹⁴ to seeking amendments to provisions to remove the requirements for urban design assessments, or a modified form of them.⁹⁵ Ms Gardiner considered that the framework as notified sets appropriate triggers for assessment and remains enabling as required by the NPS-UD.

⁹³ [Statement of Evidence of Nicola Williams, 11 August 2023](#)

⁹⁴ For example, 1 B. Love #799, J Schroder #780, Regulus Property Investments Limited #810 and J Barbour #812

⁹⁵ For example Carter Group Limited, #814; Catholic Diocese of Christchurch, #823 and Kainga Ora #834

[283] In terms of the residential activity standards CCMUZ (Rule 15.12.1.1 P16) and CCMUZ(SF) (Rule 15.13.1.1 P13), The Catholic Diocese of Christchurch #823 and Carter Group Limited #814 have submitted opposing the changes to these provisions and seek that the status quo is retained for both zones. They also seek that the matter of discretion Rule 15.14.3.38 *Outlook Spaces* is deleted in its entirety because the changes are not necessary or appropriate for the purposes of promoting intensification and will add additional consenting requirements and complexity to the process.

[284] Kāinga Ora have also submitted on these provisions, seeking that activity specific standards for both CCMU (Rule 15.12.1.1 P16) and CCMU(SF) (Rule 15.13.1.1 P13) are amended to remove requirements relating to communal outdoor living spaces (where the communal space needs to be in addition to the landscaping requirements for the site), outdoor service spaces (because they consider this is appropriately managed through the Rule 15.12.2.5 – *Screening*), and that the ODP wording for internal boundary setbacks should be retained and the proposed wording in g) and j) should be deleted. In addition, they oppose the new clause j) that permits a maximum site coverage of 50% if more than 50% of the GFA of a building is used for residential activity.

[285] Ms. Williams provided an assessment of the submission points on these matters. She is of the view that the provisions relating to street setbacks, glazing, and outlook space requirements need to be retained to ensure adequate access to sunlight for the streets and lower floors of developments to support their liveability, walkability, and good urban design outcomes. Further with the intensification of residential activities in these environments, she notes that outlook spaces ensure good onsite amenity, achieving basic liveability standards. Ms Gardiner agreed with Kainga Ora regarding the duplication in Rule 15.12.1.1 P16 a) iii) as this clause is captured by Rule 15.12.2.5. Further, she agreed with Ms. Williams that the site coverage of 50% in Rule 15.12.1.1 P16 j) should be amended to 55% to accommodate the requirements for accessible parking within the Transport chapter. Ms Gardiner recommended a minor amendment to amend these clauses in Rule 15.12.1.1 P16 and recommend these submission points be accepted and accepted in part.

Changes in zoning boundaries of CCMUZ and CCMUZ-SF

[286] A number of submissions sought to rezone properties on the edge of the central city zone and the Council recommended that they be rejected for reasons of scope and on their merits. This included:

- (a) NHL Properties Limited #817 rezone the site and adjoining HDRZ land to Central City Mixed Use (CCMU).
- (b) Wigram Lodge (2001) Limited #716, and Elizabeth Harris and John Harris #1067 requested that the submitters site at 850-862 Colombo Street and 139 Salisbury Street be rezoned from High Density Residential to Central City Mixed Use.
- (c) Wigram Lodge (2001) Limited, Elizabeth Harris and John Harris request to rezone the submitters site at 152-158 Peterborough Street and 327-333 Manchester Street from High Density Residential to Central City Mixed Use.
- (d) Oyster Management Limited #872 seek to rezone the block Tuam Street, Madras Street, Lichfield Street and Manchester Street from the proposed Central City Mixed Use (South Frame) zone to City Centre Zone. Alternatively, they requested to rezone the block to Central City Mixed Use Zone.
- (e) Luke Baker-Garters #344 amend plan change 14 to zone all of the central city to mixed use zoning.
- (f) Victoria Neighbourhood Association #61 redraw the CCZ zone boundary to be the southern side of Victoria Square to be consistent with other CCZ boundary locations which do not include the park areas around the River Avon.
- (g) Rohan Collet #147 that all of the CBD is rezoned Mixed Use.
- (h) Christchurch Casinos Limited seek to rezone its site at 72 Salisbury Street & 373 Durham Street North from High Density Residential to enable mixed use development, such as the CCZ.

[287] We have addressed the above submissions requesting a change to the CCMUZ boundaries and rezonings in Part 7 of the Report and the Tables 1-4 in Part 8 Appendix H.

Findings and Evaluation on CCMUZ and CCMUZ (SF)

Building heights

[288] We accept that the changes recommended in the Reply version that provide for a maximum height of 32m with building base 17m in the CCMUZ (unless otherwise

identified on the central City Maximum Building height planning map) and find these to be appropriate.

[289] We accept that the changes recommended in the Reply version that provide for a maximum height of 21m with building base 17m in the CCMUZ (SF).

[290] We note here that we have addressed building base and tower requirements above in relation to the CCZ at [48]. As a consequence of our findings there, we have also considered that consequential changes are needed to rule 15.12.1.3 RD 2 and RD5 for consistency reasons to provide that buildings up to 17m in height are PA.

[291] We accept and find appropriate the Reply version recommendation to include a minimum number of floors above ground level of two.

Rules regarding amenity and urban design outcomes

[292] We have evaluated these matters and find them to be appropriate and reflect the mixed-use nature of the CCMUZ environment.

[293] We now move on to consider the centres outside of the four avenues and the NPS-UD Policy 3(d) response.

5. NPS-UD POLICY 3(d) RESPONSE: BUILDING HEIGHT AND DENSITIES OF URBAN FORM WITHIN AND ADJACENT TO CENTRES

[294] We begin here by setting out our interpretation of what NPS-UD Policy 3(d) means. Policy 3 (d) provides that District Plans are to enable within and adjacent to neighbourhood centre zones, local centre zones and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services⁹⁶.

[295] The main issues that arise relate to NPS-UD Policy 3(d) are:

- (a) Within and adjacent to each of the zones subject to NPSUD Policy 3 (d), what is the commensurate building height and densities of urban form? We note at the

⁹⁶ NPS-UD section 1.4 defines **Community services** to mean, community facilities, educational facilities and those commercial activities that service the needs of the community

outset that the Council used 'walkable catchments' as a proxy for commensurate height and density of urban form adjacent to the centres.

- (b) What is the appropriate hierarchy of zones, in particular whether the Large TCZ of Riccarton, Hornby and Papanui are properly described as Town Centres, or Metropolitan Centres?
- (c) Is the PC 14 notified proposal to rezone industrial zones in Sydenham, Phillipstown and Addington to mixed use zones, or enable more residential capacity through brownfields overlays within the scope of an IPI?
- (d) What changes if any are required to the objectives, policies, and rules to support and consequential upon giving effect to NPS-UD Policy 3(d) for those zones?
- (e) What if any other zone changes are appropriate?

Commensurate Response for Intensification within and adjacent to Commercial Zones

[296] Before we turn to the heights and density of urban form within each centre, we wish to set out our approach to defining the extent of intensification adjacent to the centres for the purposes of NPS-UD Policy 3(d). In addition to Part 1 this sub part of the report should also be read in conjunction with Part 4, as it applies to MRZ and HRZ, Part 5, relating to QMs and Part 7 for rezoning requests.

[297] We note that the Council has approached the intensification response to Policy 3(d) on the basis of a walkable catchment from the edge of each centre, adapting the approach to the CCZ walkable catchment, adjusting the size of the catchment proportionate to the extent of commercial activity and community services within each centre.⁹⁷

[298] Strictly speaking that need not have been the approach, as Policy 3(d) does not require the identification of a walkable catchment measured from the edge of the centre zone as being 'commensurate'. The ordinary meaning of commensurate simply means 'proportionate to or with'.⁹⁸ Rather, we recommend that the approach to Policy 3(d) should focus on the height and density of urban form of land within and adjacent to the centre. There could well have been alternative approaches to consider, including measurements from the central point of a centre zone (which we find to be more

⁹⁷ As explained in the [s32 Report, Part 3, Residential \(District Plan Chapter 14\)](#) and [s32 Report, Part 4, Appendix 10](#)

⁹⁸ Shorter Oxford Dictionary on line application.

appropriate below), or identification of a spatial ratio between the geographic size and the area of the centre zone and adjacent areas.

[299] We are concerned that measuring a walkable catchment for centres other than the CCZ, has led to some anomalies, and appears to have driven the need for the Council to create subcategories of TCZ and LCZ, to justify smaller catchments or alternatively has led to unnecessarily large catchments to justify distinctions within the centres hierarchy, which in turn adds unnecessary complexity to the exercise. We do not think Policy 3(d) required that level of complexity, and that it has a deliberately very different statutory purpose (“commensurate”) to policy 3(a) and the CCZ zone (“as much development capacity as possible”).

[300] Our approach to identifying the commensurate response adjacent to centres has been to identify, (based on our site visits, submitter evidence both in support and in opposition to the extent of walkable catchments and the Council’s s32 Reports and evidence presented at the hearing), the centre or core of each centre and apply a walkable distance, starting in 200m increments from the central point, proportionate to the role and function of that centre.

[301] In doing so we have considered the extent of commercial activity and community services with each centre.⁹⁹ We have followed the same discipline of identifying street boundaries, natural features, and where necessary cadastral boundaries to provide a ‘best fit’ recommended commensurate catchments for each centre zone. It is not necessary for the final ‘best fit’ solution for the adjacent area of any centre to be spatially uniform on all sides, symmetrical in shape, or otherwise of a nature other than whatever reflects the most practical and real-world commensurate response.

[302] The outcome of our evaluation is to recommend the commensurate catchments for centres as follows:

[303] For Large Town Centres of Riccarton, Hornby and Papanui, a baseline 800m commensurate catchment measured as follows:

- (a) For Riccarton, a distance of 800m from the intersection of Clarence Street, Riccarton and Straven Roads, extending to the north to Riccarton Bush and following Avon River to Deans Avenue to the east, along Deans Avenue to the

⁹⁹ This detail was provided in the [s42A Report of Kirk Lightbody](#) at Appendix 6.

cycleway on Deans Avenue that connects Deans Avenue to Blenheim Road, along Blenheim Road to Wainui Street to Riccarton Road and then along the boundary of St Teresas School to rejoin the edge of Riccarton Bush.

- (b) For Hornby, generally a distance of 800m from the intersection of Main South Road and Carmen Road, extending to the north to Waterloo Road and then in an easterly direction of 800m, to the nearest cadastral boundary (that area is zoned Heavy Industrial (IH), and includes a Large Format Retail Zone, so changes to heights and density of urban form are not required there). We recommend HRZ zoning South of Main South Road at the intersection with Neil Street, following the boundary of the PC 14 notified HRZ to the south and west to the intersection with Seymour Street and Main South Road, Parker Street and following the boundary of the PC notified HRZ to Hornby High School.
- (c) For Papanui, generally a distance of 800m from the intersection of Main North Road and Langdons Road, extending to the north to the point the railway line intersects with Vagues Road, then along Vagues Road to Main North Road to Grasmere Street following the HRZ boundary as notified to Grants Road to Papanui Road, then to Blighs Road to the railway line and there after following the boundary of the PC 14 notified HRZ back to Langdons Road and stopping at the boundary of the IG and LFRZ.

[304] For Town Centres, excluding North Halswell, we started with a baseline 600m catchment measured from the core or centre point of those zones. We have reviewed each of these and find that for:

- (a) Shirley/Palms, the commensurate catchment is appropriately represented by the zones shown on PC 14 notified Planning Maps and we recommend they be adopted.
- (b) Eastgate/Linwood, is appropriately represented by the zones shown on PC 14 notified Planning Maps and we recommend they be adopted,
- (c) Belfast/Northwood, the commensurate catchment is appropriately represented by the zones shown on PC 14 notified Planning Maps and we recommend they be adopted.

[305] For North Halswell Town Centre we recommend that the submission from Danne Mora Limited and Milns Park Limited is accepted in part, and that incorporation of MDRS and

into the residential areas of the ODP, and to the extent the ODP enables greater height and density of urban form than the MDRS, that they be retained and are commensurate for the role and function of that centre for the reasons set out in Part 7 of the Report.

[306] For Local Centres [Large], we found that a catchment of approximately 400m measured from the centre point of each centre to the nearest street boundary, natural feature or if necessary using cadastral boundaries to be appropriate.

- (a) For Merivale, 400m measured from the intersection of Papanui Avenue and Mansfield Avenue. The catchment extends to the area bounded by Innes Road, then Browns Road to St Albans Street, to Gordon Avenue and to Bristol Street and Webb Street back to Papanui Road, then on to Merivale Lane, to Winchester Street, and then in a line following the cadastral title boundaries to Leinster Road to the edge of Elmwood Normal School as far as Alistair Avenue and to Heaton Street, reconnecting with Papanui Road.
- (b) For Church Corner, 400m measured from the intersection of Waimairi Road and Riccarton Road. The catchment extends to the area bounded by Hanrahan Street to the North, then to Riccarton Road, Middleton Road, Suva Street, Ballantyne Avenue, Angela Street to Bowen Avenue, Reading Street and following the cadastral boundaries as per the HRZ boundary as notified back to Waimarie Road.
- (c) For Sydenham, 400m measured from the intersection of Colombo Street and Wordsworth Street. The catchment extends north to Carlyle Street, to Gasson Street, Burleigh Street, to Johnsons Street and to Orbell Street and back to the Railway corridor. For clarity we note there is also a small pocket of HRZ in the vicinity of Fairfield and Disraeli Street, which we find that the MRZ is more appropriate as it is outside of our identified catchment.

[307] For other Local Centres we have not found it necessary to define a catchment for HRZ as such, because the MRZ within 200m of the centre point of each of those zones is an appropriate response, commensurate with the function of those centres. We refer also to Part 4 of our report, as this recommendation has the effect of removing the need for Council's proposed MRZ Intensification Precinct (which we recommend be deleted).

[308] For Sydenham North and Sydenham South, we have previously commented on the effect of the overlapping CCZ 1.2km walkable catchment recommended by Council. A 'commensurate' catchment for the Local Centre of Sydenham and the Neighbourhood

evidence and considered that it was no longer necessary to provide this protection for the competitive advantage of the CCZ. Mr Cleese however suggested that if the Council was concerned about the vulnerability of the CCZ, then this standard could be retained.

[354] Mr Lightbody considered that the direction in the policy framework of the ODP, CRPS and NPS-UD provide that the City Centre Zone is the primary commercial centre in the district, and the evidence of Mr Heath notes the adverse effects that enabling unlimited office tenancy sizes in centres could cause. He concluded that maintaining the operative provision would be the most appropriate way to give effect to the Objectives of the CDP.

Findings and Evaluation Town Centres

[355] that the Panel recommends that:

- (a) submissions seeking the upzoning of Large Town Centres of Riccarton, Hornby and Papanui to Metropolitan Centre should be rejected, on the basis that there is insufficient evidence to justify a departure from the notified zoning for those centres, and the carefully calibrated region-wide planning response to the overall network of centres.
- (b) the heights of the Large Town Centre Zones should be increased to 32m as recommended by Mr Lightbody and Ms Williams.
- (c) the maximum office tenancy of 500m² should be retained as notified.
- (d) the requests to down zone the Large Town Centres and Town Centres should be rejected on the basis there is insufficient evidence to justify a departure from the notified version.
- (e) the changes recommended in the Reply version should be accepted, except to the extent that we have made changes for consistency of recommendations made to the CCZ objectives, policies and provisions and those of other centres, and for reasons of clarity.

Metropolitan Centres

[356] In relation to the request for the upzoning of Riccarton, Hornby and Papanui to Metropolitan centres, we accept that the application of the NPS only requires the change of name to reflect the current zoning descriptions, it does not of itself require a re-

IN THE MATTER OF Resource Management Act 1991

AND

IN THE MATTER OF Proposed Plan Change 14 Housing and
Business Choice pursuant to Part 5, subpart
5A and Part 6 of Schedule 1 of the Resource
Management Act 1991

**ADDENDUM TO PART 3 OF RECOMMENDATIONS REPORT IN RELATION TO WIND
ASSESSMENTS FOR TCZ, NORTH HALSWELL, BELFAST/NORTHWOOD AND
SYDENHAM CATCHMENTS**

[305] For North Halswell Town Centre we recommend that the submission from Danne Mora Limited and Milns Park Limited is accepted in part, and that incorporation of MDRS into the residential areas of the ~~ODP~~ Outline Development Plan 8.10.4, and to the extent the ~~ODP~~ Outline Development Plan 8.10.4 enables greater height and density of urban form than the MDRS, that they be retained and are commensurate for the role and function of that centre for the reasons set out in Part 7 of the Report.

Belfast/Northwood

[11] The Council has identified that there is a conflict in the Panel's Recommendation in Part 3 of the Report at [304](c) and Part 7 (page 44) where on the one hand the Panel has recorded that it accepted the Council's notified zoning which is shown as MRZ with the Local Centre Intensification Precinct (LCIP) applying within a 400m catchment but then at Page 44 of Part 7 the Panel recommends that a site adjacent to the Town Centre be zoned HRZ. Part 3 of the Panel's Report recommends that the LCIP be deleted. The Council has sought clarification as to whether the Panel intends that the LCIP retained, or the MRZ only applies or if the HRZ apply.

[12] The Panel confirms that the HRZ applies to the same area that was subject to the LCIP and provides for the same enabled height of 14m as notified and recommended by the Council s42A Report of Mr Kleyenbos.⁸

[13] Accordingly the Panel amends paragraph [304](c) of Part 4 of its report as follows:

[304](c) Belfast/Northwood, the commensurate catchment is appropriately represented by the ~~zones~~ area identified as the Local Centre Intensification Precinct (LCIP) as shown on PC 14 notified Planning Maps except that the LCIP is to be removed and replaced with HRZ in that same area.

North and South Sydenham

[14] The Panel confirms the catchment for the Sydenham North LCZ catchment as that described in paragraph [306](c), however we wish to make corrections to the street names which contain typographical errors:

⁸ [s42A Report of Ike Kleyenbos, 11 August 2023](#) at 6.1.100

[306](c) For Sydenham, 400m measured from the intersection of Colombo Street and Wordsworth Street. The catchment extends north to Carlyle Street, to Gasson Street, ~~Burleigh~~ Burlington Street, to Johnsons Street and to Orbell Street and back to the Railway corridor. For clarity we note there is also a small pocket of HRZ in the vicinity of Fairfield and Disraeli Street, which we find that the MRZ is more appropriate as it is outside of our identified catchment.

[15] The Panel also draws the Council's attention to paragraph [308] which further describes the overlapping nature of the Sydenham South NCZ, and reconfirms that for NCZ, the commensurate response is the adjacent MRZ zone, not just adjacent sites. Due to the overlap of the Sydenham North and South centres the Panel has taken a more liberal approach to defining the LCZ catchment in [306](c). No additional HRZ has been recommended beyond that described in [306](c) and [308].

Neighbourhood Centre Zones

[16] In relation to NCZ the Panel confirms its approach in [309] not to identify a geographical catchment. By way of further clarification, we found the MRZ zone itself to be the commensurate response adjacent to those centres. The varying scale of neighbourhood centres did not lend themselves to the identification of a sub geographical catchment within the adjacent residential zones, so we found that the MRZ zone itself, is the commensurate response.

[17] The clarifications and corrections are to be read as part of and supplementary to the original Part 3 Recommendations Report.⁹

⁹ [IHP Recommendations Report - Part 3 - 29 July 2024](#)

IN THE MATTER OF Resource Management Act 1991

AND

IN THE MATTER OF Proposed Plan Change 14 Housing and
Business Choice pursuant to Part 5, subpart
5A and Part 6 of Schedule 1 of the Resource
Management Act 1991

**RECOMMENDATIONS REPORT: PART 4 - RELEVANT RESIDENTIAL ZONES
INCLUDING MEDIUM DENSITY RESIDENTIAL ZONE AND HIGH DENSITY
RESIDENTIAL ZONE, RESIDENTIAL HILLS ZONES AND HILL PRECINCTS AND
ALTERNATIVE ZONES, SUNLIGHT ACCESS QM, LOW PASSENGER TRANSPORT
ACCESSIBILITY AREA QM, CHRISTCHURCH INTERNATIONAL AIRPORT NOISE
INFLUENCE AREA QM**

Summary of Recommendations

[4] The Panel recommends that:

For Relevant Residential Zones

- (a) the MRZ and HRZ should both be accepted as the principal zones to deliver the Medium Density Residential Standards (MDRS) and additional height and density of urban form near to the CCZ and other commercial zones (with any qualifying matters applying only to the extent necessary to accommodate the qualifying matter – as recommended later in this part of the Report and in Parts 4 and 5), and subject to our recommendations regarding the restructuring of Chapter 14 in light of our findings on the scope of an IPI, and the effect of the *Waikanae* decision on status quo enablement.
- (b) proposed changes to the transportation provisions governing vehicle crossings should be deleted. As a consequence of our findings on the requirement to maintain existing Plan enablements, including existing vehicle crossing rules, it is inefficient and ineffective to unnecessarily duplicate that with a slightly different set of requirements simply because development on a site extends beyond the relevant existing standards of the Operative Plan to the new MRZ or HRZ ones.
- (c) in relation to the Council's proposed response to residential intensification within the Residential Hills Zone (RHZ), as amended in the Reply, we have found that the revised approach fails to differentiate and recognise that there are at least three different types of residential zones of varying densities within the RHZ, which each require a different response. In particular that:
 - (i) most parts of the RHZ are insufficiently distinguishable from typical suburban zones in the hills and are clearly "relevant residential zones". These must incorporate the MDRS (subject only to being qualified to the extent necessary to accommodate an identified qualifying matter). In these areas, the MRZ should apply;
 - (ii) there are other areas on the hills where submitters raised concerns about a range of development constraints including accessibility for emergency services, "3 waters" and other infrastructure, and slope instability/loess soils, which in combination may make those areas unsuitable for MDRS. Such areas are a "relevant residential zone" and hence the Council is obliged to

incorporate the MDRS (subject only to being qualified to the extent necessary to accommodate an identified qualifying matter. However, noting that we separately recommend the Council reject the proposed LPT QM, we recommend that the Council zone the land MRZ at this time and undertake further analysis of the Residential Hills-area to identify and correctly evaluate whether appropriate qualifying matter(s) might apply to parts of those areas that are based on and reflect the specific limitations and characteristics of the RHZ landform; and

- (iii) there are areas of the RHZ which have bespoke outline development plan and overlay provisions (such as Redmund Spur) which are a mix of lot sizes, clustered development around certain features and constraints that means that they present more like a Large Lot Residential Zone (LLRZ), despite those areas having the zone title “Residential Hills” those areas are not in fact a relevant residential zone, and we recommend the Council exclude those locations from Proposed Plan Change 14 (PC 14) (i.e. they would remain in their Operative District Plan (ODP) state, and subject to their existing outline development plan densities).

- [5] Unlike our recommendations in relation to other provisions proposed to be changed in PC 14 and requested in submissions, the Panel has not been able to recommend a full suite of changes to the spatial extent of, and the provisions within, the proposed MRZ and the HRZ to match our recommendations to accept or reject submissions in Chapter 14.
- [6] That is because the Panel found that the Council approached the drafting of changes to the notified PC 14 version and Reply version of Chapter 14, from the starting position that *Waikanae* was wrongly decided, and that the Council was entitled “without limitation” to amend provisions in Chapter 14 so as to achieve a well-functioning urban environment. This included amendments that affected the consenting status and matters of control and discretion for existing land uses. This has resulted in a set of provisions that the Panel is unable to unpick so that they meet the legal requirements of s80E and s77G, as we have interpreted them to be in Part 1 of the Report, and as they have been interpreted by the High Court in *Waikanae*.
- [7] Therefore, the Panel recommends that the Council redraft Chapter 14 to recognise pre-existing development enablements. The Panel recommends that this should be done by

[89] We do not find that that any objective or policy over-extends what is appropriate or justifiable.

[90] We do not find that any additional objectives or policies are necessary.

What should the HRZ standards be?

[91] Having reviewed each proposed rule from the Council's Reply version, we agree that all are relevant. We have recommended some minor further changes to improve consistency, legibility, and certainty only. We refer to the Sunlight Access QM (later in this Part), where we recommend modifying the standard below building height of 12m to match the MDRS, but retaining the notified standard for building height above 12m that, in conjunction with the other standards proposed, provides a greater enablement of development than the MDRS and which forms a coherent built form outcome for the land adjacent to commercial centres to be zoned HRZ.

[92] We have not been persuaded that a maximum building height of more than 14m (as notified) is necessary or appropriate in the first instance, with the exception of the Central City Residential Precinct. It is bordering on fanciful to imagine a permitted activity of up to 3 dwellings requiring more than a 14m-tall building and so in almost every imaginable scenario buildings taller than 14m would be in the 4 or more dwellings category, already needing a land use consent. In that context building height above 14m can already be suitably considered as part of the assessment framework provided for. In reaching this finding we also reviewed the Council's evidence on the makeup of existing residential zoned land as well as our own site visits conducted across the PC 14 process. On most sites, the height in relation to boundary standard and site widths would preclude height above 14m being achievable without infringing those either.

[93] We do not find that any of the rules over-extends what is appropriate or justifiable.

[94] We do not find that any additional rules are necessary.

[95] We refer to our MRZ findings above in terms of specific activities or sub-categories of housing including custodial housing or retirement villages, which apply also to the HRZ.

What should the HRZ consent assessment framework be?

[96] Referring again to our "three pathways" recommendation, and noting that separate provision for development in-line with existing enablements (Pathway A) be addressed

by the Council, we agree with the Council's broad framework as it would apply to Pathways B and C, and as noted previously we do not accept that adding additional matters of discretion or assessment matters that do not currently sit in the ODP would inherently be less-enabling of development than the status quo where development enablements have also been increased. Having reviewed each discretion and matter and noting also the extent of refinement undertaken by the Council as a response to the submissions, evidence, and our questions of that, we are satisfied each has been appropriately justified.

- [97] Referring to our MRZ comments regarding the overall extent of discretion proposed to be retained by the Council, those apply also to the HRZ.

Other Matters

- [98] We recommend that changes proposed in PC14 to vehicle crossing requirements in the District Plan Chapter 7 Transport be deleted. Having determined that existing enablements must be maintained, which include the existing operative vehicle crossing requirements, we considered introducing different requirements when a development tripped from Pathway A to Pathway B (as we have described the matter). We find it would be neither effective or efficient, and unnecessarily duplicative to do this. We also agree with submissions opposing the Council's proposal on the basis they lacked clear technical need or justification – in other words we disagree with the Council that there was a definitive problem in need of being addressed.

- [99] There were three precincts proposed that impinge on the MRZ and HRZ and the Panel's findings are:

- (a) The Local Centre Intensification Precinct (within the MRZ) is recommended to be deleted. We have rendered this obsolete in our NPS-UD policy 3(d) finding that Local Centres should have an area of land within 200m of the central point of the relevant centre zone re-zoned as HRZ, following the methodology we have set out in Part 3 of our Report. In this respect we have accepted the Precinct in part but prefer a simpler and more consistent Plan response via the HRZ.
- (b) The Central City Residential Precinct is recommended to be retained to the extent that it falls within the area we have recommended for the CCZ's NPS-UD Policy 3(c) walkable catchment. The Council's evidence on the appropriateness of a 12-storey height limit based on economic viability concerns was persuasive and this

is also an appropriate complement to the NPS-UD policy 3(a) driver to concentrate activity within the CCZ.

(c) The Riccarton Residential Intensification Precinct is recommended to be deleted. There are several reasons for this:

- (i) The Council did not provide a convincing nexus between the enablement of height and density proposed and the required analysis under NPS-UD Policy 3(d) that it be “commensurate” or otherwise appropriate for that centre in light of RMA s77H. The Council’s justification for the precinct was to “make up” capacity lost elsewhere in the locality by the Airport Noise QM. That approach was also unconvincing on the basis that it contradicted the Council’s otherwise firmly presented position that it had enabled significantly more dwelling capacity than was likely to be needed over even a very long period of 100-years or more and did not need to “do more”.
- (ii) The NPS-UD defines “planned” passenger transport infrastructure in terms of committed outcomes via Regional Land Transport documents. The potential future passenger transport facilities relied on by the Council to help justify this precinct and overall concentration of growth proposed around this centre did not meet this definition and we disregarded the concept as being overly speculative and uncertain. At such time as this potential project may come to meet the NPS-UD definition, the Council would be then able to advance a Plan Change on the basis that what we find to be “commensurate” here-and-now would have changed.
- (iii) We are persuaded to agree with local submitters opposed to the precinct that it lacks a valid resource management basis in terms of the reasonableness of adverse effects being transferred into their neighbourhood because of a QM promoted by the Council elsewhere.
- (iv) To the extent that our recommendations as to the appropriate NPS-UD Policy 3(d) extent of HRZ land adjacent to Riccarton is for a smaller area of land than has been proposed by the Council, and that following on from that some of the proposed Precinct would now sit on MRZ land rather than HRZ land, we confirm that our findings as to the inadequacies of the precinct in terms of NPS-UD Policy 3(d) apply to and are the same in terms of the test

within the MRZ for development more enabling than the MDRS under RMA s77H.

- (v) For the avoidance of any doubt and noting that RMA s77H allows to enable more than what might be found as appropriate to implement the MDRS and/or NPS-UD Policy 3, we are not satisfied that it would be appropriate in the Precinct. For the foreseeable future, where there is demand for development of a scale greater than we recommend be enabled at and adjacent to Riccarton, the most appropriate and well-functioning urban environment contributing outcome would be for that to be accommodated within the Central City Residential Precinct, which we agree with and recommend in part for this specific purpose.

[100] For completeness we have considered all other submissions relating to the MRZ and HRZ, including land re-zoning requests (Part 7), but excluding matters relating to a QM (Parts 3 and 5). We are not persuaded, including in terms of the s32AA evaluations provided to us, to make any additional changes to the Council's Reply Plan provisions.

[101] We refer to our recommended provisions in Part 8, Appendix G. We confirm that where we have recommended changes it is to provide greater consistency, improve the language of the provisions or simplify them, or (based on the findings in other matters), provided for or removed QM-related provisions.

[102] Our recommendations are consistent with and implement the NPS-UD, particularly Policy 3. The MRZ and HRZ directly enable the housing outcomes set out as being included in the definition of a well-functioning urban environment. Although we did not find the Council's "density done well" positioning argument helpful or relevant, we do agree that the NPS-UD seeks more than just a mechanical maximisation of development capacity. There is a place for consideration of quality, built form character, and amenity values albeit in the context of higher-density urban amenity values. The PC 14 plan provisions as we have recommended them will appropriately reflect this.

Section 32AA Evaluation of Recommended Changes.

[103] Because our recommendations in relation to our identified Pathway B and C have fallen very close to the Council's (Reply) provisions, the Panel find that the Council's s32 and s32AA evaluations can be generally relied on and are sufficient insofar as it relates to development beyond the ODP enablements that could occur within the new MRZ and HRZ. The additional amendments we have recommended are minor and do not require

- (ii) support the Council's approach but seek greater restrictions on development (58 submission points identified)
 - (iii) support the Council's approach but seek use of a different measurement / metric (four submission points)
 - (iv) apply the MDRS recession plane to narrow road boundaries (one submission point)
 - (v) seek an amended / alternative approach (six submission points)
 - (vi) submissions relating to the proposed exemptions from the Council's rule (both in support and opposition) (nine submission points)
 - (vii) oppose the QM (195 submission points)
 - (viii) general opposition to intensification (13 submission points).
- (b) HRZ (notified Rule 14.6.2.2):
- (i) support the Council's approach (14 submission points identified)
 - (ii) support the Council's approach but seek greater restrictions on development (40 submission points)
 - (iii) support the Council's approach but seek use of a different measurement / metric (three submission points)
 - (iv) submissions relating to the proposed exemptions from the Council's rule (both in support and opposition) (18 submission points)
 - (v) apply the MDRS recession differently (four submission points)
 - (vi) oppose the QM (148 submission points).

Submitter presentations and evidence

[120] The Panel received little expert evidence directly addressing the Sunlight QM. Kāinga Ora – Homes and Communities (Kāinga Ora) filed evidence from Mr. Liggett³² (corporate); and Mr. Colegrave³³ (economics).

³² [Statement of Evidence of Brendon Liggett, 22 September 2023](#)

³³ [Statement of Evidence of Fraser Colegrave, 15 September 2023](#)

Findings and evaluations

[138] Having evaluated all of the submissions and evidence, and keeping in mind our MRZ / HRZ recommendations in relation to existing ODP enablements and what we have termed Pathway A, we find that the Council's proposed Sunlight QM for the MRZ is invalid. In the case of the Council's proposed Sunlight QM for the HRZ, we find that subject to adjustment accommodating the 4m + 60-degree basis set out in the MDRS (below 12m in building height), but otherwise retaining the Council's proposal for building height above 12m in height (see rule 14.6.2.2) this is the most appropriate solution and will be commensurate in a NPS-UD Policy 3(d) sense to the adjacent centre zones. Our reasons are set out below.

[139] We recognise that access to sunlight can provide important social and health benefits including in terms of warming air, evaporating moisture, and helping drive micro-climates within buildings that circulate air through and between spaces. We also recognise and accept the many submissions given to us in writing and in person, that collectively speak to the importance of sunlight to residential amenity values in Christchurch. We agree that healthy, sunny homes is an important outcome in Christchurch and to the extent that is possible within our statutory obligations, we agree that this outcome should be actively promoted.

[140] But it is also the case that the Housing Supply Amendment Act now directs additional housing choice and development freedoms to be provided to all residential zoned land where possible, and this will in most cases mean neighbours will become able to develop in ways that will block more sun, diminish more views, and create larger-scale buildings relative to each other than has previously been the case. This outcome is specifically identified in Objective 4 and Policy 6 of the NPS-UD.

[141] We disagree that there is a case to look for a "balance" between these two goalposts. The Act directs us to start by assuming incorporating of the MDRS across all relevant residentially zoned land, and then only working backwards from that to the extent that is necessary to accommodate a relevant QM. At one extreme end of that, holding the view that the status quo approach is just 'better' than the MDRS would not be a valid QM. That would amount to the MDRS becoming discretionary in their application.

[142] In this respect, we acknowledge the work the Council undertook. Having identified that it did not agree with the MDRS across its residential zoned land, we accept that it did in good faith look to find the least necessary restriction of the MDRS to accommodate what

RECOMMENDATIONS REPORT: PART 5 – CITY WIDE QUALIFYING MATTERS

7 involved going beyond what was necessary, including by withholding the MDRS in full from any residential zoned land within the 240m Ravensdown site buffer. Because of that, Option 7 is invalid.

17. CITY SPINE

Summary of Recommendations

[313] The Panel recommend that the City Spine QM be deleted.

[314] The related provisions proposed in association with it also be deleted as shown in the Panel's recommended provisions in Part 8 Appendix G.

[315] Submissions that requested removal of this QM are accepted, and those supporting it are rejected.

PC 14 as Notified

[316] As notified, PC 14 included provisions relating to those parts of the City Spine corridors where the existing road reserve (not the formed carriageway) was less than 24m. Standards were proposed requiring a 4m front yard setback (Rule 14.5.2.18 in the Medium Density Residential Zone (MRZ), and Rule 14.6.2.17 in the High Density Residential Zone (HRZ). The rules also limited front fence heights, and would exclude outdoor living spaces from being positioned closer than 1.5m from the road boundary. Infringements of this standard would be a restricted discretionary activity with specific restrictions at Rule 14.15.j.ii (three matters). Ms Oliver, in her s42A report, described the intent of these requirements as being to¹¹⁷:

...manage the site design and layout of buildings to ensure most importantly, adequate space is required for tree planting along the road frontage. The rule will also have the benefit of managing the location of permanent and unmoveable structures and required (compliant) outdoor living spaces, so they do not foreclose future potential transport improvements (form and function) along this corridor.

[317] The Council summarised the City Spine QM in legal submissions' (footnotes included)¹¹⁸:

9.1 The City Spine QM provides for a building setback applying to parts of the main northern and western corridors where the road width [road reserve] is 24m or less.

¹¹⁷ [s42A Report of Sarah Oliver, 11 August 2023](#), at paragraph 12.105.

¹¹⁸ [Council Legal Submissions, Citywide Qualifying Matters and Financial Contributions, 8 April 2024](#), at 9.1-9.3.

[331] At the hearing, Counsel for the Council provided an overview of its position, including confirming in response to a question from the Panel that the City Spine QM was being promoted on the basis of it being primarily about street amenity and secondly about future traffic options. We asked questions of the Council's witnesses Mr Field, Mr Morahan and Ms Oliver.

[332] Of note is that Ms Oliver confirmed that she had changed her opinion as set out in her s42A report and no longer supported deletion of the two restrictions of discretion that she indicated, and instead recommended that the City Spine QM as notified remain.

[333] In the Council's Reply, the Council confirmed that it had not changed its position on the City Spine QM as presented at the hearing.

Issues

[334] The key issues in relation to this QM are:

- (a) Whether the proposed approach is the most appropriate approach, specifically given there is the potential for a Notice of Requirement to be pursued once a final decision as to the future form and function of the road corridor has been made;
- (b) Whether the City Spine QM represents an appropriate qualification of the MDRS or NPS-UD Policy 3 response; and
- (c) Whether the City Spine QM on merit is justifiable and more appropriate than an un-qualified MDRS and NPS-UD Policy 3 response.

Findings and Evaluation

[335] The Panel prefer the evidence of Mr Joll on behalf of Kāinga Ora. The proposed City Spine QM is not appropriate for several reasons.

[336] We accept that the key corridors have been identified as a long-term passenger transport route and that this is in time hoped to become a high quality, high amenity part of the City. As of this time no transport solution has been determined. Although we were told by Ms Oliver and Mr Morahan at the hearing that the technical work completed to date did include an option that would require all of the existing road reserve space, up to 20m width, and have no space available for any trees. We stress that this was one option and that no formal decisions had been made as of the time of the hearing.

