

HOUSING AND BUSINESS CHOICE – QUALIFYING MATTERS EVALUATION REPORT

Overview

This part of the evaluation report for Plan Change 14 relates specifically to qualifying matters. The Act and the NPS-UD provide grounds for certain areas to be less enabling of development if they exhibit specific characteristics identified in the Act as qualifying matters. This report sets out the justification for where Council consider a lesser enablement is more appropriate where it is therefore proposed to reduce the scale and density of buildings enabled by the MDRS and NPS-UD. The following are proposed as qualifying matters:

Section 6 matters of national importance

- Sites of Ecological Significance (existing – no change)
- Outstanding Natural Features and Landscapes (existing – no change)
- Sites of cultural significance (Wāhi Tapu / Wāhi Taonga, Ngā Tūranga Tūpuna, Ngā Wai and Belfast Silent File) (existing – no change)
- Belfast Commercial Centre and Styx River (existing with amendment)
- Sites of Historic Heritage and their Settings, New Regent Street Height and Arts Centre Height
- Heritage trees (existing with amendments, and new)
- High Flood Hazard Management Area (existing – no change)
- Flood Ponding Management Area (existing – no change)
- Slope instability (existing – no change)
- Waterbody Setbacks (existing – no change)
- Building heights adjoining Riccarton Bush (existing with changes)
- Residential Heritage Areas (new)
- Residential Heritage Areas Interface and Central City Heritage Interface (new)
- Cathedral Square Building Heights (new)
- Coastal Hazard Risk Management Areas (new)
- Tsunami Management Area (new)

Matters for the purpose of ensuring safe or efficient operation of nationally significant infrastructure

- Lyttelton Port Influence Area (existing – no change)
- Railway Building Setback (existing – no change)
- Electricity Transmission Corridors and Infrastructure (existing – no change)
- Airport Noise Contours (existing with new spatial extent)
- Radio Communication Pathway (new)

Matters relating to open space provided for public use

- Open Space and Specific Purpose (Ōtākaro Avon River Corridor) and (Cemetery) Zones (existing – no change)
- North Halswell ODP Connections (existing with amendment)

Matter for provision of sufficient business land suitable for low density uses to meet expected demand

- Residential-Industrial Interface Area (new)

Other matters

- Significant and other Trees (existing – no change)
- Lyttelton Building Height (existing – no change)
- Victoria Street Building Height (new)
- Waste Water Constraint Area (new)
- Residential Character Areas (existing with amendments, and new)
- Sunlight Access (new)
- City Spine Transport Corridor (new)
- Low Public Transport Accessibility (new)

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1. Introduction and legal obligations for qualifying matters

1.1. Purpose of this report

- 1.1.1 This part of the section 32 assessment on the Proposed Change relates specifically to “Qualifying matters”, being the circumstances where the Council proposes a lesser intensity of development than the minimum development otherwise required to be enabled by the NPS-UD and the Act. The NPS-UD and the Act list what matters can be qualifying matters and only allow the MDRS and relevant height and density requirements to be less enabling of development in an area to the extent it is necessary to accommodate qualifying matters.
- 1.1.2 The NPS-UD and Act contain specific additional requirements relating to the section 32 assessment for different types of qualifying matters. The relevant sections of the Act and clauses of the NPS-UD are reproduced in detail in the table in Section 2 below. The Plan must identify all qualifying matters spatially and specify the alternate building heights and densities that are considered necessary to accommodate the qualifying matter.

1.2. Legal obligations and strategic planning documents relating to qualifying matters

- 1.2.1 The potential qualifying matters are listed in clause 3.32 of the NPS-UD and in the Act in sections 77I for residential zones and 77O for non-residential areas. In particular those provisions specifically include matters of national importance under section 6 of the Act, a matter required to give effect to a National Policy Statement, and a matter required for to give effect to the safe or efficient operation of nationally significant infrastructure. Furthermore it includes the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand. Those provisions also provide for any “other matter” that makes higher density inappropriate.
- 1.2.2 Where the qualifying matter is not already a matter that limits development in the existing District Plan to the same extent as is proposed, the set of additional assessments required to be included in the section 32 assessment are set out separately in the Act for residential zones (s.77J) and for non-residential areas (s.77P). In the NPS-UD they are set out in clause 3.33.
- 1.2.3 If a qualifying matter is an “other matter”, further additional assessment is required (s.77L for residential zones or s.77R for non-residential areas in the Act, and clause 3.33 (3) in the NPS-UD).
- 1.2.4 Where the qualifying matter is an existing qualifying matter that limits development to the same extent in the existing District Plan, and is one of the qualifying matters specifically listed rather than an “other matter”, the Act enables the Council to undertake an alternative and more limited evaluation process to that indicated above (sections 77K for residential zones and 77Q for non-residential areas).
- 1.2.5 Table 1 below sets out provisions from the Act and National Policy Statements which are relevant to qualifying matters. It also identifies other relevant higher order documents which set out the resource management issues relevant to the district and which provide direction for a number of the proposed qualifying matters.

