

Questions from District Plan Change update webinar – 16 February 2023

Will you have draft PC14 changes available to read before the webinar?

The proposed changes will be published online as part of the agenda for the forthcoming Council meeting on 1st March.

Will the "further detail regarding the proposed zone provisions and new Qualifying Matters." be distributed to registrants to read prior to the webinar?

Information on the proposed changes to provisions and new QMs will be presented during the webinar.

Has there been a solution to blanket qualifying matters? this cant be left unresolved for a year + , there are 2 many projects treading water looking for direction

A number of new qualifying matters are proposed incl. a QM on sunlight access that would apply across the whole city and a QM on public transport accessibility, which would focus intensification on public transport corridors. Due to provisions of the Act, a QM precludes MDRS from taking effect until decisions are made.

The main idea behind the MDRS was to make it so we can get a consent without applying for a resource consent. Should I be angry that now I am told that after March 1st we might be able to get a recourse consent based on the outcome of the March 1st meeting. Also will the planning team loose workers ie face lay offs if the MDRS were to take full effect.

The proposed Qualifying matters will be tested through the forthcoming process and additional QMs may be sought by submissions and tested through hearings. MDRS will take effect when decisions are made except where a QM applies, which the legislation enables.



Are the high density zones around commercial centres going to have the standard government mandated recession planes and thus avoid having any qualifying matters? Would seem more appropriate for these areas to have higher recession planes.

The High Density Residential zone will be subject to a qualifying matter on sunlight access as outlined in the presentation.

Can any part of the medium density plan be implemented sooner than later i.e the parts that CCC are not intending to change. The reason for this is that CCC is holding up significant projects are now on hold until next year, and costs are crippling for many people who have been treated unfairly by CCC contempt of the law. There should be a mechanism in place to implement the Medium Density planning rules now excluding the the contentions i.e recession planes. Why do we have to wait another year, if the majority of the Medium Density rules will be implemented? Some common sense should prevail here, especially, as CCC is clearly in breach of the law and prolonging the process add further insult to injury. Does CCC bears the financial burden caused by their illegal activity? Is CCC accountable for their illegal actions?

"The MDRS standards do not take effect from notification based on our interpretation of 86BA of the Act and having regard to the qualifying matters proposed. There is the ability for the IHP to make decisions on certain aspects earlier in the process. However, this is for the IHP to determine.

There remains the ability for anyone to put forward a QM that limits the effect of MDRS to an area."

Will you be releasing the legal advice you have, supporting your interpretation of what is and what is not a qualifying matter? Or have you not taken legal advice?

Legal advice has been provided and its release will be considered further.

Please clarify the timeframes ? If the council votes to notify this new plan change, what will the notification date be?

It is proposed that the plan change is notified on 17th or 19th March.

Is new RMA issue time still to next year ?

MDRS will take effect when decisions are made by Council, following hearings and recommendations from the IHP.



The existence of the OARC (a specifically Christchurch situation) has been identified as a Qualifying Matter under PC14. This would mean that the ex red zone (born of suffering and loss where many people lost their homes and loved ones) could not be developed leaving the area as a well-being resource for the city. It seems grossly inappropriate that this land could be given/sold to developers to make private profit and eroding the OARC area. Is Council pursuing this? If not, why not?

The majority of the OARC is proposed as a qualifying matter, in recognition of its function as a publicly accessible open space, which the NPS-UD and enabling housing legislation enables Council to identify as a QM. There are 3 properties however, which are in private ownership. Two have features identified in the OARC Regeneration Plan that are proposed as QM while the 3rd is subject to a QM based on natural hazard risk. The latter is the land subject to private plan change 11 where Council cannot justify an exemption from all development. Council is proposing the QM has the effect of limiting intensification on this site to 3 storeys.

For properties that have private stormwater drains, has Council included this as a qualifying matter? Because, as we understand it, the Council takes no responsibility for maintenance of these drains and may not even have the drains on their plans, although they are located on the property plans for the properties. For this reason, we think that the existence of private stormwater drainage is a qualifying matter - requiring any developer of a property with these drains to have approval from the remaining owners who have properties connected to the private network before making any changes to the drains or the quantity/quality of drainage.

This is a matter considered under the Building Act.

Have you sought professional input into the implications of this magnitude of intensification on ChCh's infrastructure, in particular the impact of buildings with almost no impermeable land left and multi-units each with toilets, dishwasher, washing machine etc?

infrastructure plans are prepared based on expected growth projections including an infrastructure capacity audit that identifies where capacity must be upgraded to meet the expected growth in demand. These infrastructure plans must be revisited to align with changes in growth that may be expected from the new rules. An infrastructure capacity audit will need to consider the degree and spatial distribution of intensification over the planning horizon.

Based on the most recent information you have received from govt appointed investigator John Hardie, what will happen if council votes a second time not to notify PC14?