[337] At all levels we found the Council's evidence unpersuasive:

- (a) We received insufficient evidence to confirm that there was no scenario that trees or other landscaping to an acceptable standard of amenity could be accommodated within the road reserve.
- (b) A key driver of the setback being to merely 'enable opportunities' for more trees along the edge of the street is not a sufficient basis to require the setback proposed. As we see it, either a specific tree-based amenity outcome is necessary in resource management terms, or it is not. Despite several invitations to the Council's witnesses via our questions at the hearing, none went as far as to recommend that any particular tree planting should be required. This significantly undermined the strength of the Council's arguments.
- (c) Following on from that, we accept the principle that a QM based on an amenity outcome could be demonstrated to be appropriate. But it would need to be very precisely framed in terms of what specific amenity outcome was sought, what impositions and requirements on land would be required to deliver that, and why. The Council's approach would effectively lead to a 4m setback that might be inconsistently and intermittently landscaped in whatever species or types of trees (or no trees) that landowners preferred. This was not a compelling picture.
- (d) We could not understand how, despite no final decisions or plans being yet arrived at for the corridor, there was nonetheless sufficient certainty available to impose definitive standards along the corridor's sides at this time or reach definitive opinions on what would be required to protect a minimum of corridor amenity or functionality.
- (e) We received no evaluation of why the well-functioning urban environment and high-quality design of buildings that the Council seeks across the City would not inherently provide a sufficient form of visual amenity for any users of the City's roads to look at and enjoy. In short, the adverse built form effect that additional trees and setbacks would be required to mitigate was never actually established to us, and we found ourselves in the position where we wondered whether Mr Field's evidence was in fact undermining the Council's entire position on the acceptability of the MRZ and HRZ standards elsewhere across the City.
- (f) We agree with Mr Joll, and Ms Oliver in terms of the rationale provided in her s42A Report (subsequently abandoned at the hearing), that a Notice of Requirement

and designation is the most appropriate method to provide for any additional width in the road corridor. Also, as we see it, trees and landscaping seen as being an essential part of the road should be included in that corridor space or can be separately negotiated with adjoining landowners in a commercial sense. That the s32 evaluation itself mentioned a designation as a valid option but then did not include it in the evaluation of alternatives, presents as a quite substantial defect in that evaluation.

- (g) It was not adequately explained to us why development occurring on private land now under the MDRS would inherently compromise any future road widening that may come to be sought. At most it might make it more expensive, but we do not accept that this is a determinative resource management concern. As Mr Joll explained to us in his evidence, the Council has powers under the Public Works Act to acquire land when it sees that as necessary. To the extent that the Council has been able to identify an 'interim' City Spine QM package based on a 4m setback as part of PC 14, by the same token it would be able to formulate a Notice of Requirement on the same land noting that designations to provide route protection ahead of a final transport solution being determined are common across the country. In this respect we do not accept the Council's argument that a designation could not occur until after a final transport solution had been determined, and that therefore the Plan gives the only opportunity to safeguard land ahead of development occurring on it.

[338] The Panel is left unable to agree with the Council's argument either in terms of corridor amenity, or future potential functionality. On this basis, the City Spine QM must fail.

[339] On the basis of our findings on the evidence, the City Spine QM will not be generally justifiable under s77I or s77O of the RMA. This requires that any qualifying matter with the effect of making a Plan less enabling of development than the MDRS or relevant NPS-UD Policy 3 or 5 response would enable, may only do so to the extent "necessary". We find that the City Spine QM is not necessary and would disenable the MDRS and NPS-UD Policy 3 response more than would be necessary, such as by using a Notice of Requirement / designation.

[340] Notwithstanding that, we agree with the Council that the City Spine QM falls under the auspices of s77I(j) and s77O(j). In these respects, when we considered s77L and s77R of the RMA, we have not been persuaded that the characteristics identified by the Council (the opportunity for landowners to provide trees visible from the road, and a less

complicated pathway for the Council to widen the corridor in the future should it determine to do so) make the level of urban development required by the MDRS and the NPSUD Policy 3 response “inappropriate” (s77L(a) and s77R(a)).

[341] Following on from that, we are not persuaded that the characteristics identified by the Council “justify” (s77L(b) and s77R(b)) the reduction in development opportunity that the QM would result in.

[342] In terms of s77L(c) and s77R(c), these sections each have three clauses ((i) to (iii)), we accept that the Council’s proposed City Spine QM did sufficiently identify the sites that the matter relates to and did provide an acceptable evaluation of the geographic area where intensification would need to be compatible with the matters identified. These satisfy the first two clauses. But in terms of the third clause in each section, we find the Council did not satisfactorily evaluate an appropriate range of options to achieve the greatest heights and densities available. Specifically, a designation should have been formally evaluated, as should other options that might have resulted in a requirement for tree planting within front yards that may have been less onerous than the setbacks proposed, but at least satisfied the Council’s concern with inadequate amenity being provide for.

[343] Lastly on this point, before the Council looked to impose requirements on land adjoining the corridors in question, it should have completed a definitive investigation ruling out any plausible provision of amenity within the corridor (having clearly specified what that level of amenity should be and how it might be measured). Simply advising us that one option tested based on an unknown brief and assumptions did not allow for any trees within the existing corridor fell short of this standard.

[344] We find that there is no valid case of likely adverse amenity effects or other built form / amenity outcomes required along the corridor (noting that the Council proffered no specific objectives or policies to support its bespoke standards) that would justify the proposed standards. We do not agree that the NPS-UD, CRPS or District Plan objectives and policies can be read in a manner that would lead to these roads being singled out for a different and more restrictive land use management framework than other streets.

[345] Having not established any specific adverse effects or other resource management basis to justify the proposed rules, it follows that they must be less effective and less efficient than the ‘default’ MDRS and NPS-UD Policy 3 provisions that would, and in our view should, apply.

[346] The costs of the City Spine QM were in our view understated in the Council's analysis, offset in part by speculative claims that higher amenity streets (premised on tree provision that was not actually required by the method) would lead to increased land values for landowners subject to the greater front setback rule. We similarly find that benefits were overstated based on overreliance that other proposed rules would effectively force landowners to plant trees in the setback area. There was no basis for that assumption and the lack of specific built-in tree planting requirements compromised the Council's reliance on that aspect of potential benefits.

[347] Because our recommendations have arrived at an unqualified application of the MDRS and NPS-UD Policy 3 response along the City Spine, we find that no additional s32AA reporting or justification is required.

18. RESIDENTIAL HERITAGE AREAS AND INTERFACE OVERLAYS

Summary of Recommendations

[348] The Panel recommends that the RHA and Interface Overlay as proposed in PC 14 should not proceed as a QM for the following reasons:

- (a) the Council has not offered a sufficient case in accordance with the requirements of s77J of the RMA that the RHA and Interface Overlay provisions constitute a 'listed' QM under s77I(a);
- (b) further, the provisions proposed to be introduced via PC 14 to limit development capacity in the areas concerned (as notified and as amended during the course of the hearings) would introduce restrictions or limitations on the *status quo* under the ODP beyond the mandatory requirements of an IPI; and
- (c) that the merits of the proposed provisions, even if they were justified on grounds of scope under an IPI (which they are not), are not appropriate in the context of the required RMA s32 evaluation.

[349] Our findings and recommendations with respect to the RHA and the Interface Overlay as a QM, in terms of available scope, align with the broader conclusions we have reached in relation to a range of proposed QMs, as set out in Part 1 of our Recommendation Report. We have reached the above findings and recommendations in this respect, with reference to separate evaluations on both 'scope' and 'merits' as

in this respect must be founded on a principled, considered approach to scope and merits.

[454] We agree that Riccarton Bush itself clearly hosts *ecological, heritage, and landscape* values that are significant in s6 terms. However, that has been obvious for some considerable time; it is something that is expressly acknowledged in the ODP. What we do not agree with the Council and some submitters on, however, is that those values would be compromised by intensification otherwise enabled by PC 14 in the surrounding area to the extent that the provisions proposed by the Council can be justified with recourse to their identification as a QM.

[455] We have not been presented with any material evidence that the *ecological* values associated with the Riccarton Bush are at risk from that intensification, such that the Riccarton Bush would require any additional measures beyond the 10m setback from the perimeter predator-proof fence that already applies with respect to development adjoining the Riccarton Bush Significant Trees Area (another proposed QM that we consider in the next section).

[456] With respect to heritage and landscape values, we start with Dr Hoddinott's observation that "the views of the kahikatea forest canopy above the adjacent houses are considered a distinctive and defining element across the skyline, and what we see today relates to depictions in early paintings of the area."¹⁸³ In her view, "the expanse of Riccarton Bush above the rooftops of adjacent houses would still be significantly obstructed with building heights restricted to 12m, creating adverse visual effects not only adjacent to Pūtaringamotu, but also Riccarton Grounds, Riccarton House and the former Deans' farm buildings, weakening their connection with the setting."¹⁸⁴ We understood that she was primarily alluding to the broader heritage setting when she referred to these adjacent properties. As such, we note that they are already subject to the ODP provisions relating to setback, height and the like.

[457] Where broader *landscape* values are concerned, we consider that the Riccarton Bush needs to be seen in the context of its urban setting. It is already identified as an Outstanding Natural Feature. Practically, its value in that context is not strongly tied to views of it from particular vantage points, given that it surrounded by urban development. Its value in landscape terms is more related to 'internal' perspectives i.e., from the vantage point of being within the Riccarton Bush itself or from properties immediately

¹⁸³ [Statement of Evidence of Wendy Hoddinott on behalf of Council, 11 August 2023](#) at 24

¹⁸⁴ [Statement of Evidence of Wendy Hoddinott on behalf of Council, 11 August 2023](#) at 26

adjacent to it). Views to and of the Riccarton Bush from elsewhere are already limited by the relatively flat nature of the surrounding topography and existing built form.

[458] To us, that is the simple reality. It means that while landscape values associated with the Riccarton Bush may be significant in s6 terms, views of its full profile (as opposed to the top of the canopy) from anywhere other than adjacent areas are not readily obtainable. These 'full profile' views cannot therefore be considered significant, in our opinion (we explore this aspect further in relation to the merits of the provisions, below). It then follows that the extensive, and prescriptive controls proposed by the Council are not sufficiently justified under the limited scope provided by an IPI. They fail on scope, in the first instance.

Evaluation - Merits

[459] Turning now to the merits of the proposal, and segueing from matters of scope, we start by noting the challenges we have faced gaining an understanding of the quantum of PC 14 provisions that are intended to serve this proposed Interface Area QM. How the Interface Area provisions compare and contrast with ODP provisions was also an issue for us, notwithstanding the further explanations we sought and received from the Council.

[460] That aside, we note that Mr Liggett, for Kāinga Ora, spoke to the agency's opposition to additional built form controls and also suggested that the Council had not assessed what views of the Riccarton Bush would remain if even the 8m height limit was fully realised. He concluded that it might not be justified when considered against s77I and s77L of the RMA¹⁸⁵. Mr Joll, also for Kāinga Ora, indicated his support for an 8m height limit in planning terms but not the need for additional built form controls¹⁸⁶.

[461] Both the Kāinga Ora corporate and planning witnesses indicated support for the evidence of Ms Strachan, who was of the view that an 8m height limit would adequately protect the proposed landscape and heritage values of Riccarton Bush, and that the additional controls proposed by Dr Hoddinott are unnecessary. In her assessment, views of the tree canopy above 8m rooflines from public areas would remain available but that other proposed controls, such as increased side yard setbacks to preserve viewshafts, were of questionable value given the extent to which available views were interrupted by trees, fences and the like located on the properties concerned¹⁸⁷.

¹⁸⁵ [Statement of Evidence of Brendon Liggett on behalf of Kāinga Ora, 22 September 2023](#) at 9.2

¹⁸⁶ [Statement of Evidence of Tim Joll on behalf of Kāinga Ora, 20 September 2023](#) at 6.1

¹⁸⁷ [Statement of Evidence of Sophie Strachan on behalf of Kāinga Ora, 20 September 2023](#) at 3.1 – 3.14

[462] Ms Seaton indicated her opposition to the package of proposed provisions inclusive of the 8m height limit, as it would apply to non-residential activities with an MRZ zoning. She shared her observations over the extent to which views of the Riccarton Bush from the Riccarton Road frontage are obscured by buildings and are only 'fleeting at best' down intervening driveways. She also provided an illustration of how permitted 11m high buildings located outside the Interface Area could block views of the Bush from Riccarton Road¹⁸⁸. Ms Eveleigh also acknowledged that, absent any controls on planting within side boundary setbacks, views of the Riccarton Bush could be blocked by vegetation on the relevant properties. She also observed that the existing pattern of front and rear lots between the road and Riccarton Bush would make the consistent application of a 3m setback problematic¹⁸⁹.

[463] In their Joint Witness Statement, Dr Hoddinott and Ms Strachan reported on areas of agreement and disagreement¹⁹⁰. By this time, as noted by Mr Matheson for Kāinga Ora, the agreements were relatively expansive when compared to the disagreements¹⁹¹. In brief, the witnesses were able to reach agreement on the need to protect viewshafts and elements relating to height, site coverage, setbacks, lot sizes and the principle of limiting residential units per site. They demurred only with respect to coverage where it related to the MRZ, side yard setbacks and the number of residential units to which sites should be limited.

[464] Apart from referencing the Joint Witness Statement, and in response to Ms Seaton's concerns, Dr Hoddinott recommended further amendments to the provisions in her rebuttal evidence, including a reduction in the side yard setback to 1m and 3m either side of dwellings to provide for driveways while maintaining the views afforded¹⁹².

[465] In his own rebuttal, Mr Kleynbos indicated his support for the modified provisions latterly proposed by Dr Hoddinott as a means to address Ms Seaton's concerns¹⁹³. These, as noted above, would see the side yard setback reduced either side of dwellings.

[466] By the time that the Council had prepared its reply statement, however, Mr Kleynbos and Dr Hoddinott had come to a different position on the proposal to protect views of the Riccarton Bush down existing driveways via a side yard setback. At this point, they were

¹⁸⁸ [Statement of Evidence of Kim Seaton on behalf of Kauri Lodge Rest Home 2008 Limited, 20 September 2023](#), at 28 – 31

¹⁸⁹ [Legal Submissions on behalf of Kauri Lodge Rest Home 2008 Limited, 8 November 2023](#), at 25 - 28

¹⁹⁰ [Joint Statement of Landscape Experts - Putarīkamotu Riccarton Bush Interface-Area, 27 September 2023](#)

¹⁹¹ [Legal Submissions on behalf of Kāinga Ora - Residential Provisions and Related Qualifying Matters, 22 November 2023](#), at 8.1 – 8.2

¹⁹² [Rebuttal Evidence of Wendy Hoddinott - Pūtarīgamotu Riccarton Bush Interface Area, 9 October 2023](#)

¹⁹³ [Rebuttal Evidence of Ike Kleynbos, 16 October 2023](#), at 18 - 20

of the view that the *status quo* side yard setback should be retained, due to valid issues being raised at the hearing regarding the merits of this aspect of the proposal¹⁹⁴. The Council remained of the view that the Interface Area provisions as otherwise modified should proceed, drawing our attention to the '*high degree of consensus*' between the experts regarding the merits and details of the QM¹⁹⁵.

[467] Notwithstanding the consensus the landscape witnesses may have reached, we conclude that the proposed Interface Area QM fails on merits. In this respect, we prefer the planning evidence of Ms Seaton and Mr Joll that the provisions are in general overly prescriptive and likely ineffective, and do not outweigh the benefits of increased housing density in close proximity to the Riccarton commercial centre and public transport network.

[468] Following on from our finding that the case for the Riccarton Bush Interface Area as a QM has not been made, we further find that the retention of the ODP provisions, which we recommend, represents a more effective and efficient means of ensuring that the objectives of the Housing Supply Amendment Act, NPS-UD Policy 3 and PC 14 are achieved. It is our position that no further justification or evaluation under s32AA is required.

[469] We address the matter of a proposed increase in the setback from the predator-proof fence associated with the Riccarton Bush Significant Trees Area in the sub-section Significant and Other Trees, following, as it is tied to that separate proposal for a QM.

21. SIGNIFICANT AND OTHER TREES

Summary of Recommendations

[470] We find that the Significant and Other Trees proposal should not proceed as a QM for the following reasons:

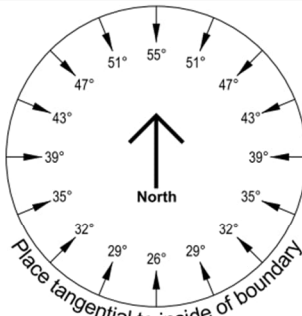
- (a) the Council has not offered a sufficient case in accordance with the requirements of s77J, 77L, 77P and/or 77R of the RMA that the values associated with scheduled trees and groups of trees would be adversely impacted by more intensive development in urban environments otherwise enabled by PC 14 to the

¹⁹⁴ [Council Reply, 17 May 2024](#), at 3.19, 10.78 – 10.79

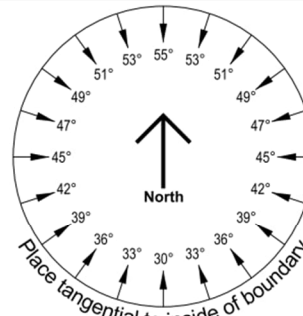
¹⁹⁵ *Ibid* at 3.19, 10.77

Appendix 14.156.2 - Recession Planes

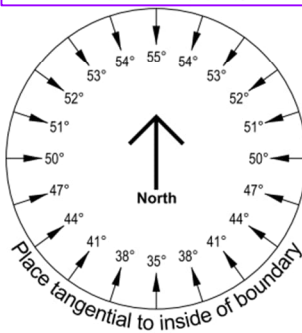
Note: North is true north



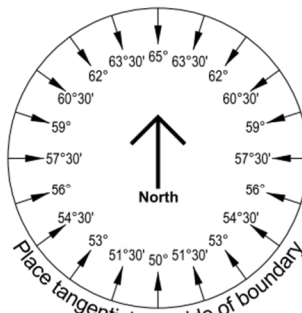
- A** Applicable to all buildings:
- in the Residential Suburban Zone
 - on sites in other non residential zones that adjoin the Residential Suburban Zone
 - in the Residential Small Settlement Zone Kainga Overlay Areas 1 and 2 and Spencerville Overlay Area



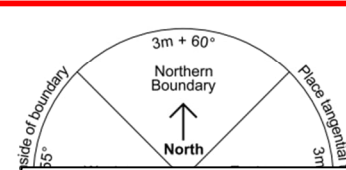
- B** Applicable to all buildings:
- in the Residential Suburban Density Transition Zone
 - on sites in other non residential zones that adjoin the Residential Suburban Density Transition Zone
 - in the Residential Hills Zone and on Māori land within the Papakāinga / Kāinga Nohoanga zone



- C** Applicable to all buildings:
- in the Residential Medium Density Zone
 - on sites in other non residential zones that adjoin the Residential Medium Density Zone
 - in the Residential New Neighbourhood Zone
 - in the Future Urban Zone



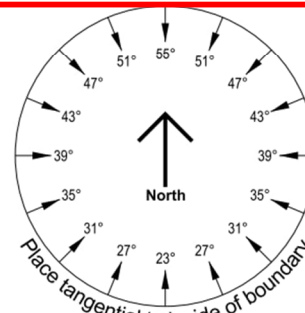
- E** Applicable to all buildings:
- over 11 metres in height in the medium density higher height limit zones
 - over 11 metres in height on sites in other non residential zones that adjoin the medium density higher height limit zones
 - in the Residential Visitor Accommodation Zone and the Residential Central City Zone (Proposed Plan Change 4) (Plan Change 4 Council Decision)



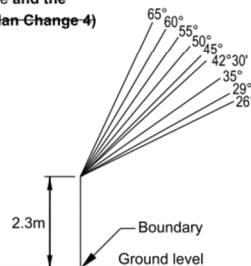
Delete this diagram and replace with 4m + 60 degrees on all sides.

Applies to MRZ and HRZ, and on sites on other non residential zones that adjoin the MRZ and HRZ.

- in the Medium Density Residential Zone (MRZ) and High Density Residential Zone (HRZ) higher height limit zones
- on sites in other non residential zones that adjoin the Residential zones medium density higher height limit zones
- in the medium density higher height limit zones (except those buildings over 11 metres in height)
- on sites in other non residential zones that adjoin the medium density (except those buildings over 11 metres in height)



- F** Applicable to all buildings:
- in the Residential Large Lot Zones



Recession Plane Measurement Example

The following intrusions are permitted in the RS, RSDT, RLL and RSS zones only:

Appendix 6: Excerpts from the Council's notification and section 32 documents

Notified PC14 Chapter 14.1-14.3 – Residential

Notified PC14 Chapter 14.5 – Residential (MRZ)

Section 32 Evaluation – Residential Chapter

Notified PC14 Chapter 15 – Commercial

Section 32 Evaluation – Commercial Chapter

Section 32 Evaluation – Appendix 43: Pūtaringamotu Riccarton Bush Heritage Landscape Review

DISTRICT PLAN TEXT AMENDMENTS

Key:

For the purposes of this plan change, any unchanged text is shown as normal text or in **bold**, any text proposed to be added by the plan change is shown as **bold underlined** and text to be deleted as ~~**bold strikethrough**~~.

Text in **bold red underlined** is that from Schedule 3A of the Resource Management Act and must be included.

Text in **green** font identifies existing terms in Chapter 2 – Definitions. Where the proposed change contains a term defined in Chapter 2 – Definitions, the term is shown as **bold underlined text in green** and that to be deleted as ~~**bold strikethrough in green**~~. New definition in a proposed rule is **bold green text underlined in black**.

Text in **purple** is a plan change proposal subject to Council Decision.

Text in **purple shaded in grey** is a Plan Change Council Decision.

Text in **black/green shaded in grey** is a Council Decision subject to appeal.

Text in **light blue strikethrough shaded in grey** is a Council Decision proposed to be deleted by this Plan Change.

Text in **blue** font indicates links to other provisions in the district Plan and/or external documents. These will have pop-ups and links, respectively, in the on-line Christchurch District Plan.

Chapter 14 Residential

14.1 Introduction

- a. This introduction is to assist the lay reader to understand how this chapter works and what it applies to. It is not an aid to interpretation in a legal sense.
- b. The provisions in this chapter give effect to the **Chapter 3 Strategic Direction Objectives**.
- c. This chapter relates to **residential activities**, **community activities**, and where appropriate, small scale **commercial activities** that occur within new and existing residential areas throughout the District. Objectives, policies, rules, standards and assessment criteria provide for these activities in each of the residential zones identified in this chapter.
- d. This chapter seeks to manage the scale and character of new development in the residential areas in accordance with the strategic approach to development in Greater Christchurch, including provision for both **greenfields** development and intensification, particularly around **Key activity centres** and the **Central City**.
- e. **A number of the provisions in this chapter give effect to the requirements of the Act and the National Policy Statement on Urban Development to provide for intensification in urban areas, including by implementing the Medium Density Residential Standards. However, the Act enables those intensification requirements to be reduced where justified by a “qualifying matter”. In this chapter the reduction in intensification due to qualifying matters has been implemented in two ways: by having the Medium Density Residential or High Density Residential zones , but enabling lesser intensification than the Medium Density Residential Standards require in the areas or sites in those zones where a qualifying matter applies; or by having a lower density residential zone, for example the Residential Suburban or Residential Hills Zone, because the rules for that zone provide the level of density that the qualifying matter**

- iii. Within the 86 Bridal Path Road area, limits the overall scale of development across the site to be consistent with the rural-residential setting across the foothills of Heathcote Valley.

~~14.2.5 Objective Residential New Neighbourhood Zone~~

[This section has been moved to 14.2.7]

14.2.6 Objective – Medium Density Residential Zone

- a. Medium density residential areas of predominantly MDRS-scale development of three- or four-storey buildings, including semi-detached and terraced housing and low-rise apartments, with innovative approaches to comprehensively designed residential developments, whilst providing for other compatible activities.

14.2.6.1 Policy – MDRS Policy 1

- a. Enable a variety of housing types with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-rise apartments.

14.2.6.2 Policy – Local Centre Intensification Precinct

- a. Enable the development of four- to five-storey town houses and multi-storey apartments within the Local Centre Intensification Precinct.

~~14.2.6 Objective Non-residential activities~~

[This section has been moved to 14.2.8]

14.2.7 Objective – High Density Residential Zone

- a. High density residential development near larger commercial centres, commensurate with the expected demand for housing in these areas and the nature and scale of commercial activities, community facilities, and multimodal transport networks planned or provided in the commercial centres.

14.2.7.1 Policy – Provide for a high density urban form

- a. Enable the development of high density urban areas with a density that is responsive to current and planned:
 - i. degree of accessibility to services and facilities, public open space, and multimodal and active transport corridors; and
 - ii. housing demand.

14.2.7.2 Policy – High density location

- a. Enable high density residential development within walking catchments of the:
 - i. City centre zone;

DISTRICT PLAN TEXT AMENDMENTS

Key:

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14.5 Rules - ~~Residential~~ Medium Density Residential Zone

14.5.1 Activity status tables

14.5.1.1 Permitted activities

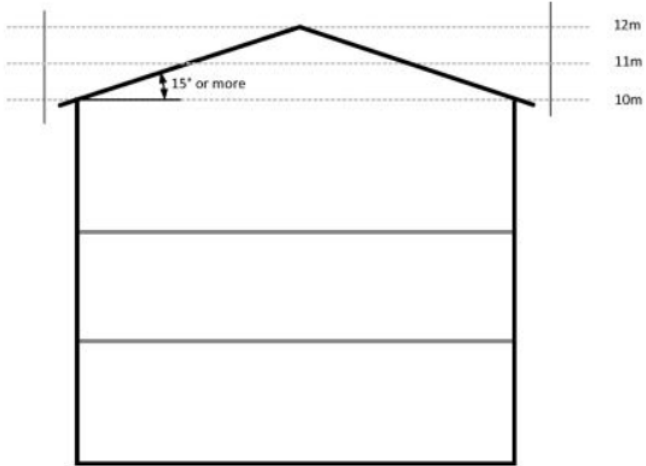
- a. The activities listed below are permitted activities in the ~~Residential~~ Medium Density Residential Zone if they meet the activity specific standards set out in this table, the built form standards in [Rule 14.5.2](#) and the area specific rules in [Rule 14.5.3](#).
- b. Activities may also be permitted controlled, restricted discretionary, discretionary, non-complying or prohibited as specified in [Rules 14.5.1.2, 14.5.1.3, 14.5.1.4, 14.5.1.5](#) and [14.5.1.6](#), or in the area specific rules in [Rule 14.5.3](#).

Activity		Activity specific standards
P1	Residential activity , except for ~~residential units containing more than six bedrooms and~~ boarding houses	a. No more than one heavy vehicle shall be stored on the site of the residential activity. b. Any motor vehicles and/or boats dismantled, repaired or stored on the site of the residential activity shall be owned by people who live on the same site. c. ~~On sites located within the Riccarton Wastewater Interceptor Overlay, until (date of completion of infrastructure work):~~ i. ~~the minimum site area for any residential unit shall~~

shall be paid to that area 4 metres from the **boundary** with each **road** and around the stream to enhance the area, create restful space and encourage bird life.

14.5.2.3 Building height and maximum number of storeys

a. The maximum **height** of any **building** shall be:

	Activity	Standard
i.	All buildings in areas not listed below	~~11 metres provided there is a maximum of 3 storeys~~ a. Unless b. applies, <u>buildings must not exceed 11 metres in height above ground level, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more, as shown on the following diagram:</u>  b. <u>Within the Local Centre Intensification Precinct, buildings containing residential units must not exceed 14 metres in height above ground level.</u>
ii.	~~Residential Medium Density Lower Height Limit Overlay~~	8 metres ~~a. On sites of 1500 m² or greater, the maximum height of any building shall be 11 metres, with a maximum of three storeys, except that:~~ ~~i. within 10 metres of a site boundary that directly adjoins the Residential Suburban or Residential Suburban Density Transition Zone, the maximum height shall be 8 metres.~~
iii.	Residential Medium Density Lower Height Limit Overlay at Central Riccarton	8 metres

	Activity	Standard
iv.	~~Sumner Residential Medium Density Zone~~	9.5 metres
v.	~~Sumner Master plan Overlay, on the two prominent corners identified in Appendix 14.16.6~~	~~a. 13 metres~~ ~~b. Provided that the area above 9.5 metres is limited to no more than 100m² in gross floor area and is located at the apex of the street corner.~~
vi.ii.	Within the <u>Medium Density Residential Medium Density Zone</u> in the Commercial Local Zone (St Albans) Outline development plan shown as Area A in Chapter 15 Appendix 15.15.5	14 metres
vii.	~~Residential Medium Density Higher Height Limit Overlay at Deans Avenue~~	20 metres
viii.	~~Residential Medium Density Higher Height Limit Overlay at Carlton Mill Road~~	30 metres
ix.	~~Residential Medium Density Higher Height Limit Overlay at New Brighton and North Beach~~	~~a. 14 metres North Beach (area bounded by Marine Parade, Pacific Road, Jutland Street, Cygnet Street, Tonks Street, and Bowhill Road)~~ ~~b. 20 metres Central New Brighton (Plan Change 5F Council Decision)~~
x.	~~All Residential Medium Density Height Limit Overlays (other than at Carlton Mill Road)~~	Any <u>building</u> shall not exceed 5 storeys above <u>ground level</u>
xi.	~~In the Salvation Army Addington Overlay~~	11 metres
iii.	<u>All <u>buildings</u> on the Woolston Fire Station and Training Centre site at 929 Ferry Road, Lot 1 DP72727.</u>	<u>20 metres</u>
iv.	<u>Buildings for a <u>residential activity</u> within the Industrial Interface Qualifying Matter Area</u>	<u>7 metres or two storey, whichever is the lesser</u>
v.	<u>Buildings within the Riccarton Bush Interface Area</u>	<u>8 metres</u>

Advice note:

1. ~~See the permitted height exceptions contained within the definition of height.~~

14.5.2.4 Site coverage

- a. The maximum ~~percentage of the~~ building coverage must not exceed net site area covered by buildings shall be 50% of the net site area.
- b. For ~~multi-unit residential complexes, social housing complexes, retirement villages and groups of older person's housing units,~~ the percentage coverage by buildings shall be calculated over the net site area of the entire complex or group, rather than over the net area of any part of the complex or group.
- c. Eaves and roof overhangs up to 300mm in width and guttering up to 200mm in width from the wall of a building shall not be included in the building coverage calculation.

14.5.2.5 Outdoor living space

- a. A residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that,—
 - i. where located at ground level, has no dimension less than 3 metres; and
 - ii. where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and
 - iii. is accessible from the residential unit; and
 - iv. may be
 - A. grouped cumulatively by area in 1 communally accessible location; or
 - B. located directly adjacent to the unit.
 - v. is free of buildings, parking spaces, and servicing and manoeuvring areas.
- b. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—
 - i. is at least 8 square metres and has a minimum dimension of 1.8 metres; and
 - ii. is accessible from the residential unit; and
 - iii. may be
 - A. grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
 - B. located directly adjacent to the unit.
- a. ~~For residential units with two or more bedrooms outdoor living space shall be provided on site for each residential unit, and shall not be occupied by parking areas or access. The required outdoor living space shall be within the following dimensions:~~

i.	~~Minimum total area for each residential unit~~	30m ²
ii.	~~Minimum private area~~	16m ²

iii.	Minimum dimension private area when provided at ground level	4 metres
iv.	Minimum dimension private area when provided by a balcony	1.5 metres
v.	Minimum dimension of communal space	4 metres
vi.	Accessibility of communal space	Accessible by all units
vii.	General accessibility for each residential unit	At least one private outdoor living space shall be accessible from a living area of a residential unit
viii.	Minimum required outdoor living space at ground level for entire site	50%

b. ~~The **outdoor living space** can be in a mix of private or communal areas at the **ground level** or in **balconies**.~~

c. ~~For one bedroom units or studios on the ground floor **outdoor living space** shall be provided, and shall not be occupied by **parking areas** or **access**, within the following dimensions:~~

i.	Minimum total private area for each residential unit	16m ²
ii.	Minimum dimension private area when provided at ground level	4 metres

c. ~~d. For one bedroom units **exceeding 45m² in area** or studios **exceeding 35m² in area** entirely at an upper level, **outdoor living space** shall be provided within the following dimensions. **The required **outdoor living space** can be in a mix of private and communal areas, at the **ground level** or in **balconies** within the following dimensions:**~~

i.	Minimum total private area for each residential unit	16m ²
ii.	Minimum private balcony dimensions	A. 6m ² area B. 1.5 metres dimension

d. ~~e. In the Salvation Army Addington Overlay the **outdoor living space** shall be communal and shall be based on 10m² per **residential unit**.~~

e. This rule does not apply to **residential units** in a **retirement village**.

14.5.2.6 ~~Daylight recession planes~~ Height in relation to boundary

- a. No part of any building shall project beyond a building envelope constructed by recession planes shown in Appendix 14.16.2 diagram D from points 3m above ground level along all boundaries **where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.**

b. This standard does not apply to—

- i. a boundary with a road:
- ii. existing or proposed internal boundaries within a site:
- iii. site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed:
- iv. within the Local Centre Intensification Precinct:

A. the construction of three or more residential units of a maximum of 14 metres in height from ground level, to any part of a building:

1. along the first 20 metres of a side boundary measured from the road boundary; or
2. within 60% of the site depth, measured from the road boundary, whichever is lesser. For corner sites, depth is measured from the internal boundaries, that are perpendicular to the road boundary. See Figure 1, below.

B. for any part of a building above 12m in height, the recession plane under a. shall apply, unless that part of the building above 12m in height is set back from the relevant boundary of a development site as set out below:

1. northern boundary: 6 metres;
2. southern boundary: 8 metres; and
3. eastern and western boundaries: 7 metres

where the boundary orientation is as identified in Appendix 14.16.2 Diagram D, in which case there shall be no recession plane requirement for that part of the building above 12m in height.

~~a. Buildings, shall not project beyond a building envelope constructed by recession planes, as shown in, Appendix 14.16.2 diagram C, from points 2.3 metres above:~~

- ~~i. ground level at the internal boundaries; or~~
- ~~ii. where an internal boundary of a site abuts an access lot or access strip the recession plane may be constructed from points 2.3 metres above ground level at the furthest boundary of the access lot or access strip or any combination of these areas; or~~
- ~~iii. where buildings on adjoining sites have a common wall along an internal boundary the recession planes shall not apply along that part of the boundary covered by such a wall.~~

~~b. Where the building is located in an overlay that has a permitted height of 11 metres or more, the recession plane measurement shall commence from points 2.3 metres above ground level at the internal boundaries and continue on the appropriate angle to points 11 metres above ground level, at which point the recession plane becomes vertical.~~

- c. Where the building is located in a Flood Management Area, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b).
- d. Except that:
- In the Residential Medium Density Zone Higher Height Limit Overlay, the recession plane shall be as shown in Appendix 14.16.2 diagram D, unless the height of the building is greater than 11 metres, in which case refer to diagram E.
 - In the Residential Medium Density Lower Height Limit Overlay, the recession plane shall be as shown in Appendix 14.16.2 diagram B.

Advice note:

- Refer to Appendix 14.16.2 for permitted intrusions.
- Applicable height in relation to boundary planes are shown in Appendix 14.16.2.

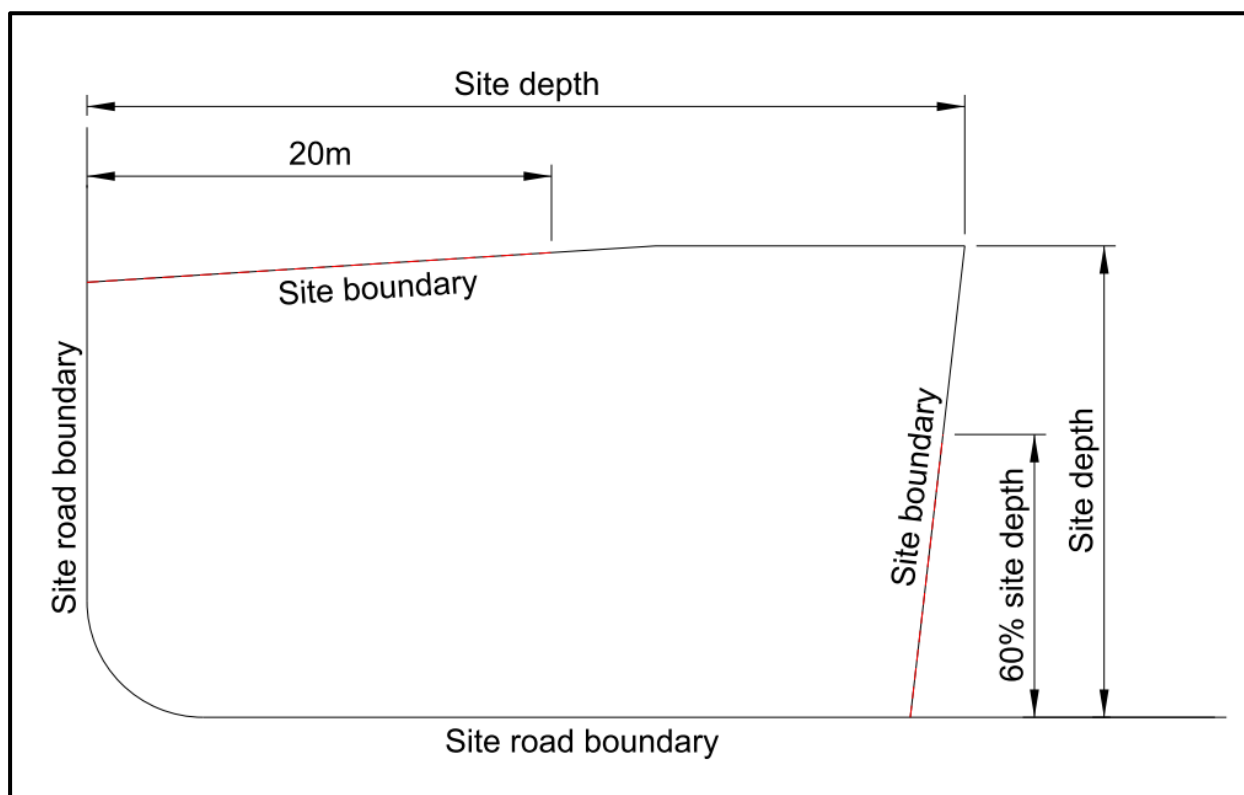


Figure 1: Application of height in relation to boundary exemption in Local Centres Intensification Precinct (14.5.2.6.b.iv)

14.5.2.7 Minimum building setbacks from internal boundaries and railway lines

- The minimum building setback from internal boundaries shall be:

**HOUSING AND BUSINESS CHOICE – PART 3:
RESIDENTIAL SUB-CHAPTER EVALUATION REPORT**

This evaluation report has been prepared to support the residential component of the Intensification Planning Instrument (IPI), known as Plan Change 14. The Plan Change proposes to implement Medium Density Residential Standards (MDRS) and the applicable intensification direction of Policy 3 of the National Policy Statement on Urban Development (2020) (NPS-UD), in accordance with s77G of the Resource Management Act 1991. The evaluation of qualifying matters is captured in Part 2 of the overarching evaluation report.