Table 1 – Specific legal matters and higher order documents relevant to Qualifying Matters		
Document	Relevant provisions	Relevant direction given effect to/ taken account of
RMA	Section 6 Matters of national importance	<i>In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:</i> <i>(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:</i> <i>(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:</i> <i>(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:</i> <i>(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:</i> <i>(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wahi tapu, and other taonga:</i> <i>(f) the protection of historic heritage from inappropriate subdivision, use, and development:</i> <i>(g) the protection of protected customary rights:</i> <i>(h) the management of significant risks from natural hazards.</i>
RMA, section 771	Section 771 Qualifying matters in applying medium density residential standards and policy 3 to relevant residential zones	<i>A specified territorial authority may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone only to the extent necessary to accommodate 1 or more of the following qualifying matters that are present:</i> <i>(a) a matter of national importance that decision makers are required to recognise and provide for under section 6:</i> <i>(b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010:</i> <i>(c) ...[not relevant](d) ...[not relevant]</i> <i>(e) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure:</i> <i>(f) open space provided for public use, but only in relation to land that is open space:</i> <i>(g) the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order:</i> <i>(h) a matter necessary to implement, or to ensure consistency with, iwi participation legislation:</i> <i>(i) the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand:</i> <i>(j) any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L is satisfied.</i>

<p>RMA, section 77J</p>	<p>Section 77J Requirements in relation to evaluation report</p>	<p><i>(1) This section applies if a territorial authority is amending its district plan (as provided for in section 77G).</i></p> <p><i>(2) The evaluation report from the specified territorial authority referred to in section 32 must, in addition to the matters in that section, consider the matters in subsections (3) and (4).</i></p> <p><i>(3) The evaluation report must, in relation to the proposed amendment to accommodate a qualifying matter,—</i></p> <p><i>(a) demonstrate why the territorial authority considers—</i></p> <p><i>(i) that the area is subject to a qualifying matter; and</i></p> <p><i>(ii) that the qualifying matter is incompatible with the level of development permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 for that area; and</i></p> <p><i>(b) assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and</i></p> <p><i>(c) assess the costs and broader impacts of imposing those limits.</i></p> <p><i>(4) The evaluation report must include, in relation to the provisions implementing the MDRS,—</i></p> <p><i>(a) a description of how the provisions of the district plan allow the same or a greater level of development than the MDRS:</i></p> <p><i>(b) a description of how modifications to the MDRS as applied to the relevant residential zones are limited to only those modifications necessary to accommodate qualifying matters and, in particular, how they apply to any spatial layers relating to overlays, precincts, specific controls, and development areas, including—</i></p> <p><i>(i) any operative district plan spatial layers; and</i></p> <p><i>(ii) any new spatial layers proposed for the district plan.</i></p> <p><i>(5) The requirements set out in subsection (3)(a) apply only in the area for which the territorial authority is proposing to make an allowance for a qualifying matter.</i></p> <p><i>(6) The evaluation report may for the purposes of subsection (4) describe any modifications to the requirements of section 32 necessary to achieve the development objectives of the MDRS.</i></p>
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RMA, section 77K	Section 77K Alternative process for existing qualifying matters	<p><i>(1) A specified territorial authority may, when considering existing qualifying matters, instead of undertaking the evaluation process described in section 77J, do all the following things:</i></p> <p><i>(a) identify by location (for example, by mapping) where an existing qualifying matter applies:</i></p> <p><i>(b) specify the alternative density standards proposed for those areas identified under paragraph (a):</i></p> <p><i>(c) identify in the report prepared under section 32 why the territorial authority considers that 1 or more existing qualifying matters apply to those areas identified under paragraph (a):</i></p> <p><i>(d) describe in general terms for a typical site in those areas identified under paragraph (a) the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3:</i></p> <p><i>(e) notify the existing qualifying matters in the IPI.</i></p> <p><i>(2) To avoid doubt, existing qualifying matters included in the IPI—</i></p> <p><i>(a) do not have immediate legal effect on notification of the IPI; but</i></p> <p><i>(b) continue to have effect as part of the operative plan.</i></p> <p><i>(3) In this section, an existing qualifying matter [emphasis added] is a qualifying matter referred to in section 77I(a) to (i) that is operative in the relevant district plan when the IPI is notified.</i></p>
RMA, section 77L	Section 77L Further requirements about the application of section 77I(j)	<p><i>A matter is not a qualifying matter under section 77I(j) in relation to an area unless the evaluation report referred to in section 32 also—</i></p> <p><i>(a) identifies the specific characteristic that makes the level of development provided by the MDRS (as specified in Schedule 3A or as provided for by policy 3) inappropriate in the area; and</i></p> <p><i>(b) justifies why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and</i></p> <p><i>(c) includes a site-specific analysis that—</i></p> <p><i>(i) identifies the site to which the matter relates; and</i></p> <p><i>(ii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and</i></p> <p><i>(iii) evaluates an appropriate range of options to achieve the greatest heights and densities permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 while managing the specific characteristics.</i></p>