Following the Council's decision, the Investigator will prepare his report for the Associate Minister for the Environment with a recommendation. Should the Council not approve the plan change for notification, it is possible that the Minister will appoint a person under section 25 of the RMA who can direct that the plan change is notified.



1. Given the huge increase in impermeable surfaces being laid down with intensification what is being planned (i) to prevent the city becoming a heat island and (ii) to improve its 'sponginess' in preparation for extreme weather events? 2. How can the plan address the biodiversity loss taking place with the disappearance of so many gardens around the city?

"The Council is proposing a requirement for 20% of any site to have tree canopy cover. If trees are not retained or planted to achieve 20%, then a financial contribution is payable. The benefits of tree canopy cover incl. mitigation of the heat island effects of development and the loss of biodiversity.

With regard to improving sponginess, any development needs to provide a solution to manage stormwater run-off from development which is subject to Council's approval. This could include low impact urban design that accommodates stormwater on-site e.g. rain-gardens."

Is flood proneness going to become a qualifying matter? If an area is prone to flooding it should not be infilled with houses. Why you would want to set up a flood prone area to be developed, concreted and trees removed is asking for trouble and a disaster waiting to happen. Look at Auckland. Additionally stormwaters and drainage infrastructure need to be upgraded

Yes, areas have been defined in the district plan that are at risk of flooding incl. High Flood Hazard areas and Flood Ponding Management Areas. Areas affected by coastal hazards in the future have also been identified. With these areas being QMs, there is a reduced level of intensification enabled.

Are all walkable catchments the same size or do they vary?

Walkable catchments vary, having regard to the range of commercial services and community activities in our commercial centres.

With living costs and house prices at an all time high, climate change and an obesity crisis what changes are you making to improve the physical environment we live in?

"The intensification of residential and commercial areas will support greater accessibility to a range of activities and services by sustainable modes of transport, reducing reliance on private vehicle and the costs associated with travel.

With intensification enabling the delivery of additional housing to the market, it is anticipated that it will contribute to providing sufficient capacity to meet demand and minimising the upward pressure on house prices."



Could we please ask what is proposed is put out way before the agenda is finalised for the meeting to give residents as much time as possible to comment and for us to reach out to residents for comment?

The webinar is to provide an update on the proposed plan change ahead of the agenda being published for the Council meeting.

1. What considerations will be given to public transport plan, roads and traffic flow in this district plan change?

The National Policy Statement on Urban Development directs that intensification occurs in and around commercial centres in recognition of their accessibility by public transport to a range of activities and services. It also requires intensification around mass rapid transit stops, providing for a greater population in walking distance of public transport that can support its functioning.

The High density of 6 storeys has not been mentioned much in the media. Can you cover that in the webinar please.

The High Density zone is proposed around in and around the Central City and largest suburban centres, with a height limit of 6 storeys or 20 metres. This is to respond to the National Policy Statement on Urban Development.

Why not let the free market determine density levels? I don't particularly care about sunlight as I don't spend much time in my house, I just want more affordable housing. People who value sunlight can pay more for apartments on the higher levels...Again principals of the free market some people would accept the noise for cheaper housing

The Council is responsible for sustainable management of resources under the Resource Management Act, including managing effects on the environment. In an urban context, this includes the effects of land use, development and subdivision on the surrounding environment, which can include shading, building dominance, and other effects.

What is the purpose of restricting development?

The Council is responsible for sustainable management of resources under the Resource Management Act, including managing effects on the environment. In an urban context, this includes the effects of land use, development and subdivision on the surrounding environment, which can include shading, building dominance, and other effects.



Will the public transport access qualifying matter be reviewed whenever the public transport network changes?

"The QM based on public transport accessibility has the effect of limiting intensification to within a walkable distance (800 metres) of defined public transport routes. The routes defined have been based on a business case where increased investment is planned for public transport including infrastructure. The routes also provide connections between commercial centres and employment areas that are anticipated to retain their function and for which access by public transport will remain necessary.

Even with changes to public transport routes, it is anticipated that the areas defined for intensification remain within a walkable distance of these routes."

Dont set back laws encourage speeding, and make the city less walkable/bikable

Increased setbacks are proposed along strategic corridors to the north between the Central City, Papanui and Belfast, and west to Riccarton, Church Corner and Hornby. The setbacks will provide an opportunity for future enhancements along these corridors including tree planting and amenity improvements alongside space for sustainable modes of transport (public transport, walking and cycling).

A note: poor AQ is now understood to be the major sources or mortality and mobility for city dwellers. Setback of 10m each sides of major roads would help protect health of urban dwellers..

A submission can be made in the forthcoming process to seek a 10 metre setback. Council has not considered a qualifying matter based on air quality and does not have evidence to justify a setback of 10 metres.

Noise is best mitigated by building design (products) and ventilation systems, not distance setbacks.

Council considers a setback for 3 storey buildings from the boundary of an industrial zone to be more appropriate to mitigate the effect of noise. Mitigation by insulation in close proximity to the boundary of an industrial zone can increase costs of residential development beyond what may be reasonable, having regard to the noise levels.