MDRS set minimum standards and objectives and policies that are required to be applied to all relevant residential zones, with Policy 3 of the NPS-UD requiring further intensification at a scale commensurate with activities and services provided within commercial centres, with intensification around the City Centre specifically specified in the NPS. For the purposes of this evaluation, MDRS has therefore been considered as the minimum baseline for assessment as density standards automatically override commensurate Plan controls in relevant residential zones. Analysis has been completed that the following operative District Plan zones are considered to be within scope of Plan Change 14, being representative of relevant residential zones:

- Residential Suburban
- Residential Banks Peninsula (Lyttelton Township, only)
- Residential Suburban Density Transition
- Residential Medium Density
- Residential Central City

The residential response to s77G is to apply MDRS through National Planning Standards by rezoning applicable areas (not subject to scale qualifying matters) to being either Medium Density Residential Zone (MRZ) or High Density Residential Zone (HRZ). Greater levels of intensification are provided for within HRZ as a response to the Policy 3 direction, with various Precincts proposed to manage building heights. A single Precinct is also used within MRZ to provide for a lesser response for smaller commercial centres. Overall building heights are proposed as follows:

- MRZ: as per MDRS, being 11m + 1m for roofing;
- MRZ, with Local Centre Intensification Precinct: 14m;
- HRZ, with Large Local Centre Intensification Precinct or Town Centre Intensification Precinct: 14m permitted and up to 20m enabled via resource consent;
- HRZ, with no Precinct: 14m permitted and up to 32m enabled via resource consent.

Applying MDRS and the NPS-UD has also resulted in a number of operative Plan features from being removed due to their inconsistency with this intensification direction. This includes changes and deletions to zoning, objectives, policies, notification clauses, and standards.

The proposal has also sought to introduce additional related provisions in accordance with s80E and more lenient provisions in accordance with s77H. The proposed approach seeks to better achieve the intended outcomes across both MDRS and the NPS-UD, acting as means to: be complimentary to newly-introduced standards; provide for incentives for improved outcomes; better integrate typologies across and within developments; and to ensure density outcomes are achievable.

This evaluation report has been drafted in accordance with s32 and s77G of the Resource Management Act.

Issue 3 – Policy 3(d) – Suburban Centres residential response (Policy 3(d) of NPS-UD)

This issue addresses how areas adjacent to centres described in Policy 3(d) of the NPS-UD should be managed. Policy 3(d) states:

In relation to tier 1 urban environments, regional policy statements and district plans enable:

within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services.

Note that the Centres chapter will cover off the extent and height component of the Policy 3(d) response.

This requires consideration of the extent to which an intensification response is provided. The two concepts that need to be addressed are:

- A. The distance that 'adjacent to' implies;
- B. The height and density enabled around various centres.

Case law¹⁶ indicates that the phrase "adjacent to" may be extended beyond meaning places adjoining other places, to include places close to or near other places.

The degree and distance of any intensification should be seen as an interrelated concept: both the scale of any intensification and its distance from the applicable centres should increase based on a commensurate response to the level of commercial activities or community services which is plan-enabled in a centre. This means that both current and planned services and facilities must be considered. The application at a parcel level should be seen through a similar policy lens as the considerations under Policy 3(c), taking into account the local urban form, walkability, and achievement of a well-functioning urban environment.

Accessibility and proximity are key concepts through the NPS-UD, with a strong correlation to walkability. Policy 3(c) is specific in referring to walkable catchments from the city centre and metropolitan centres (Policy 3(c)), with accessibility a key element to achieve well-functioning urban environments under Policy 1 of the NPS-UD. While not a Policy 3(d) requirement, we use the concept of 'walkable catchments' as a helpful reference for considering the scale of appropriate intensification responses for the various centres required under Policy 3(d).

¹⁶ *Allen v Auckland City* (Planning Tribunal 3/5/1991); *Bisson & Ors v Queenstown Lakes District Council* (EnvC Christchurch 4 April 2003).

A centre evaluation has been completed as part of the commercial centres analysis and is not reiterated here (see section 3.1.2 of this report). It has translated the current centre hierarchy to equivalent planning standards definitions. In doing so, it has been concluded that there is still gradation in centre types, having regard to the level of commercial activity and community services as follows:

1. Neighbourhood Centres – no commensurate response warranted;
2. 'Smaller' Local Centres - no commensurate response warranted;
3. 'Medium' Local Centres – a small degree of intensification surrounding centres is warranted;
4. 'Larger' Local Centres – a moderate degree of intensification surrounding centres is warranted;
5. 'Standard' Town Centres – a moderate degree of intensification surrounding centres is warranted;
6. 'Large' Town Centres – a larger degree of intensification warranted.

Walkable catchments defined in the Waka Kotahi guidance¹⁷ are divided into 200m increments, growing based on the scale of centres. Based on this approach, the following walking catchments have been identified as suitably responding to each type of centre:

1. Medium Local Centres – 200m walking catchment;
2. Larger Local Centres and Standard Town Centres – 400m walking catchment;
3. Larger Town Centres – 600m walking catchment.

When viewed against the minimum walking catchment requirements of larger centres (recommended by the MfE as 800m), the above approach is seen to align well with this gradation of intensification response. The response for larger town centres reflects the significant scale and level of commercial activity and community services, albeit being less than the intensification that is warranted around a metropolitan centre.

It is important to remember that the above walking catchments need to be adjusted based on the specific local urban form context to ensure a consistent and cohesive application around the centre. In practice, this usually means that the extent of intensification is larger than the specified walking catchment, in some cases by several hundred metres (depending on the centre type). The extension of these intensification areas should therefore give rise to improved outcomes including uniformity of development patterns, having regard to physical infrastructure (severance, accessibility, pedestrian crossings, cycle infrastructure, safety, etc), availability of public transport, and the commercial function of the centre, including levels of employment.

¹⁷ Aotearoa Urban Street planning & Design Guide, Waka Kotahi (2021, ISBN 978-1-99-004434-2), p45

Option 1 – Apply HRZ around all applicable centres, adapting extent commensurate with centre classification	Option 2 – Apply a precinct around all applicable centres (over MRZ), adjusting enabled height and extent commensurate with centre classification	Option 3 – Provide for a degree of intensification that corresponds to the level of commercial activity and community services identified in centres assessment, except for Belfast centre. (preferred option)
This option would be applied as follows: • Town centres: 20m height enabled to at least 600m walking catchment; • Local centres: 20m height enabled to at least 400m walking catchment; • Neighbourhood centres: 20 height enabled to at least 200m walking catchment. Benefits • Large proportion of housing enabled, in most cases more than doubling development capacity, providing for increased housing choice. At a local level, this is likely to have a positive influence on affordability. • A six storey height is considered by the urban design assessment as residential in nature, being of a human scale and accessible in a residential environment. The form is similar to that which is required to be enabled surrounding the CCZ, so will have a sense of familiarity and consistency once areas are developed. • The extent used for each centre provides an escalating cascade of intensification in correspondence to the level of activities and services in each commercial centre.	This option would be applied as follows: • Town centres: 20m height enabled to at least 600m walking catchment; • Local centres: 17m height enabled to at least 400m walking catchment; • Neighbourhood centres: 14m height enabled to at least 200m walking catchment. Benefits • Large proportion of housing enabled, in most cases more than doubling development capacity, providing for increased housing choice. At a local level, this is likely to have a positive influence on affordability. • A six storey height is seen as residential in nature, being of a human scale and accessible in a residential environment. The form is similar to that which is required to be enabled surrounding CCZ, so will have a sense of familiarity and consistency once areas are developed. Developing to this scale for the town centres is therefore likely to be experienced as a consistent urban form. • Both heights and extents are adjusted to respond to each commercial centre. This	This option would be applied as follows: • Large town centres: 20m height enabled to at least 600m walking catchment (HRZ with Precinct); • ‘Standard’ Town centres: 20m height enabled to at least 400m walking catchment (HRZ with Precinct), except for Belfast, being treated the same as ‘Medium local centres’ at a 400m walking catchment; • Large local centre: 20m height enabled to at least 400m walking catchment (HRZ with Precinct); • Medium local centre: 14m height enabled to at least 200m walking catchment (MRZ with Precinct); and • Other local centres and neighbourhood centres: no intensification proposed beyond MRZ. Benefits • A large proportion of housing is enabled in most cases more than doubling development capacity, providing for increased housing choice. At a local level, this is likely to have a positive influence on affordability. • A six storey height limit is seen as residential in nature, being of a human scale and accessible in a residential environment. The

Option 1 – Apply HRZ around all applicable centres, adapting extent commensurate with centre classification	Option 2 – Apply a precinct around all applicable centres (over MRZ), adjusting enabled height and extent commensurate with centre classification	Option 3 – Provide for a degree of intensification that corresponds to the level of commercial activity and community services identified in centres assessment, except for Belfast centre. (preferred option)
- For most centres, a large quantum of housing will be enabled in areas accessible to commercial activities and services, public and active transport connections, and open space availability. This helps promote localised living, which in-turn helps improve economic prosperity and viability of the centre, whilst also reducing dependence on private vehicle use and any associate greenhouse gas emissions. Costs - Increasing building heights for much of these centres represents a large change from the MDRS status quo or enabled heights under operative zones. The effects of this are most likely felt within smaller centres, where medium density opportunities are less likely to be taken up, resulting in a strong contrast between higher heights around centres and suburban surrounds. - The transitional effects of developing to this form are likely for a longer period as established sites become feasible to be developed and those which are developed do so alongside established (lower density) sites. The flow-on consequences of this	provides for a response, more commensurate to each centre, including the commercial activities and services, public and active transport connections, and open space availability. This helps promote localised living, which in-turn improves economic prosperity and viability of the centre, whilst also reducing dependence on private vehicle use and any associate greenhouse gas emissions. - This option may better reflect the degree of intensification anticipated within and around centres. This helps to address transitional effects to a higher form of residential living and to build distinction between centres while creating a recognisable urban form. Costs - The uplift in development potential within established (lower density) areas may mean there is a disproportionate degree of feasible opportunities to intensify. This could mean that the temporary effects of overshadowing, dominance, and privacy are increased for adjoining lower density sites as the area transitions from a lower to higher density residential living	form is similar to that which is required to be enabled surrounding CCZ, so will have a sense of familiarity and consistency once areas are developed. Developing to this scale for the town centres is therefore likely to be experienced as a consistent urban form. - Both heights and extents are adjusted to respond to each commercial centre. This provides for a response, more commensurate to each centre, including the commercial activities and services, public and active transport connections, and open space availability. This helps promote localised living, which in-turn improves economic prosperity and viability of the centre, whilst also reducing dependence on private vehicle use and any associate greenhouse gas emissions. This means that larger local and town centres are treated differently to other equivalent centres, with smaller local and neighbourhood centres not having any additional intensification response over and above that directed by MDRS. - For the Belfast centre, a bespoke approach is adopted to better respond to the level of services provided for within the centre, i.e.

Option 1 – Apply HRZ around all applicable centres, adapting extent commensurate with centre classification	Option 2 – Apply a precinct around all applicable centres (over MRZ), adjusting enabled height and extent commensurate with centre classification	Option 3 – Provide for a degree of intensification that corresponds to the level of commercial activity and community services identified in centres assessment, except for Belfast centre. (preferred option)
could lead to an inconsistent and dislocated urban form. • An increase in building height is likely to result in reduced sunlight access, loss of privacy, overshadowing, and building dominance. • Only the extent of intensification is considered, without any change in building heights. For a number of the local centres and all of the neighbourhood centres, this would enable a building heights greater than that provided for within the centre itself. This would amplify issues associated with overshadowing and dominance at the centre-residential interface, whilst also creating an urban form that would be seen as out of sequence from its surrounds. • Retaining a static building height for all centres may result in undue pressure on smaller (local and neighbourhood) centres, with an increased local population in close proximity placing high demand on local businesses. This would reduce levels of accessibility to the services and amenities anticipated by the local population i.e. the level of demand is not met by the offer. In addition, many of these smaller centres lack the other services, such as public	environment. The flow-on consequences of this could result in an inconsistent and dislocated urban form. • An increase in building height is likely to result in reduced sunlight access, privacy, overshadowing, and building dominance. • While providing for a more nuanced response to centres, the 17m height limit proposed for local centres does not provide for a strong distinction in heights and sits awkwardly between heights enabled for town and neighbourhood centres. The addition of a single storey is also unlikely to make a material difference since the feasibility and development beyond three storeys is more influenced by increased cost of building compliance and economies of scale. • For the Belfast centre, consent has been granted to develop the majority of the land south of Radcliffe Road for a retirement village, which would severely diminish the viability of the centre and ability for it to respond to the intended outcomes of a town centre zone. In addition, there are severance issues with Main North Road separating the centre from its residential catchment. If developed to six storeys, new	accessibility to services and facilities, whilst also still recognising large housing development opportunities over nearby vacant land. • The scale of intensification correlates with the anticipated feasibility of development, improving the chances of uptake and transition to a higher form of residential living. Costs • The uplift in development potential within established (lower density) areas may mean there is a disproportionate degree of feasible opportunities to intensify. This could mean that the temporary effects of overshadowing, dominance, and privacy are increased for adjoining lower density sites as the area transitions from a lower to higher density residential living environment. The flow-on consequences of this could lead to an inconsistent and dislocated urban form. • An increase in building height is likely to result in reduced sunlight access, privacy, overshadowing, and building dominance.

Option 1 – Apply HRZ around all applicable centres, adapting extent commensurate with centre classification	Option 2 – Apply a precinct around all applicable centres (over MRZ), adjusting enabled height and extent commensurate with centre classification	Option 3 – Provide for a degree of intensification that corresponds to the level of commercial activity and community services identified in centres assessment, except for Belfast centre. (preferred option)
transport or community facilities, that would support intensification at this scale around each of these smaller centres. - For the Belfast centre, consent has been granted to develop the majority of the land south of Radcliffe Road for a retirement village, which would severely diminish the viability of the centre and ability for it to respond to the intended outcomes of a town centre zone. In addition, there are severance issues with Main North Road separating the centre from its residential catchment. If developed to six storeys, new developed areas would have a poor degree of access to services, notwithstanding the strong private vehicle dependence the centre currently experiences with its dislocation from the city centre and lack of walking/cycling infrastructure. - Reporting¹⁸ has highlighted that while centres zoning may be the same across some centres, the ability of each centre to provide services and facilities is not equal. This is especially so for town centre zones and local zones, with some stronger centres, such as Riccarton, Papanui,	developed areas would have a poor degree of access to services, notwithstanding the strong private vehicle dependence the centre currently experiences with its dislocation from the city centre and lack of walking/cycling infrastructure. - Reporting on Centres has highlighted that while centres zoning may be the same across some centres, the ability to provide for services and facilities is not equal. This is especially so for town centre zones and local zones, with some stronger centres, such as Riccarton, Papanui, Hornby, Bush Inn, Merivale, and Sydenham North. The static approach of responding based on centre types alone to provide a commensurate response does not acknowledge these differences, potentially discounting development opportunities within and around these centres. - Reporting on Centres has also highlighted that smaller local centres and neighbourhood centres lack the degree of services to warrant a suitable intensification response over and above that directed through MDRS. Intensifying beyond this	Efficiency - Providing for a more nuanced intensification response correlates with the degree of accessibility anticipated to be provided now and into the future. This efficiently responds to accessibility through aligning the intensification response in areas where this would likely be most viable and provides for walkable high density living environments Effectiveness - This approach strongly aligns with the centres assessment undertaken as part of Plan Change 14. It is therefore an effective response to the degree of services provided for and enabled within each centre. - Providing a more nuanced intensification response to centres (rather than linear response) could add to confusion for Plan users, however the use of precincts to manage/direct intensification is likely to assist. Risk of acting, not acting - Not acting to respond to identified differences between centres may lead to

¹⁸ Commercial Centres: Approach to Alignment with National Planning Standards

Option 1 – Apply HRZ around all applicable centres, adapting extent commensurate with centre classification	Option 2 – Apply a precinct around all applicable centres (over MRZ), adjusting enabled height and extent commensurate with centre classification	Option 3 – Provide for a degree of intensification that corresponds to the level of commercial activity and community services identified in centres assessment, except for Belfast centre. (preferred option)
Hornby, Bush Inn, Merivale, and Sydenham North. The static approach of responding based on centre types alone to provide a commensurate response does not acknowledge these differences, potentially discounting development opportunities within and around these centres. Efficiency - The application of this height response is simplistic, increasing understanding and efficiency of its application. Effectiveness - The degree of intensification has a direct correlation to the type of centre under the zoning classification. However, reporting¹⁹ on centres has shown that the nature and type of services that each centre is able to provide does not directly correlate to centre type. This would therefore lead to an ineffective outcome by intensifying around centres with lower levels of accessibility to services and facilities.	within these centres may therefore result in a low degree of accessibility to services, facilities, and public and active transport connections. Efficiency - The approach provides for a scaled response to centre types, however does not address the differences in anticipated outcomes for each centre in terms of the activity, services and access to public and active transport. - Enabling intensification in this systematic linear fashion is likely to result in greater understanding for plan users, which improves the chances of development opportunities being realised. Effectiveness - This option provides a proportionate response to each centre type, however the level of effectiveness is reduced through not providing for an intensification response that reflects local nuance in terms of accessibility to services and facilities.	areas being sporadically developed as opportunities become available, rather than providing a concentrated, cohesive, intensification response around each centre. As a consequence, there could be increased populations around lower order centres that cannot access the services and amenities they need in walking distance. - For the Belfast centre, acting means that future intensification is provided around a centre that there are limited development opportunities around. Despite granting of consent for an alternative use, further enabling intensification may promote investment in the centre overall, including public transport options. Recommendation: - This option is recommended as it will provide for a scaled response to each centre based on local context and will lead to an efficient and effective means to address Policy 3(d) of the NPS-UD.

¹⁹ Commercial Centres: Approach to Alignment with National Planning Standards

Option 1 – Apply HRZ around all applicable centres, adapting extent commensurate with centre classification	Option 2 – Apply a precinct around all applicable centres (over MRZ), adjusting enabled height and extent commensurate with centre classification	Option 3 – Provide for a degree of intensification that corresponds to the level of commercial activity and community services identified in centres assessment, except for Belfast centre. (preferred option)
Risk of acting, not acting - Acting in this way is likely to promote higher densities of development in areas that have been shown to have a lower level of access to services. This may contribute to an environment where increased populations cannot access the services and amenities they need in walking distance. - For the Belfast centre, acting means that future intensification is provided around a centre that there are limited development opportunities around. Despite granting of consent for an alternative use, further enabling intensification may promote investment in the centre overall, including public transport options. Recommendation: - This option is not recommended as it does not provide for an efficient or effective means to enabling intensification around suburban centres.	Risk of acting, not acting - Acting in this way is likely to promote development in areas that have shown to have a lower level of access to services. This means that there is a greater chance of ad hoc development being undertaken across centres that may contribute to an environment where increased populations cannot access the services and amenities they need in walking distance. - For the Belfast centre, acting means that future intensification is provided around a centre that there are limited development opportunities around. Despite granting of consent for an alternative use, further enabling intensification may promote investment in the centre overall, including public transport options. Recommendation: - This option is not recommended as it does not provide for an efficient or effective means to address intensification around suburban centres.	

DISTRICT PLAN TEXT AMENDMENTS

Key:

For the purposes of this plan change, any unchanged text is shown as normal text or in **bold**, any text proposed to be added by the plan change is shown as **bold underlined** and text to be deleted as ~~**bold strikethrough**~~.

Text in **bold red underlined** is that from Schedule 3A of the Resource Management Act and must be included.

Text in green font identifies existing terms in Chapter 2 – Definitions. Where the proposed change contains a term defined in Chapter 2 – Definitions, the term is shown as **bold underlined text in green** and that to be deleted as ~~**bold strikethrough in green**~~. New definition in a proposed rule is **bold green text underlined in black**.

Text in ~~purple shaded in grey with an underline or strikethrough~~ is a Plan Change Council Decision.

Text in ~~black/green shaded in blue~~ is a Decision by Consent Order.

Text in ~~bold light blue strikethrough with purple underline and shaded in grey~~ is a Council decision that is proposed to be deleted by this Plan Change.

Text in black shaded in grey is a Council Decision subject to appeal.

Text in blue font indicates links to other provisions in the District Plan and/or external documents.

Chapter 15 Commercial

15.1 Introduction

- a. This introduction is to assist the lay reader to understand how this chapter works and what it applies to. It is not an aid to interpretation in a legal sense.
- b. The provisions in this chapter give effect to the [Chapter 3 Strategic Directions Objectives](#).
- c. This chapter relates to commercial and **community activities** throughout the City **and the form and function of commercial centres and mixed use zones**. Objectives, policies, rules, standards and assessment criteria provide for commercial, community and associated activities in each of the different **commercial zones** identified in this chapter.
- d. This chapter seeks to manage **commercial activity** in the City through a 'centres-based' approach. The hierarchy of centres comprises the ~~Central City, CBD, City Centre, Town Centres, Local Centres, District Centres~~, Neighbourhood Centres, ~~Local Centres~~ and Large Format Centres. The 'centres-based' approach gives primacy to the ~~Central City, CBD, City Centre~~ and recognises its role as a principal employment and business centre for the City and surrounding region. Existing **commercial activity** in existing office parks and mixed use zones is also recognised.

(Plan Change 5B Council Decision)

	Activity status	Applicable to	Matters of control or discretion
c.	Restricted discretionary activity	Any new building or addition to a building that is not a permitted or controlled activity under Rule 15.4.2.1 a or b.	a. Urban design – Rule 15.143.1
d.	Any application arising from this rule shall not be limited or publicly notified.		

Advice note:

1. Any **building** or an addition to a **building** requiring resource consent under [Rule 15.4.2.1](#) is exempt from meeting [Rule 15.4.2.3](#).
2. The following forms of development are exempt from compliance with this rule:
 - a. Repairs, maintenance, and seismic, fire and/or access building code upgrades; or
 - b. Refurbishment, reinstatement works.
3. The following activities in [Rule 15.4.1.1](#) are exempt from compliance with this rule:
 - a. P13 **Community facility**; P14 **Health care facility**; P15 **Education activity**; P16 **Preschool**; P17 **Care facility**; P18 **Spiritual activity**; P22 **Emergency service facility**.

15.4.2.2 Maximum building height

- a. The maximum **height** of any **building** shall be as follows:

	Applicable to	Standard
i.	All sites in a District Town Centre (other than specified below)	20 metres
ii.	<u>All sites in a Town Centre at Riccarton, Hornby or Papanui</u>	<u>22 metres</u>
iii.—	~~Any building in a District Centre within 30 metres of an internal boundary with a residential zone~~	~~12 metres~~
iv.—	~~All sites in a Neighbourhood Centre~~	~~12 metres~~
v.—	~~Other locations~~	~~17 metres~~

- b. Any application arising from this rule shall not be publicly notified.

15.4.2.3 Building setback from road boundaries/ street scene

- a. The minimum **building setback** from **road boundaries** shall be as follows:

	Standard
i.	On the road frontage of a site identified as a Key pedestrian frontage (identified on the planning maps), all buildings shall:

	Standard
	A. be built up to the road boundary except for: I. a setback of up to a maximum of 4 metres from the road boundary for a maximum width of 10 metres. II. any pedestrian or vehicle access. B. have visually transparent glazing for a minimum of 60% of the ground floor elevation facing the street. C. have visually transparent glazing for a minimum of 20% of each elevation above ground floor and facing the street. D. This rule shall not apply to emergency service facilities (P22). E. On Colombo Street, between Moorhouse Ave and Brougham Street, buildings shall be set back no more than 2 metres from the road boundary and the setback shall not be used as a parking area.
ii.	On the road frontage of a site that is not identified as a Key pedestrian frontage on the planning maps, all buildings shall: A. be set back a minimum distance of 3 metres from the road boundary unless the building is built up to the road boundary; and B. have visually transparent glazing for a minimum of 40% of the ground floor elevation facing an arterial road or collector road.
iii.	On the road frontage of a site that is not identified as a Key pedestrian frontage on the planning maps and is opposite a residential zone, and/or has a road frontage to a local road: A. the road frontage shall have a landscaping strip with a minimum width of 1.5 metres, and a minimum of 1 tree for every 10 metres of road frontage or part thereof for that part of the frontage not built up to the road boundary (excluding pedestrian and vehicle accesses). (Plan Change 5B Council Decision)

b. Any application arising from this rule shall not be limited or publicly notified.

15.4.2.4 Minimum building setback from the internal boundary with a residential zone

a. The minimum **building setback** from the internal **boundary** with a residential zone shall be 3 metres.

b. Any application arising from this rule shall not be publicly notified.

15.4.2.5 Sunlight and outlook at boundary with a residential zone

- a. Where an internal **boundary** adjoins a residential zone, no part of any **building** shall project beyond a **building** envelope constructed by recession planes shown in [Appendix 14.16.2 diagram D from points 3m above ground level along all boundaries.](#) ~~contained by a 60° recession plane measured from any point 2.3 metres above the internal **boundary** in accordance with the diagrams in [Appendix 15.15.9.](#)~~
- b. For any part of a **building** above 12m in **height**, the recession plane under a. shall apply, unless that part of the **building** above 12m in **height** is set back from the relevant **boundary** as set out below:
- i. northern boundary: 6 metres;
 - ii. southern boundary: 8 metres; and
 - iii. eastern and western boundaries: 7 metres

Where the **boundary** orientation is as identified in [Appendix 14.15.2 Diagram D](#), in which case there shall be no recession plane requirement for that part of the **building** above 12m in **height**.

- ~~b. Where **sites** are located within a **Flood Management Area**, recession plane breaches created by the need to raise floor levels shall not be limited or publicly notified.~~

- c. Any application arising from this rule shall not be publicly notified.

15.4.2.6 Outdoor storage areas

- a. Any **outdoor storage areas** shall:
- i. be screened by 1.8 metre high fencing or **landscaping** from any **adjoining site**; and
 - ii. not be located within the **setback** specified in [Rule 15.4.2.4](#).
- b. Any application arising from this rule shall not be limited or publicly notified.

15.4.2.7 Landscaping and trees

- a. **Landscaping** and trees shall be provided as follows:

	Standard
i.	On ~~sites adjoining with an internal boundary with~~ a residential zone, trees shall be provided adjacent to the shared internal boundary at a ratio of at least 1 tree for every 10 metres of the boundary or part thereof, and evenly spaced extending to the road boundary within the setback . (Plan Change 5B Council Decision)
ii.	On all sites :

	Resource Management Act 1991 Christchurch District Plan Plan Change 14 Section 32 Evaluation	14
HOUSING AND BUSINESS CHOICE – COMMERCIAL AND INDUSTRIAL SUB-CHAPTERS EVALUATION REPORT [PART 4] This report relates to the Commercial and Industrial provisions proposed by Plan Change 14. The specific issues that this plan change seeks to address are all directly related to giving effect to Policy 3 of the NPSUD. In addition, the names of the Commercial Zones of the Operative Christchurch District Plan are proposed change to the nearest applicable zone described in the National Planning Standards. For ease of evaluation, the response to Policy 3 is split into a number of sub-issues as follows: • Implementing Policy 3(a) - intensification in the city centre zone; • Implementing Policy 3(c)(ii) – intensification in commercial zones within the walkable catchment of the city centre zone; • Implementing Policy 3(d) – intensification in suburban commercial zones; and • Implementation of Policy 3(c)(ii) and Policy 3(d) in respect to potential intensification of industrial zones within the walkable catchments of the city centre, town centre and local centre zones The proposed plan change proposes to enable greater heights in the commercial zones of Christchurch City and enable intensification in industrial zones within walkable catchments of city centre, town centre and local centres.		

15.14.3.38 - Outlook spaces	Add new matter of discretion, consistent with the High Density Residential Zone and MDRS standards, to consider the effects of proposals that do not meet the residential activity specific standard for outlook spaces.
15.14.3.39 - Wind	New matter of discretion to enable consideration of the impacts of wind from tall buildings on the safety and comfort of people at street levels and other public open spaces.
15.14.3.40 - Comprehensive residential development in the Mixed Use Zone	New set of assessment matters relevant specifically to comprehensive residential development within the Comprehensive Housing Precinct, to ensure that proposals address all of the matters necessary to implement zone objectives for the long term transition to high quality, high density mixed use neighbourhoods with a perimeter block urban form.
15.14.4.5.1 Development Plan – St Albans Neighbourhood Centre	Delete reference to obsolete RMD Zone and replace with reference to 'residential zone' to reflect the proposed zoning in the block of mixed high density and medium density.
TOWN CENTRE ZONE, LOCAL CENTRE ZONE, NEIGHBOURHOOD CENTRE ZONE AND COMMERCIAL BANKS PENINSULA ZONE	
General	- Split the current Commercial Core zone rules that relate to operative district centre and neighbourhood centre zones, into Town and Local Centre zones depending on the role/centre classification identified in Policy 15.2.2.1. - Changes to provisions shown in the tracked version of the zone chapters to reflect this structural reorganisation are not listed here or evaluated since they retain the status quo in terms of effects, just carried over into the new chapter zone structure.
Activity specific standards for permitted residential activities Rules 15.4.1.1 P21 15.5.1.1 P21 15.6.1.1 P19	Add new standards to achieve standardisation / consistency of provisions between zones for outdoor service space, outdoor living space, glazing to street and public space facing elevations and minimum requirements for outlook spaces. The required outlook spaces from bedrooms are however larger in commercial zones to reflect that there is less certainty about the type of activities that may located on neighbouring properties and therefore greater propensity for land use conflicts that need to be managed more carefully in mixed use / commercial areas.
Restricted discretionary activities Rules 15.4.1.3 RD1 15.5.1.3 RD1 15.6.1.3 RD2, RD4 15.6.1.3 RD5 15.6.1.3 RD6	- Add relevant assessment matters to RD rules for breaches of the standards relating to glazing and outlook space - Rules 15.4.1.3 RD1, 15.5.1.3 RD1, 15.6.1.3 RD1 and for the TC Zone, amend Rule 15.4.1.3 RD1 so that breaches of the outlook space rule can be limited notified which is appropriate for a rule of this type that has the potential to affect directly adjoining neighbours. - For the Neighbourhood centre zone, add two new restricted discretionary activities to enable consideration of urban design matters for multi-unit developments of 4 or more units (Rule 15.6.1.3 RD5) and for sites within a Neighbourhood centre zone in the Central City, for all development exceeding 12 metres in height (Rule 15.6.1.3 RD6).
Building height rules - Rules 15.4.2.2 15.6.2.1 15.4.5.2.1 15.4.4.1.3 - RD2	Amend to: Increase permitted height limits at the larger Town Centre zones (Riccanton, Hornby and Papanui) to 22 metres to reflect the increased level of commercial activities and community

15.5.2.2 15.5.3.2.1 15.5.3.1.2 RD4 15.5.3.1.3 RD4 15.5.4.2.1 15.6.1.3 RD6	services in these centres in comparison to other centres (to give effect to Policy 3d) – 15.4.2.2(a)(ii). • Delete bespoke height rules in the operative district plan for North Halswell Town Centre Zone (Rules 15.4.4.1.3 RD2 and 15.4.5.2.1), for ‘other locations’ (Rule 15.4.2.2 (a)(v)) and the Neighbourhood Centre Zone at 2 Carrs Road (Rule 15.6.2.1 (a)(ii)). • Increase the height limits for larger Local Centres from 12 metres to 14/20m to reflect their relative levels of community services and commercial activities (Policy 3d NPSUD). • Increase permitted building height in Neighbourhood Centre Zones from 8m to 12 metres (outside the central city) reflecting the heights of buildings in surrounding medium density residential zones. • Increase permitted building heights in Neighbourhood Centre Zones (within the Central City) to either 20m or 32m depending on their location and consistent with scale of anticipated surrounding residential development, with all development over 12 metres height requiring an urban design assessment under Rule 15.6.1.3 RD6. • Delete bespoke height rules for Ferrymead Local Centre in reliance on the standard height rule for Local Centres which is more enabling - Rule 15.5.3.2.1 and consequential amendment to 15.5.3.1.2 RD4.
Sunlight and outlook at the boundary with a residential zone Rules 15.4.2.5, 15.5.2.5, 15.6.2.4	• For Town, Local and Neighbourhood Centre Zones - to align with the new, more enabling standard in adjoining residential zones (MDRS standard). [CBP not updated, reflecting limitations of plan change scope to zones outside the urban environment].
Advice notes	• Add advice note under Built Form Standard Rules regarding potential infrastructure constraint – Rules 15.4.2, 15.4.4.2, 15.5.2, 15.5.3.2, 15.5.4.2, 15.5.5.2, 15.5.6.2, 15.6.2, 15.6.3.2, 15.7.2.
LARGE FORMAT RETAIL ZONE, COMMERCIAL OFFICE ZONE No material change	

Table 6: Summary of Proposed Changes to Industrial Provisions

PROVISION	PROPOSED CHANGE
POLICIES	
Policy 16.2.2.2 – Brownfield redevelopment Rule 16.4.1.3 RD8 (new) Matter of Discretion 16.7.2.5 (new)	• Add wording to Policy 16.2.2.2 to introduce new overlay areas at Hornby, Papanui, Cranford and Woolston, where comprehensive medium density residential development is supported in principle, subject to a restricted discretionary resource consent. • Minor amendments in Policy 16.2.2.2 to differentiate between the two existing overlay areas at the Tannery and Waterloo Business Park where a wider range of activities may be considered for redevelopment.

Pūtaringamotu Riccarton Bush Heritage Landscape Review

20 December 2022

CONFIDENTIAL



1 Executive Summary

Pūtaringamotu¹ Riccarton Bush is located in Riccarton, Christchurch. This podocarp forest is the last remaining remnant on the low Canterbury Plains and one of the oldest and best documented protected natural areas in Aotearoa. The names Pūtaringamotu and Riccarton Bush have been used interchangeably throughout this report to indicate that this is a place containing both Māori and Pākehā values.

Riccarton Bush is scheduled in the Christchurch District Plan as a Highly Significant item (#647) and as a Site of Ecological Significance (site number SES/LP/4). Several structures and settings associated with and close to Pūtaringamotu are scheduled in the CDP and listed with Heritage New Zealand Pouhere Taonga (HNZPT). As component features of Deans Estate, they are considered part of a group. These features include:

- Riccarton Grounds: HNZPT Category 1 (#1868) and CDP Highly Significant (#1315)
- Former Dwelling and Setting, Deans Cottage: Category 1 (#3679) and CDP Highly Significant (#307 and #621)
- Former Dwelling and Setting, Riccarton: Category 1 (#1868) and CDP Highly Significant (#306 and #621)
- Former Riccarton Farm Buildings and Setting: CDP Significant (#1291 and #215)

Pūtaringamotu is a remnant kahikatea floodplain forest, the only original area of native bush remaining in Ōtautahi Christchurch. It is a well-known forest remnant across wider suburban Christchurch and its distinctive tall podocarp trees have historically stood out across the flat Canterbury Plains. Pūtaringamotu is a very early example in Aotearoa of a natural area that was offered formal protection through the Riccarton Bush Act in 1914 and is significant for its association with many of Canterbury's pioneer settlers and early businessmen/pastoralists, particularly the Deans families. The bush displays a wide diversity of native flora and fauna and is a defining element and tangible link to the early layout of the Deans property, Deans cottage, Riccarton House and Grounds and the Deans former farm buildings. The grounds of Riccarton House are an inseparable complement to Pūtaringamotu, providing the contextual and ornamental setting for all these listed heritage features.

Christchurch City Council has been directed by central government – via the National Policy Statement on Urban Development and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act – to enable more housing development within the city's existing footprint. The heritage advice provided is related to the effectiveness of the Council's proposed planning overlay to protect Pākehā/European heritage and landscape values of Pūtaringamotu from the impacts of intensification and identifies additional sites and further measures to help protect the identified heritage landscape values of the site.

The setting of Pūtaringamotu Riccarton Bush is an integral part of its heritage significance and requires protection from loss of integrity and definition. This includes the historic spaces, views, connections and relationships between Riccarton Bush, adjoining historic places and boundaries that, through intensification, have the potential to negatively impact the heritage values and experiential qualities of Riccarton Bush.

Despite Council's initial proposed reduction in the height of buildings from a 20m height to 12m, adverse visual effects still arise from Council's proposed height limits for buildings adjacent to Pūtaringamotu. The likely effects of these limits are modelled within this report. In addition, Medium Density Residential Development adjacent to Riccarton House and High Density Residential Development opposite Riccarton Grounds and the former Deans farm buildings on Boys High School grounds, weaken the connection of these heritage features with their setting.

¹ The name Pūtaringamotu means either the place of an echo or the severed ear, the latter being a metaphoric expression referring to 'bush isolated from the rest'.

Appendix 7: Excerpts from the Council's section 42A report and right of reply

Section 42A Report, Sarah Oliver – Strategic Overview, Strategic Directions Chapter 3, Qualifying Matters relating to Strategic and City Infrastructure and Coastal Hazards

Statement of Evidence, Matthew Stobbart (Council) – Qualifying Matter: Heritage (Heritage Sites)

Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters

Section 42A Report, Ike Kleynbos – Residential Chapter and Qualifying Matters, Appendix G

Statement of Evidence, Wendy Hoddinott (Council) – Heritage Landscape (Qualifying Matter: Riccarton Bush)

Summary Statement of Evidence, Ruth Allen (Council)

Section 42A Report, Kirk Lightbody – Commercial Chapter

Reply for Christchurch City Council

CHRISTCHURCH DISTRICT PLAN

PLAN CHANGE 14

HOUSING AND BUSINESS CHOICE

PLANNING OFFICER'S REPORT OF SARAH-JANE OLIVER UNDER SECTION 42A OF THE RESOURCE MANAGEMENT ACT 1991

**Strategic Overview, Strategic Directions Chapter 3, Qualifying Matters relating to Strategic
and City Infrastructure and Coastal Hazards**

11 August 2023

Recommendation

12.103 Based on the above considerations it is recommended that submissions by Kāinga Ora (S834) and Waka Kotahi (S805) supporting the Waste Water Constraint Areas Overlay (Vacuum Sewer) are accepted. I recommend that the request by Kāinga Ora requesting additional restricted discretionary activity assessment matters, the request by Ms McEwan (S211) to add Merivale to the constraint overlay, and further clarification sought by The Fuel Companies (S212) regarding small scale activities that do not affect wastewater discharge volumes are rejected. No changes are recommended.