RMA, section 770	Section 770 Qualifying matters in application of intensification policies to urban non-residential areas	<p><i>A specified territorial authority may modify the requirements of policy 3 in an urban non-residential zone to be less enabling of development than provided in those policies only to the extent necessary to accommodate 1 or more of the following qualifying matters that are present:</i></p> <p><i>(a) a matter of national importance that decision makers are required to recognise and provide for under section 6:</i></p> <p><i>(b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010:</i></p> <p><i>(c) ...[not relevant]</i></p> <p><i>(d) ...[not relevant]</i></p> <p><i>(e) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure:</i></p> <p><i>(f) open space provided for public use, but only in relation to land that is open space:</i></p> <p><i>(g) the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order:</i></p> <p><i>(h) a matter necessary to implement, or to ensure consistency with, iwi participation legislation:</i></p> <p><i>(i) the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand:</i></p> <p><i>(j) any other matter that makes higher density development as provided for by policy 3, as the case requires, inappropriate in an area, but only if section 77R is satisfied.</i></p>
RMA, section 77P	Section 77P Requirements governing application of section 770	<p><i>(1) This section applies if a specified territorial authority is amending its district plan (as required by section 77N) and proposes to accommodate a qualifying matter.</i></p> <p><i>(2) The evaluation report from the specified territorial authority referred to in section 32 must, in addition to the matters in that section, consider the matters in subsection (3).</i></p> <p><i>(3) The evaluation report must, in relation to the proposed amendment to accommodate a qualifying matter, —</i></p> <p><i>(a) in the area for which the territorial authority is proposing to make an allowance for a qualifying matter, demonstrate why the territorial authority considers—</i></p> <p><i>(i) that the area is subject to a qualifying matter; and</i></p> <p><i>(ii) that the qualifying matter is incompatible with the level of development provided for by policy 3 for that area; and</i></p> <p><i>(b) assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and</i></p> <p><i>(c) assess the costs and broader impacts of imposing those limits.</i></p>

RMA, section 77Q	Section 77Q Alternative process for existing qualifying matters	<p><i>(1) A specified territorial authority may, when considering existing qualifying matters, instead of undertaking the evaluation process described in section 77P, do all the following things:</i></p> <p><i>(a) identify by location (for example, by mapping) where an existing qualifying matter applies:</i></p> <p><i>(b) specify the alternative density standards proposed for the area or areas identified under paragraph (a):</i></p> <p><i>(c) identify in the report prepared under section 32 why the territorial authority considers that 1 or more existing qualifying matters apply to the area or areas identified under paragraph (a):</i></p> <p><i>(d) describe in general terms for typical sites in those areas identified under paragraph (a) the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been enabled by policy 3:</i></p> <p><i>(e) notify the existing qualifying matters in the IPI.</i></p> <p><i>(2) To avoid doubt, existing qualifying matters included in the IPI—</i></p> <p><i>(a) do not have immediate legal effect on notification of the IPI; but</i></p> <p><i>(b) continue to have effect as part of the operative plan.</i></p> <p><i>(3) In this section, an existing qualifying matter is a qualifying matter referred to in section 77O(a) to (i) that is operative in the relevant district plan when the IPI is notified.</i></p>
RMA, section 77R	Section 77R Further requirements about the application of section 77O(j)	<p><i>A matter is not a qualifying matter under section 77O(j) in relation to an area unless the evaluation report referred to in section 32 also—</i></p> <p><i>(a) identifies the specific characteristic that makes the level of urban development required within the relevant paragraph of policy 3 inappropriate; and</i></p> <p><i>(b) justifies why that characteristic makes that level of urban development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and</i></p> <p><i>(c) includes a site-specific analysis that—</i></p> <p><i>(i) identifies the site to which the matter relates; and</i></p> <p><i>(ii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and</i></p> <p><i>(iii) evaluates an appropriate range of options to achieve the greatest heights and densities provided for by policy 3 while managing the specific characteristics.</i></p>
National Policy	Clauses 3.31, 3.32 and 3.33	<p><i>3.31 Tier 1 territorial authorities implementing intensification policies</i></p> <p><i>(1) Every tier 1 territorial authority must identify, by location, the building heights and densities required by Policy 3.</i></p>