Financial contribution redistributes trees away from places that need them.

The proposed requirement for financial contributions for tree canopy cover is to mitigate the effects of a development and is to be spent on land and trees as close as practicable to the site.



There is a lot of information here. When will the Proposed District Plan be available to review?

The plan change and supporting evaluation will be published as part of the Council agenda for the 1st March Council meeting on Thursday 23rd.

Thanks for all your work on this. Question on consultation rather than the substance of the plan - are any plans in place to ensure engagement with renters and young people?

The submissions process will enable anyone to make a submission on the proposed plan change. This will be accompanied by advertising to make the public aware of the proposed change.

When will support by Community Law Centres be confirmed (or not)? We were going to have to fund a property law person to give us an interpretation to support our submission. If we can get the support through the Law Centre, that would be ideal.

Council will provide information on support through Community Law Canterbury at the time of notification if this arrangement is confirmed

Regarding private drains, how can the Building Act approvals take away the owner's rights to the drains? We have been given conflicting information by departments of Council about whether they know about the existence of the drains.

The reliance on private drains for stormwater drainage will be assessed through the Building consent process.

This means we have no confidence that the Council's Building Act approval process will protect us from a developer's lack of consideration for owner's upstream or downstream of their developments.

The reliance on private drains for stormwater drainage will be assessed through the Building consent process.

Are stormwater runoff calculations adding a significant quantum increase due to climate change?

Whilst climate change scenarios are evaluated and considered in the infrastructure planning process, infrastructure designs are completed in accordance with mandated climate change scenarios, as based on latest projections



With Merivale being closer to the central city than Papanui and on a major route, why is there walkable catchment smaller? Sounds like wealthy people in these areas have held sway over the Council

"Walkable catchments vary, having regard to the range of commercial services and community activities in our commercial centres consistent with Policy 3(d) of the National Policy Statement on Urban Development. 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."

Are Council ahead of the demand curve for local reserves and pocket parks. Seems like they have already dropped the ball in this regard with to current DC policy not requiring, or greatly reduced, reserve contributions for parks.

This will be assessed by our Parks unit based on projections of growth with land acquired for reserves and parks in new subdivisions and development. In addition, a proportion of the financial contribution required for tree canopy cover is to enable land to be purchased for the planting of trees.

As a result of consultation process will the CCC will then change the plan again

Upon notification of the plan change, anyone can make a submission including Council. Following the submissions process, submitters can present to an Independent Hearings Panel who will make recommendations to Council. Council will then make a decision which could differ from what is notified, having regard to the submissions and evidence.

Will the trees that be planted be large trees or seedlings? We should be planting large sized trees rather than waiting for years for a new tree canopy.

In relation to financial contributions, a tree is defined as a perennial woody plant with the potential to reach at least 5 metres in height.

How can I make a submission to remove a street / area from the medium density area ?

A submission can be made in the forthcoming process to seek a qualifying matter is introduced to limit intensification within a street or area. There are requirements to meet in s77J - L and s32 of the Resource Management Act for any new qualifying matter.



Instead of holding up all the medium density planning rules for another year, can council release the rules that are not going to change? It is extremely frustrating and be financially burdened by council's refusal of implementing the law.

"The Medium Density Residential Standards do not take effect from notification under 86BA of the Resource Management Act, having regard to the qualifying matters proposed by Council. The proposed Qualifying matters will be tested through the forthcoming process and additional QMs may be sought by submissions and tested through hearings.

Medium Density Residential Standards will take effect when decisions are made, following the recommendations of the Independent Hearings Panel. There is the ability for the IHP to make recommendations (and for Council to make a decision) on certain aspects earlier in the process. However, it is for the IHP to determine whether they make recommendations earlier. "

How many ghost houses (untenanted unoccupied) house in Christchurch? How many houses occupied by Airbnb short stay tenants?

"Data on the number of 'ghost houses' is not known by Council.

In the twelve months up to September 2019, on the Airbnb and Bookabach websites alone, there were approximately 4,230 listings for home-share accommodation in the Christchurch district of which 2,135 (50 per cent) were for whole residential units "

3 x two-storeyed (not 3-storeyed) maximum non-consented build on urban and suburban properties? And if not, why not, given the provision of extra accomodation it would still provide, while maintaining much more liveable conditions for all?

The Medium Density Residential Standards prescribed by the government direct Councils to enable 3 units per site up to 3 storeys without resource consent. MDRS will take effect upon decisions being made by Council due to a QM being proposed, based on sunlight access, which applies to all residential properties.

Can you explain early on the colour coding, in particular orange and yellow and how they match the housing zones as there is no legend. I am trying to figure out how the changes being made apply particularly to St Albans but some guidance would be helpful to determine if the zones have changed slightly.

The maps will be available as part of the agenda for the Council meeting, scheduled for 1st March.