12.104 ISSUE 5 – CITY INFRASTRUCTURE – CITY SPINE – OTHER MATTER

12.105 The City Spine Transport Corridor qualifying matter is a targeted infrastructure provision applying only to parts of the main northern and western corridors, where the road width is 24m or less. The QM proposes a 4m building setback (greater than the 1.5m building setback under the MDRS) within the Medium Density Residential Zone (refer to proposed rule 14.5.2.18) and High Density Residential Zones (refer to proposed rule 14.6.2.17). It also seeks to manage the height and transparency of fencing and location of outdoor living in the front yard spaces (not within 1.5m of the road boundary). The purpose of these rules is to manage the site design and layout of buildings to ensure most importantly, adequate space is required for tree planting along the road frontage. The rule will also have the benefit of managing the location of permanent and unmoveable structures and required (compliant) outdoor living spaces, so they do not foreclose future potential transport improvements (form and function) along this corridor. Although for reasons I discuss below this is a secondary benefit.

12.106 For business zones (Town Centre Zone, Local Centre Zone, Neighbourhood Centre Zone, Large Format Retail Zone, Mixed Use Zone), the proposed QM proposes a 1.5m setback. I note that this setback may in some instances be less than that currently required under current rules, for example existing rule 15.4.2.3 requires a 3m setback for sites not identified as a “Key pedestrian frontage” on the planning maps. The business setback rule requires that fences do not exceed 1m in height and outdoor living spaces be setback 1.5m from the road boundary.

12.107 Some submitters have sought the proposed City Spine (main transport corridor) building setback be deleted as a qualifying matter. Waka Kotahi states that it “...generally supports the integration of land use and transport planning, including future provision of multi modal corridors but questions whether this is the most appropriate method for achieving these aims. Waka Kotahi

also considers that this qualifying matter reduces the potential for development capacity along the [corridor]..., by requiring consideration of potential road widening through designation and/or land acquisition where there are no confirmed or defined plans.....it does not meet the requirements as a qualifying matter, as it does not achieve the need to balance heights, densities and other standards of the MDRS against the need to manage those specific characteristics.” The reasons for other submitters who oppose the QM are in a similar vein to Waka Kotahi’s. Submitters in support seek to retain the rules as notified.

12.108 I will address the three main opposing submission points being the QM as a mechanism with a suggestion the designation process is a more appropriate approach; the impact of the QM on development capacity; and the nature of the QM in reducing the level of enablement only as far as necessary to ensure the special characteristics of the QM.

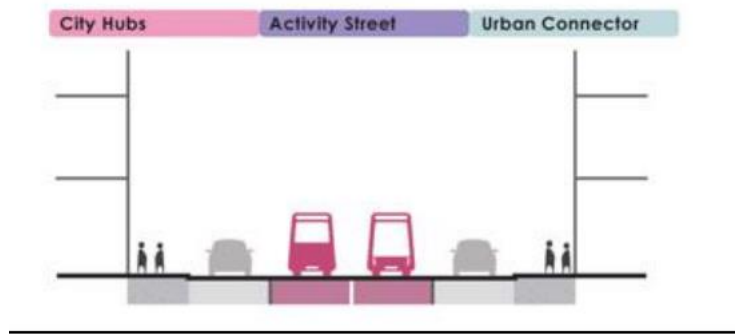
12.109 The location and importance of the City Spine Transport Corridor is set out in Part 2 of the section 32 evaluation, section 6.31. This corridor has been identified under a number of planning and transport plans as a core public transport route. It connects major centres from the north to the west and is planned as a city-shaping corridor to attract the greatest population densities, connecting the city to the neighbouring districts of Selwyn and Waimakariri. Consequently, significant long-term investment both in terms of transport improvements and land use development (business and residential) is planned within this corridor. Its success as a city-shaping asset, will be influenced by the both the enablement provided for through this plan change, but also as importantly the design outcomes set through rules and assessment matters.

12.110 I have already highlighted the many infrastructure related objectives and policies that provide, in my view, strong justification for a bespoke approach to managing land use outcomes along this corridor. I accept and fully support the need to maximise land development opportunities, in order to achieve the population densities required to justify further investment, particularly for mass rapid transit. However this should not be at the expense of good (ideally high) amenity along this important corridor. I note Waka Kotahi’s Aotearoa urban street planning and design guideline⁵⁸ promotes for quality outcomes. Mr Field discusses these guidelines and the street design directions contained within this in more detail.

⁵⁸ [Aotearoa urban street planning and design guide - All updates | Waka Kotahi NZ Transport Agency \(nzta.govt.nz\)](https://nzta.govt.nz/aotearoa-urban-street-planning-and-design-guide-all-updates/)

- 12.111 This Plan Change presents the first opportunity to provide the community and development community with a clear direction as to the outcomes Council expect for this corridor. Properties who directly adjoin the corridor and receive the greatest benefit from future planned transport investment, should have regard to the design and specifically the road interface. The outcome of this corridor if designed well, could benefit the property values of the adjoining properties.
- 12.112 Some submitters have commented that a designation process should have been undertaken by the Council if it requires road widening. As Waka Kotahi has noted, the future form and function of this important corridor has not yet been decided. Whilst an Interim Business Case for Mass Rapid Transit has been completed, a more detailed business case is still to be undertaken, subject to approval by Waka Kotahi for this next stage. Should this be undertaken, only then will there be sufficient design certainty to prepare a designation, either initiated by the Council or Waka Kotahi, or in partnership.
- 12.113 I consider it an inefficient use of Council resources and poor process for the Council to advance its own separate designation process ahead of these important corridor decisions being made. I accept that should Council wish to develop a full multi-modal transport corridor, including as Mr Morahan has advised, the provision for a dedicated cycleway, that significant land acquisition to widen the road would be required, and could impact on the feasibility of a mass rapid transit system. Road widening for this type of future proofing is, I agree, more appropriate to be achieved through a designation process.
- 12.114 However, I am still of the opinion that the proposed building setback is the only appropriate method to protect the potential long-term form and function of this corridor. As stated in the s32 assessment, without a building setback in the narrow sections of the corridor, new builds could significantly compromise future options and further not deliver what I, supported by Council experts Mr Morahan, Mr Field and Mr Chapman, consider to be a minimum level of amenity and function along this corridor. I have copied from the Interim Business Case (page 173)⁵⁹, the image of a cross section that would depict the built environment where the road width is 20m. Mr Field has included scenarios of a 1.5m setback compared to a 4m setback. The street outcomes with the 4m setback being considerably more liveable in my view.

⁵⁹ [Greater-Christchurch-Mass-Rapid-Transit-Indicative-Business-Case-Final-Draft.pdf \(greaterchristchurch.org.nz\)](#)



12.115 Regarding the impact on development capacity, in my view the proposed setback has a very minor impact. I also refer to the evidence of Mr Field (urban design), Mr Chapman (tree canopy cover) and Mr Osbourne (economic). I have undertaken further analysis of the proposed 4m building setback applied to residential sites, on site development opportunity and compared this to the MDRS 1.5m minimum building setback.

12.116 Appendix J contains this further analysis including plans showing specifically which properties are impacted by the proposed QM (being 420 residential properties, noting that the proposed setback for business is only 1.5m and reflects in most locations existing standards under the CDP). For all properties the 4m setback leaves well above the minimum building coverage area, being 50%, available for development. Of the approximately 420 impacted properties, 93 properties have less than 5% of their sites impacted (so 95% or more unaffected). Some 148 properties have between 5 to 10% impacted (so 90% or more unaffected), 129 properties have between 10-20% impacted (so between 80-90% unaffected), and 45 properties between 20-50% impacted, these latter properties being typically existing front sites of a multi-unit complex.

12.117 A 1.5m setback would result in a number of existing trees to be removed, therefore likely leading to a further reduction in tree canopy cover, along this important city-shaping corridor. Whilst there may be an argument for trees to be planted elsewhere on a site, or through a Tree Canopy financial contribution (subject to that being approved) planted elsewhere in the neighbourhood, I do not consider these options will benefit the wider community as well as a planted corridor would. It is my view that the properties adjoining this corridor will benefit from public investment and the minimum landowners/land developers should be contributing to this corridor is the planting of medium and large trees at the interface.

12.118 A final matter raised by Waka Kotahi, relates to the proposed setback not achieving "...the need to balance heights, densities and other standards of the MDRS against the need to manage

those specific characteristics". The proposed rule will not impede permitted building heights, nor significantly impact on other permitted built form standards being achieved. The setback does require some more careful consideration of site layout, but I consider the Council's modelling (refer to Mr Fields evidence) demonstrates densities as intended by the MDRS and higher density development, can be achieved on most sites.

12.119 For smaller sites in most instances these already contain a smaller residential unit with an existing 4m building setback. Redevelopment of these sites to apply the MDRS is already significantly limited by their site size, not by the proposed setback. Site amalgamation would be required in these instances to achieve the benefits of the MDRS and/or High Density Residential Zone standards. I therefore do not agree with the position raised under the Waka Kotahi submission, that there is any misbalance with the other development standards. Furthermore, I consider the proposed setback is the most effective means to achieve the outcomes sought for this important corridor.

12.120 In conclusion whilst I support the proposed setback for amenity (interface) and tree planting purposes, I agree with submitters that a designation process is a more appropriate method to widen the road for functional purposes (i.e to increase the footpath widths and/or cycleway), it is my recommendation that the assessment matter 14.15.j.ii and iii following assessment matters be deleted (refer below). However, the setback rule should not in my view be changed.

"...Minimum road boundary setback - Qualifying Matter City Spine Transport Corridor

- i. **Whether the reduced setback, location of outdoor living space and fencing would provide sufficient space in the front yard to contribute positively to street amenity and provide for the planting of medium to large specimen trees.**
- ii. **~~Whether the reduced setback, location of outdoor living space and fencing would provide sufficient opportunity to achieve well integrated and multiple land use and infrastructure outcomes, including as a minimum and to achieve best practice guidelines, two traffic lanes, pedestrian, cycle and public transport services; landscape amenity and tree planting; and stormwater retention and treatment facilities, residential street relationships and servicing, and CPTED principles~~**
- iii. **Whether buildings, the location of outdoor living space and fencing enabled through a reduced setback from the road would impede widening of the road through designation and/or land acquisition."**

Recommendation

- 12.121 Based on the above considerations I recommend that no change is made to the proposed City Spine Transport Corridor qualifying matter and setback, except the deletion of two assessment matters. Refer to Appendix D for a table of all submissions with my recommendations.

13 QUALIFY MATTERS – COSTAL HAZARDS – ANALYSIS OF SUBMISSIONS

13.1 ISSUE 1 – COASTAL HAZARD MANAGEMENT AREAS – OTHER SECTION 6 MATTER

- 13.2 PC14 seeks to introduce a new section 6(h) matter of national importance as a qualifying matter to propose a lesser intensity of development than the minimum development otherwise required to be enabled by MDRS and the NPS-UD. The Notified Proposal included a new proposed policy under Chapter 5 of the Plan, Policy 5.2.2.5.1 Managing development in Qualifying Matter Coastal Hazard Management Areas (CHMA), and to give effect to this new Coastal Hazard Management Areas (medium and high risk areas).
- 13.3 New rules are also proposed under Chapter 5 in relation to the CHMA, specifically proposed Rule 5A which seeks to manage within the CHMA, the construction and replacement of buildings and accessory buildings, earthworks and stormwater management areas associated with these buildings, either as a controlled or restricted discretionary activity. The addition of a new building other than that specified before, if located within the Coastal Hazard Medium Risk Management Area is proposed to be a discretionary activity. The addition of a new building other than that specified before, if located within the Coastal Hazard High Risk Management Area is proposed to be a non-complying activity.
- 13.4 To assist the panel and submitters, I have included in Appendix K of this report a series of maps that depict the Operative District Plan zoning, the proposed spatial extents of the Coastal Hazard High and Medium Risk Management Areas, and the Tsunami Risk Management Areas (Notified Proposal and Amended Proposal spatial extent).

**BEFORE INDEPENDENT HEARING COMMISSIONERS
IN CHRISTCHURCH**

TE MAHERE Ā-ROHE I TŪTOHUA MŌ TE TĀONE O ŌTAUTAHĪ

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the hearing of submissions on Plan Change 14 (Housing
and Business Choice) to the Christchurch District Plan

**STATEMENT OF PRIMARY EVIDENCE OF MATTHEW HOWARD STOBART
ON BEHALF OF CHRISTCHURCH CITY COUNCIL**

QUALIFYING MATTER: HERITAGE (HERITAGE SITES)

Dated: 11 August 2023

which is attached as **Appendix A**. My evidence is a summary of the matters set out in further detail in that report.

EXISTING SANCTIONED VEHICLE PARKING

18. With a limited number of exceptions, existing vehicle parking is restricted to formed surfaces that are outside usable soil volumes and as such, is considered to pose a negligible risk. Where exceptions exist, for example, in St James Avenue, the configuration of the road reserve has resulted in sub-optimal rooting conditions. Although sub-optimal conditions exist, in my opinion, this is something that the trees appear to have adapted to and continue to tolerate.
19. Any increased use of the existing sanctioned parking areas is, in my opinion, considered to pose a negligible risk and, in the scenarios, where sub-optimal conditions already exist is not anticipated to cause any significant risk to the extent and duration of the canopy related benefits in these locations.

ACCOMMODATING ADDITIONAL PARKING FOR VEHICLES

20. The risk posed by changes to the existing design and configuration of the road reserve to accommodate additional parking for vehicle is variable in nature and depends on a range of factors, influenced in the most part by the genotype, phenotype and relative position of the trees in each location. The risks associated with any proposed changes to the existing trees and the impact on future planting opportunities would need to be subject to an arboricultural impact assessment but, typically, this type of risk can be managed using engineered solutions and the use of tree sensitive designs.

ADDITIONAL AND/OR WIDER VEHICLE CROSSINGS

21. The risk posed by changes to the existing design and configuration of the road reserve to accommodate additional and/or wider vehicle crossings is variable in nature and depends on a range of factors, influenced in the most part by the genotype, phenotype and relative position of the trees in each location. The risks associated with any proposed changes to the existing trees and the impact on future planting opportunities would need to be subject to an arboricultural impact assessment but, typically, this type of risk can be managed using engineered solutions and the use of tree sensitive designs.

FOUNDATIONS FOR NEW BUILDS

22. The risk posed by excavations for new build foundations is variable in nature and depends on a range of factors, influenced in the most part by the genotype, phenotype and relative position of the trees in each location. The associated risks to existing trees would need to be subject to an Arboricultural Impact Assessment and may require design interventions to manage any significant risks identified.

INCREASED CANOPY CLEARANCES TO ACCOMMODATE FOR NEW BUILDS

23. The associated risks are variable and influenced by the genotype, phenotype and relative position of the trees in each location and would need to be subject to an Arboricultural Impact Assessment and may require to be managed through the design process to avoid the need for detrimental pruning.

SHADING CAST BY NEW MULTI-STOREY BUILDINGS

24. The extent of the shade pattern cast by buildings will vary on the relative position and height of the tree and the building. In general terms, and in my opinion, the maximum permitted heights for High and Medium Density Residential Zones are not considered to pose a significant risk to the extent and duration of canopy related benefits in the species present. This reflects the principle of positive phototropism which provides a way for trees to adapt their canopies to make the optimum use of the available light. In addition, typically, periods of peak energy production/physiological activity correspond with the periods when the sun is at its highest and means that the maximum permitted heights would not be expected to significantly alter the amount of direct overhead light reaching canopies during this time. In contrast, the periods when the sun is at its lowest, correspond with periods of dormancy in deciduous species or reduced physiological activity in evergreen species (which typically have species genotypes characterised by increased shade tolerances). This would mean that reduced light in winter would either have no effect on deciduous species or in the case of evergreen species, is a change that is likely to be adapted to and tolerated.

FUTURE PRESSURES FOR REMOVAL AND/OR DETRIMENTAL PRUNING

25. The potential for future pressures for tree removal and/or detrimental pruning are, in my opinion, considered to be variable in nature and are influenced, in the most part, by the genotype, phenotype and relative position of the trees in

each location, the relative preferences and tolerances of property owners/occupiers to issues , such as shading and seasonal nuisance associated with leaf fall and the extent to which these issues can and have been addressed in the design process.

POTENTIAL OPPORTUNITIES TO MANAGE THE THREATS TO THE EXTENT AND DURATION OF CANOPY-RELATED BENEFITS

26. A range of potential opportunities exist to manage scenarios where there is the potential for some of the threats to pose an increased risk to the extent and duration of canopy related benefits. A requirement to complete a timely, design and site-specific Arboricultural Impact Assessment (AIA) is considered to be a key control in terms of enabling potential threats to be systematically evaluated and where applicable, managed through tree sensitive designs. For example, a range of tree sensitive designs such as root bridging solutions, permeable materials and under-ground soil vaults already exist and provide opportunities to preserve and/or increase usable soil volumes, despite competing and potentially conflicting demands for space within the designated road reserve.

CONCLUSION

27. This conclusion is based on the overview of the potential threats and opportunities discussed in the appended assessment report. Although the intensification of the 16 locations poses a range of threats, a range of corresponding opportunities also exist. Overall, it is considered that, in my opinion, in many of the locations, intensification would not significantly alter the existing factors influencing the extent and the duration of the canopy related benefits. In locations, where evaluated potential threats were identified, it is considered that, in my opinion, intensification could be achieved without adversely affecting the extent and duration of canopy related benefits, but this is subject to appropriate controls to manage the associated risks. In addition, it is considered that, in my opinion, rather than having detrimental effects, intensification actually has the potential for canopy related benefits and ecosystem services to be utilised and realised in more instances and by a greater number of people.

Dated: 11 August 2023

Matthew Howard Stobbart

CHRISTCHURCH DISTRICT PLAN

PLAN CHANGE 14

HOUSING AND BUSINESS CHOICE

**PLANNING OFFICER'S REPORT OF IKE KLEYNBOS UNDER SECTION 42A OF
THE RESOURCE
MANAGEMENT ACT 1991**

TOPICS ADDRESSED:

Residential Chapter

Qualifying Matter: Riccarton Bush Interface Area

Qualifying Matter: Sunlight Access

Qualifying Matter: Low Public Transport Accessibility

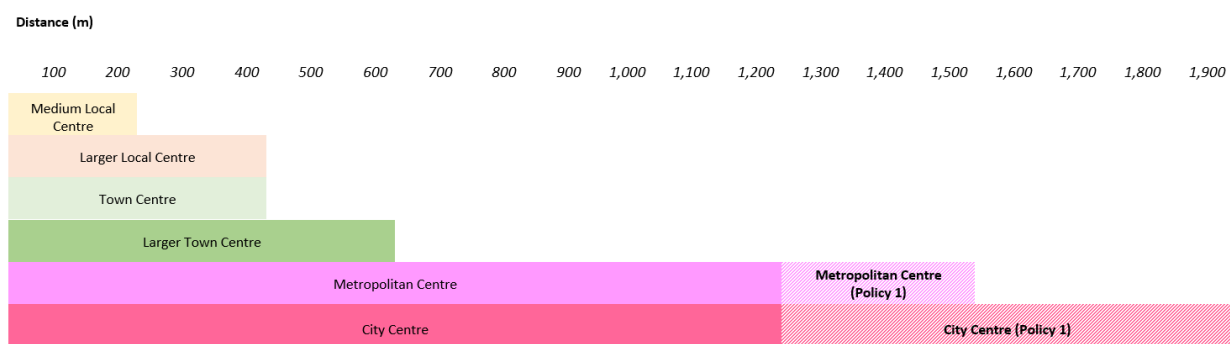
11 AUGUST 2023

INTENSIFICATION AROUND COMMERCIAL CENTRES – POLICY 3(D)

- 6.1.53 Policy 3(d) requires building heights and densities of urban form commensurate with the level of commercial activity and community services to be enabled "within and adjacent to" the centres listed in the policy.
- 6.1.54 A number of submissions have stated that the centres approach is overly complex, that greater levels of intensification are needed to provide a commensurate response or, conversely, that more nuanced walking catchments are needed.
- 6.1.55 PC14 as notified provides for different precincts, identified in response to the specific direction of Policy 3(d), identifying the commensurate response to centre types. Precincts therefore explicitly refer to the centres to which they are providing a commensurate response. However, four precincts achieve the same level of intensification: 20m enabled residential development around the City Centre, Larger Town Centres, Town Centres, and Larger Local Centres. These four precincts all relate to sites within HRZ and cover over 90% of the zone itself, and I agree with relevant submitters that this causes unnecessary duplication.
- 6.1.56 That is, the HRZ zone framework enables a 32m building height, with a lesser height (of 20m) enabled for all of the HRZ Precincts. This framework adds redundancies and unnecessary confusion to the Plan user; whilst this approach may have been helpful for engagement on PC14 to better understand the origin of an intensification response, it is inefficient in practice as the majority of the HRZ is covered by these precincts. I therefore recommended the framework be simplified in response to submissions such that a Precinct approach is only applied for HRZ areas intended for development greater than six storeys.
- 6.1.57 Further, PC14 as notified sought to introduce a 22m building height in commercial centres zoned as Town Centre within the 'larger' Town Centres categorisation, being Riccarton, Hornby, and Papanui. Within surrounding residential zones a 20m building height was proposed, whilst within Centre City Mixed Use Zone a 21m building height was proposed. All three areas are intended to contain six- storey developments, however with variations in height primarily to accommodate different land uses (e.g. within commercial settings it is common for ground floor stud heights to be increased to provide for greater ground floor prominence, attractive to flagship store tenants).
- 6.1.58 This variance in heights for six-storey developments add to the complexity of the Plan where such developments are proposed. Maintaining such a difference could cause consenting issues when contiguous sites are developed that cross residential and commercial zone boundaries. Evidence included with the notified plan change (by The Property Group – Appendix 5 of the Residential s32 Report) highlights the existing occupation and site configuration within HRZ, necessitating provisions that incentivise amalgamation in order to see a reasonable uplift of high density developments. It is important within the HRZ to ensure that changes do not act as barriers to scale change.

- 6.1.59 A variety of walking catchments have been used to delimit areas "adjacent to" different centres, in response to the requirements of Policy 3(d) to provide a 'commensurate' response to centre types based on 'the level of commercial activity and community services'. The following walking catchments were used:
- 600m - Larger Town Centres
 - 400m - Town Centres
 - 400m - Larger Local Centres
 - 200m - Medium Local Centres
- 6.1.60 Walking catchments were identified on the basis that every 400m equates to 5 minutes of walking, a commonly adopted international metric also referenced in various guidance material on the NPS-UD. Reference should be made to the discussion on Issue 3 in the Residential s32 Report regarding the above approach to walking distances.
- 6.1.61 Some submitters on PC14 seek to increase these walking catchments, and conversely, some submitters question the metrics used in relation to time or distance. In response to this, it is important to outline the distinction between walking propensity and a walking distance metric for the purposes of having a catchment reactive to centre scale.
- 6.1.62 As noted earlier, walking propensity increases based on the type and diversity of facilities and services provided within an area, as well as in line with the quality of the walking environment. In applying walking catchments there is a choice to be made of time versus distance; Council has made the assessment that distance should be used to delineate catchments, rather than time (i.e. 5 or 10 minutes or walking at a specific walking speed). Reasons for using the distance method over the time/speed method include:
- Christchurch is a largely flat, walkable environment.
 - Other means of non-motorised travel are easily accessible, with a significant investment in cycle infrastructure and ease of publicly-accessible micro-mobility services, such as eScooters and the like.
 - Investment in roading infrastructure is not static; roading improvements are continuous and Council is able to improve pedestrian infrastructure and connectivity through urban areas.
 - Speed makes assumptions on ability, when in reality walking speed will vary (sometimes greatly) depending on physical ability and age.
- 6.1.63 As noted above, a walking catchment of at least 1.2km has been considered appropriate around the city centre, increasing in accordance with the principles set out in Policy 1, which extends to up to 1.9km. Applying a walking propensity lens to Policy 3(d) centres is not a prerequisite; it is simply a requirement to have a proportionate response "within and adjacent to" centres. A catchment based on distances serves this purpose, in my view. For Policy 3(d) purposes the Council has taken the measurement of walking catchments from the central mass of buildings within each centre, rather than from the edge of the respective commercial centre zone, as is directed for the city centre under Policy 3(c). This ensures that catchments are taken from areas of interest, with the greater degrees of accessibility, and seeks to align with Policy 1 of the NPS-UD.

- 6.1.64 For the Larger Town Centre, a walking catchment of 600m was chosen as a means to provide a further 200m, in addition to the 400m provided for other Town Centres, reflecting the increased propensity to walk to larger centres.
- 6.1.65 Submissions have been made on the categorisation of commercial centres and have highlighted an important aspect that was not expressly considered through evaluation reporting: how do proposed catchments 'fit' within a metropolitan centre framework, when viewed as a continuum of different centres? This was not addressed as the Council has not identified any metropolitan centres in Christchurch, so no such zones are part of the PC14 proposal. Regardless, it is important that the catchments are appropriately identified by reference to the commercial activity and services relevant to the centre type, thus reflecting the propensity to walk in those specific circumstances.
- 6.1.66 In my view, it is important to see catchments along a continuum of commercial centre responses in recognition of the various centres described in National Planning Standards and referenced in Policy 3. The NPS-UD requires councils to have a responsive planning framework, with detailed reviews required every three years through the housing and business development capacity reporting. This reporting must now align with Council's Long Term Plan drafting under the Local Government Act 2002, creating strategic investment and decision-making for infrastructure delivery to respond to long-term housing and business sufficiency. It is therefore conceivable that future reviews may conclude that a plan change is needed in order to respond to changes in centres. Centre catchments for each centre type should therefore also be thought of strategically and how each residential response should be categorised.
- 6.1.67 The Ministry for Housing and Urban development (**MHUD**) (#859) seeks that at least 200m should be added to all catchments relating to centres outside of the City Centre. In my view, extending the catchments in this way is warranted for some centres in Christchurch, but not all. The requirements to intensify around metropolitan centre are the same as those on the city centre: at least the same walking catchment should apply to a metropolitan centre and a city centre. Applying the same rationale means that at least 1.2km should apply to metropolitan centres, increasing within specific areas in accordance with the prerequisites of Policy 1 in order to deliver a well-functioning urban environment. The full extent of this would need to be assessed on a case-by-case basis, depending on local conditions.
- 6.1.68 Metropolitan centres have not been included in PC14, but with the above in mind, should be factored in with any categorisation of other centre catchments. Seeing the notified catchments along a continuum with metropolitan centres included shows an uneven distribution of catchments for commercial centres, with catchments skewed towards the middle:



6.1.69 I consider that such an approach would not align with the requirements of policies 1 and 3 of the NPS-UD, or with objective 1, because catchments are not sufficiently responsive to the scale and nature of each centre and levels of accessibility throughout. In my view, more even distribution of catchments is needed to best give effect to objectives and policies of the NPS- UD.

6.1.70 Mr Lightbody has recommended that the centre sub-categories as notified³³ are simplified to amalgamate what was classified as ‘small’ and ‘medium’ Local Centres. This approach means that ‘small’ Local Centres now make up a combined list of 27 centres³⁴. Additional reporting³⁵ included in Mr Lightbody’s s42A report provides detailed information on the scale, make-up, and services provided within each centre. It shows that these centres vary greatly in their size and levels of occupancy with for example, Parklands having an area of 1.3ha and commercial floor space of 864m², while Bishopdale has an area of 6.3ha and a commercial floor space of almost 12,000m². The average zoned area for these centres is 2.7ha and the average commercial floor

³³See Appendix 2 of the Commercial s32 Report, para 4.9.5.

³⁴ In practice, only 21 centres are able to be further intensified due to qualifying matters. These centres are: Redcliffs; Lyttelton; New Brighton; Sumner; Woolston; and Yaldhurst.

1.1.1 ³⁵ See ‘Centres Review Data Collection Summary Report’ from The Property Group (Jan 2022).

space is about 6,500m². Many of these sites also differ in terms of the variety of commercial activity and community services, highlighting the need for further sub-categorisation to provide a commensurate residential response in accordance with Policy 3(d).

- 6.1.71 To date, commercial floor space (current and prospective) has been used as a metric to address the 'level of commercial activity' prerequisite and the quantum of community services simply calculated to categorise each centre type. This provides a fairly suitable indication of appropriate centre categories for the purposes of commercial zone classification but, in my view it may be overly simplistic to provide for a commensurate residential response. That is to say, there does not necessarily need to be alignment between a commensurate commercial or commensurate residential response as they are influenced by different factors. For instance, in order to have a residential catchment around a centre, a discernible residential catchment should exist around said centre. The combined effect of the NPS-UD is to create more self-reliant centres that serve distinct catchments (see National Planning Standard definitions). Similarly, in certain circumstances I believe it would be appropriate to have a greater density provided within a centre compared to surrounds due to the agglomeration benefits of providing development within a centre. This approach also aligns with the direction of Policy 1 to have a well-functioning urban environment.
- 6.1.72 Aforementioned reporting by The Property Group provides a large degree of metrics and data for each centre that are able to be applied to infer a suitable categorisation of centre responses. In my view, there are 4 key metrics:
- a. **Zoned area of centre:** This defines the physical scale of each centre and to what degree each centre is able to grow. Centres are ranked out of 22.
 - b. **Prospective growth:** The Property Group reporting estimates the ratio of building occupancy for centres of this scale at 0.44. Multiplying the zoned site area of each centre by this ratio helps to indicate what degree of future development is possible. Centres are ranked out of 22.
 - c. **Number of commercial services:** As above, this details the variety of business that have invested in the centre, providing a useful indicator of future growth potential, and a good indicator of Policy 1(b) potential. Scoring is calculated as a percentage and then scored out of 10, giving a lesser score and reflecting that this captures a point in time.
 - d. **Number of community facilities:** As above, this details the variety of facilities established in the centre, providing a useful indicator of future growth potential, and a good indicator of Policy 1(c) potential. Scoring is calculated as a percentage and then scored out of 10, giving a lesser score and reflecting that this captures a point in time.

6.1.73 Each of the 21 centres able to be intensified has been scored against the above criteria, with results shown below:

Commercial Centre	Site area (rank)	Prospective growth (rank)	Commercial (out of 10)	Community (out of 10)	Combined score (out of 63)	Score as %
Prestons	21	20	5.7	7.5	54.2	86.1%
Bishopdale	20	17	7.1	7.5	51.6	82.0%
Barrington	18	12	10.0	5	45.0	71.4%
Wigram	19	15	7.1	2.5	43.6	69.3%
North West Belfast	15	21	2.9	0	38.9	61.7%
Sydenham South	17	11	7.1	2.5	37.6	59.8%
Halswell	16	16	4.3	0	36.3	57.6%
Richmond	13	18	2.9	0	33.9	53.7%
Addington	14	7	7.1	0	28.1	44.7%
Beckenham	10	6	7.1	5	28.1	44.7%
Parklands	4	19	4.3	0	27.3	43.3%
St Martins	11	8	5.7	0	24.7	39.2%
Linwood Village (Stanmore/Worchester)	7	13	4.3	0	24.3	38.5%
Ilam/Clyde	8	9	5.7	0	22.7	36.1%
Edgeware	12	3	7.1	0	22.1	35.1%
Fendalton	5	10	4.3	0	19.3	30.6%
Cranford	9	1	5.7	2.5	18.2	28.9%
Colombo/Beaumont	6	5	7.1	0	18.1	28.8%
Wairakei/Greers Road	1	14	2.9	0	17.9	28.3%
Hillmorton (West Spreydon)	2	4	5.7	0	11.7	18.6%
Avonhead	3	2	5.7	0	10.7	17.0%

6.1.74 Taking a pragmatic view that those that scored over 50% are suitable for an intensification response, further criteria are evaluated below that I believe are relevant to the residential response, being: the nature of any anchor tenant; availability of public and active transport; a strong residential interface; and a good degree of accessibility to open space and schools. As per other Policy 3 responses, this seeks to apply a Policy 1 lens to catchments. This is evaluated below:

Top 50%	Score as %	Any anchor tenant	Core public transport route	Nearby Cycle Route	Estimated proportion of residential surrounds	Degree of accessibility to Open Space / Schools
Prestons	86.1%	Supermarket	None	None	40%	Average
Bishopdale	82.0%	Supermarket	Orbiter, #125	Wheels to Wings Cycleway	70%	Good
Barrington	71.4%	Supermarket + Large Format	Orbiter, #44	Quarryman's Trail Cycleway	90%	Good
Wigram	69.3%	Supermarket	None	Little River Link Cycleway	100%	Average
North West Belfast	61.7%	Supermarket	#1	None	100%	Average
Sydenham South	59.8%	Mitre 10	#1, #44	Quarryman's Trail Cycleway	80%	Poor
Halswell	57.6%	Supermarket	#7, #125	Quarryman's Trail Cycleway	65%	Average
Richmond	53.7%	Supermarket	None	Te Ara Otakaro Avon River Trail	100%	Average

6.1.75 The above results show that, when compared to the notified plan change, centres for Wigram, North West Belfast, Sydenham South, Halswell, and Richmond all have potential for further intensification. Based on the above, I believe there are two groupings that stand out:

a. **Well-serviced centres – 400m catchment:**

- Bishopdale
- Barrington
- North West Belfast
- Halswell

b. **Lesser-serviced centres – 200m catchment:**

- Prestons

c. **Wigram**

- Sydenham South
- Richmond

6.1.76 In terms of building heights, a proposed building height of 14m was notified for Local Centres. This building height is seen to provide for a four-storey building, one storey higher than is intended with MDRS. Further engagement with Council's building engineering department has provided further insight into the potential building requirements (and therefore costs) at each building level. This is summarised below:

Building levels	Building requirements
<i>1 to 2 storeys</i>	Most buildings in Christchurch, including 1-2 storey structures, often require some degree of specific engineering design (SED), particularly when it comes to foundations. SED for foundations becomes necessary in areas where the ground does not meet the criteria for "good ground." In such cases, ground improvement techniques and stronger foundations beyond the scope of NZS3604 may be implemented. In accordance with NZS3604, the superstructure of these buildings can be constructed using timber. However, for multi-unit structures, it is likely that SED wall bracing and floor framing will be incorporated, allowing for the use of both timber and masonry as per NZS3604 and NZS4229, respectively.
<i>From 3 storeys</i>	These buildings, particularly those with three storeys, will require specific structural design due to their complexity. Moreover, the acceptable solution for addressing external moisture, E2/AS1, is limited to buildings with a height of 10m, which adds complexity to the weathertightness design (may require the involvement of façade engineering). As three storeys exceed the scope of NZS3604, it is important to note that in liquefiable areas, constructing three-storey buildings goes against the design intent outlined in the MBIE guidance for repairing and rebuilding houses affected by the Canterbury earthquakes. Therefore, additional supporting information would be necessary for the intended design. The superstructure of these buildings will likely incorporate SED wall bracing and floor framing. Most of the construction will involve concrete structures and moment steel frames.
<i>From 4 storeys</i>	Lifts are required only for buildings that need to be accessible. For example, in the case of an apartment building a lift is not strictly required unless they provide accommodation to the public (such as an Airbnb). In some circumstances, however, a lift is required in a 2-storey building depending on floor area, occupant loading, or use of the upper floor. Many apartment buildings will have lifts as it is inconvenient or difficult for residents without one, but they are not necessarily a Building Code requirement.

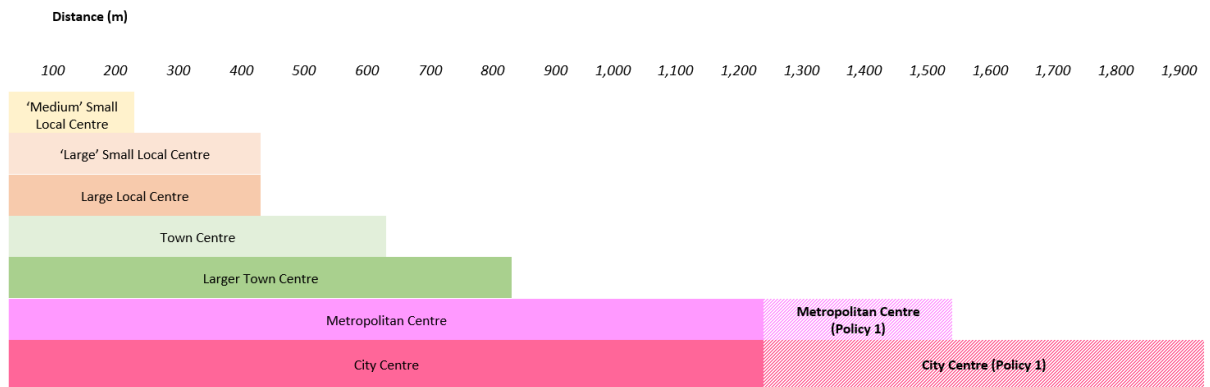
Building levels	Building requirements
<i>From 5 storeys</i>	Generally, these buildings will require building fire hydrants and the Network Utility Operator's water pressure may not be adequate to supply these.
<i>From 6 storeys</i>	Both BRANZ and MBIE have focused their efforts on apartment buildings up to six storeys, recognizing that the complexity of design increases with height. From a geotechnical perspective, the design of foundations is also expected to become more intricate, potentially necessitating ground improvement measures or the use of deep foundations. In terms of structural components, all aspects of this building are likely to be subject to SED. Special features such as dampers, eccentric braced frames, or buckling-restrained braces (BRB) may be incorporated. Additionally, elements like cladding, glazing, services, and other secondary components will require additional structural support. Some of the compliance paths chosen to comply with the Building Code will introduce particular requirements based on heights, for example, the Building Code makes it almost mandatory to install sprinkler systems in buildings over 25m high.

6.1.77 The above demonstrates that there are fixed building costs expected at every level, up to six storeys, with potential additional building requirements at four and five-storeys dependent on accessibility needs and local water pressure. It is reasonable to assume that buildings of this scale will opt to construct with lift access to ensure there is ongoing or future flexibility with the building's use as such facilities would likely be harder to retrofit at a later date.