Statement on Urban Development (NPS-UD)	of the NPS-UD	<p><i>(2) If the territorial authority considers that it is necessary to modify the building height or densities in order to provide for a qualifying matter (as permitted under Policy 4), it must:</i></p> <p><i>(a) identify, by location, where the qualifying matter applies; and</i></p> <p><i>(b) specify the alternate building heights and densities proposed for those areas.</i></p> <p><i>(3) The territorial authority must make the information required by subclauses (1) and (2) publicly available at the same time as it notifies any plan change or proposed plan change to give effect to Policy 3.</i></p> <p><i>3.32 Qualifying matters</i></p> <p><i>In this National Policy Statement, qualifying matter means any of the following:</i></p> <p><i>(a) a matter of national importance that decision-makers are required to recognise and provide for under section 6 of the Act</i></p> <p><i>(b) a matter required in order to give effect to any other National Policy Statement</i></p> <p><i>(c) any matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure</i></p> <p><i>(d) open space provided for public use, but only in relation to the land that is open space</i></p> <p><i>(e) an area subject to a designation or heritage order, but only in relation to the land that is subject to the designation or heritage order</i></p> <p><i>(f) a matter necessary to implement, or ensure consistency with, iwi participation legislation</i></p> <p><i>(g) the requirement to provide sufficient business land suitable for low density uses to meet expected demand under this National Policy Statement</i></p> <p><i>(h) any other matter that makes high density development as directed by Policy 3 inappropriate in an area, but only if the requirements of clause 3.33(3) are met.</i></p> <p><i>3.33 Requirements if qualifying matter applies</i></p> <p><i>(1) This clause applies if a territorial authority is amending its district plan and intends to rely on Policy 4 to justify a modification to the direction in Policy 3 in relation to a specific area.</i></p> <p><i>(2) The evaluation report prepared under section 32 of the Act in relation to the proposed amendment must:</i></p> <p><i>(a) demonstrate why the territorial authority considers that:</i></p> <p><i>(i) the area is subject to a qualifying matter; and</i></p> <p><i>(ii) the qualifying matter is incompatible with the level of development directed by Policy 3 for that area; and</i></p> <p><i>(b) assess the impact that limiting development capacity, building height or density (as relevant) will have on the provision of development capacity; and</i></p> <p><i>(c) assess the costs and broader impacts of imposing those limits.</i></p> <p><i>(3) A matter is not a qualifying matter under clause 3.32(1)(h) in relation to an area unless the evaluation report also:</i></p>
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		<p><i>(a) identifies the specific characteristic that makes the level of development directed by Policy 3 inappropriate in the area, and justifies why that is inappropriate in light of the national significance of urban development and the objectives of this National Policy Statement; and</i></p> <p><i>(b) includes a site-specific analysis that:</i></p> <p><i>(i) identifies the site to which the matter relates; and</i></p> <p><i>(ii) evaluates the specific characteristics on a site-specific basis to determine the spatial extent where intensification needs to be compatible with the specific matter; and</i></p> <p><i>(iii) evaluates an appropriate range of options to achieve the greatest heights and densities directed by Policy 3, while managing the specific characteristics.</i></p>
National Policy Statement on Freshwater Management 2020	1.3 Fundamental concept – Te Mana o te Wai Concept	<p><i>(1) Te Mana o te Wai is a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.</i></p> <p><i>(2) Te Mana o te Wai is relevant to all freshwater management and not just to the specific aspects of freshwater management referred to in this National Policy Statement.</i></p> <p><i>Framework.</i></p> <p><i>(3) Te Mana o te Wai encompasses 6 principles relating to the roles of tangata whenua and other New Zealanders in the management of freshwater, and these principles inform this National Policy Statement and its implementation.</i></p> <p><i>(4) The 6 principles are:</i></p> <p><i>(a) Mana whakahaere: the power, authority, and obligations of tangata whenua to make decisions that maintain, protect, and sustain the health and well-being of, and their relationship with, freshwater</i></p> <p><i>(b) Kaitiakitanga: the obligation of tangata whenua to preserve, restore, enhance, and sustainably use freshwater for the benefit of present and future generations</i></p> <p><i>(c) Manaakitanga: the process by which tangata whenua show respect, generosity, and care for freshwater and for others</i></p> <p><i>(d) Governance: the responsibility of those with authority for making decisions about freshwater to do so in a way that prioritises the health and well-being of freshwater now and into the future</i></p> <p><i>(e) Stewardship: the obligation of all New Zealanders to manage freshwater in a way that ensures it sustains present and future generations</i></p> <p><i>(f) Care and respect: the responsibility of all New Zealanders to care for freshwater in providing for the health of the nation.</i></p> <p><i>6 National Policy Statement for Freshwater Management 2020</i></p>