6.1.78 I therefore support retaining the notified height of 14m for smaller Local Centres, as notified.

Overall catchment approach

6.1.79 The below shows the overall picture for how the above intensification around commercial centres would be applied against a continuum of centres types:



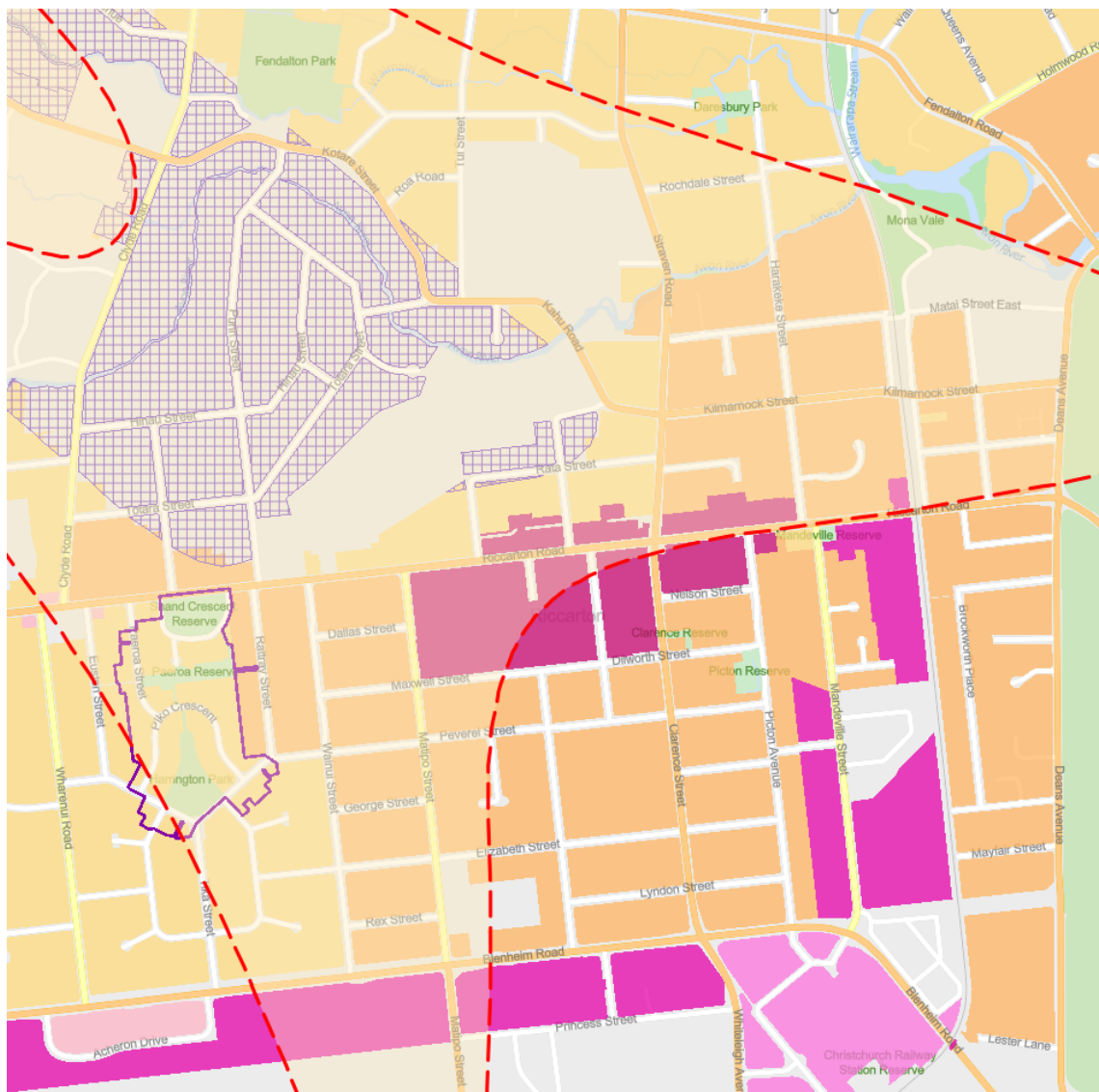
6.1.80 In my view, the above provides a responsive catchment approach to the scale and nature of each centre. It would result in 200m being added to both Town Centre types and to the well- serviced 'small' Local Centres described above. I believe this approach best reflects the scale of each centre.

6.1.81 In addition, Mr Lightbody has recommended that building heights within Larger Town Centres (Riccarton, Hornby, Papanui) are increased to support 10-storey development (32m). I support this recommendation and believe my recommended changes to the catchment around these centres is further supported by the approach of Mr Lightbody as an increased catchment better responds to the scale of services that could be provided within a 10-storey building scenario.

Riccarton and Church Corner centres

6.1.82 Some submissions seek that centres be further expanded based on Policy 1 criteria, particularly around the Riccarton and Church Corner centres. As above, I support the expansion of the Riccarton centre catchment to 800m. Requests have been made for these catchments to be further expanded to better reflect the proximity between centres, the strong public transport corridor that Riccarton Road Provides, the degree of core bus services and major cycle routes, and the proximity of Canterbury University and other amenities.

6.1.83 While I see merit in an expansion in this area, CIAL (#852) seeks an expansion of the Airport Noise Influence Area qualifying matter (ANIA) in the same location. An image of notified zoning and the ANIA is provided below (with the overlay showing updated ANIA):



In the above image, the purple hatched area protruding from the north-western edge represents the notified ANIA, with the red dashed line representing the updated submitted extent. Notified PC14 zoning is also represented.

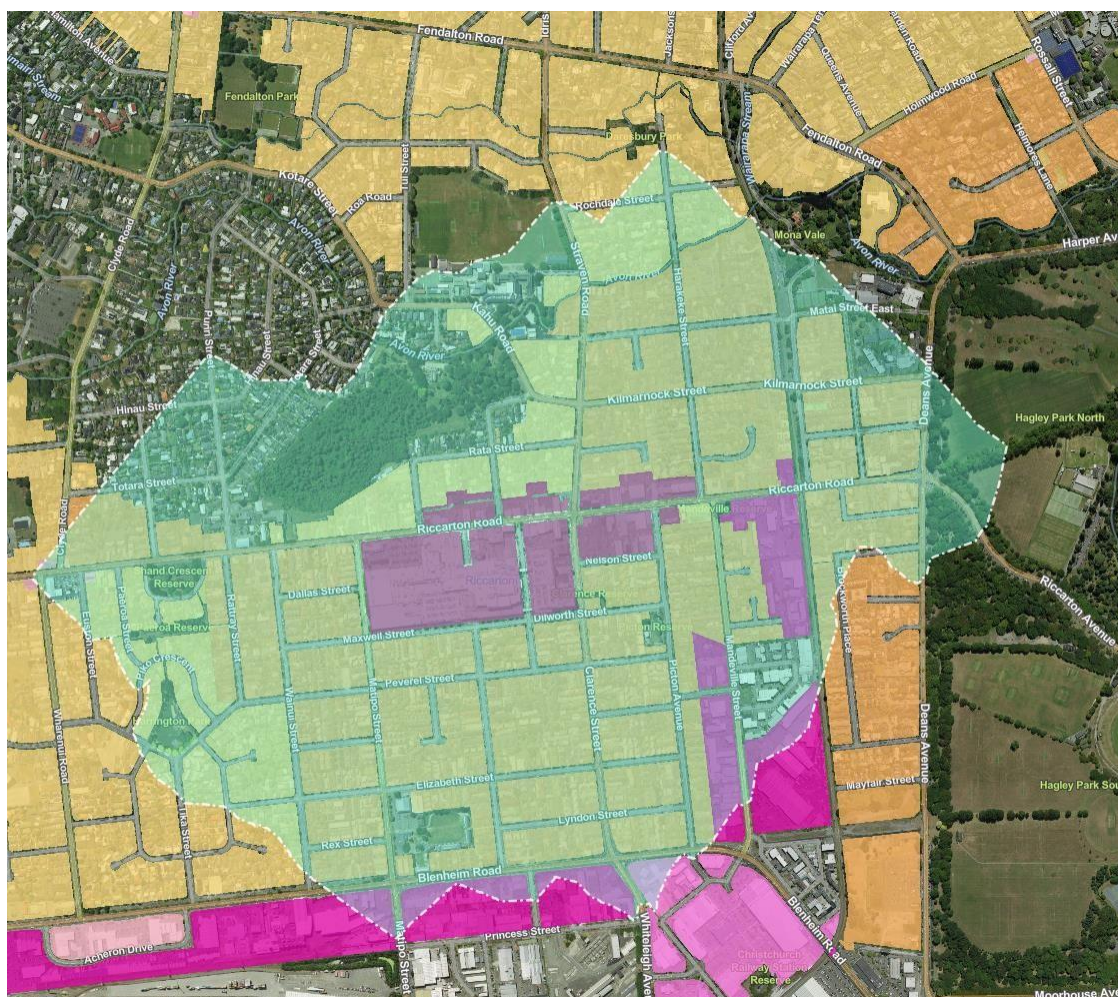
6.1.84 The ANIA takes up a significant proportion of what would otherwise be HRZ around Riccarton, leaving most of the HRZ area between Riccarton Road and Blenheim Road. A summary of the amount of land covered by the ANIA is provided below:

	Riccarton HRZ as notified	Riccarton HRZ as notified, ANIA-impacted removed	Riccarton HRZ at 800m	Riccarton HRZ at 800m catchment, ANIA-impacted removed
Land	88.877 ha	36.89 ha	110.788 ha	36.89 ha
Existing households	3,007	1,555	3,486	1,555
HRZ Land impacted by ANIA	51.99 ha 58.8%		73.90 66.7%	

Net households at 200 hh/ha	14,768	5,822	22,158	5,822
Net household at 200 hh/ha impacted	8,946 hh 60.6%		12,849 hh 68.8%	

* Here, it is assumed that development in isolated HRZ areas in the edge of the ANIA is not enabled, ensuring that HRZ is concentrated around the Centre.

- 6.1.85 The above shows that if the housing yields provided for by PC14 as notified, now restricted by the ANIA, are to be provided for elsewhere, almost 9,000 additional plan-enabled households should be enabled. Applying the recommended catchment lens extends this to almost 13,000 additional households.
- 6.1.86 Despite the influence of the ANIA, Council is still required to provide a commensurate response to the centre in accordance with Policy 3(d). The Riccarton Centre has been classified as one of the most significant centres outside of the City Centre and there is merit in further considering how an appropriate response could be provided.
- 6.1.87 As above, there is strong case for further development being enabled throughout the corridor, and I note again the submission seeking this relief (#852). Mr Lightbody has also concluded that a 10-storey response is appropriate for the centre. This approach adds a further four storeys on what is currently enabled in the centre. I note, however, that current development still remains relatively small scale (in terms of height) across the centre, when compared with what is currently enabled – one and two storey builds are commonplace, while six storeys (20m) is enabled currently. It is also noted that residential development within the commercial centre would also be limited to those parts outside of the ANIA, which are limited. Reporting by Ms Allen details that buildings of greater heights generally are more economically feasible. This means that the extra increase in height has greater potential for further employment within the centre and greater commercial offerings throughout. Applying ‘self- sufficiency’ logic that the NPS-UD ascribes in this context means that a greater residential population in close proximity to the centre is likewise appropriate.
- 6.1.88 For reference, an 800m walking catchment around the Riccarton centre is as follows:



- 6.1.89 This catchment completely covers the Riccarton Road to Blenheim Road 'block' and begins to absorb the Deans Avenue 'block' that is also considered to be within the walking catchment from CCZ. This block is also afforded excellent proximity to Hagley Park and has a good walking and cycling connection south of Mayfair Street (South Express Cycleway), which traverses Hagley Park, directly connecting to the City Centre.
- 6.1.90 In addition, I consider the HRZ area to the north of Riccarton Road (bordered by Staven Road, the Avon River, and Hagley Park) to have the greatest value in being developed to HRZ, being in very close proximity to multiple core public transport and active transport connections, proximity to the centre itself, and open space and schooling, while not being subject to any other substantive qualifying matters. The area is also already zoned for infill development, being zoned RSDT and RMD. I have discussed the approach of retaining this area as HRZ with Ms Oliver, who is in agreement that the inclusion of this area within the ANIAC is appropriate in light of the above benefits. Reference is made to the s42A report by Ms Oliver.
- 6.1.91 I therefore consider that any 'compensatory intensification' around the Riccarton Centre as a result of the updated ANIA should be located in these areas (shown in bright teal, with all other MRZ and HRZ zoning as notified):

7.1.30 Pūtaringamotu (Riccarton Bush) is for Ngāi Tūāhuriri Rūnanga a traditionally significant site and a mahinga kai reserve. IMP Issue IH7 highlights the historical widespread loss of indigenous biodiversity in the Ihutai catchment.

7.1.31 As Pūtaringamotu is one of the few remnant pockets of native bush within Ōtautahi and therefore its status must be maintained and enhanced. This is noted in IMP Policy IH7.4, which states:

- *To require that city and regional plan include specific policy and rules to protect, enhance and extend existing remnant and restore natural habitat area in the catchment, including but not limited to ... (b) Pūtaringamotu (Deans Bush).*

Difference in outcomes between full intensification scenario and the proposal:

7.1.32 The full intensification scenario for this area largely reflects the intensification enabled as a result of the scale and significance of the Riccarton commercial centre. The notified plan change identified that Riccarton, Hornby, and Papanui commercial centres all represented the most significant commercial centres outside of the city centre. The response was a 600m walking catchment surrounding the centre, enabling six storey development through applying HRZ within a relevant Precinct. In response to submissions raised, an 800m catchment has been considered more appropriate to meet the outcomes of the NPS-UD and has been previously addressed.

7.1.33 At this scale, high density zoning enabling six storeys would encircle most of the site, reaching parts of Hinau Street, north of the site. Reporting by Dr Hoddinott concludes that if fully developed the site would effectively lose its landscape presence, cultural value, and would likely cause adverse ecological impacts across the site.

Riccarton Bush interface conclusion

7.1.34 If QMs proposed as part of PC14 are progressed, development in the surrounds of the Bush would be reduced to a scale of either two or three storey development. While most of this would be directed through the Interface Area, it is acknowledged that the Airport Noise Influence Area (ANIA) would also influence this.

7.1.35 The ANIA as proposed covers almost all the adjoining residential sites, with the Riccarton Bush QM where the same height is proposed (8m) extends beyond this between the site and Riccarton Road, over the Rata/Kauri/Rimu block, and areas around Kahu Road. The result would be that a lesser intensified form would maintain the significant values of the Riccarton Bush site, protecting this for community, mana whenua, and local biodiversity.

7.1.36 As previously noted in reporting (see section 6.4), a submission by CIAL has recommended the extension of the ANIA significantly. The updated ANIA would completely envelop the Riccarton Bush site and the whole area identified as a sensitive interface to the Bush. The proposed effect of the ANIA is to maintain operative zoning and associated density. If applied, this would mean that density within the interface area would be less (i.e. more restrictive) than controls proposed

MRZ Centres:

9.1.115 Extents around Barrington and Bishopdale are extended to 400m.

9.1.116 Five additional centres also have the Local Centre Intensification Precinct applied, permitting 14m building height.

9.1.117 Section 6.4 of this report details this further.

Central City Residential Precinct:

9.1.118 A new HRZ precinct (Central City Residential Precinct) is introduced to define the spatial extent of where 12-storey development would be enabled.

LPTAA Overlay Removal:

9.1.119 The overlay is proposed to be removed. This did not have an associated rule framework.

9.1.120 The spatial extent is to be updated to reflect incorporation of other bus routes and to rationalise the overall extent of the overlay.

9.1.121 The underlying zoning would change to MRZ, resulting in the removal of the Residential Hills sub-chapter.

9.1.122 Two new Precincts would be introduced to manage the QM. The 'Suburban Density Precinct' is applied over areas within the current RS and RBP zones where the QM applies, and a 'Suburban Hill Density Precinct' is applied to areas within the current Residential Hills zone where the QM applies.

10 ANALYSIS OF SUBMISSIONS AND FURTHER SUBMISSIONS

ISSUE 1 – APPLICATION OF MDRS DENSITY STANDARDS

MRZ ACTIVITY TABLES

10.1.1 The following details the 64 submission points made against MRZ activity tables.

14.5.1 – Medium density residential zone activity tables			
Theme	Points	Submission point	Response
<i>Considered elsewhere</i>	<i>These submission points relate to matters not addressed in this evidence.</i>	805.26, 217.1, 381.10, 381.9, 92.2, 381.11, 381.12, 381.13,	Please make reference to the following evidence: •Airport Noise Contour – Ms

MRZ Building height and maximum number of storeys – 14.5.2.3			
Theme	Points	Submission point	Response
Support, as notified 8 submission points	Submitters supported the MRZ proposal, as notified.	615.26, 418.1, 834.182, 656.13, 211.2, 372.17, 55.10, 519.12, 811.54	Acknowledge
Permitted MRZ height 7 submission points	Submitters seek that the permitted height within the zone is modified, stating: - Consent required for three storeys. - Generally, apply a more restrictive consenting and notification framework. - Better protect sunlight access and amenity. - Remove all controls within central city to focus development here. - Limit development to a 14m maximum.	629.1, 310.2, 48.1, 344.9, 61.49, 902.9, 462.1	Permitted MRZ height - Reject: Council is required to implement MDRS and Policy 3 under s77G of the Act. Applying controls more restrictive than standards/requirements set under this direction is only able to be achieved via a qualifying matter (s77I). A qualifying matter for Sunlight Access has been proposed over the whole zone, achieving a more equitable sunlight access through an MDRS density. Lastly, a 14m permitted building height has been proposed to respond to Policy 3. Council is limited to a restricted discretionary activity status for MRZ residential development. Matters of discretion have been proposed to address concerns raised by submitters.
MRZ Local Centre Intensification Precinct & wider Policy 3 response 10 submission points	Submitters seek the following changes to the precinct: - Remove Precinct and up-zone to HRZ, six storeys (#834). - Remove Precinct and just apply MRZ, three storeys (#412). - Remove 14m permitted building height limit (#16).	834.183, 412.1, 16.3, 862.1, 359.1, 413.3, 666.1, 504.1, 496.1, 682.1	MRZ Local Centre Intensification Precinct & wider Policy 3 response - Reject: An increased permitted building height is considered appropriate to respond to Policy 3(d) of the NPS-UD. The proposal is to have a commensurate response, with centres permitted to 14m being lesser in scale when compared to other centres. A number of centres

ISSUE 3 – LEVEL OF ENABLEMENT UNDER NPS-UD

10.1.90 Policy 3 of the NPS-UD has been applied across two zones within the residential chapter: Residential High Density Zone (HRZ) – 14.6; and Residential Guest Accommodation Zone (RGA) – 14.11. This section addresses submissions on each of these in turn.

HRZ ACTIVITY TABLES

10.1.91 The following details the 228 submission points made against HRZ activity tables.

14.6.1 – High density residential zone activity rules			
Theme	Points	Submission point(s)	Response
<i>Considered elsewhere</i>	<i>These submission points relate to matters not addressed in this evidence.</i>	805.27, 1048.28, 834.213	Please make reference to the following evidence: • Airport Noise Contour – Ms Oliver • Residential Character Areas – Ms While • Residential Character Areas – Ms Dixon • Electricity transmission – Ms Oliver • Industrial / Residential interface – Ms Ratka • Railway setback – Ms Oliver • Landscaping and Tree Canopy – Ms Hansbury
Support, as notified 166 submission points	These 157 submitters expressed broad support for the proposed council intensification response, specifically enabling residential buildings of six and 10-storeys.	72.3, 191.8, 233.12, 262.10, 263.10, 264.12, 265.12, 266.12, 267.12, 268.12, 269.12, 270.12, 271.12, 273.12, 274.12, 274.13, 305.4, 342.10, 345.12, 346.12, 347.12, 350.9, 361.8, 362.10,	Acknowledge

HRZ – Building height – 14.6.2.1			
Theme	Points	Submission point(s)	Response
	Increase to 36m permitted around Riccarton, Hornby, and Papanui centres (#834).		submission is rejected. Requests for greater intensification around specific centres, increases in catchments (#55, #834) Sections 6.3 and 6.4 of this report details recommended changes to catchments and levels of intensification. To summarise: greater intensification has been recommended around CCZ (12-storeys); all catchments around centres (except for large Local Centres) have a greater catchment; further rationalisation of zone boundaries has been recommended; greater intensification within Large Town Centres has been recommended by Mr Lightbody; and eight storeys has only been recommended as compensation for lost capacity around the Riccarton Town Centre.
More restrictive than MDRS 1 submission point	Submitter seeks that permitted building level is set at two storeys, requiring consent at three.	239.3	More restrictive than MDRS – out of scope: As discussed above, such an approach would be contrary to s77G of the Act.
Opposed to Policy 3 response 23 submission points	Submitters are generally opposed to the proposed Policy 3 intensification response, specifically stating: Focus should be on the central city, only / suburban areas limited to 3 storeys.	862.2, 636.2, 892.4, 359.2, 902.19, 864.2, 413.5, 177.1, 666.2, 504.3, 571.27, 81.3, 34.1, 890.2, 889.2, 712.2, 450.1, 71.1, 160.2, 496.2, 10.2, 712.1, 142.4	Opposed to Policy 3 response: The greater focus of intensification around CCZ has been discussed earlier. Council is required to enable at least 3 storeys (MDRS) and provide for a greater intensification response through Policy 3 of the NPS, including at least six storeys. Providing for a building form less than this would be contrary to the Act

- 10.1.138 Building heights are proposed to change from being permitted up to 14m, and then RDA thereafter, to being the full height that the zone anticipates. However, the consent trigger of >3 units remains due to the relative importance of site layout, practicality, and building design – exacerbated as density increases.
- 10.1.139 I support the increase of permitted heights to better give effect to the NPS-UD direction. Council has demonstrated that a height of 20m is adequate to provide for six storey development, however I support further modification of this to better enable six storey development and architectural and building design variation and innovation. I recommend that the permitted building height is increased to 22m, subject to specific form controls.
- 10.1.140 Regarding the request by #685 and #720, the building heights proposed a less than the heights proposed to respond to Policy 3. I recommend the request is rejected.
- 10.1.141 The metropolitan centres response by Kāinga Ora (#834) has been considered by Mr Lightbody, who maintains that Riccarton, Hornby, and Papanui Centres do not meet the criteria to be a metropolitan centre. However, building heights within these centres are proposed to be increased to enable 10 storey development (32m). I support this recommendation. Accordingly, I recommend that the requested 36m permitted building height around these centres is rejected.
- 10.1.142 Regarding a greater focus on the central city. I agree with submitters who state that the centre should have the greatest focus.
- 10.1.143 The NPS-UD requires that greater intensification is progressed within the central city. There is a scale and significance element to this, with the largest centres required to have the greatest building heights. The notified proposal was to have 10-storeys surround the central city, due to the levels of services, transport, and housing demand within and around the centre. As earlier noted, I accept that this level could be increased to increase the incentives of development within and around the central city. Enabled building heights and controls should be seen to be commercially feasible in order to be attractive and focus development around the centre. I therefore partially accept those submissions seeing to increase this height, recommending this is increased to 12-storeys.
- 10.1.144 Land within the central city (4 Avenues) is considered stand out, both in terms of its positioning in the current Plan and historically through the city's development. I therefore believe there is merit in also having an enabled building height which is greater than six storeys – i.e. introducing a third tier of building height for residential development within the walkable catchment from the central city.
- 10.1.145 Recommendation included in this report accordingly propose that the future intensified 10-storey area is increased to 12-storey. Council is however required to provide a full Policy 3 response, which includes commercial centres outside of the city centre. I therefore reject any submission requesting a permitted building height less than 22m in height.

10.1.432 Reducing the extent of the QM to only the northern aspect of the Bush does not respond to the characteristics of the Bush that reporting has identified require additional protection. As stated in section 7.2 of this report, the NPS-UD permits the reduction of intensification within Policy 3 catchments through Policy 4. The means of protection respond to the identification of matters of national importance – section 6 – and are justified in further protection. I therefore recommend that **these submissions be rejected**. For these same reasons, I also recommend the rejection of submissions that seek the removal of the QM in its entirety (#69, #905, #110, #121, #351).

10.1.433 Lastly a few submitters have asked that the QM is also extended to include the commercial areas fronting Riccarton Road to better address the transition in building heights. Dr Hoddinott has considered the scope of the heritage landscape features, concluding that the commercial area does not have an influence on the QM. Such an approach would therefore be seen as to adjust an intensification response to the extent necessary under s77I of the Act. Commercial built form controls will seek to manage this transition and reference is made to the s42A of Mr Lightbody. I therefore recommend that these submissions are rejected.

Recommendation:

10.1.434 In terms of mapping changes, the properties at 34, 36 and 36A Kahu Road should also have the Riccarton Bush Interface Area overlay.

10.1.435 In response to submitters seeking greater controls across the interface area, the evidence of Dr Hoddinott has recommended that the following built form standards within MRZ are further modified to ensure the ongoing protection of Riccarton Bush:

- Apply a site density of 450m² per residential unit;
- Restrict the number of dwellings per site to two;
- Reduce permitted site coverage to 35%; and
- Apply a 4.5m front boundary setback and 3m side yard setback.

10.1.436 Consequential density changes should be made to Chapter 8 (Subdivision).

10.1.437 The same 8m height limit should also be applied to St Teresa's School to 8m (Specific Purpose – Schools Zone).

10.1.438 Subject to the retention of the ANIA and approach to retain the Residential Suburban Zone, the overlay should be removed from sites these sites as provisions for ANIA are more restrictive than those responding to the Bush interface.

ISSUE 8 – WIDER APPLICATION OF MDRS AND RELATED HOUSING CONTROLS

10.1.439 A number of submitters have sought to seek further application of MDRS and other related controls in areas that may not be considered relevant residential zones, or can be interpreted as

13.1.8 **Proposed policies 14.2.3.6 (Framework for relevant residential zones) and 14.2.3.7 (Emergency services)** aim to respond to submissions on the clarity of the MDRS framework and how established essential services are provided for. Reference is made to sections 8.3 and 9.7 of this report.

Benefits	Appropriateness in achieving the objectives/ higher order document directions
Environmental: Helps to ensure that the physical and natural environment is better protected. Reduces the chance of adverse effects on neighbouring properties.	Efficiency: This proposal is considered to be an efficient means to address: MDRS Objective 1; NPS-UD Objective 1; Canterbury Regional Policy Statement Objective 5.2.1; District Plan Strategic Direction Objectives 3.3.1, 3.3.14, and 3.3.15. Effectiveness: The recognition of such facilities within the framework for relevant residential zones policies and associated policy is an effective means to ensure this is considered across all relevant residential zones.
Economic: Better ensures ongoing operation of businesses or other organisation.	
Social: Social wellbeing is maintained or enhanced through better design mitigation of building design or layout.	
Cultural: There is considered to be little to no cultural benefits.	
Costs	
Environmental: Small potential for reduced occupancy (density) in within some residential areas, being a less efficient use of urban land.	
Economic: Small potential for lesser yields through reduced density in areas near emergency or non-residential activities.	
Social: There are considered to be little to no social costs to this proposal.	
Cultural: There are considered to be little to no social costs to this proposal.	
Risk of acting/not acting: The risk of not acting may mean there is greater conflict between otherwise incompatible activities within the residential environment.	
Recommendation: This option is recommended as it is considered the most effective means to give effect to the purpose of the Act.	

13.1.9 Proposed policies 14.2.7.3 (Central City Residential Precinct), 14.2.7.4 (Large Local Centre Intensification Precinct [REMOVE]), 14.2.7.5 (High Density Residential Precinct [REMOVE]), 14.2.7.6 (High Density Residential development) aim to respond to submissions on the complexity of the HRZ framework and the degree of enablement provided for. Reference is made to sections 6.4, 8.3, and 9.6 of this report.

Benefits	Appropriateness in achieving the objectives/ higher order document directions
Environmental: Ensures greater use of scarce central city land, promoting more efficient use thereof.	Efficiency: This is considered to be the most efficient means to address: MDRS Objectives 1 and 2, and Policy 5; NPS-UD Objective 1, 2, 3, 8, and Policies 1, 3, and 6; Canterbury Regional Policy Statement Objective 6.2.2, Objective 6.2.3, Objective 6.2.5, Policy 6.3.1, Policy 6.3.2, Policy 6.3.7; District Plan Strategic Direction Objective 3.3.7 and Objective 3.3.9. Effectiveness: Removing redundant HRZ Precincts is considered to improve the overall effectiveness of the framework, focusing on a single policy where the greatest HRZ intensification is provided for.
Economic: Greater intensification in close proximity to the city centre zone helps to capitalise on agglomeration benefits, promotes the economic viability of the centre, and stimulates the recovery of central Christchurch. A greater population base within the central city helps to support existing and prospective businesses within this area.	
Social: Greater density helps to foster social connection and has the potential to reduce loneliness. Greater density also helps to promote reduced housing costs, improving social wellbeing. There is potential for increased mental and physical benefits, being in close proximity to a variety of open spaces, including Hagley Park.	
Cultural: There are considered to be little to no cultural benefits.	
Costs	
Environmental: There is potential for a greater impact on infrastructure within the central city.	
Economic: There is some potential that this approach reduces the development uptake within the city centre zone.	
Social: There is potential for greater building dominance, potentially having an adverse impact on social wellbeing.	
Cultural: There are seen to be little to no cultural costs.	
Risk of acting/not acting: The success of the of wider benefits is contingent on an equitable distribution of uptake within the area. There is some potential that increasing intensification within this area reduces the propensity to invest in the city centre through mixed-use development. Conversely, not acting in this way may mean that opportunities for higher density development are not take up, reducing the potential for agglomeration and economic benefits to the central city.	
Recommendation: This option is recommended as it is considered to give effect to the purpose of the Act.	

Appendix G – Mahaanui Kurataiao statement of Riccarton Bush cultural values

Statement of manawhenua values: Pūtarikamotu

Background

The Christchurch City Council voted to not notify its proposed Housing and Business Choice Plan Change (PC14). This has enabled further analysis of the draft provisions. The Council have engaged Mahaanui Kurataiao to advise on the cultural effects of enabling intensified housing development at the perimeter of Pūtarikamotu/Riccarton Bush. PC14 is the Council's response to the The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. This legislation requires councils in large urban areas to increase housing supply and allow a wider variety of homes to be built. The Act gives direction to councils in order to implement the requirements of the National policy statement on Urban Development (NPS-UD, 2020).

Mahaanui Kurataiao has been mandated by Te Ngāi Tūāhuriri Rūnanga who hold manawhenua in Christchurch City to prepare a statement of manawhenua values associated with Pūtarikamotu. This provides a description of the cultural values associated with Pūtarikamotu, the effect of housing intensification on these values, and is intended to act as evidence to support reducing the extent of intensification adjacent to the bush as a qualifying matter.

Proposal

It is understood that under the draft plan change, intensification around a portion of the site would be enabled up to 20m (six stories) in height. This level of intensification is due to the proximity of the site to the Riccarton commercial centre, and in accordance with Policy 3(d) of the NPS-UD. This would however be limited around the Northern perimeter of the bush by the restrictions associated with the airport noise contour. The initial approach by the Council to minimising the adverse effects of intensification on the bush was to reduce the maximum permitted building height to 12m (three stories) in the sites surrounding the perimeter. Pūtarikamotu is recognised as having a range of cultural and ecological heritage values, prompting the Council to further examine the implications of this approach. A Heritage Landscape Assessment has been prepared by Wendy Hoddinott of WSP to assist the Council in assessing the effectiveness of the draft provisions. This report demonstrates that the presence of three storey buildings would obscure the visual presence of the forest canopy, thereby having an adverse effect on the landscape values of the bush. It recommends that the existing plan provisions restricting building height to 8m (two stories) should be retained in an area containing approximately 250 lots in the periphery of Pūtarikamotu as a qualifying matter. The recommended area of influence is shown in Figure One which is taken from the Heritage Landscape Assessment.

Manawhenua Values associated with Pūtarikamotu

Pūtarikamotu is the sole remnant of the ancient podocarp forest that once characterised much of Kā Pākihi-whakatekateka-a-Waitaha/Canterbury Plains and is a significant cultural landscape.

Manawhenua have a particular interest in indigenous biodiversity, for its inherent value in the landscape, the ecosystem services it provides, and with regard to mahinga kai. Indigenous flora and fauna has sustained manawhenua for hundreds of years, providing food, fibre, building materials, fuel, medicine and other necessities. The relationship between manawhenua and indigenous biodiversity has evolved over centuries of close interaction and is an important part of Ngāi Tahu culture and identity.

The Ngāi Tahu Claims Settlement Act 1998 describes mahinga kai as “the customary gathering of food and natural materials and the places where those resources are gathered.”¹ Mahinga kai are central to Ngāi Tahu culture, identity and relationship with landscapes and waterways of Te Waipounamu.

Traditional place names or “ingoa wāhi” offer tangible connections between the past and the present, the people, the landscape, and associated practices and traditions. In “Grand Narratives”, the origin and meaning of the name Pūtarikamotu is described as follows:

“The name Pūtarikamotu has been subject to a good deal of speculation by historians and elders, all centring on the word ‘tarika’, which means ‘ear’. Most historians of Māori have a basic knowledge of Māori and ‘tarika’ is an obvious word to focus the attention because ‘pū’ and ‘motu’ do mean a clump of trees. As a result the most common translation is that that the area was ‘the place of the severed ear’. However, the text below gives a better indication of the true meaning of the name. Pūtarikamotu was a site where our elders snared forest fowl such as pigeon, the South Island kākā and the tūi, which we call kōkō. ‘Pū’ describes a bush or clump of trees. ‘Tari’ is a noose used to snare birds, as in ‘Ka tae ki runga ki te maunga, ka taria e ia te kiwi, ka mau’ (upon reaching the mountains, snares were set to catch the kiwi). ‘Motu’ can mean the island of trees, but it also refers to how fowlers would cut the snares for their birds. Therefore, Pū-tari-kamotu is likely to mean ‘the forest where the snares were cut’, – that is the forest where the birds were taken after they had been snared. There is no certainty about this name, but this interpretation aligns with the fact this site was a place to take forest fowl.”²

Pūtarikamotu was a site of historical occupation and use by manawhenua associated with the Ōtākaro (Avon River). This settlement was sited for strategic access to the resources of the river and the forest itself. In 1879, the Smith-Nairn Royal Commission of Enquiry was launched to examine grievances following the Canterbury Land Purchases. Pūtarikamotu was the subject of an unsuccessful claim for a mahinga kai reserve and Ngāi Tūāhuriri kaumātua gave evidence describing it as a kāinga nohoanga (settlement), kāinga mahinga kai (food-gathering place), and he pā tūturu where tuna (eels), kanakana (lamprey), and aruhe (bracken fernroot) were gathered. Pūtarikamotu was also described as a forest where whīnau (*Eleocarpus dentatus*), pōkākā (*Elaeocarpus hookerianus*), mātai (black pine), and kāhika (white pine) grew. The birds gathered here included kererū, kākā, kōkō (tūi), kōparapara (bellbird) and mahotatai.

Contemporary utility of Pūtarikamotu as a mahinga kai is limited by conservation legislation that prohibits customary harvest of protected species, and by the general fragmentation and degradation of surrounding ecosystems. However the historical role of Pūtarikamotu as a mahinga kai for Ngāi Tūāhuriri tūpuna (ancestors) connects manawhenua in the present to the landscape and their whakapapa associations with it.

Pūtarikamotu is prized as a taonga because of the representative nature of the remnant forest ecosystem. The forest supports taonga species including kererū, pīwakawaka, and kiwi which are either limited or absent in the deforested landscapes of Canterbury. The quality of this taonga ecosystem is why it is one of the few sites that have scored highly in State of Takiwā cultural assessments undertaken by manawhenua in the Ihutai catchment³. The historical associations and contemporary importance of the bush imbue within it a particular mauri or life force.

¹ Ngāi Tahu Claims Settlement Act, 1998

² Tau, TM. 2016. The values and history of the Ōtākaro and North and east frames in “Grand Narratives”. Page 51.

³ Mahaanui Iwi Management Plan, 2013. Page 239.

The Mahaanui Iwi Management Plan (IMP) policy direction is clear on the need to ensure council planning instruments protect Pūtarkiamotu. A key objective in the IMP is that *“Regional policy, planning and decision making in the takiwā reflects the particular interest of Ngāi Tahu in indigenous biodiversity protection, and the importance of mahinga kai to Ngāi Tahu culture and traditions.”*⁴

Policies directing for the need to protect sites such as Pūtarikamotu include:

TM1.2 To advocate that the protection and restoration of traditional and contemporary mahinga kai sites and species is recognised and provided for as a matter of national importance under the RMA 1991.

TM2.5 To require that city, district and regional plans include specific policy and rules to protect, enhance and extend existing remnant and restored areas of indigenous biodiversity in the takiwā.

IH7.4 To require that city and regional plans include specific policy and rules to protect, enhance and extend existing remnant and restored natural habitat areas in the catchment, including but not limited to:
(b) Pūtarikamotu (Deans Bush)

The effects of development on Pūtarikamotu were discussed in a 2001 report prepared for the Riccarton Bush Trust Board⁵. The report evaluated a range of effects including root damage, fire, shading, hydrological changes, vegetation cutting, and reduced amenity value. The operative district plan provisions in conjunction with the management of the bush by the Trust Board appear to manage these effects to a degree that is sufficient to maintain the mauri of the bush. However it is reasonable to anticipate these effects would be amplified if the sites adjacent to the bush were subject to the level of intensification that would be enabled under the draft provisions.

The stature of the kahikatea canopy represents a significant cultural landscape within a highly modified urban environment. The visual presence is a significant component of the enduring mauri of Pūtarikamotu. The Heritage Landscape Assessment provides clear evidence that this presence would be undermined under the draft provisions.

Conclusion and recommendation

The mauri of Pūtarikamotu would be adversely affected by the imposing presence of three-story buildings enabled within its periphery under the draft provisions. The establishment of a qualifying matter which lessens this effect is supported by manawhenua as providing better protection of the bush as a taonga with significant cultural landscape values. While manawhenua support the general intent of enabling housing intensification, such a culturally and ecologically sensitive site must be afforded appropriate protection from the effects of urban development.

Section 6 of the Resource Management Act (1991) requires decision makers to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga as a matter of national importance. The recommendations of the Heritage Landscape Assessment as outlined in Figure One are supported by Ngāi Tūāhuriri as more appropriately protecting the mauri of Pūtarikamotu.

⁴ Mahaanui Iwi Management Plan, 2013. Page 127.

⁵ Chrystal & Norton. 2001. Potential impacts of peripheral development on Riccarton Bush.



Figure one: Recommended zoning to buffer Pūtaringamotu from the effects of housing intensification. *Source: WSP Pūtaringamotu Riccarton Bush Heritage Landscape Review, Wendy Hoddinott.*

**BEFORE INDEPENDENT HEARING COMMISSIONERS
IN CHRISTCHURCH**

TE MAHERE Ā-ROHE I TŪTOHUA MŌ TE TĀONE O ŌTAUTAHĪ

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the hearing of submissions on Plan Change 14 (Housing
and Business Choice) to the Christchurch District Plan

**STATEMENT OF PRIMARY EVIDENCE OF WENDY ROSALIE HODDINOTT
ON BEHALF OF CHRISTCHURCH CITY COUNCIL**

HERITAGE LANDSCAPE

QUALIFYING MATTER: RICCARTON BUSH

Dated: 11 August 2023

SUMMARY OF FINDINGS FROM PŪTARINGAMOTU RICCARTON BUSH HERITAGE LANDSCAPE REVIEW - DECEMBER 2022

23. In September 2022, I was engaged by the Council to undertake a review of its planning approach to the properties surrounding Pūtaringamotu, relative to the NPS-UD and RMA Amendment Act. The review responded to the Council identifying the surrounding properties as being potentially subject to Qualifying Matters relating to the heritage and open space values of Pūtaringamotu. As a result, the plan change proposes to make development to High and Medium Density Residential Standards (**HDRS** and **MDRS**) less enabling in the area surrounding Riccarton Bush.
24. After reviewing existing heritage reports, relevant statements of significance, community submissions/feedback, the District Plan, Heritage New Zealand Pouhere Taonga's online List Entry, and undertaking multiple site visits, this report found that Pūtaringamotu is an Outstanding Natural Feature and site of national importance with significant heritage, ecological and cultural values. The views of the kahikatea forest canopy above the adjacent houses are considered a distinctive and defining element across the skyline, and what we see today relates to depictions in early paintings of the area.
25. Pūtaringamotu is a very early example in Aotearoa of a natural area that was offered formal protection through the Riccarton Bush Act in 1914 and is significant for its association with many of Canterbury's pioneer settlers and early pastoralists, particularly the Deans families. The bush displays a wide diversity of native flora and fauna and is a defining element and tangible link to the early layout of the Deans property, Deans cottage, Riccarton House and Grounds and the Deans former farm buildings.
26. The Council initially proposed to reduce the NPS-UD intensification heights of buildings from 20m to 12m for the majority of properties directly adjacent to Pūtaringamotu (September 2022 proposal). However, modelling and site visits indicated that the expanse of Riccarton Bush above the rooftops of adjacent houses would still be significantly obstructed with building heights restricted to 12m, creating adverse visual effects not only adjacent to Pūtaringamotu, but also Riccarton Grounds, Riccarton House and the former Deans' farm buildings, weakening their connection with the setting.
27. The Heritage Landscape Review therefore concluded that the adverse effects on Pūtaringamotu and Setting were not mitigated by the Council's then-proposed planning approach (PC14). The proposed height limits had

SUMMARY STATEMENT

1. My name is **Ruth Allen**. I am the Principal Advisor, of Urban Regeneration, at The Property Group Limited.
2. I have prepared evidence on behalf of **Christchurch City Council** to assist in the understanding of the financial feasibility of high density residential development as enabled by the proposed development controls in Plan Change 14.
3. My evidence is based on the results of financial modelling that has been undertaken by my team at The Property Group Limited. The modelling assesses the impact of different height controls on the feasibility of a high density residential development scenario, in current market conditions, across a range of different locations.
4. The findings of the feasibility modelling demonstrate that, despite the increases in density enabled through Plan Change 14 provisions, under current market conditions it remains challenging for development of buildings above three storeys and up to twelve storeys to be financially feasible in the town centre locations explored.
5. In and around the city centre, however, where development can reach heights of 12 storeys and above under the proposed controls, the feasibility of high density residential development improves.
6. The challenge to achieving a financially feasible high density development around the town centres is attributable to the likely lower price points achievable for apartments in these locations compared to the city centre. This is despite the lower land values in these locations. In addition, as demonstrated in evidence prepared by John Scallan, lower scale medium density development is comparably a more feasible development opportunity in these areas with a history of market demand. Thus, presenting a more attractive development opportunity for the construction sector currently.
7. It is important to note that these results are based on current high risks around increasing construction costs and market instability.
8. It is also based on assumed values achievable for residential apartments across the different locations explored. To date there have been relatively

low volumes of sales of high density properties in Christchurch outside of the city centre.

9. Into the future, as the Christchurch residential market changes and the construction sector stabilises, the viability of high density residential development may improve. However, there would need to be a significant shift in the market to encourage high density development in areas outside the city, within the walking catchments of the town centres.

Date: 11 October 2023

Ruth Allen

CHRISTCHURCH DISTRICT PLAN

PLAN CHANGE 14

HOUSING AND BUSINESS CHOICE

PLANNING OFFICER'S REPORT OF KIRK JOSEPH LIGHTBODY UNDER SECTION 42A OF THE RESOURCE MANAGEMENT ACT 1991

Intensification within Commercial and Industrial Zones outside the Central City

Lyttelton Building Height Qualifying Matter

Belfast Commercial Centre and Styx River Qualifying Matters

11 AUGUST 2023

- 8.2.11 PC14 as notified classified three town centres (Riccarton, Papanui and Hornby) for greater heights than other Town Centre Zones commensurate with the Riccarton, Papanui and Hornby's commercial and community service offering.
- 8.2.12 The above submitters have requested that the three centres be considered differently and their relief proposes a range of classifications other than large local centre. The principal concern and rationale for opposing the classification of these centres is the adverse character and amenity effects arising from increased height. I rely on the expert evidence of Ms Williams to inform the controls that Council can implement into the District Plan to alleviate those potential adverse effects. Furthermore, NPS-UD Policy 6 requires that when making decisions affecting the urban environment, that decision-makers acknowledge that the planned urban form may give rise to changes to an area that may detract from amenity values appreciated by some and that they are not an adverse effect in themselves.
- 8.2.13 With regard to the level of commercial activity in the centres, Table 9 below demonstrates that Riccarton, Papanui and Hornby are significantly larger in commercial scale than the other Town Centres, Riccarton and Papanui in particular are double the size of Linwood, Shirley, and Belfast.

Table 9 PC 14 Notified Town Centres Classification

Classification	Centre	PC 14 Height	Commercial Floorspace
Large Town Centres	Riccarton	22	203,000sqm
	Papanui	22	125,000sqm (Pre Northlink)
	Hornby	22	79,000sqm
Town Centres	Linwood	20	60,000sqm
	Shirley	20	47,000sqm
	Belfast	20	47,000sqm
	North Halswell	20	25,000sqm retail max (180,000sqm total centre size)

- 8.2.14 Turning to the community services within or near vicinity of the centre, all the centres have supermarkets (which I consider to be a community service as defined by the NPS-UD because it is a commercial activity that serves the needs of the community, alongside other types of community services. In Riccarton, Rārakau:Riccarton Centre provides a civic facility. In Papanui, the Papanui Library, Papanui High School, and Graham Condon Recreation Centre are located within the centre.

In Hornby, Denton Park, Matatiki (Hornby's new pool and civic centre) and Hornby High School also adjoin or are in close proximity to the centre. Accordingly, I consider that each of these centres provide a range of community services.

- 8.2.15 Overall, I consider it appropriate for Riccarton, Papanui and Hornby to have a height and density response that is commensurate to the level of commercial and community services offering in the centre, which is greater in level of commercial activity and community services to the other Town Centre Zones in the hierarchy.

Recommendation

- 8.2.16 Reject the relief sought by the submitters.

Large Local Centres

- 8.3.4 Overall, I consider that a maximum permitted height of 32m in Riccarton, Papanui and Hornby would achieve both intensification commensurate to the centres while not undermining the primacy of the City Centre Zone. Accordingly, I recommend rejecting the 53m height requested by Kāinga Ora (834), 50m height requested by Scentre (260), and 45m requested by Lendlease (855).
- 8.3.5 I rely on the evidence of Ms Williams in relation to potential urban design effects (noting that these are potential costs if not properly addressed) arising from the increased height, and recommend the built form standards contained in Appendix 4 to this report as the most appropriate way to mitigate any adverse effects that would arise from the increased heights in the Large Town Centres.
- 8.3.6 Kāinga Ora has also requested height increases for buildings in Town Centres, Large Local, Local, and Neighbourhood Centres, as set out in Table 10 below. I rely on the evidence of Ms Williams who is supportive of the request as this provides greater flexibility to develop more functional commercial ceiling heights. Overall, I agree with the heights sought by Kāinga Ora for the TCZ, LCZ and NCZ centres.

Table 10 PC14 Proposed Heights, Kāinga Ora Sought Heights and Recommended

<i>Centre</i>	<i>Notified PC 14</i>	<i>Kāinga Ora Height Requested</i>	<i>Recommended</i>
<i>Large Town Centre (Riccarton, Papanui, Hornby)</i>	<i>22m</i>	<i>53m</i>	<i>32</i>
<i>Town Centre (Linwood, Shirley, Belfast, North Halswell)</i>	<i>20m</i>	<i>22m</i>	<i>22</i>

Large Local (Church Corner, Merivale, Sydenham, Ferrymead)	20m	22m	22
Medium Local	14m	20m	Deleted
Small Local	12m	14m	14
Neighbourhood	12m	14m	14m

Recommendation

- 8.3.7 Accept in part the relief sought by Kāinga Ora, reject submissions 26, 171, 191, 224, 260, 276, 297, 337, 338, 339, 635, 834, 842, 842, 870, 886, 893, 902, 814, 823, 334.

S32AA Evaluation

Benefits	Appropriateness in achieving the objectives/ higher order document directions
Environmental: Contributes to a well-functioning urban environment by enabling intensification across the centres hierarchy that is commensurate to the level of commercial activity and community services in centres.	Efficiency: Provides clarity and reduced complexity in the centres hierarchy as it relates to height by having only three heights across the centres hierarchy.
Economic: Enables greater height in Riccarton, Papanui and Hornby that is commensurate to the level of commercial activity in the centres role, while maintaining the primacy of the CCZ. Increased development within centres will lead to positive agglomeration effects, enabling a wider and more vibrant range of businesses to be able to establish.	Effectiveness: The option enables intensification, by way of increased heights, across the centres hierarchy which is consistent with the direction of the CRPS and CDP, and gives effect to the NPS-UD Policy 3(d) in terms of enabling greater height commensurate to commercial and community services.

Social: Enables centres to develop as key destinations for commercial, recreation and residential land use activities and result in well-functioning urban environments. Enabling higher heights, and potential for residential intensification closer to, and within centres, will enable better access to community and health services within the centres.	
Cultural: Nil	
Costs	
Environmental: Potential adverse effects on the amenity and character of adjoining residential zones, however, the adverse effects of height are proposed to managed to ensure solar access is maintained. Increased development potential will place increased pressure on capacity for infrastructure (including wastewater and traffic), however this will be offset to an extent through the potential for increased development contributions to upgrade public infrastructure, and will support public transport on key transport routes.	
Economic: Enables greater height in the largest centres. However, this reflects the nature of the hierarchy, in that the largest centres have primacy over smaller centres.	
Social: Nil	
Cultural: Nil	
Risk of acting/not acting: No information gaps have been identified that impact on the risk of acting or not acting in relation to the change proposed.	
Recommendation: This option is the most appropriate way to achieve the objectives of the CRPS, CDP and NPS-UD.	

8.4 ISSUE 4 – OBJECTIVES AND POLICIES

Chapter 15 – COMMERCIAL

Commercial Objectives and Policies General

**BEFORE INDEPENDENT HEARING COMMISSIONERS
IN CHRISTCHURCH
TE MAHERE Ā-ROHE I TŪTOHUA MŌ TE TĀONE O ŌTAUTAHĪ**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the hearing of submissions on Plan Change 14 (Housing and Business Choice) to the Christchurch District Plan

**REPLY BY THE CHRISTCHURCH CITY COUNCIL TO MATTERS ARISING
DURING THE HEARING OF SUBMISSIONS ON PROPOSED PLAN CHANGE 14**

17 May 2024

BUDDLE FINDLAY

Barristers and Solicitors
Wellington

Solicitors Acting: **Dave Randal / Cedric Carranceja / Thaddeus Ryan**
Email: david.randal@buddlefindlay.com / cedric.carranceja@buddlefindlay.com /
thaddeus.ryan@buddlefindlay.com

Tel 64 4 462 0450 / 64 3 371 3532
Fax 64 4 499 4141 PO Box 2694 DX SP20201 Wellington 6011

rise to distributional cost effects on the City Centre Zone and ultimately undermine the City Centre's primacy.

- (d) The relief is effectively a substantive rezoning request, in circumstances where PC14 simply seeks to convert (or rename) operative commercial zones to their nearest equivalent National Planning Standard zoning. For reasons given earlier in this reply, and in Council's legal submissions for the Central City and Commercial Zones hearing, this relief is out of scope.¹⁷⁸

Town Centre Zone (TCZ) and Local Centre Zone (LCZ)

9.43 Policy 3(d) of the NPS-UD drives the approach to intensification in the TCZ and the LCZ, which is to enable building heights and densities of urban form *"commensurate with the level of commercial activity and community services"*.

9.44 The provisions in **Attachment 2** propose heights for the TCZ and LCZ which are higher than those initially notified as follows:

- (a) Town Centre Zones (**TCZ**):
 - (i) Hornby, Riccarton, Papanui – 32m (from 22m as notified).
 - (ii) Shirley, Linwood, North Halswell, Belfast – 22m (from 20m as notified).
- (b) Local Centre Zones (**LCZ**):
 - (i) Church Corner, Merivale, Sydenham North, Ferrymead – 22m (from 20m as notified).
 - (ii) All others:¹⁷⁹ 14m (from 12m as notified).

9.45 A number of submitters seek permitted heights greater than those proposed above.¹⁸⁰ Mr Heath points out that no economic rationale has been provided

¹⁷⁸ Legal submissions for the Christchurch City Council (Central City and Commercial Zones, dated 17 October 2023 ([here](#)) at paragraphs 4.7 to 4.9.

¹⁷⁹ Examples in the Amended Provisions include Addington, Avonhead, Sumner, Akaroa, Colombo/Beaumont (Colombo Street between Devon Street and Angus Street), Cranford, Edgware, Fendalton, Beckenham, Halswell, Lyttelton, Ilam/Clyde, Parklands, Redcliffs, Richmond, St Martins, Prestons, Barrington, New Brighton and Bishopdale.

¹⁸⁰ For example, Scentre seeks 50m for Riccarton while Lendlease New Zealand Limited seeks 45m for Hornby.

to support those outcomes, nor any analysis of the economic costs and benefits associated with increasing the permitted heights.¹⁸¹

- 9.46 Care is required in setting the heights of the various commercial centres. The heights as recommended by Council are calibrated to ensure the relative competitiveness between zones and centres so intensive development has a higher propensity to occur in the most economically efficient locations and significant economic benefits to the community can be realised. As Mr Heath notes, the City Centre, being the foremost commercial hub of the city and most economically efficient location for built form density to occur, should have the highest enabled height threshold, followed by the surrounding city centre zones and walkable catchment, then the pre-eminent suburban centres and surrounds, followed by a tapering down in heights based on a centre's classification, role and function in the market.¹⁸²

Neighbourhood Centre Zones (NCZ)

- 9.47 NCZs represent the smallest centres in the centres hierarchy, typically containing a small group of convenience shops (e.g. dairies). Consistent with Mr Heath's recommendations, the provisions in **Attachment 2** propose that the height for the NCZ be 14m, from 12m in PC14 as notified, and from 8m in the operative District Plan, as part of the height calibration ensuring the relative competitiveness between zones and centres.¹⁸³
- 9.48 However, in contrast to the proposed heights for the TCZs and the LCZs (discussed above), the factor driving the increased height for the NCZs was not intensification pursuant to NPS-UD policy 3(d) *per se*, but rather it was driven by the MDRS shift in the height baseline in residential zones around the NCZ. As Mr Heath notes:¹⁸⁴

"The MDRS has shifted the height baseline in which to consider relative competitiveness up to 12m. In effect 12m represents the new ground level when considering the relativity of heights between zones. This is important to setting a suite of heights that proactively guide the geospatial distribution of intensive development, and increasing the propensity for intensive development to occur, in the most efficient locations."

¹⁸¹ Statement of Rebuttal Evidence of Timothy James Heath on behalf of Christchurch City Council (Economics) dated 9 October 2023 ([here](#)) particularly at paragraphs 2, 26, 38 and 44. Also see Mr Heath's Key Speaking Points (Strategic Directions) as presented to the Panel on 11 October 2023 ([here](#)), last bullet point.

¹⁸² Statement of Primary Evidence of Timothy James Heath on behalf of Christchurch City Council (Economics) dated 11 August 2023 ([here](#)) at paragraphs 18, 176 to 185 (including Table), and 198 to 208.

¹⁸³ Ibid. See in particular Table 3 beneath paragraph 179.

¹⁸⁴ Ibid, at paragraph 185.

- (e) increased site coverage in HRZ where a minimum site dimension is met (amongst other measures), to incentivise the amalgamation of sites and aid in the transition of established residential areas to high-density living;¹⁹⁴ and
- (f) limiting notification of consent applications by extending the Schedule 3A direction to remove avenues for notification where MDRS built form standards are met, to situations where the Council has opted to make built form standards more enabling, such as building height.¹⁹⁵

10.4 Moreover, other requirements have been introduced or carried over through PC14 to ensure that intensification remains an attractive prospect for people seeking to transition to a denser form of living, to support objective 1 and policy 1 of the NPS-UD (among others). Examples of such provisions include:

- (a) retaining ground floor habitable space requirements, which encourage ground floor passive surveillance, provide for improved residential amenity at ground floor level, and improve connections with the street;
- (b) storage space requirements, to ensure that residential spaces remain practical and functional to occupants and reduce the likelihood of conflict between occupants;
- (c) outdoor mechanical ventilation screening, to ensure that ventilation units do not detract from their residential setting, with additional exemptions added for existing units and to accept other site screening as a means to screen units; and
- (d) minimum unit sizes, to ensure that units constructed are functional and attractive to occupants.

Proposed changes to HRZ framework regarding height

10.5 As the Panel identified, the notified PC14 provisions contained some errors and unnecessary complexity regarding the treatment of building heights in HRZ. This was the subject of the Panel's information request #37, the response to which was provided by the Council on 29 November 2023.¹⁹⁶

¹⁹⁴ For example, Rule 14.6.2.12 as notified.

¹⁹⁵ For example, Rule 14.5.1.3 RD14-RD17 as notified.

¹⁹⁶ <https://chch2023.ihp.govt.nz/assets/29-Nov-Council-Memo-Appendices/Appendix-F-Response-to-Questions-37-to-40.pdf>

- 10.6 The provisions in **Attachment 2** reflect a simpler framework to that notified in respect of building heights in HRZ.
- 10.7 The approach now proposed is simply to permit building heights to 22m (within HRZ generally) or 39m (within HRZ where the Central City Residential Precinct applies), conversely, 28m within HRZ where the Riccarton Residential Intensification Precinct applies (subject to the Airport Noise QM, discussed below). The permitted building height standard is split into two key parameters, namely:
- (a) the permitted height (of 22m in-zone, or 39m or 28m in respective Precincts); and
 - (b) additional form controls that must be met, such as the 'tower and podium' approach and the communal outdoor living requirement at a specific building height.
- 10.8 In PC14 as notified, rule 16.6.1.3 RD7 was intended to apply to buildings between 14m and 20m in height, and RD8 to buildings greater than 20m in height. The two-step restricted discretionary process was intended to respond to the anticipated effects for each breach, with RD7 seen to be a permissible 'enabling' response and RD8 having more onerous requirements, in response to the anticipated effects of buildings above 20m. The two-step process proposed also, in part, reflected the requirement in the MDRS that the construction and use of residential units not complying with the building density standards must be restricted discretionary activities.¹⁹⁷
- 10.9 The now-recommended approach essentially seeks to achieve the same outcome, but is more responsive to the scale of effects associated with breaches of each part of the building height rule.
- 10.10 Ms Dale, giving planning evidence for Winton Land Limited, commented on the HRZ framework for building height, as recommended at the time, in the context of retirement villages within HRZ. The rule framework in HRZ for retirement villages links to compliance with the building height standard as part of RD4 and RD5. However, the Council acknowledges that the entry point for such an activity is restricted discretionary in any event, and would be subject to the matter of discretion specific to retirement villages, which is mainly concerned with urban design matters and would capture building form outcomes. The relevant activity standards also require compliance with

¹⁹⁷ Clause 4 of Schedule 3A to the RMA and clause 3.4 of the NPS-UD.

Appendix 8: Excerpts from submissions and hearings evidence

Submission #760 (ChristchurchNZ)

Statement of Evidence, Adele Radburnd (ChristchurchNZ) – Planning

Submission #834 (Kāinga Ora)

Statement of Evidence, Sophie Strachan (Kāinga Ora) – Landscape

Statement of Evidence, Jonathan Clease (Kāinga Ora) – Planning

Statement of Evidence, Fraser Colegrave (Kāinga Ora) – Economics

Statement of Evidence, Tim Joll (Kāinga Ora) – Planning

Statement of Evidence, Jon Styles (Kāinga Ora) – Noise (Airport Noise)

Statement of Evidence, Brendan Ligget (Kāinga Ora) – Corporate (Statement 1: Strategic Overview)

Legal submission (Kāinga Ora) – Residential Provisions and related Qualifying Matters

Legal submission (Kāinga Ora) – Airport Noise

Statement of Evidence, Christopher Day (Christchurch International Airport Ltd) – Acoustics

Statement of Evidence, Natalie Hampson (Christchurch International Airport Ltd) – Economics

Statement of Evidence, John-Paul Clarke (Miles Premises Ltd and Equus Trust) – Airport Noise

12 May 2023

FAO: engagement@ccc.govt.nz

ChristchurchNZ Submission

HOUSING AND BUSINESS CHOICE PLAN CHANGE (PC14)

ChristchurchNZ is Ōtautahi Christchurch's economic development agency. Our purpose is to stimulate sustainable economic growth for a more prosperous city. Our functions have recently been expanded to include urban development with a mandate to *"create and implement long-term growth and development plans with multi-sector partners and to lead and invest in implementation projects to create attractive and thriving places"*¹. Sydenham, New Brighton and the Central City are priority areas identified by the Council for our early focus.

We are also currently developing a new Economic Ambition for the City, a draft of which has at its heart, the aim of moving from an extractive to a regenerative economy. This means moving away from market systems that rely on depleting resources to generate profit, towards a profitable economy that unlocks the potential of businesses and people to benefit society and the planet. One of the ways we can do this is by taking a whole system approach to the planning and development of buildings, infrastructure and urban places, to ensure that they are smart, attractive and climate resilient and that they reduce emissions and waste. We are pleased to see that some of the provisions of PC14, particularly for the proposed new mixed use zone south of Moorhouse Ave, directly speak to this economic ambition, and we appreciate the opportunity to provide further feedback on these and other aspects of particular significance to ChristchurchNZ.

In general, providing more opportunities for people to live, work, play and visit in and around the central city, as proposed by PC14, supports our objectives for an economically strong and resilient city. This is important because recent economic shocks and stressors related to COVID-19 have accelerated the trend towards more home / hybrid working and increased the take-up of online shopping. Our city centre, like many others around the world, must adapt to these changes, and we must seize the opportunity to reimagine it as a place for not only working and shopping, but for living, enjoying and connecting as a community. Locals have asked for a future city that is vibrant, liveable and sustainable²; achieving this will also really help to attract and retain the talent that our city needs to succeed.

Whilst the PC14 provisions go a long way to supporting these objectives, we set out in **Appendix A** a number of areas where we think they can be amended or strengthened in regard to our specific areas of interest.

¹ [Statement of Intent 2022-25, page 14](#)

² [Environment named top concern for Christchurch's future | Stuff.co.nz](#)

ChristchurchNZ

BNZ Centre, Level 3 (West), 101 Cashel St
PO Box 2962, Christchurch 8140
Christchurch 8011, New Zealand

enquiries@christchurchnz.com
Phone: +64 3 379 5575
www.christchurchnz.org.nz

Summary of recommendations:

For the central city, we broadly support the proposed changes, particularly those that seek to address issues that have been identified by the Council as currently negatively impacting on the liveability of medium and high-density housing³. Without such intervention, there is a risk that existing issues will be exacerbated by further intensification and therefore we seek that these provisions be retained, other than where alternative provisions may better achieve their intent and the purpose of the Resource Management Act.

As recently acknowledged⁴, there is also an existing issue with potential conflict between living and late night entertainment activities in central city mixed use environments that the Council has committed to addressing through regulatory and non-regulatory means. Given the potential for increased conflict through intensification, we support early consideration of this issue through a subsequent plan change.

For the area south of Moorhouse Ave, proposed to be rezoned from Industrial General to Mixed Use Zone (with a Comprehensive Housing Precinct), we strongly support the provisions as notified, other than as identified in **Appendix A**. We believe that this area presents an unparalleled city opportunity to plan for, and achieve, transformational change at the neighbourhood scale, in a way that directly responds to government directions for urban development, climate change responsiveness, health and transport. This area has the potential to be a leading example of sustainable living, one that reduces our dependency on private vehicles and promotes more choice and affordability in the housing market.

Whilst land use regulation is only one aspect of ensuring new neighbourhoods thrive, the provisions provide an important and necessary first step towards realising a different long-term vision for the area and we look forward to working with Council and other stakeholders to help realise the vision.

Site specific zoning – Milton / Johnson Street

We have an interest (on behalf of Development Christchurch Limited) in land at Milton / Johnson Street in Sydenham (Lot 5 DP 537 999). This land parcel currently has a split zoning which PC14 seeks to maintain but with different zones (part High Density Residential Zone with a Large Local Centre Precinct / part Mixed Use Zone). ChristchurchNZ seeks a consistent, single zoning for this landholding to minimise administrative complexity for future housing redevelopment.

Thank you for considering ChristchurchNZ's submission.

Yours sincerely,



Ali Adams | CEO | ChristchurchNZ

³ <https://www.stuff.co.nz/the-press/news/122695983/new-christchurch-apartments-criticised-for--poor-urban-design>

⁴ <https://newsline.ccc.govt.nz/news/story/combined-approach-to-central-city-noise>

ChristchurchNZ

Submission on a publicly notified plan change to the Christchurch District Plan

Clause 6 of Schedule 1 Resource Management Act 1991

To: Christchurch City Council

By email to: engagement@ccc.govt.nz

Name of submitter: ChristchurchNZ

Address: PO Box 2962, Christchurch 8011

Contact for service:

Adele Radburnd

Principal Development Planner

Adele.radburnd@christchurchnz.com

Tel. 0212229700

ChristchurchNZ could not gain an advantage in trade competition through this submission.

This submission relates to Plan Change 14: Housing and Business Choice Plan Change

ChristchurchNZ seeks the following decision to Plan Change 14 from the Hearing Panel on behalf of Christchurch City Council:

- a. The relief as set out in Appendix A and A(i).
- b. Any other similar relief that would deal with CNZ's concerns set out in this submission.

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

ChristchurchNZ

BNZ Centre, Level 3 (West), 101 Cashel St
PO Box 2962, Christchurch 8140
Christchurch 8011, New Zealand

enquiries@christchurchnz.com
Phone: +64 3 379 5575
www.christchurchnz.org.nz

APPENDIX A: SPECIFIC SUBMISSION POINTS

	Provision	Support / Oppose	Relief sought	Reasons
1.	Objective 15.2.3 – Office parks and mixed use areas outside the central city	Support in part	Amend as follows: “Objective 15.2.3 – mixed use zones located close to the City Centre Zone transition into high density walkable residential neighbourhoods that contribute to an improved diversity of housing type, tenure and affordability and support a reduction in greenhouse gas emissions”.	The basis for rezoning this area is because it falls within the <i>walking</i> catchment of the city centre zone and large local centre zone (NPSUD Policy 3), however the existing urban environment does not currently support walking as a preferred mode due to a combination of factors including existing uses, large block sizes and lack of attractive, direct connections. Reference to walkability in this objective is appropriate given the context to the rezoning under the NPSUD, the area’s accessible location, the type of investment needed and because it more appropriately expresses the outcome that many of the supporting provisions seek to achieve (e.g. creation of smaller urban blocks and land use and transport integration that facilitates low carbon travel).
2.	Policy 15.2.3.2 - Mixed Use Areas Outside the Central City	Support in part	Amend as follows: ... (b) Support mixed use zones located within a 15 minute walking distance of the City Centre Zone to transition into high quality walkable residential neighbourhoods by:... ... (iv) encourage ~~ing~~ ... <u>(v) limiting new high trip generating activities; and</u>	As above. The proposed amendments better recognize the intent of the rezoning (to support intensification in walkable locations) and promote the integrated land use and transport investment and initiatives required to support the creation of walkable neighbourhoods. Enabling housing in these locations without the necessary new connections to support quality walkable residential environments would not constitute a well-

ChristchurchNZ

BNZ Centre, Level 3 (West), 101 Cashel St
PO Box 2962, Christchurch 8140
Christchurch 8011, New Zealand

enquiries@christchurchnz.com
Phone: +64 3 379 5575
www.christchurchnz.org.nz

				to that which is above or behind permitted (largely industrial) activities.
21.	Zoning of land at 2 Barnett Ave and 14 Johnson Street Lot 5 DP 537999 and Lot 3 DP 537999.	Oppose (in part)	Rezone all of Lot 5 DP537999 (as at 12 May 2023) to HRZ (Large Local Centre Precinct) instead of part HRZ (Large Lot Local Centre Precinct and part MUZ. And Retain the proposed zoning of Lot 3 DP 537999 (as at 12 May 2023) as HRZ (Large Local Centre Precinct). [Note that an application for a boundary adjustment affecting this land has been lodged with Council – RMA20231044 which will result in new lots].	The current (and proposed) split zoning causes unnecessary complexity for the land’s future redevelopment. A current subdivision consent has been lodged with council for a boundary adjustment affecting Lot 5 DP 537999 and adjoining Lot 3 DP537999 to facilitate its future redevelopment. A consistent zoning for all lots will better achieve Strategic Objective 3.3.2 by simplifying the consenting process applicable to the redevelopment of this land (by virtue of having a single consistent zone).
22.	Zoning of Buchan Park – 41 Buchan Street	Oppose	Retain the operative OCP zoning.	It is unclear why the operative zoning has not been carried over. Buchan Park is an active community park, has recently been redeveloped and will be of increased importance given the proposed land use change anticipated for this area. In our view a qualifying matter should apply here and the OCP zoning retained.
CHAPTER 2 – ABBREVIATIONS AND DEFINITIONS				
23.	Greenway (definition)	Amend (new)	Amend to include new definition for ‘greenway’ as follows: <u>For the purposes of the Mixed Use Zone (Sydenham and Waltham), means:</u>	A definition is required to provide clarity given that greenway can mean different things to different people. In this case, the opportunity and need for this corridor is multifunctional, given the lack of connection and amenity in the existing environment.

BEFORE INDEPENDENT HEARING COMMISSIONERS IN CHRISTCHURCH

TE MAHERE Ā-ROHE I TŪTOHUA MŌ TE TĀONE O ŌTAUTAHĪ

IN THE MATTER OF the Resource Management Act 1991

and

**IN THE MATTER OF the hearing of submissions on Plan Change 14 (Housing and Business
Choice) to the Christchurch District Plan**

Statement of Evidence of Adele Mary Radburnd

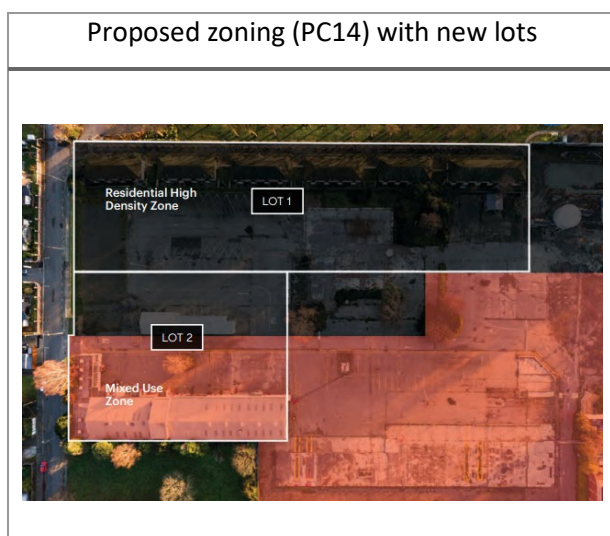
Planning

Hearing Topic: Other Zones

DATED

20 SEPTEMBER 2023

Figure 2: Proposed zoning following boundary adjustment



70. Mr Kleynbos' s42a report⁴³ says that he accepts-in-part CNZ's submission point on the rezoning but it was unclear from that report to what extent the relief is accepted. Mr Lightbody did not address it in his s42a report.

71. In my view it is highly desirable to avoid the split zoning of parcels because this can unnecessarily complicate the development and approvals process. A single consistent zoning would be more appropriate for this land, having regard to Strategic Objective 3.3.2 which seeks efficient plan provisions that minimise transaction costs. It is my opinion that residential zoning would be more appropriate than industrial or mixed use zoning given that the immediate context is primarily residential and the site benefits from excellent access to parks, shops and public transport. I consider the existing (part) industrial zoning of this land to be anomalous in the wider setting and only in place due to the site's historical use (with a neighbouring property) as an industrial depot. Residential zoning would, in my opinion, better achieve a well-functioning urban environment as sought by the NPSUD.

72. At a meeting with Council planning officers⁴⁴ on 11th September, clarification was provided by council staff that the 'accepted-in-part' recommendation in Mr Kleynbos' s42a report was to accept High Density Zoning over the whole site (i.e. Lot 3 DP537999 and all of Lot 5 DP 559762) but without the Local Centre Precinct (because the precinct is no longer supported by

⁴³ [Section 42a Report of Mr Ike Kleynbos](#) page 718 of 812

⁴⁴ Mr Ike Kleynbos and Mr Kirk Lightbody



12th May 2023

Attn: Mark Stevenson
Planning Manager
Christchurch City Council
Po Box 73016
Christchurch

Submission lodged via email: engagement@ccc.govt.nz

**KĀINGA ORA – HOMES AND COMMUNITIES SUBMISSION ON A NOTIFIED
PROPOSAL FOR PLAN CHANGE 14 UNDER CLAUSE 6 OF SCHEDULE 1 OF THE
RESOURCE MANAGEMENT ACT 1991**

This is a submission on Plan Change 14 – Housing and Business Choice (“PC14”) from Christchurch City Council (“the Council” on the Operative Christchurch District Plan (“the Plan”).

Kāinga Ora does not consider it can gain an advantage in trade competition through this submission. In any event, Kāinga Ora is directly affected by an effect of the subject matter of the submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

The specific provisions of the proposal that this submission relates to:

PC14 in its entirety.

This document and the appendices attached is Kāinga Ora submission on PC14.

Appendix 1: Decisions sought on PC14

The following table sets out the amendments sought to the PC14 and also identifies those provisions that Kāinga Ora supports.

*Proposed changes are shown as **strikethrough** for deletion and **underlined** for proposed additional text.*

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
	Large Format Retail Zone Mixed Use Zone	15.8.1.3(RD3) 15.10.2.10		supported by Policy 4/ clause 3.32 of the NPS-UD. Inconsistency with design outcomes specified in Rule 15.4.2.3, including clause (i) Key Pedestrian Frontages as associated with Riccarton, Church Corner, Merivale and Papanui Centres. If road widening is required to facilitate rapid transit infrastructure then Council should use its designating powers.	
156.	Town Centre Zone Built Form Standards Local Centre Built Form Standards	15.4.2.1(a)(ii) 15.5.2.1(a)(i)	Oppose / cl16(b)	Delete erroneous reference to Local Centre in 15.4.2.1(a)(ii) Delete erroneous reference to Town Centre in 15.5.2.1(a)(i)	~~ii. 1,000m² GLFA where located in a Neighbourhood Local Centre identified in Policy 15.2.2.1, Table 15.1~~ ~~ii. 4,000m² GLFA where located in a District Town Centre as identified in Policy 15.2.2.1, Table 15.1; or~~
157.	Town Centre Zone Built Form Standards	14.4.2.2 Maximum Building Height	Support in part	Increased development capacity is sought to be enabled specifically at Hornby,	1. Adopt Metropolitan Centre Zone Rules proposed in the Kāinga Ora submission Appendix 2 and amend

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought												
				Riccarton and Papanui noting that the role and function of these centres is already straddling that associated with the role and function of Metropolitan Centres as set out within the National Planning Standards. The adoption of the Metropolitan Centre Rules Kāinga Ora seeks would take into account that role and function (including social amenity) would be anticipated to grow and diversify given the anticipated level of residential catchment growth. An appropriate height limit is accordingly 36m. For the remaining Town Centres, noting anticipated corridor growth and development as associated with Sydenham, Merivale and Church Corner (elevating these centres to Town Centres in the retail hierarchy) (refer submission to Table 15.1) a height limit of 22m is the more appropriate.	these rules as appropriate. 2. Amend rule 14.4.2.2 as follows: a. The maximum height of any building shall be as follows: <table><tr><td></td><td>Applicable to</td><td>Standard</td></tr><tr><td>i.</td><td>All sites in a ~~District Town Centre (other than specified below)~~</td><td>~~220~~ metres</td></tr><tr><td>ii.</td><td><u>All sites in a Town Centre at Riccarton, or Hornby or Papanui</u></td><td><u>22 metres</u></td></tr><tr><td>iii.</td><td>...</td><td></td></tr></table>		Applicable to	Standard	i.	All sites in a ~~District Town Centre (other than specified below)~~	~~220~~ metres	ii.	<u>All sites in a Town Centre at Riccarton, or Hornby or Papanui</u>	<u>22 metres</u>	iii.	...	
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iii.	...																

**BEFORE INDEPENDENT HEARING COMMISSIONERS
AT CHRISTCHURCH**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKE
KI ŌTAUTAHĪ**

**IN THE MATTER
AND
IN THE MATTER**

of the Resource Management Act 1991

**of the hearing of submissions and further
submissions on Plan Change 14 to the
Operative Christchurch District Plan**

**STATEMENT OF EVIDENCE OF SOPHIE STRACHAN ON BEHALF OF
KĀINGA ORA – HOMES AND COMMUNITIES**

LANDSCAPE

20 SEPTEMBER 2023

Instructing solicitor:
C E Kirman
Special Counsel
Kāinga Ora - Homes and Communities
PO Box 14594
Central Auckland 1051
E: claire.kirman@kaingaora.govt.nz

Counsel instructed:
B J Matheson
Richmond Chambers
PO Box 1008
Shortland Street
Auckland 1140
E: matheson@richmondchambers.co.nz

1. EXECUTIVE SUMMARY

1.1. My name is Sophie Strachan, and I am an Associate Landscape Architect at Beca Limited. I have been engaged by Kāinga Ora-Homes and Communities (**Kāinga Ora**) to provide landscape evidence in support of its primary submission (submitter #834) on Plan Change 14 (**PC14**) to the Operative Christchurch District Plan (**ODP**).

1.2. 6.1A Qualifying Matter – Pūtarikamotu Riccarton Bush Interface Zone:

(a) The key issue arising is the potential for negative effects of residential intensification on the landscape and heritage values of Riccarton Bush, specifically the visual prominence of Riccarton Bush when viewed from adjacent streets and properties.