		<p><i>(5) There is a hierarchy of obligations in Te Mana o te Wai that prioritises:</i></p> <ul style="list-style-type: none"> <i>(a) first, the health and well-being of water bodies and freshwater ecosystems</i> <i>(b) second, the health needs of people (such as drinking water)</i> <i>(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future</i> <p><i>2.1 Objective</i></p> <p><i>(1) The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:</i></p> <ul style="list-style-type: none"> <i>(a) first, the health and well-being of water bodies and freshwater ecosystems</i> <i>(b) second, the health needs of people (such as drinking water)</i> <i>(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.</i> <p><i>2.2 Policies</i></p> <p><i>Policy 1: Freshwater is managed in a way that gives effect to Te Mana o te Wai.</i></p> <p><i>Policy 2: Tangata whenua are actively involved in freshwater management (including decision making processes), and Māori freshwater values are identified and provided for.</i></p> <p><i>Policy 3: Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.</i></p> <p><i>Policy 4: Freshwater is managed as part of New Zealand’s integrated response to climate change.</i></p> <p><i>Policy 6: There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.</i></p> <p><i>Policy 7: The loss of river extent and values is avoided to the extent practicable.</i></p> <p><i>Policy 8: The significant values of outstanding water bodies are protected.</i></p> <p><i>Policy 9: The habitats of indigenous freshwater species are protected.</i></p> <p><i>Policy 10: The habitat of trout and salmon is protected, insofar as this is consistent with Policy 9.</i></p> <p><i>Policy 15: Communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with this National Policy Statement.</i></p>
New Zealand Coastal		Objective 6

<p>Policy Statement 2010</p>	<p><i>To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:</i></p> <ul style="list-style-type: none"> • <i>the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;</i> • <i>some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;</i> • <i>functionally some uses and developments can only be located on the coast or in the coastal marine area;</i> • <i>the coastal environment contains renewable energy resources of significant value;</i> • <i>the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;</i> • <i>the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;</i> • <i>the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and</i> • <i>historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.</i> <p><i>Policy 3 Precautionary approach</i></p> <p><i>(1) Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse.</i></p> <p><i>(2) In particular, adopt a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change, so that:</i></p> <ul style="list-style-type: none"> <i>(a) avoidable social and economic loss and harm to communities does not occur;</i> <i>(b) natural adjustments for coastal processes, natural defences, ecosystems, habitat and species are allowed to occur; and</i> <i>(c) the natural character, public access, amenity and other values of the coastal environment meet the needs of future generations.</i> <p><i>Policy 25 Subdivision, use, and development in areas of coastal hazard risk In areas potentially affected by coastal hazards over at least the next 100 years:</i></p> <ul style="list-style-type: none"> <i>(a) avoid increasing the risk¹⁰ of social, environmental and economic harm from coastal hazards;</i> <i>(b) avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards;</i>
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		<p><i>(c) encourage redevelopment, or change in land use, where that would reduce the risk of adverse effects from coastal hazards, including managed retreat by relocation or removal of existing structures or their abandonment in extreme circumstances, and designing for relocatability or recoverability from hazard events; (d) encourage the location of infrastructure away from areas of hazard risk where practicable;</i></p> <p><i>(e) discourage hard protection structures and promote the use of alternatives to them, including natural defences; and</i></p> <p><i>(f) consider the potential effects of tsunami and how to avoid or mitigate them</i></p>
Canterbury Regional Policy Statement (CRPS)		<p>In terms of direction on matters relating to intensification other than that required to be enabled by the MDRS, in particular the greater levels of intensification required in some areas under Policy 3 of the NPS-UD, the following CRPS direction is relevant;</p> <ul style="list-style-type: none"> i. Objectives 6.2.1 and 11.2.3, and Policy 11.3.8 - recognise, have regard to, and protect people from, unacceptable risk from natural hazards and the effects of climate change and sea-level rise. ii. Objective 6.2.3 and Policy 6.3.2 - retention of identified areas of special amenity and historic heritage value and that development reflect the character and quality of the existing built and natural environment. iii. Objectives 6.2.1 and 6.2.4, and Policies 6.33-6.35 – outline development plans, transport and integration of land use with infrastructure.
Land Use Recovery Plan (LURP)		<ul style="list-style-type: none"> a. Have regard to ... b. LURP actions related specifically to commercial activity direct the Plan to enable: <ul style="list-style-type: none"> i. Community facilities within KACs and Neighbourhood Centres
Christchurch Central Recovery Plan (CCRP)		<ul style="list-style-type: none"> a. Any plan changes, recommendations or decisions on PCs affecting provisions for the Central City must have regard to the CCRP: <ul style="list-style-type: none"> i. The Blueprint Plan
Mahaanui Iwi Management Plan (IMP)	Part 5.3 Wai Māori	<p>Objectives</p> <p>(3) Water and land are managed as interrelated resources embracing the practice of Ki Uta Ki Tai, which recognises the connection between land, groundwater, surface water and coastal waters.</p> <p>(4) Mauri and mahinga kai are recognised as key cultural and environmental indicators of the cultural health of waterways and the relationship of Ngāi Tahu to water.</p> <p>(6) Wetlands and waipuna are recognised and protected as wāhi taonga, and there is an overall net gain of wetlands in the takiwā as wetlands are restored.</p> <p>(7) All waterways have healthy, functioning riparian zones and are protected from inappropriate activities, including stock access.</p>