(b) In my opinion the proposed 8m height limit will protect the landscape and heritage values of Riccarton Bush. The proposed additional controls have the potential to further limit future development opportunities through controls which are more prescriptive than both the current operative zoning and the proposed PC14 residential zones. (I understand that the legal submissions for Kāinga Ora will address the legality of PC14 proposing more stringent rules than in the ODP.)

1.3. 6.10A Tree Canopy Cover (**TCC**) Rules:

(a) The aspirations of 20% TCC for the city by 2070¹ are commendable. However, I do not think that this is best achieved by applying a 20% TCC requirement to only new residential development – particularly given the MDRS requirements to enable greater density. The application of controls needs to ensure the process is fit for purpose and is relevant to tree growth in the urban environment, with consideration for the constraints of an urban development site.

¹ As specified in the Ōtautahi Christchurch Urban Forest Plan, which has been adopted by Christchurch City Council.

- (b) There is significantly more complexity in determining compliance with the proposed TCC rules than that of the existing ODP. Enforcement of the rules is also likely to be challenging. In my opinion the current ODP rules, resource consent and Urban Design panel processes, have collectively ensured a good outcome at the Kāinga Ora site examples. In their current form the proposed PC14 TCC rules will not reach the same standard, let alone achieve the 20% TCC aspirations.

2. INTRODUCTION

- 2.1. My full name is Sophie Elizabeth Strachan.
- 2.2. I am an Associate Landscape Architect at Beca Limited.
- 2.3. I hold a Bachelor of Landscape Architecture and am a registered member of the New Zealand Institute of Landscape Architects.
- 2.4. I have thirteen years' experience in the field of landscape architecture, including design, contract administration, and landscape assessment work associated with resource consents and preparation of expert evidence for council hearings.
- 2.5. My career has been based in Christchurch and I have prepared landscape assessments and designs that meet the requirements of the ODP.

Code of Conduct

- 2.6. Although this is a Council hearing, I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence.
- 2.7. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

**BEFORE INDEPENDENT HEARING COMMISSIONERS
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**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKE
KI ŌTAUTAHĪ**

IN THE MATTER	of the Resource Management Act 1991
AND	
IN THE MATTER	of the hearing of submissions and further submissions on Plan Change 14 to the Operative Christchurch District Plan

**STATEMENT OF EVIDENCE OF JONATHAN CLEAVE ON BEHALF OF
KĀINGA ORA – HOMES AND COMMUNITIES**

PLANNING

CENTRE HIERARCHY AND COMMERCIAL ZONE RULES

20 SEPTEMBER 2023

Instructing solicitor:
C E Kirman
Special Counsel
Kāinga Ora - Homes and Communities
PO Box 14594
Central Auckland 1051
E: claire.kirman@kaingaora.govt.nz

Counsel instructed:
B J Matheson
Richmond Chambers
PO Box 1008
Shortland Street
Auckland 1140
E: matheson@richmondchambers.co.nz

- 3.86. I agree with rationale set out by Mr Kleynbos⁶⁸ regarding the geographic extent of the HRZ zone around the edge of the CCZ, which has been set at 1.2km. I consider that a 1.2km catchment is appropriate given the NPS-UD direction that such enablement should be *at least* a walkable catchment. Mobility options at this distance readily include e-scooters and cycling, and also reflect both the wide range of employment and services available in the CBD, and the cost of parking which makes the use of non-car modes of transport more attractive. I likewise agree with Mr Kleynbos⁶⁹ that there is merit in extending the outer edges of the CCZ 1.2km pedestrian catchment where it is in close proximity to large areas of open space and/or has some overlap with the catchments of Merivale and Riccarton Centres i.e. whilst you might be 1.2km from the CCZ, you are only 500m from Merivale mall.
- 3.87. The NPS-UD requires the Council to enable development of *at least* 6 storey buildings around the City Centre Zone and Metropolitan Centre Zones. This is not a maximum, but a minimum, and the NPS-UD anticipates that additional building height may be appropriate.
- 3.88. I support the Kāinga Ora submission that seeks a 36m (10-12 storey) height limit for areas within 400m of the CCZ (and the large Metropolitan Centres discussed below), with a 22m limit for the balance of the HRZ catchments i.e. between 400m-1.2km. I consider this to be a simpler, more enabling, and more commensurate approach to managing height in these areas than the approach recommended by Mr Kleynbos of a mix of fine-grained height limits across the residential areas within the Four Avenues which range from 11m to 22, and 39m⁷⁰. I acknowledge that the 11m height limit recommendations reflect the proposed Heritage Area QMs proposed for parts of the residential area inside the Four Avenues. I rely on and defer to the separate evidence of my colleague Mr Joll who opposes a QM for these areas. For the balance of the residential areas, a height of 22m is just 6 stories, rather than ‘at least’ 6 stories. It is also the same level of enablement

⁶⁸ Mr Kleynbos, paras.6.1.39-42

⁶⁹ Ibid, para.6.1.44

⁷⁰ I note that Table 3 of Mr Heath’s evidence provides a 39m HRZ limit for the areas adjacent to the CCZ, however this appears to be an error, with 32m being the recommended height.

as that provided in the areas adjacent to the mid-sized suburban centres. Given that these other centres are all materially smaller than the city centre, the approach recommended by Council officers is not commensurate.

- 3.89. Mr Heath supports a 22m limit for the parts of the residential areas inside the Four Avenues on the grounds that greater enablement would compete with residential demand even closer to CCZ⁷¹. In short, an apartment tower located 400m from the edge of the CCZ would compete with an apartment tower 200m from the edge. In terms of access to services for residents, the difference in accessibility is less than a 2-minute walk. As noted above, the Spatial Plan seeks to accommodate an additional 200,000 people through intensification over the next 30 years. In this context, the City Centre (inside the Four Avenues) is not competing within itself, but is competing with other lifestyle options and locations. The old Christchurch Women's Hospital site referred to by Mr Heath⁷² is a prime example of a large 2ha vacant site inside the Four Avenues where I can see no urban form or growth management merit in limiting the yield to 400 units (under a 22m limit) when the site could accommodate 640 units if the height was increased to 32m (or some 750 units at 36m as sought by Kāinga Ora).
- 3.90. I further note that the height limits sought by Kāinga Ora are lower than the height limits sought for residential areas adjacent to the city centres of Wellington and Auckland and match those sought (and approved by IPI Panels) for the lower order city centres in Hutt Valley, Porirua and Paraparaumu. I support improving national consistency in terms of how Policy 3(c)(ii) is applied across the main centres of the country.
- 3.91. Importantly, the appropriateness of a 36m limit is reinforced by the evidence of Ms Allen for Council. Ms Allen identifies that:

*"in and around the city centre, where development can reach heights of 12 storey and above under the proposed controls, the feasibility of high density residential development improves"*⁷³.

⁷¹ Mr Heath, paras. 204-208

⁷² 380 Durham Street North

⁷³ Ms Allen s.42a, para.6

- 3.156. Ms Williams seeks a lower height limit in Hornby as a higher one “could limit future good master-planning or re-structuring opportunities to accommodate successive waves of growth in the future”¹⁰⁵. I am unsure how a new 26m building maintains such opportunities, but a taller building excludes them. A far more effective method for accommodating successive waves of growth is to set the starting point high so that land can be efficiently utilised. Regeneration opportunities are enabled just as much (if not more) by a 15 storey apartment building as they are by an 8 storey apartment building.
- 3.157. I therefore agree with the Kāinga Ora submission that a MCZ and associated 52m height limit is appropriate for Hornby, whilst acknowledging that it may well be a number of years before those opportunities are taken up by the market. As a final note on Hornby, I agree with Ms Williams that Council should direct major funding and area planning to this centre in order to help realise its strategic potential as sought by Council through the Spatial Plan.
- 3.158. As a new zone, the introduction of MCZ requires a new policy and rule framework to also be introduced. Kāinga Ora included a comprehensive MCZ policy and rule framework in their submission. The activity and built form standards draw on those in the Town Centre Zone, with the key differences being in the policy outcomes/ place in the centre hierarchy, along with the increased height limit. I confirm that the policy and rule package put forward by Kāinga Ora for the MCZ is appropriate, albeit that I recommend that a 1000m² cap on commercial office tenancies be carried through to the MCZ provisions to ensure the greater height enabled in the MCZ does not come at the cost of reducing the competitive advantage of the City Centre for attracting large corporate office-based businesses.

Town Centre Zones

- 3.159. NPS Town Centre = “Areas used predominantly for:
- in smaller urban areas, a range of commercial, community, recreational and residential activities.*

¹⁰⁵ Ibid, para. 23

in larger urban areas, a range of commercial, community, recreational and residential activities that service the needs of the immediate and neighbouring suburbs”.

- 3.160. I agree with Ms Williams¹⁰⁶ that the next tier of centres should appropriately have a Town Centre Zoning and an associated 22m height limit. These centres currently take in the commercial areas of Linwood (Eastgate Mall), Shirley (Palms), Belfast (Northwood), and North Halswell (greenfield consented). All four of these centres are identified as Key Activity Centres in the CRPS and as ‘locally important urban centres and towns’ in the Spatial Plan. I do note that the Linwood and Shirley centres have both suffered following the earthquakes and associated red zoning of part of their residential catchments. The Belfast Centre conversely has seen some 9ha of commercially zoned land be consented for a large Ryman retirement village which is currently under construction. North Haswell is a greenfield site which has been consented (in part) but has yet to be constructed.
- 3.161. These existing four Town Centre Zones have therefore either experienced some reduction in centre size or catchment, or in the case of North Halswell is yet to be developed and therefore is currently simply empty paddocks (albeit with a consented ‘existing environment’ baseline). As such, arguably none of these centres is fulfilling the full range of roles and mix of activities anticipated in the NPS zone description or the criteria in the Boffa Miskell Report in terms of their current condition. I agree with Council Officers that the zoning of these centres should necessarily be forward looking and should be designed to enable the desired outcomes, rather than focussed simply on matching zone to current state.
- 3.162. As an aside, I note there is some uncertainty regarding how the Belfast/Northwood centre should be treated in the centre hierarchy. It is currently a KAC in the CRPS and in terms of current commercial zone extent is a large centre. The uptake of a large part of this centre for a retirement village, combined with the Large Format Retail zoning of much of the remaining area, means that the ability for this centre to

¹⁰⁶ Ibid, para. 177

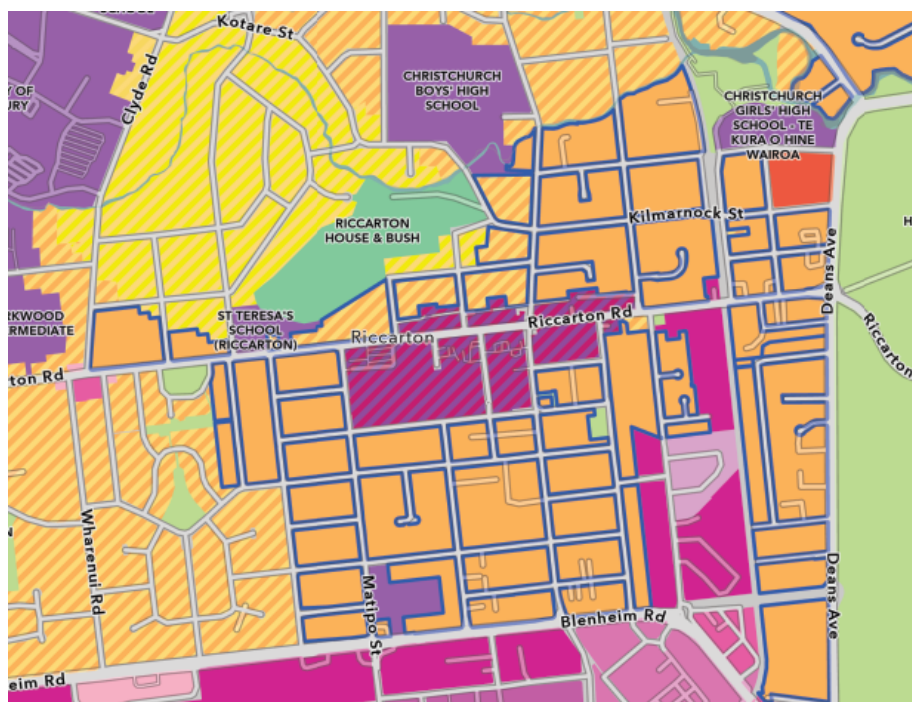
- 3.170. I agree with the Officer recommendations regarding the LCZ and Neighbourhood Centre Zoning ('NCZ') of the remaining medium to small commercial centres. I also agree with both the Kāinga Ora submission and Ms William's subsequent recommendation that a 14m height limit is appropriate for both the LCZ and the NCZ.

Residential catchment of MCZ and TCZ

- 3.171. As set out above, the centre hierarchy is not just about commercial focal points. It also has a direct bearing on the locations and extent of residential intensification i.e. that the Policy 3(c) and (d) tests are met.
- 3.172. In amending the zoning of the big three centres to MCZ, it also shifts the policy tests from Policy 3(d) to 3(c) for how the adjacent residential catchment is to be treated. Policy 3(c) requires built form to reflect housing demand and to be at least 6 stories within at least a walkable catchment for areas adjacent to MCZ.
- 3.173. Turning to heights first, I consider that with the increase in heights recommended for the MCZ itself, the heights enabled in the adjacent residential zones should also be increased. In line with my above recommendations on the HRZ within the Four Avenues, I consider that the 36m limit sought by Kāinga Ora is more appropriate for the 400m catchment immediately around the three MCZ centres (geographically shown in **Figure 7** below¹¹⁰), stepping down thereafter to a 22m limit. An exception is the area between Riccarton Mall and Hagley Park which should all be 36m reflecting both the amenity provided by Hagley Park and the proximity to the City Centre. All the adjacent catchment area should have a HRZ zoning, with the difference in heights controlled via the precinct tool discussed above.

¹¹⁰ Extract from Appendix 3 of the Kāinga Ora submission

Figure 7. HRZ 36m height limit area (in blue outline).



- 3.174. I appreciate that Mr Kleynbos has considered geographic extent based on Mr Lightbody's recommendations that the big three centres are not rezoned to MCZ, and that he has therefore assessed catchments through a Policy 3(d) lens rather than Policy 3(c). That said, I consider that Mr Kleynbos has undertaken a careful assessment of centre catchments with the result that he has identified that there is merit in extending the geographic extent of the HRZ from 600m to 800m around the big three centres, and from 400m to 600m around the next three largest TCZ areas (Shirley, Linwood, North Halswell).
- 3.175. With the exception of the Riccarton area (discussed below) I agree with the increases in HRZ extent recommended by Mr Kleynbos and note that for the Papanui and Hornby centres they are somewhat smaller than that sought by Kāinga Ora (800m cf. 1.2km). I consider this to be appropriate given that both of these MCZs are smaller than Riccarton and the City Centre in terms of both existing condition and more importantly zoned extent which means their future potential is also less.

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**STATEMENT OF EVIDENCE OF FRASER COLEGRAVE ON BEHALF OF
KĀINGA ORA – HOMES AND COMMUNITIES**

ECONOMICS

15 SEPTEMBER 2023

Instructing solicitor:
C E Kirman
Special Counsel
Kāinga Ora - Homes and Communities
PO Box 14594
Central Auckland 1051
E: claire.kirman@kaingaora.govt.nz

Counsel instructed:
B J Matheson
Richmond Chambers
PO Box 1008
Shortland Street
Auckland 1140
E: matheson@richmondchambers.co.nz

- 1.13. Overall, I expect greater height to have positive economic effects for the city, especially since it is starting from a low baseline. However, to be effective, the broader planning framework must also enable taller buildings that are technically feasible, financially viable, and market attractive. Mr Clease elaborates on this point in his evidence, which I acknowledge and support.
- 1.14. CCC has identified various Qualifying Matters (**QMs**) that limit the geographic extent of the MDRS. The most significant, in terms of impacts on capacity, is the Low Public Transport QM (**Low PT QM**). I understand the reason for this QM but query its effectiveness because:
- (a) The city's spatial form, and thus future transport emissions, are already largely baked-in due to the existing population and economic activity. Growth will have only marginal effects.
 - (b) Cars account for only a small share of national CO₂ emissions in the first place, so policies aimed at curbing them will have little impact on meeting national targets.
 - (c) Car CO₂ emissions are falling quickly due to the accelerated uptake of electric, hybrid, and other low-emissions vehicles. Trying to reduce CO₂ emissions by micromanaging the spatial location of new jobs and homes is an unwise policy target.
- 1.15. At the same time, I am concerned about effects on feasible capacity, especially since CCC's estimates of same do not reflect recent, profound changes in development viability. The Low PT QM also reduces housing choice because it prevents medium density development in many suburbs, thereby restricting future spatial choice.
- 1.16. Finally, I address the proposed Tree Financial Contribution (**Tree FC**), which Mr Clease and Ms Strachan cover in detail. I strongly agree with their analyses. In addition, I disagree with the tree FC from an economic perspective because it:
- (a) Increases the cost of development, inflates house prices, reduces affordability, creates uncertainty, and will likely deter city development (by pushing it to Selwyn and Waimakariri).

- 5.50. In 2020, PWC was commissioned to estimate the likely costs and benefits of intensification, as enabled by the NPS-UD. Table 5 below summarises their cost/benefit estimates by broad area.¹⁷

Table 5: Costs and Benefits of Intensification Enabled by the NPS-UD (Preferred Scenario)

	Auckland	Hamilton	Tauranga	Wellington	Christchurch	Queenstown
Consumer surplus benefits	1,817	83	256	21	73	40
Agglomeration benefits	4,766	204	573	361	462	109
External costs of urban growth						
Transport	-66	-9	-12	-1	-14	-4
Water / wastewater	-250	-24	-33	-10	-40	-7
Stormwater	-25	-2	-3	-1	-4	-1
Open spaces and community facilities	-20	-3	-4	0	-4	-1
Congestion	-576	-55	-75	-23	-92	-17
Overshadowing from tall buildings	-88	-4	-6	-6	-9	0
Blocked views from tall buildings	-91	-4	-7	-7	-9	0
Loss of peri-urban open space	-30	-4	-5	0	-6	-2
Air quality	-62	-5	-7	-3	-9	-1
Freshwater quality	-43	-4	-6	-2	-7	-1
Coastal water quality	-31	-4	-5	-1	-6	-1
Total external costs	-1,281	-118	-163	-55	-199	-35
Total benefits	6,583	287	829	383	535	149
Net benefits	5,302	169	666	328	336	114
Benefit-cost ratio (BCR)	5.1	2.4	5.1	7.0	2.7	4.3
Transfers to renters	20,131	1,116	2,008	670	1,363	792

Source: PwC analysis

- 5.51. Table 5 shows that the most significant benefits of intensification are estimated to be agglomeration, followed by consumer surplus. On the other side of the ledger, congestion and infrastructure implications are the key costs.
- 5.52. The overall result for Christchurch was \$535 million of benefits versus circa \$200 million of costs, yielding a benefit/cost ratio of 2.7. These numbers show that the intensification enabled by PC14 will likely deliver significant economic benefits to the city and its residents over time.
- 5.53. While not the focus of this evidence, the MDRS elements of PC14 will also reap significant economic benefits. This is demonstrated in Table 6 below, which summarises the estimated market impacts and economic benefits of the MDRS by area to 2043.¹⁸

¹⁷ PWC, Cost - benefit analysis for a National Policy Statement on Urban Development, Final report for the Ministry for the Environment, July, 2020.

¹⁸ PWC & Sense Partners, Cost-Benefit Analysis of proposed Medium Density Residential Standards

Table 6: Summary of MDRS Market Impacts and Economic Benefits

Total Dwellings	Auckland	Greater Hamilton	Greater Tauranga	Greater Wellington	Greater Christchurch
Without MDRS	691	160	105	237	269
With MDRS	803	183	122	265	302
% increase	16.2%	14.8%	15.8%	11.9%	12.2%
Price (\$000s)					
Without MDRS	\$1,404	\$1,119	\$1,395	\$1,092	\$880
With MDRS	\$1,275	\$951	\$1,213	\$917	\$799
% decrease	-9.2%	-15.0%	-13.0%	-16.0%	-9.2%
Pure Economic Benefits (\$m)	\$7,226	\$1,972	\$1,513	\$2,460	\$1,324

- 5.54. According to Table 6, the MDRS (as assessed in the CBA) could increase the number of dwellings in Greater Christchurch by 12% and reduce prices by 9%, generating \$1.3 billion of economic benefits to 2043. In this analysis, while not reported in the table above, agglomeration effects dominate benefits, while congestion and losses of views/sunlight are the key economic costs.

Overall Pros and Cons of Enabling Greater Height in the City

- 5.55. The discussion above shows that the city currently has relatively lower storeyed buildings, particularly given its role as the economic centre of the South Island. While enabling greater height is not a panacea for the economic issues that appear to be affecting the city's rebuild, it is an important way to encourage and enable greater density over time.
- 5.56. Not all developers will take up the opportunity of greater height because their optimal height may be lower than currently allowed. In other words, the current height limits won't be a binding constraint for all developers. However, the current limits will be binding for some, who will take up the opportunity of greater height, thereby improving economic efficiency and financial viability in the process.
- 5.57. Overall, I expect greater height to have positive economic effects for the city, especially since it is starting from a low baseline. To make it work, though, the city needs to understand the factors that influence location and ensure that they are properly addressed. These factors usually include safety, amenity, attractive streetscapes, neighbourhood character, separation from noise and air pollution, plus access to parks,

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**STATEMENT OF EVIDENCE OF TIM JOLL ON BEHALF OF KĀINGA ORA –
HOMES AND COMMUNITIES**

PLANNING

QUALIFYING MATTERS

20 SEPTEMBER 2023

Instructing solicitor:
C E Kirman
Special Counsel
Kāinga Ora - Homes and Communities
PO Box 14594
Central Auckland 1051
E: claire.kirman@kaingaora.govt.nz

Counsel instructed:
B J Matheson
Richmond Chambers
PO Box 1008
Shortland Street
Auckland 1140
E: matheson@richmondchambers.co.nz

discussion of 45 noise complaints which arose at the interface between Residential and Industrial zoned areas between 01/12/16 and 20/03/19.

- 8.21 In considering the AES memo further, it appears that the key issue is not one of reverse sensitivity but more of industrial activities not complying with the noise limits. Having considered the evidence produced by Council, I have not seen sufficient justification to conclude that the proposed QM is necessary to avoid reverse sensitivity effects within the adjoining industrial zoned land. I therefore do not consider that this proposed QM meets the requirements of 77I of the RMA, which requires that qualifying matters restrict height or density *only to the extent necessary*.
- 8.22 In reaching this conclusion, I also note that the Council's reasons for placing a 40m buffer from industrial areas has been based on a single storey dwelling, where the noise is compliant, and the noise source is fully screened at ground level. The modelling found that in this situation, the elevated noise area (at third floor) extends approximately 40 metres beyond the edge of the Industrial Zone (paragraph 27 of Dr Trevathan's evidence). This was the most conservative of all the scenarios tested and Dr Trevathan states (paragraph 31) that there are numerous circumstances under which this issue would not arise. As stated above, two storey units are already permitted in RS and RSDT zones and three storeys in RMD zones, so this modelling did not take into account what is currently permitted by the District Plan, and further reinforces my view that the proposed QM does not meet the requirements of 77I of the RMA.
- 8.23 For the reasons outlined above, I consider that the Industrial Interface Qualifying Matter does not meet the relevant statutory test and therefore my third key question is redundant as the need for the QM is simply not made out.

9.0 OTHER MATTERS

City Spine Transport Corridor

- 9.1 The Kāinga Ora submission opposes the 'City Spine' being a qualifying matter and considers this to be inconsistent with the requirements of

Section 77L. Kāinga Ora therefore sought that the City Spine QM be deleted in its entirety.

9.2 In assessing the merit of the City Spine QM, it is first necessary to place it in a wider spatial planning context. As set out above, Council is well-advanced in the preparation of a Future Development Strategy (FDS) in order to give effect to its obligations under the NPS-UD. The FDS has a strategic focus on accommodating future growth through intensification, with no additional greenfield areas proposed beyond those that have already been signalled in the CRPS and recent plan changes. The geographic focus for the significant level of intensification required is along two transport corridors extending to the north and west from the City Centre (see FDS extract in Figure 2 below).

9.3 These two corridors are to be the focus for the highest levels of intensification (and therefore building density and height) in the City. Significant portions of these corridors are proposed to have a HRZ through PC14.

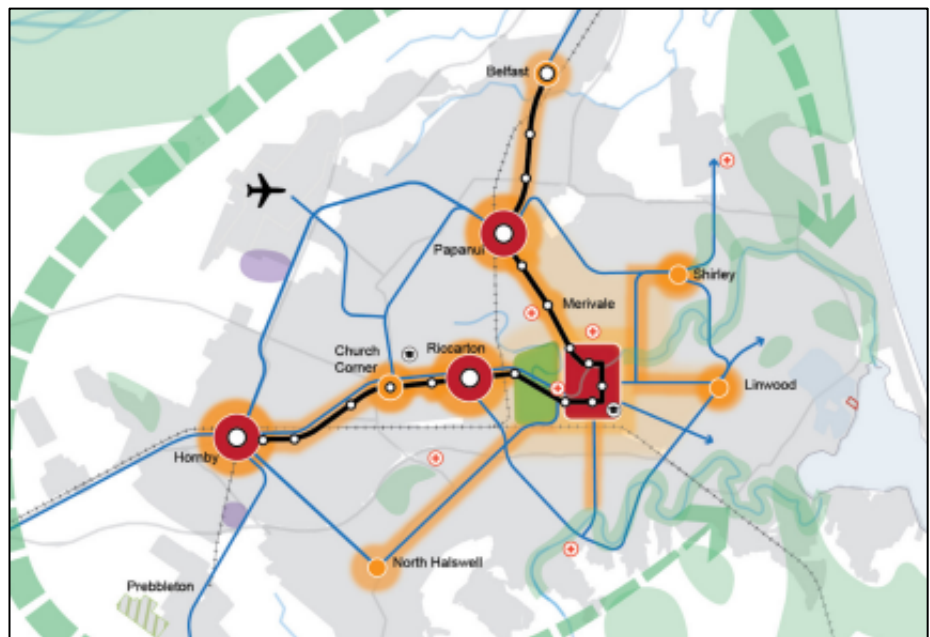


Figure 2: Greater Christchurch Spatial Plan – Map 14 Broad locations of housing and business capacity (700,000 people).

9.4 At the time the submission was prepared, it was understood that the intention of the QM was to enable road widening in the future to accommodate public rapid transit. Further clarity on the rationale for the

inclusion and recommended retention of the City Spine QM is summarised in the Section 42A report. While described in Council evidence as being for “targeted infrastructure provision”, it appears the QM is predominately focused on amenity outcomes. In reaching this view, I note the comments of Ms Oliver in paragraph 12.105 of evidence.

- 9.5 The amenity focus of the QM is reiterated in paragraph 109 of Mr Morahan’s evidence, where he states that:

“(a)llowing buildings closer to the street could result in the removal of these trees and landscaping. This would not affect the transport functions of the streets (traffic, public transport, cycling, walking) but it would affect the amenity of the street”.

- 9.6 Similarly, Mr Field in paragraph 38 of his evidence notes *“(t)he purpose of these proposed setbacks is to provide for landscape amenity edges (including trees) along residential sections”.*

- 9.7 In considering the rational for the proposed QM, I note that, fundamentally, effects on residential amenity generated by intensification are addressed explicitly in the NPS-UD. Objective 4 is clear that amenity values will change over time in response to the diverse and changing needs of people, communities, and future generations. Policy 6(b) of the NPS-UD likewise addresses the changes that may occur as part of a shift in planned urban form

- 9.8 This unambiguous policy direction is clear in terms of the amenity-related effects generated by changes to landscaping as a consequence of greater provision of more intensive housing forms.

- 9.9 The Enabling Act establishes a baseline for an appropriate level of landscaping for medium density developments through Schedule 3A Clause 18. Compliance with the landscaping density standard, and assessment of landscaping as part of the proposed urban design assessment matters for 3 or more units, are appropriate tools for managing landscape outcomes in a medium density context.

- 9.10 Ms Oliver, highlights the infrastructure related objectives and policies that provide, in her view, strong justification for a bespoke approach to managing land use outcomes along this corridor. However, given the key purpose of this QM is *“to ensure most importantly, adequate space is required for tree planting along the road frontage”*, I have not seen any evidence to justify a bespoke approach. Furthermore, in terms of effectiveness and efficiency (Section 32(b)(ii)), I have seen no evidence to indicate that the proposed additional controls being sought by Council are efficient or effective as where landscaping is located on private land and is not protected by legal instruments or provisions in a District Plan - it can be removed as of right. The setback requirements therefore do nothing to ensure tree canopy is provided along these two corridors.
- 9.11 With regard to the “secondary benefit¹¹” of the proposed provisions discussed by Ms Oliver, I refer to Mr Morhan statement in paragraph 111 of his evidence that *“(t)he mass rapid transit indicative business case has proposed a scheme which would not require wholesale widening of the road”*. He also acknowledges in paragraph 114:
- “that the mass rapid transit project is still in its early phases. It is currently unfunded and there is still a significant amount of work to do before the decision on whether or not to fund this project would be made (eg the detailed business case). The final form of the scheme may look different to the early concepts as further design development and community consultation is progressed in coming years”*.
- 9.12 I understand from Mr Mohan’s evidence that the indicative business case signalled that the earliest that funding could be committed would be the 2027-30 Regional Land Transport Plan, following completion of a detailed business case.
- 9.13 If road widening is indeed a key consideration, then Council has land acquisition powers available to it through the Public Works Act and associated designating powers as a Requiring Authority under the RMA. These tools are the appropriate planning and legal instruments

¹¹ Paragraph 12.105 Ms Oliver’s Statement of Evidence

for seeking land acquisition to support future transport projects. Because designations (and indeed rules of the sort proposed through this QM) place significant constraints on what landowners can do on their own properties, the legislation rightly requires such projects to be carefully justified. As things stand, there appears to be minimal transport infrastructure-related justification for the QM.

- 9.14 For a road-widening scheme to be advanced, it must necessarily function as a corridor, i.e. short sections of widened roads have little functional benefit in enabling modal shift such as the construction of a linear light rail network. Both corridors include lengthy sections where commercial buildings are already constructed up to the end of the road reserve. The implementation of road widening would therefore necessitate the wholesale demolition of long sections of existing commercial 'main street' retail environments, made up of dozens of individual landholdings.

- 9.15 Mr Field in paragraph 105 of his evidence, states that he considers "*that the proposed Residential and Commercial Zones proposed QM setback for the City Spine Transport Corridor would help to achieve Policy 1(c) of the NPS-UP*". In my view, intact main street retail environments with a uniform built edge are positive street scape outcomes.

- 9.16 Indeed the Operative Plan provisions actively require commercial buildings with frontage to key pedestrian areas to be built to the edge of the road reserve in order to facilitate the provision of an intact main street environment with the road corridor edged by shop fronts. The QM rules instead seek ad hoc building setbacks within what is otherwise attractive main street areas as individual sites redevelop over time. Occasional gaps in the uniform shop front line in my view is more likely than not to result in negative rather than positive urban design outcomes.

- 9.17 The challenges in delivering an intact widened corridor through existing commercial areas, combined with the other planning tools available to Council should it need a widened road for the delivery of a carefully justified infrastructure project reinforce that the key purpose of the QM

is amenity focused. I have therefore seen no evidence that leads me to conclude that this QM is needed to achieve Policy 1(c) of the NPS-UP.

- 9.18 In my opinion and relying on Council's own expert evidence, there is no justifiable need to impose the City Spine Transport Corridor from an infrastructure perspective. There is likewise no need for it from an amenity perspective. It could lead to worse amenity outcomes in commercial zones by forcing ad hoc gaps or recesses in the uniform retail road edge, and it is not needed in the residential zones where MDRS landscaping standards are already in play, in combination with the ability to assess road-facing design outcomes through the urban design rule for 3 or more units.
- 9.19 In addition to not being necessary for either infrastructure or amenity reasons, it carries with it direct costs to landowners (and the wider community) through the reduction in design flexibility and potential building density / yields. These costs of a potential reduction in yield fall in the very locations where Council's own FDS seeks that the highest density of development be delivered. As such, the QM is not efficient or effective in giving effect to the objectives of the NPS-UD and neither is it considered to meet the robust evidential thresholds required for it to be a QM under the Enabling Act. I therefore recommend that the City Spine QM and all associated provisions be deleted.

Residential Character Areas (existing with amendments, and new).

- 9.20 In considering the Residential Character Area (Character Area) QM, I consider that the key planning questions are: Is the methodology for identifying and assessing the Character Areas appropriate; and are the Character Area provisions appropriate?

Is the methodology appropriate.

- 9.21 In my opinion, the further assessment undertaken by the Council, has addressed (in-part) the overall thrust of the Kāinga Ora submission on the Character Area QM. However, in considering the methodology for assessing Character Areas, which is set out from paragraph 31 of Ms Rennie's evidence, I note that it does not take into account unimplemented resource consents or CoC. As noted earlier in my evidence

**BEFORE INDEPENDENT HEARING COMMISSIONERS
AT CHRISTCHURCH**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKE
KI ŌTAUTAHĪ**

IN THE MATTER	of the Resource Management Act 1991
AND	
IN THE MATTER	of the hearing of submissions and further submissions on Plan Change 14 to the Operative Christchurch District Plan

**STATEMENT OF EVIDENCE OF JON ROBERT STYLES ON BEHALF OF
KĀINGA ORA – HOMES AND COMMUNITIES**

NOISE (AIRPORT NOISE)

20 SEPTEMBER 2023

Instructing solicitor:
C E Kirman
Special Counsel
Kāinga Ora - Homes and Communities
PO Box 14594
Central Auckland 1051
E: claire.kirman@kaingaora.govt.nz

Counsel instructed:
N M H Whittington
Hawkestone Chambers
32 Hawkestone Street
Wellington 6012
E: nick.whittington@hawkestone.co.nz

- 9.2. It is my experience that the size and nature of the outdoor area associated with dwellings can influence the occupants' expectations for its amenity value and the general way it is used and the length of time that people might spend in their outdoor environment.
- 9.3. For example, it is my experience that an outdoor living environment for a typical single detached house might comprise one or two lawn areas, trampolines, play equipment, areas for socialising and sometimes large gardens that people can spend considerable time in.
- 9.4. By contrast, and at the other end of the spectrum, apartment-style living can involve little or no outdoor living.
- 9.5. In a very generalised way, my experience is that the more intense the development is, the outdoor areas of dwellings become less significant in terms of size, length of occupancy and expectations of amenity. As the significance of outdoor areas reduces, it is logical that the adverse noise effects arising from exposure to aircraft noise will likely reduce as well.
- 9.6. Allowing intensification will probably mean that more people will end up living inside the 50dB L_{DN} contour. However, intensification may also provide an opportunity to better manage the outdoor noise exposure and associated effects by reducing the significance of the outdoor exposure per-person.

10. THE EXISTING ISSUE

- 10.1. The s42A Report makes it clear that there are a significant number of homes inside the 50dB L_{DN} contour already. I understand that the level of existing development is not as intense as the MDRS would allow.
- 10.2. I understand that there have been no previous acoustic treatment controls inside the 50-55dB L_{DN} contours. It is likely that the majority of the existing housing is not acoustically treated, and many houses may have outdoor living areas that are significant in terms of the way they are used.

- 10.3. Limiting the density of development will do nothing to help manage or reduce the potential exposure of the existing population to aircraft noise.
- 10.4. I understand that CIAL are not proposing to offer acoustic treatment to existing dwellings inside the 50-55dB L_{DN} contours.
- 10.5. I understand from my experience in other processes that limiting the intensity of development to be less than what is permitted in other parts of the district is likely to deter redevelopment investment in the area and would be likely to result in a slower turnover of housing stock and a greater likelihood of large and significant outdoor living areas being retained.
- 10.6. I consider it probable that the provisions proposed by the Council and CIAL will do nothing to manage any problem that might currently exist.

11. CONSERVATISM OF THE 50dB L_{DN} CONTOUR

- 11.1. The evidence of Mr Lindenberg and parts of the s42A Report acknowledge that managing development inside the 50-55dB L_{DN} contours is a very conservative approach. I agree.
- 11.2. I am not aware of any other district in New Zealand where noise from an airport down to 50dB L_{DN} is being managed by land use controls.
- 11.3. The proposed controls in the 50-55dB L_{DN} contours covers a significant land area that is considerably larger than the area between the 55-60dB L_{DN} contours.
- 11.4. The proposed controls in the 50-55dB L_{DN} contours manage noise to levels 5dB lower than what is recommended in NZS6805:1992. NZS6805:1992 recommends that land use controls apply only as far as the 55dB L_{DN} contour.
- 11.5. I consider that the proposal to manage land use inside the 50-55dB L_{DN} contour in this case is an outlier for New Zealand.

- 11.6. I note that other major airports in New Zealand have all adopted land use controls from a level of 55dB L_{DN} or greater. Based on my direct involvement with many of these and knowledge of others, their controls and adoption of the 55dB L_{DN} contour are a result of balancing the importance of managing adverse effects with the realities of dealing with existing exposure and managing future growth, as well as following the guidance in NZS6805:1992.

12. THE ISSUES WITH THE COUNCIL'S APPROACH

- 12.1. I consider that the Council's approach to limiting density is a relatively blunt way of managing the potential effects. It does not deal with any existing issue and it does not encourage the uptake of any opportunities to improve the existing situation.
- 12.2. I consider that the knowledge gaps in the research on noise effects, (and in particular the differentiation between outdoor and indoor effects) confounds the many of the statistics presented in and relied on by the s42A Report.
- 12.3. I consider that it is worth investigating a more refined approach that investigates any opportunities to encourage an improvement of the existing situation and to allow some degree of intensification while managing the effects on future development.
- 12.4. Many of the issues arising from different options will involve the expertise of other disciplines.