		<p>Policies</p> <p>WM1.2 Te Tiriti o Waitangi is the basis for the relationship between Ngāi Tahu and local authorities (and water governance bodies) with regard to freshwater management and governance in the takiwā.</p> <p>WM1.4 To require that local authorities and water governance bodies recognise that:</p> <ul style="list-style-type: none"> (a) The relationship of tāngata whenua to freshwater is longstanding; (b) The relationship of tāngata whenua to freshwater is fundamental to Ngāi Tahu culture and cultural well-being; (c) Tāngata whenua rights and responsibilities associated with freshwater are intergenerational; and (d) Tāngata whenua interests in freshwater resources in the region are cultural, customary and economic in nature. <p>WM13.1 To recognise and protect all wetlands, waipuna and riparian areas as wāhi taonga that provide important cultural and environment benefits, including but not limited to:</p> <ul style="list-style-type: none"> (a) Mahinga kai habitat; (b) The provision of resources for cultural use; (c) Cultural well-being; (d) The maintenance and improvement of water quality; and (e) Natural flood protection. <p>Objectives</p> <p>(2) The ancestral and contemporary relationship between Ngāi Tahu and the land is recognised and provided for in land use planning and decision making.</p> <p>(8) Ngāi Tahu cultural heritage values, including wāhi tapu and other sites of significance, are protected from damage, modification or destruction as a result of land use.</p> <p>Policies</p> <p>P3.2 To ensure early, appropriate and effective involvement of Papatipu Rūnanga in the development and implementation of urban and township development plans and strategies, including but not limited to:</p> <ul style="list-style-type: none"> (a) Urban development strategies; (b) Plan changes and Outline Development Plans; (c) Area plans; (d) Urban planning guides, including landscape plans, design guides and sustainable building guides; (e) Integrated catchment management plans (ICMP) for stormwater management; (f) Infrastructure and community facilities plans, including cemetery reserves; and
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	<p>5.4 Papatūānuku</p>	<p>(g) Open space and reserves planning.</p> <p>P3.3 To require that the urban development plans and strategies as per Policy P3.2 give effect to the Mahaanui IMP and recognise and provide for the relationship of Ngāi Tahu and their culture and traditions with ancestral land, water and sites by:</p> <ul style="list-style-type: none"> (a) Recognising Te Tiriti o Waitangi as the basis for the relationship between Ngāi Tahu and local government; (b) Recognising and providing for sites and places of importance to tāngata whenua; (c) Recognising and providing for specific values associated with places, and threats to those values; (d) Ensuring outcomes reflect Ngāi Tahu values and desired outcomes; and (e) Supporting and providing for traditional marae based communities to maintain their relationship with ancestral land. <p>P11.1 To assess proposals for earthworks with particular regard to:</p> <ul style="list-style-type: none"> (a) Potential effects on wāhi tapu and wāhi taonga, known and unknown; (b) Potential effects on waterways, wetlands and waipuna; (c) Potential effects on indigenous biodiversity; (d) Potential effects on natural landforms and features, including ridge lines; (e) Proposed erosion and sediment control measures; and (f) Rehabilitation and remediation plans following Earthworks.
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2. Specific issues relating to qualifying matters