13. SUMMARY AND CONCLUSION

- 13.1. In summary:
- (a) The Council supports the management of effects inside the 50dB L_{DN} contour. A summarised version of the Council's proposal is:
 - (i) Inclusion of an 'Airport Noise Influence Area' as a qualifying matter (**QM**), and using the 50dB L_{DN} contour to define the QM;

**BEFORE INDEPENDENT HEARING COMMISSIONERS
AT CHRISTCHURCH**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKE
KI ŌTAUTAHĪ**

IN THE MATTER	of the Resource Management Act 1991
AND	
IN THE MATTER	of the hearing of submissions and further submissions on Plan Change 14 to the Operative Christchurch District Plan

**STATEMENT OF EVIDENCE OF BRENDON SCOTT LIGGETT ON
BEHALF OF KĀINGA ORA – HOMES AND COMMUNITIES**

CORPORATE – STATEMENT 1 – STRATEGIC OVERVIEW

22 SEPTEMBER 2023

Instructing solicitor:
C E Kirman
Special Counsel
Kāinga Ora - Homes and Communities
PO Box 14594
Central Auckland 1051
E: claire.kirman@kaingaora.govt.nz

Counsel instructed:
B J Matheson
Richmond Chambers
PO Box 1008
Shortland Street
Auckland 1140
E: matheson@richmondchambers.co.nz

9.2. A high-level summary is therefore provided on those QMs Kāinga Ora seek deletion or revision to:

- (a) **Tsunami Management Area – Management** - The Kāinga Ora submission sought that amendments are made to the proposed Tsunami Management Area QM (in addition to mapping request), to reflect a 1:100 year event, rather than a 1:500 year event with a 1.06m sea level rise (SLR). Kāinga Ora is concerned that classifying a 1:500 year + 1m SLR as a 'high risk' natural hazard which restricts MDRS density is overly restrictive and inconsistent with the s6(h) of the RMA 1991 and Policy 25 of the New Zealand Coastal Policy Statement (**NZCPS**).
- (b) **Low Public Transport Accessibility Area** - It is the position of Kāinga Ora that the Low Public Transport Accessibility Area (**LPTAA**) QM is inconsistent with the Enabling Act and should be deleted. Kāinga Ora considers that the Council's proposed LPTAA QM will only further restrict the development or identification of new public transport route needs. Generally, public transport is proposed, considered and amended in response to its need, and restricting development because there is no existing routes, within existing urban areas, would just result in a lack of increased demand for public transport options, and therefore no investigation and/ or assessment of the need for new routes.
- (c) **Residential Heritage Areas** - Kāinga Ora acknowledges the need to protect areas of historic heritage where the requirements of section 6 of the RMA are met. However, in accordance with the Kāinga Ora submission on Plan Change 13 (**PC13**), and its the submission on PC14, the proposed residential heritage areas will place a significant constraint on (if not, preclude) the ability for urban development in accordance with the NPS-UD and the Enabling Act in circumstances where the identified areas do not represent historic heritage. Kāinga Ora is particularly concerned about the proposed Residential Heritage Area Piko/Shand. This area was a larger cluster of State housing constructed as part of the first Labour government's state housing programme. The intention then - and the intention now - is that Kāinga Ora provides warm, dry and

Whilst Kāinga Ora supports the evidence prepared by the Council and its experts on the matter of sunlight access and availability in Christchurch, Kāinga Ora contends that the matter of sunlight access was grappled with in the design and intention of the legislation, and that in considering the MDRS the government signalled that the cost of lost sunlight access did not outweigh the benefits provided by introduction of the MDRS.

- (g) **Residential Industrial Interface** – The submission of Kāinga Ora opposes the Industrial Interfaces QM in full. Kāinga Ora considers that mitigation of effects should be the primary responsibility of those businesses within the industrial zone. The District Plan provides suitable noise controls to achieve this. Kāinga Ora supports the evidence of Mr Joll who has also provided extensive assessment of the existing activities within these industrial zones that are subject to ‘protection’ and concludes that he *“disagrees that the industrial interface QM can be justified in terms of 77I(i) of the RMA as in the main they are already comprised of benign activities that are compatible with a residential interface.”*
- (h) **City Spine Transport Corridor** - The Kāinga Ora submission opposes the ‘City Spine’ being a qualifying matter and considers this to be inconsistent with the requirements of Section 77L. Kāinga Ora therefore requests that the City Spine QM be deleted in its entirety. Kāinga Ora understand that the QM has been included within PC14 mostly for ‘landscape amenity’ reasons. Kāinga Ora note that effects on residential amenity generated by intensification are addressed explicitly in the NPS-UD. Objective 4 is clear that amenity values will change over time.

Further, if road widening is a key consideration, then Council has land acquisition powers available to it through the Public Works Act and associated designating powers as a Requiring Authority under the RMA. These tools are the appropriate planning and legal instruments for seeking land acquisition to support future transport projects.

**BEFORE INDEPENDENT HEARING COMMISSIONERS
AT CHRISTCHURCH**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKE
KI ŌTAUTAHU**

IN THE MATTER of the Resource Management Act 1991

AND

**IN THE MATTER of the hearing of submissions and further
submissions on Plan Change 14 to the Operative
Christchurch District Plan**

**LEGAL SUBMISSIONS ON BEHALF OF
KĀINGA ORA – HOMES AND COMMUNITIES**

RESIDENTIAL PROVISIONS AND RELATED QUALIFYING MATTERS

22 NOVEMBER 2023

Instructing solicitor:
C E Kirman
Special Counsel
Kāinga Ora - Homes and Communities
PO Box 14594
Central Auckland 1051
E: claire.kirman@kaingaora.govt.nz

Counsel instructed:
B J Matheson
Richmond Chambers
PO Box 1008
Shortland Street
Auckland 1140
E: matheson@richmondchambers.co.nz

60 degree recession plane. In recommending the five metre + 60 degree standard, the Select Committee recorded as follows:

*“We were advised that this would improve the **balance** between access to sunlight and enabling three storey dwellings in practice”*

(our emphasis)

- 9.4 This was further reduced in the Government Supplementary Order Paper which followed the Select Committee report, to a four metre plus 60 degree recession plane.
- 9.5 Hansard records from the third reading of the Bill confirm that the reduction down to four metres plus 60 degrees was a deliberate choice on the part of Parliament – in the name of good design standards. Nicola Willis, then the National Party’s housing spokesperson, indicated that the change to height-in-relation-to-boundary rules was made as a result of submissions received on the Bill.²³
- 9.6 Earlier, during the Committee stages, the Hon. David Parker referred to advice which concluded that adopting a 3 metre plus 45 degree recession plane (as is the case for Auckland’s Mixed Housing Suburban Zone) would reduce the housing outcome by 31 percent, which he said would be a “substantial unwinding” of the intention sitting behind MDRS.
- 9.7 Having made a political choice regarding the balance to be struck between access to sunlight and intensification, a level of expectation has been created as to the trade-offs involved, which are reflected in the requirement to the need to respond to “the neighbourhood’s **planned urban built character, including 3-storey buildings**” in Objective 2 of Schedule 3A. That objective, and the policies which are designed to implement it, indicate that there is a new expectation as to, inter alia, sunlight access which is set by Parliament.
- 9.8 Having done so, we submit that the bar for promoting alternative standards based on the very same effects that Parliament was grappling with in setting the standard must be extremely high. Using the s 77L calculus, there must be something which applies at such a site-specific context, and with effects so significant, that the clear expectation set down by

²³ See also the speeches of the Hon Eugenie Sage, and Simon Watts.

Parliament in relation to a reasonable degree of sunlight access needs to be amended. For all the reasons identified by Mr Liggett, and despite the earnest efforts of the Council witnesses to justify it, we say the standard simply has not been met.

10. CONCLUSION

10.1 The following witnesses will give evidence in support of the relief sought by Kāinga Ora in respect of the Residential provisions and related QMs:

- (a) Brendon Liggett – Corporate;
- (b) Timothy Joll – Planning (QMs); and
- (c) John Brown – Heritage; and
- (d) Jonathan Clease – Planning (Residential Provisions).

10.2 Ms Strachan will also be available to answer questions from the Panel, if that would be of assistance.

Dated 22 November 2023



B J Matheson / A M Cameron
Counsel for Kāinga Ora – Homes
and Communities

**BEFORE INDEPENDENT HEARING COMMISSIONERS
AT CHRISTCHURCH**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKE
KI ŌTAUTAHĪ**

**IN THE MATTER
AND**

of the Resource Management Act 1991

IN THE MATTER

**of the hearing of submissions and further
submissions on Plan Change 14 to the
Operative Christchurch District Plan**

**LEGAL SUBMISSIONS FOR KĀINGA ORA – HOMES AND
COMMUNITIES**

16 APRIL 2024

Instructing solicitor:
C E Kirman
Special Counsel
Kāinga Ora - Homes and Communities
PO Box 14594
Central Auckland 1051
E: claire.kirman@kaingaora.govt.nz

Counsel instructed:
N M H Whittington
Hawkestone Chambers
32 Hawkestone Street
Wellington 6012
E: nick.whittington@hawkestone.co.nz

1. POSITION OF KĀINGA ORA

- 1.1. Kāinga Ora opposes the attempt by the Council and CIAL to impose restrictions and costs on urban development in existing residential areas within the 50 dB contour. As well, it considers that it is inappropriate for the Council to use a draft and untested new contour as the means by which these restrictions are applied.
- 1.2. Substantially limiting housing intensification in existing residential suburbs would be a remarkable outcome in a process intended to expedite the application of planning provisions enabling greater housing intensification in New Zealand's major cities. In no other New Zealand city are there land use restrictions beyond a 55 dB contour.
- 1.3. Restricting density in existing residential areas is an unnecessarily blunt approach and the evidence does not justify the restrictions. There is no evidence before the IHP that Christchurch residents are more highly annoyed by airport noise or otherwise affected to a greater degree than other New Zealanders. Yet on the Council and CIAL's approach Christchurch will become a national, and international, outlier.
- 1.4. Kāinga Ora considers that the most appropriate way to manage airport noise in existing residential areas to give effect to the NPS-UD and the operative Canterbury Regional Policy Statement is as recommended in the evidence of Matthew Lindenberg.
- 1.5. In addition to Mr Lindenberg's evidence, Kāinga Ora has filed evidence by:
 - (a) Jon Styles (Noise);
 - (b) Jonathan Selkirk (Ventilation).

2. APPROACH TO QUALIFYING MATTERS

- 2.1. Kāinga Ora has previously outlined the correct approach to the application of qualifying matters in legal submissions presented by

Before an Independent Hearings Panel
appointed by Christchurch City Council

under: the Resource Management Act 1991

in the matter of: the hearing of submissions on Plan Change 14 (Housing
and Business Choice) to the Christchurch District Plan

and: **Christchurch International Airport Limited**
Submitter 852

Statement of Evidence of Christopher Day (acoustics)

Dated: 20 September 2023

Counsel: A M Lee (annabelle.lee@chapmantripp.com)
J M Appleyard (jo.appleyard@chapmantripp.com)

chapmantripp.com
T +64 3 353 4130
F +64 4 472 7111

PO Box 2510
Christchurch 8140
New Zealand

Auckland
Wellington
Christchurch



- 13 It is a long-established concept that aviation noise can have an adverse effect on people and communities.
- 14 World-wide, the lack of appropriate land use planning around airports has historically caused significant numbers of people to be exposed to airport noise and subsequent community action has initiated operational constraints on airports. The fore-fathers in Greater Christchurch however have managed to avoid this situation by farsighted planning of the Christchurch Airport location including a 'buffer' protecting the Airport.
- 15 The noise levels experienced around Christchurch Airport are not sufficiently high to create physiological damage such as hearing loss but there are nevertheless adverse effects caused by noise. These adverse effects include annoyance, speech interference, sleep disturbance and potentially health effects associated with annoyance.
- 16 However, at what level of noise do these effects commence? There is no doubt there are adverse effects from aircraft noise at 50 dB L_{dn} . While the adverse effects are less than, for example, they are at 65 dB L_{dn} , they are nevertheless real. If land is available elsewhere in the Christchurch region for new residential development (or intensification), I would not recommend from an acoustics perspective, to allow new noise sensitive activities inside the 50 L_{dn} Air Noise Contour if it can be avoided. I accept noise effects are just one input to the decision-making process on land use restrictions.
- 17 A number of factors confirm there are adverse effects from aircraft noise inside the 50 L_{dn} Air Noise Contour and that this is not a desirable noise environment in which to locate new residential development, and these are discussed in my evidence.
- 18 Recent overseas studies have shown that between 50 dB and 55 dB L_{dn} , 18% to 33% of people were found to be highly annoyed by aircraft noise. If noise sensitive activities such as residential development, hospitals and education facilities are allowed to locate in this area (50 dB to 55 dB L_{dn}), the number of people adversely affected by aircraft noise would increase.
- 19 The World Health Organisation (*WHO*) 2018 Study¹ (section 3.3) states "aircraft noise above 45 dB L_{den} ² is associated with adverse health effects".
- 20 In addition, specifying sound insulation to be fitted to buildings in these noise environments will not eliminate all the adverse effects of

¹ Environmental Noise Guidelines for the European Region (WHO 2018)

² L_{den} is a very similar measure to L_{dn} with an evening penalty of 5 dB added to the L_{Aeq} . In practice, the L_{den} value is very close to the L_{dn} value - within 1 dB or so.

Before an Independent Hearings Panel
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in the matter of: the hearing of submissions on Plan Change 14 (Housing
and Business Choice) to the Christchurch District Plan

and: **Christchurch International Airport Limited**
Submitter 852

Statement of Evidence of Natalie Hampson (economics)

Dated: 20 September 2023

Counsel: A M Lee (annabelle.lee@chapmantripp.com)
J M Appleyard (jo.appleyard@chapmantripp.com)

chapmantripp.com
T +64 3 353 4130
F +64 4 472 7111

PO Box 2510
Christchurch 8140
New Zealand

Auckland
Wellington
Christchurch



- 9.7 The statement of Primary Evidence of Ian Mitchell on behalf of CCC for PC14, dated 11 August 2023.
- 9.8 The statement of Primary Evidence of John Scallan on behalf of CCC for PC14, dated 11 August 2023.
- 9.9 **Mr Gary Sellars** evidence for CIAL, dated 20 September 2023.

SUMMARY AND CONCLUSIONS

- 10 The ability of the Airport to continue to operate 24 hours a day and 365 days a year, as well as to develop and adapt to changing demand and projected growth in demand for air transport services has a significant positive effect on the social and economic wellbeing of the Christchurch, Canterbury and national community.
- 11 Even minor impacts on the efficient operation and investment certainty of CIAL could have significant economic consequences over the long-term.
- 12 Applying the Airport Qualifying Matter as proposed by CIAL does not come close to constraining demand for additional housing over the long term at the district level. The feasible capacity enabled by PC14 is substantial.
- 13 At an aggregate level, the economic benefits of applying an Airport Area of Influence Qualifying Matter that restricts further intensification of noise sensitive activities outweighs the economic costs of reduced development capacity in parts of the Christchurch urban area.
- 14 Providing HRZ within the Remodelled 50dBA Ldn contour (as recommended by Council) does not ensure that the efficient operation of the Christchurch International Airport is safeguarded over the long-term. There is insufficient economic evidence supporting the need for this exception to the proposed Airport Qualifying Matter.
- 15 There is considerable uncertainty around the potential impact of the proposed Airport Qualifying matter in the Riccarton centre catchment (residential and commercial zones). The information provided across Council evidence does not yet come together in a useful structure. More information is needed from Council's models to understand the feasible and reasonably expected to be realised dwelling capacity of the catchment (and relative to projected demand) under Operative zoning, notified zoning, and recommended zoning so that actual costs and benefits in this location can be determined.

Before Independent Hearing
Commissioners at Christchurch

I MUA NGĀ KAIKŌMIHANA
WHAKAWĀ MOTUHAKE
KI ŌTAUTAHU

Under the Resource Management Act 1991

In the matter of The hearing of submissions and further submissions on
Plan Change 14 to the Operative Christchurch District
Plan

Evidence of John-Paul Barrington Clarke

On behalf of submitters: Miles Premises Limited (883) and Equus Trust (2102)

20 September 2023

Applicant's solicitors:
Sarah Eveleigh | Sarah Eveleigh
Anderson Lloyd
Level 3, 70 Gloucester Street, Christchurch 8013
PO Box 13831, Armagh, Christchurch 8141
DX Box WX10009
p + 64 3 379 0037
sarah.eveleigh@al.nz | sarah.eveleigh@al.nz

**anderson
lloyd.**

- (e) Airbiz Report – Airport Operations and Safeguarding, 14 June 2022
- (f) Review of international and domestic freight trends through Christchurch International Airport – Richard Paling Consulting, June 2022
- (g) Christchurch Airport Recontouring Assessment of Noise Effects – Annual Average Updated Contours – Marshall Day Acoustics – 21 July 2022
- (h) Christchurch International Airport Land Use Planning, Marshall Day Acoustics, 23 May 2022

Scope of Evidence

- 18 The evidence is based on the combined expertise of myself and Mr. Gjestland, and will be focused on the following topics:
- (a) Whether the noise modeling assumptions were appropriate;
 - (b) Whether 50 DNL is the appropriate noise control boundary.

Executive Summary

- 19 By making worst-case assumptions with respect to aircraft noise characteristics and air traffic management procedures, i.e., by assuming that aircraft source noise characteristics as well as the air traffic management procedures and thus the resulting flight tracks will not change over the next 60 years, the modelers have ensured that the contours will be significantly larger than reality. It does not make sense to assume that aircraft noise will not decline over the next 60 years.
- 20 In 60 years, when the demand is forecast by CIAL to be near the practical capacity, single-aisle aircraft will likely be at least 5dB quieter than the current generation of single-aisle aircraft, and the variability in flight tracks will be much lower.
- 21 Further, the use of an “outer envelope” contour introduces an absolute worst-case scenario for which there is no known relationship with annoyance. The dose-response curves that have been developed

internationally are based on “a yearly average exposure” and they should not be applied to an outer envelope.

- 22 No data has been presented that should warrant a change in today’s policies regarding acceptable exposure limits for aircraft noise. Most countries that have noise regulations for land use planning have limits corresponding to about Ldn 55 dB or higher for aircraft noise.
- 23 Reports on an alleged increase in aircraft noise annoyance is most likely caused by non-acoustic factors such as the selection of study areas, survey procedures, and response scales.
- 24 There are no indications that the noise sensitivity among residents of New Zealand is higher than in similar populations.
- 25 The new WHO Environmental noise guidelines recommending a limit of Lden 45 dB for aircraft noise to avoid adverse health effects, is a European document not adopted by the other WHO regional offices. Aside from the European Commission, no other regulatory authority has endorsed this limit.
- 26 After the publication of the WHO Environmental noise guidelines for the European Region, two European countries, Switzerland, and UK, have presented new evidence that an exposure limit for aircraft noise around Ldn 55 dB is a reasonable and correct choice.

Were the noise modeling assumptions appropriate?

- 27 When determining whether noise modeling assumptions are appropriate, it is necessary to consider the individual and collective reasonableness of the assumptions over the entire period being modeled.
- 28 The CIAL Expert Team chose to use the term “ultimate capacity”, defining it as the point where demand approaches the practical capacity rather than the theoretical maximum daily capacity.
- 29 We agree with the use of a “practical capacity” versus the theoretical maximum capacity.
- 30 This approach recognizes the fact that no airport, even if it is open for operation for the entire day, will have its runways fully utilized during the

Appendix 9: Excerpts from IHP minutes

IHP Minute 51 – Response to Second Request for Clarification

IHP Minute 53 – Response to Mapping Clarifications

IHP Minute 55 – Response to Final Clarifications Sought

IN THE MATTER OF Resource Management Act 1991

AND

IN THE MATTER OF Proposed Plan Change 14 Housing and
Business Choice pursuant to Part 5, subpart
5A and Part 6 of Schedule 1 of the Resource
Management Act 1991

MINUTE 51: RESPONSE TO SECOND COUNCIL REQUEST FOR CLARIFICATION

	Key Theme	Chapter/ Provision	Map/s	IHP Recommendation Part #	Matter for IHP clarification	IHP Response
						In undertaking this exercise, it was noted that 110 Papanui Road shows a split zoning of HRZ and RSDT for both PC 14 and the Council Reply. It is assumed that the RSDT zoning shown in the Council Reply is an error. For completeness, the Panel confirms that any other sites that were not identified in the Council submission and in Mr Langman's evidence should be zoned to reflect the surrounding zoning.
24.	Commercial Banks Peninsula Zone	Ch 15	Yes	Part 3, pages 79-82	The Panel has recommended that a catchment of 200m be applied from all local centres not otherwise specified as having an HRZ response. The Lyttelton commercial centre was notified as (and is in the Council Reply as) Commercial Banks Peninsula Zone, not LCZ. Is the intention for the same 200m LCZ catchment to apply here, as per the LCZ recommendation?	The Panel confirms that yes that is correct.
25.	LCZ catchments	Ch 14	Yes	Part 3 [307] Part 4 [99](a)	Part 3 of the Panel's recommendation appears to suggest that any local centre not otherwise specified should, within 200m of the centre of each commercial centre, have MRZ applied to residential zones. However, Part 4 of the Panel's	The Panel confirms that Part 4, Paragraph 99(a) should refer to MRZ.

	Key Theme	Chapter/ Provision	Map/s	IHP Recommendation Part #	Matter for IHP clarification	IHP Response
					recommendation states that HRZ should be applied within 200m from such centres. Please confirm what the intended residential response should be surrounding such LCZ centres.	
26.	Belfast / Northwood catchment	Ch 14	Yes	Part 3 [304](c) Part 7 (page 44)	The Panel's Recommendation states that "the commensurate catchment is appropriately represented by the zones shown on PC 14 notified Planning Maps and we recommend they be adopted." Council had notified a 400m catchment, only applying the Local Centre Intensification Precinct (LCIP). Page 44 of Part 7 of the Panel's recommendations recommends that a site adjacent to the Town Centre be zoned HRZ. Part 3 of the Panel's recommendation recommends that LCIP be deleted. Does the Panel intend that LCIP is retained around the Belfast / Northwood catchment as notified, that 400m of MRZ (only) should apply, or that 400m of HRZ should apply?	Panel response addressed in Addendum to Part 3 of the Recommendations Report separately issued.
27.	Sydenham catchment – ChristchurchNZ site	Ch 14	Yes	Part 3, page 82 Part 3 [306](c)	The Panel recommendation states that the HRZ zoning surrounding Sydenham and Sydenham South should remain "as notified". However, minor changes to HRZ boundaries were recommended after notification, specifically: 14 Johnstone Street and 231 Milton Street (the ChristchurchNZ site). Part 3 [306](c) of the Panel's recommendations appears to describe an area that contains this site. Does the Panel intend that these changes are rejected? Also, please clarify whether the HRZ zoning around the Sydenham LCZ and Sydenham South NCZ represent their surrounding policy 3 catchments, and if not, where the	Panel response addressed in Addendum to Part 3 of the Recommendations Report separately issued.

IN THE MATTER OF Resource Management Act 1991

AND

IN THE MATTER OF Proposed Plan Change 14 Housing and
Business Choice pursuant to Part 5, subpart
5A and Part 6 of Schedule 1 of the Resource
Management Act 1991

MINUTE 53: RESPONSE TO MAPPING CLARIFICATIONS

Appendix 2 – Mapping Directions

Part of Report	Section/ Paragraph	Mapping Directions	Specific changes required	Complete ?	IHP Comment
		Belfast/North wood there is a change to the TCZ boundary to rezone 20 Radcliffe Road, Belfast to HRZ.			
	[304]	The commensurate catchment for the TCZs for Shirley/Palms , Eastgate/Lin wood and Belfast/North wood is described in Part 3, and within those described catchments all relevant residential zones are to	Retain Shirley/Palms and Eastgate/Linwood HRZ as per Council Right of Reply. Re-zone all parts of proposed LCIP around Belfast/Northwood to HRZ and remove LCIP.	Done	Reflects Panel recommendation

Part of Report	Section/ Paragraph	Mapping Directions	Specific changes required	Complete ?	IHP Comment
		be HRZ as notified.			
	[305]	For North Halswell TCZ the commensurate catchment is to be zoned MRZ.	Re-zone all HRZ surrounding North Halswell to MRZ.	Done	Reflects Panel recommendation
		There are no amendments to the LCZ (Large)	N/A		Reflects Panel recommendation
	[306] and [308] for Sydenham	For LCZ [Large] the commensurate catchment is described in Part 3 and within those catchments all relevant residential zones will be zoned HRZ	Create waking catchment layer (not intended as a Planning Map layer, information only) at 400m, as described on page 81 of Part 3 of the IHP recommendation.	Done	Reflects Panel recommendation
		There are no amendments	N/A		Reflects Panel recommendation

IN THE MATTER OF Resource Management Act 1991

AND

IN THE MATTER OF Proposed Plan Change 14 Housing and
Business Choice pursuant to Part 5, subpart
5A and Part 6 of Schedule 1 of the Resource
Management Act 1991

MINUTE 55: RESPONSE TO COUNCIL REGARDING FINAL CLARIFICATIONS SOUGHT

#	Key Theme	Chapter/ Provision	Map/s	Panel Recommendati on Part #	Matter for Panel clarification	IHP Response/Comment
					the Panel has recommended the site is no longer commercially zoned.	The Panel also notes in the table that the extent of the Styx River Setback QM does not coincide with the geographic extent and location of the relevant provisions in Appendix 15.15.1 and the Council is to address this matter also. The above matters are covered in the Addendum Report accompanying the Panel's Minute, and include detailed directions on the amendments required to Chapters 14 and 15 in the table attached to the Addendum.
5.	HRZ outside of Panel recommended catchment			Part 4 [69](b)	The Panel recommendation is to zone those areas that were proposed by the Council to be HRZ to MRZ where these areas fall outside of the centre catchments recommended by the Panel. However, the recommendation notes that where the operative residential zone is more enabling of height or density than the MRZ the operative zone should be retained. For example, 1/48 Carlton Mill Road is in the ODP Medium Density Higher Height Limit overlay which permits a 30m height limit in this location and applies a specific recession plane diagram (Appendix 14.15.2 E if the height exceeds 11m). Other than that, the ODP rules are as for the RMD zone, i.e. consent required for 3 or more residential units, setbacks etc. The only additional enablement in the ODP	The Panel's recommendation is that for the specific areas identified by the Council, the 'three pathways' approach must be applied. Within this, if there are 'ODP' pathway standards that are more enabling of development than the MRZ would normally do, (such as a 30m height limit), then that / those standards should be carried over from the ODP pathway to the PC14 / MRZ pathway. How the Council provides that continuity across the consent pathways is up to it, but it could take the form of an overlay, or site-specific standards, or others - the Panel has no specific preference or recommendation.

#	Key Theme	Chapter/ Provision	Map/s	Panel Recommendati on Part #	Matter for Panel clarification	IHP Response/Comment
					is height, in all other respects the MRZ is more enabling. Please confirm if rezoning these areas to MRZ but applying an overlay with area-specific rules to provide for the ODP level of enablement would meet the intent of the Panel for these areas.	
6.	Airport noise recommendations	Ch 6.1	Yes	Part 4 [214], [217], [220], [244], [247], [268], [273], [329 (b)], [347]	In these paragraphs the Panel uses the term '65dB Ldn contour' in regard to operative District Plan rules, when the intention is likely to refer to the 'Air Noise Boundary', as used in the ODP [Evidence of Laurel Smith, para 40]; see the ODP definition of 'Air Noise Boundary'. Since 1999, the Air Noise Boundary in Christchurch has been the composite line formed by the outer extremity of the 65dB Ldn noise contour and the 95dB LAE contour. This is to make allowance in noise modelling for occasional landings over the City onto the cross-runway, with the 95dB LAE contour measuring the energy in single loud noise events, i.e. an aircraft flyover. The Air Noise Boundary as defined in Christchurch extends that contour over slightly more of Avonhead and Ilam than would be covered by the 65 dB Ldn contour on its own, but this makes no material difference to the debate on the 50dB Ldn contour. The 65dB Ldn noise contour itself is only used in the Christchurch ODP for noise monitoring	Yes the Council has identified some drafting inaccuracies in these paragraphs. The Panel confirms and that it was the Panel's intention for all references in Part 4 to the 65dB Ldn contour, it intended to refer to the 'Air Noise Boundary' as defined in the ODP. The Panel confirms that paragraph [329](b) should read "use of noise contours to identify areas most exposed to noise, prohibiting new noise sensitive activities within the <u>Air Noise Boundary</u>. Policy 6.1.2.1.5.b of the ODP, for example, uses these terms correctly". The Panel confirms that Chapter 6 noise rules will be retained in respect of both the Air Noise Boundary and the "65 dB Ldn engine testing contour".

Hon Chris Bishop

Minister of Housing
Minister for Infrastructure
Minister Responsible for RMA Reform
Minister of Transport
Leader of the House
Associate Minister of Finance
Associate Minister for Sport and Recreation



CB-COR1290

Phil Mauger
Mayor of Christchurch
Christchurch City Council

cc John Higgins
General Manager Strategy, Planning and Regulatory Services.
john.higgins@ccc.govt.nz

cc Mark Stevenson
Head of Planning and Consents
mark.stevenson@ccc.govt.nz

Dear Phil,

On 24 February 2025 I received a letter from you on behalf of the Christchurch City Council (the Council) referring twenty rejected Independent Hearings Panel recommendations and the Council's alternative recommendations to me for a final decision.

The recommendations relate to residential pathways, sunlight access, the Airport Noise influence area, the City Spine, Riccarton Bush interface area, zoning around Riccarton, Linwood, Hornby and the Peer Street local centre, building heights in and around Hornby and Linwood, 25 Deans Avenue, 231 Milton Street and 12 Johnson Street, the local centre intensification precinct, two heritage buildings, and a residential character area.

My decisions made in accordance with Schedule 1, clause 105 of the Resource Management Act 1991 (RMA), along with the reasons for my decisions, are set out in table format in Attachment A.

Please note I am not making decisions on the referred recommendations relating to Daresbury House, Antonio Hall and the Piko Residential Character Area at this time. This is because the Council has not yet made decisions on the zoning of these areas. I intend to consider these three referred recommendations once the Council has decided on the zoning of these areas. The Council may refer these decisions to me again ahead of deciding on the balance of Plan Change 14.

I want to thank the Councillors, the Independent Hearings Panel and Council staff for the work undertaken on the Intensification Streamlined Planning Process so far. I note there are further decisions for the Council to make on the remaining parts of Plan Change 14.

My officials have contacted the Council's staff to inform them of my decisions.

Yours sincerely

Hon Chris Bishop
Minister Responsible for RMA Reform

Attachment A: Accepted recommendations with reasons and alterations

Accepted recommendation	Reasons for accepting
Matter 1: Residential Pathways Independent Hearings Panel's recommendation: The two residential pathways are not fully independent. A particular pathway can be selected for a development and then either pathway can be selected again for any future development.	<i>I consider the Council's alternative recommendation is not compliant with the Resource Management Act 1991 (RMA) as it does not provide for the medium density residential standards to apply to a site (as required by RMA section 77G) if a landowner selects the pathway that applies the pre-Plan Change 14 district plan provisions.</i>
Matter 2: Sunlight Access qualifying matter Independent Hearings Panel's recommendation: Reject the Sunlight Access qualifying matter, apply the medium density residential standard for height in relation to boundary of 4 metres and 60 degrees.	<i>I consider the Independent Hearings Panel's (IHP) recommendation to be more consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD).</i> <i>There is insufficient evidence to support the Council's alternative recommendation that sunlight access is a qualifying matter (within the NPS-UD policy 3 areas). By contrast, the IHP's recommendation is supported by evidence, which has been tested through the hearings process.</i> <i>Note my decision on this recommendation only relates the parts of Plan Change 14 the Council has made zoning decisions on.</i>
Matter 3: Airport Noise Influence Area qualifying matter Independent Hearings Panel's recommendation: The Airport Noise Influence Area qualifying matter means resource consent is required for developments with <u>four or more</u> residential units and the consent applications are limited notified to the Christchurch International Airport Limited, unless the Airport's written approval is obtained. This recommendation only relates to the parts of Plan Change 14 that the Council has made zoning decisions on.	<i>I consider the Independent Hearings Panel's (IHP) recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD).</i> <i>The IHP's recommendation would better give effect to the NPS-UD, by providing additional permitted development capacity compared to the Council's alternative recommendation.</i> <i>There is insufficient evidence to support the Council's alternative recommendation regarding the Airport Noise Influence Area. By contrast, the IHP's recommendation is supported by evidence, which has been tested through the hearings process.</i> <i>Note my decision on this recommendation only relates the parts of Plan Change 14 the Council has made zoning decisions on.</i>

Accepted recommendation	Reasons for accepting
Matter 4: City Spine qualifying matter Independent Hearings Panel's recommendation: Reject the City Spine qualifying matter and apply the medium density residential standards front yard setbacks, being 1.5 metres for Medium and High Density Residential zones. This recommendation only relates to the parts of Plan Change 14 that the Council has made zoning decisions on.	<i>I consider the Independent Hearings Panel's (IHP) recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD).</i> <i>The IHP's recommendation will allow for more development capacity than the Council's alternative recommendation.</i> <i>There is insufficient evidence to support the Council's alternative recommendation that the City Spine is a qualifying matter (within the NPS-UD policy 3 areas). By contrast, the IHP's recommendation is supported by evidence that has been tested through the hearings process.</i> <i>Note my decision on this recommendation only relates the parts of Plan Change 14 the Council has made zoning decisions on.</i>
Matter 5: Riccarton Bush interface area qualifying matter Independent Hearings Panel's recommendation: Reject the Riccarton Bush interface area qualifying matter and apply the Medium or High Density Residential Zone to the areas that were proposed to be subject to the qualifying matter.	<i>I consider the Independent Hearings Panel's (IHP) recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD). The IHP's recommendation would better give effect to the NPS-UD, by providing additional development capacity in an area close to services and public transport.</i> <i>There is insufficient evidence to support the Council's alternative recommendation that the Riccarton Bush Interface Area is a qualifying matter. By contrast, the IHP's recommendation is supported by evidence, which has been tested through the hearings process.</i>
Matter 6: Riccarton Town Centre Policy 3(d) catchment Independent Hearings Panel's recommendation: Zone residential areas around Riccarton town centre High Density Residential and zone 25 Deans Ave Medium Density Residential	<i>I consider the Independent Hearings Panel's recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 for Riccarton town centre to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> <i>There is insufficient evidence to justify the change sought by the Council through its alternative recommendation.</i>

Accepted recommendation	Reasons for accepting
Matter 7: Building height for 25 Deans Avenue Christchurch City Council's alternative recommendation: 25 Deans Avenue has a building height precinct applied that permits a building height up to 36 metres.	<i>I consider the Council's alternative recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020 (NPS-UD). The Council's alternative recommendation would better give effect to the NPS-UD, by providing additional development capacity compared to the Independent Hearings Panel's recommendation.</i> <i>The Council's alternative recommendation is supported by evidence, which has been tested through the hearings process.</i>
Matter 8: Hornby Town Centre Policy 3(d) catchment Independent Hearings Panel's recommendation: Zone residential areas around Hornby town centre High Density Residential.	<i>The Independent Hearings Panel's (IHP) recommendation is more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 for Hornby town centre to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> <i>There is insufficient evidence to justify the change sought by the Council through its alternative recommendation. By contrast, the IHP's recommendation is supported by evidence, which has been tested through the hearings process.</i>
Matter 9: Hornby Town Centre Zone building height Independent Hearings Panel's recommendation: Permit a building height of 32 metres in the Town Centre Zone of Hornby.	<i>I consider the Independent Hearings Panel's (IHP) recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 for Hornby town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> <i>The IHP's recommendation for Hornby is also consistent with building height provisions for the other large town centres of Riccarton and Papanui, which both have 32 metre building height limits.</i>
Matter 10: Hornby High Density Residential Zone (HRZ) building height Independent Hearings Panel's recommendation: Permit a building height of 14 metres in High Density	<i>I consider the Independent Hearings Panel's (IHP) recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 for Hornby town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i>

Accepted recommendation	Reasons for accepting
Residential zoned areas around the Hornby town centre.	<i>There is insufficient evidence to justify the change sought by the Council through its alternative recommendation. By contrast, the IHP's is supported by evidence, including the Council's section 32 evaluation report, which has been tested through the hearings process.</i>
Matter 11 Linwood Town Centre Policy 3(d) catchment Independent Hearings Panel's recommendation: Zone residential areas around Linwood town centre High Density Residential, as per the Council's Right of Reply.	<i>I consider the Independent Hearings Panel's recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 for Linwood town centre to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i>
Matter 12: Linwood Town Centre Zone (TCZ) building height and form Independent Hearings Panel's recommendation: Permit a building height of 22 metres in Linwood Town Centre Zone and apply the MDRS height in relation to boundary standard (4 metres and 60 degrees) along the boundary with residential zones.	<i>I consider the Independent Hearings Panel's (IHP) recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 (NPS-UD) for Linwood town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> <i>The IHP's recommendation for Linwood is also consistent the Council's NPS-UD policy 3(d) response for other town centres.</i>
Matter 13: Linwood High Density Residential Zone (HRZ) building height Independent Hearings Panel's recommendation: Permit building heights of 14 metres in High Density Residential areas around Linwood town centre.	<i>I consider the Independent Hearings Panel's (IHP) recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 for Linwood town centre, which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i> <i>There is insufficient evidence to justify the change sought by the Council through its alternative recommendation. By contrast, the IHP's is supported by evidence, including the Council's section 32 evaluation report, which has been tested through the hearings process.</i>
Matter 14: Peer Street Local Centre Policy 3(d) catchment	<i>I consider the Independent Hearings Panel's recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development</i>

Accepted recommendation	Reasons for accepting
Independent Hearings Panel's recommendation: Zone residential areas around Peer St local centre Medium Density Residential.	<i>2020 for Peer Street local centre to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i>
Matter 15: Local Centre Intensification Precinct Christchurch City Council's alternative recommendation: Retain the Local Centre Intensification Precinct, applying it to residential areas around eight local centres, whilst altering the provisions to align with the 12 metre building height limit recommended by the IHP.	<i>I consider the Council's alternative recommendation to be more consistent with the requirements of policy 3(d) of the National Policy Statement on Urban Development 2020 which are to enable building heights and densities of urban form commensurate with the level of commercial activities and community services.</i>
Matter 16: 231 Milton Street and 12 Johnson Street Christchurch City Council's alternative recommendation: The boundary of the High Density Residential Zoning for 231 Milton Street and 12 Johnson Street is modified to align with the current parcel configuration.	<i>I consider the Council's alternative recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020, and more likely to lead to the efficient use of land and good urban form. The Council's alternative recommendation to remove the split zoning aligns the zone boundary with the property boundary.</i> <i>There is insufficient evidence to support retaining split zoning over 231 Milton Street and 12 Johnson Street.</i>
Matter 17: Papanui War Memorial Avenues Independent Hearings Panel's recommendation: No additional matters of discretion for the Papanui War Memorial Avenues are included in the District Plan for decisions on intensification developments that require resource consent.	<i>I consider the Independent Hearings Panel's recommendation to be consistent with the requirements of the Resource Management Act 1991 and the National Policy Statement on Urban Development 2020.</i> <i>There is insufficient evidence to support the Council's alternative recommendation regarding the Papanui War Memorial Avenues.</i>