2.1. Overview of proposed qualifying matters

- 2.1.1 Qualifying matters are either those listed under section 77I or 77O of the Act, or are an ‘other’ matter which requires a site specific evaluation. Of those listed under s77I or 77O, many may already be an existing matter under the District Plan that manages or limits urban development on the site.
- 2.1.2 The level of assessment and evaluation that is required varies depending on what type of qualifying matter is proposed. This section 32 assessment has been structured, specifically the order and grouping of qualifying matters, based on the type of qualifying matter and level of evaluation required.
- 2.1.3 The first group of qualifying matters includes those existing under the Operative District Plan that recognise and provide for section 6 matters, and that are required in order to give effect to National Policy Statements. These include:
- i. Sites of ecological significance – section 6(c);
 - ii. Outstanding natural features and landscapes – section 6(b);
 - iii. Sites of cultural significance (Wāhi Tapu; Silent Files; Ngā Tūranga Tūpuna; Ngā Wai) – section 6(e);
 - iv. Belfast/Northwood Commercial Centre area adjoining the Styx River – section 6(a),(b), (c) and (e), noting that the Act does not preclude managing the use, development and protection of natural and physical resources of land that adjoins or surrounds a site of national importance;
 - v. Historic heritage and its protection from inappropriate subdivision, use and development – section 6(f); including scheduled heritage items, areas, settings and trees;
 - vi. Land affected by natural hazards, including flood ponding management areas, high flood hazards, and slope instability – section(h);
 - vii. Waterbody setbacks (matter required in order to give effect to the National Policy Statement on Freshwater Management NPS-FM) – section(d);
 - viii. Building height for properties adjoining Riccarton Bush – section 6(b),(c),(e) and (f).
- 2.1.4 The second group of proposed qualifying matters comprises matters that are not currently managed under the Operative District Plan but are of national importance under section 6(f) relating to historic heritage and section 6(h) in respect of natural hazards. This includes matters that relate to areas where the proposed management of land adjoining or surrounding the heritage item, area and/or setting, is considered necessary to protect historic heritage from inappropriate subdivision, use and development. The new/additional proposed section 6 matters include those relating to:
- ix. Residential Heritage Areas – section 6(f);
 - x. Properties located within proposed High Density Zones and the Lyttelton Commercial Centre (zone) that interface (adjoin) with a proposed Residential Heritage Area - – section 6(f);
 - xi. Properties that surround the heritage settings for New Regent Street, the Arts Centre, and the Cathedral Square – section 6(f); and
 - xii. Coastal hazards, including properties at medium to high risk of coastal erosion, inundation and tsunami - section(h).

2.1.5 In relation to coastal hazards, the Operative District Plan currently does not define the full extent of areas at risk of coastal hazards including inundation, erosion and tsunami. Some activities are managed under other hazard management areas, particularly in regard to flooding. The management of coastal hazards was deferred under the Christchurch District Plan Review. There was recognition of the need to look at coastal hazards under a normal review process to enable appropriate engagement and rights of participation, having regard to the longer term effects associated with coastal hazards. Council has subsequently initiated a plan change to introduce coastal hazards provisions in the District Plan. The recent changes to the Act, specifically the requirement to identify qualifying matters, has brought forward the need to identify areas at the greatest risk from coastal hazards and evaluate the level of residential and commercial enablement appropriate within these areas.

2.1.6 The third group of qualifying matters relate to the safe and efficient operation of nationally significant infrastructure. The first three of these matters listed below are already managed under the Plan. The fourth is an existing matter under the ODP, which manages noise sensitive activities impacted by the operation of the Christchurch International Airport, more specifically within the 50dBA noise contour. A more recent modelled 50dBA contour is however proposed to be applied to define the spatial extent of this qualifying matter. The airport noise qualifying matter thus is an existing matter provided for in the District Plan, but proposed application to some new areas in regard to its spatial extent. The final list matter is new and relates to radio communication pathways for the Justice and Emergency Services Precinct.

- xiii. Lyttelton Port Influences Overlay;
- xiv. NZ Rail Network;
- xv. Electricity Transmission Corridors (220kV, 110kV and 66kV National Grid lines, 66kV and 33kV Electricity Distribution lines, and the 11kV Heathcote to Lyttelton electricity distribution line);
- xvi. Christchurch International Airport – 50dBA noise contour; and
- xvii. Radio communication pathways.

2.1.7 Two qualifying matters are proposed under s77I and s77O (f) ‘open space provided for public use, but only in relation to land that is open space’: Open Space and Specific Purpose (Ōtākaro Avon River Corridor) and (Cemetery) Zones; and North Halswell ODP Connections.

2.1.8 One proposed new qualifying matter for the Residential- Industrial Interface setback is included given the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand within s77I (i) and s77O(i).

2.1.9 The final group is referred to as “other qualifying matters”, where they do not, or do not ‘neatly’ fall within the 77I or 77O of the Act, but have been evaluated as having:

- **existing matters that are required for the amenity, function and liveability of the city, and its residents and businesses – in part giving effect to section 7 Other Matters;**
- **special value to achieve Christchurch District Plan objectives and policies; and/or**
- **potential to have adverse impact on adjoining areas of special value; and/or**
- **where there is a unique circumstance as to why greater residential enablement is not appropriate.**

2.1.10 The proposed “other qualifying matters” (refer section 77I(j) and 77O(j)) include the following:

- xviii. Residential Character Areas;

- xix. Significant and other trees as scheduled under Appendix 9.4.7.1 of the ODP;
- xx. Victoria Street building height;
- xxi. Vacuum sewer wastewater system constrained areas;
- xxii. Management of sunlight access;
- xxiii. Properties adjoining the city's main core transport corridor;
- xxiv. Sunlight access;
- xxv. City Spine Transport Corridor building setback;
- xxvi. Low Public Transport Accessibility Areas; and
- xxvii. Integration of greenfield medium and high density residential development with transport connections and existing waterways, and provision of infrastructure

2.2. Proposed approach to define and incorporate proposed qualifying matters within the District Plan

- 2.2.1 There are two components to the identification and application of qualifying matters within the District Plan. The first relates to the spatial aspect, being defined and represented within the Planning Map series¹. The second aspect relates to the provisions relevant to each qualifying matter, which for some already are existing operative provisions under the Plan, for others new provisions are proposed. Council has considered the most appropriate way to recognise and apply qualifying matters within the Plan and proposes to include a number of ways of alerting a plan user to qualifying matters.
- 2.2.2 A fourth series of plans, to be titled “Series D-Qualifying Matters”, proposed to be included to identify where a qualifying matter may apply. The ‘Series D-Qualifying Matters’ maps will still need to be read together with the Series A-C maps which will in some cases identify more specific detail regarding the particular matter. The EPlan property search function will also aid the plan user as to identification of qualifying matters and hyperlinks to relevant provisions will be included where practicable. This proposed Series D Qualifying Maps are included in Appendix 1 of this report.
- 2.2.3 Appendix 2 identifies the existing and proposed provisions relevant to each qualifying matter. Existing qualifying matters carry over their respective operative provisions with no changes proposed. All other qualifying matters either propose amendments to existing provisions, for example for Residential Character Areas and Heritage Items and Setting; or propose entirely new provisions as they are a new matter, for example the Coastal Hazard Medium and High Risk Management Areas and Residential Heritage Areas.
- 2.2.4 A new section and schedule of qualifying matters is proposed to be included under Chapter 6 General Rules and Procedures. In addition, new references and advisory notes are proposed to be included under the “How to Use the Rules” for Chapter 5 Natural Hazards; Chapter 6 General Rules and Procedures; Chapter 8 Subdivision, Development and Earthworks; Chapter 9 Natural and Cultural Heritage; Chapter 14 Residential; and Chapter 15 Commercial.
- 2.2.5 The Act enables intensification requirements to be reduced where justified by a “qualifying matter”. How this reduction has been given effect to through the proposed Plan Change, is in two ways:
- i. either 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
 - ii. 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 necessitates.
- 2.2.6 The diagrams below illustrate the approach taken for the proposed zones and retention of existing zones under the Operative District Plan.

¹ Planning Map series includes: Series A-Zones, Other Notations, Designations and Heritage Order; Series B-Natural Hazards and Water Bodies; Series C-Natural and Cultural Heritage

Diagram 1 – Approaches to reducing intensification under MDRS

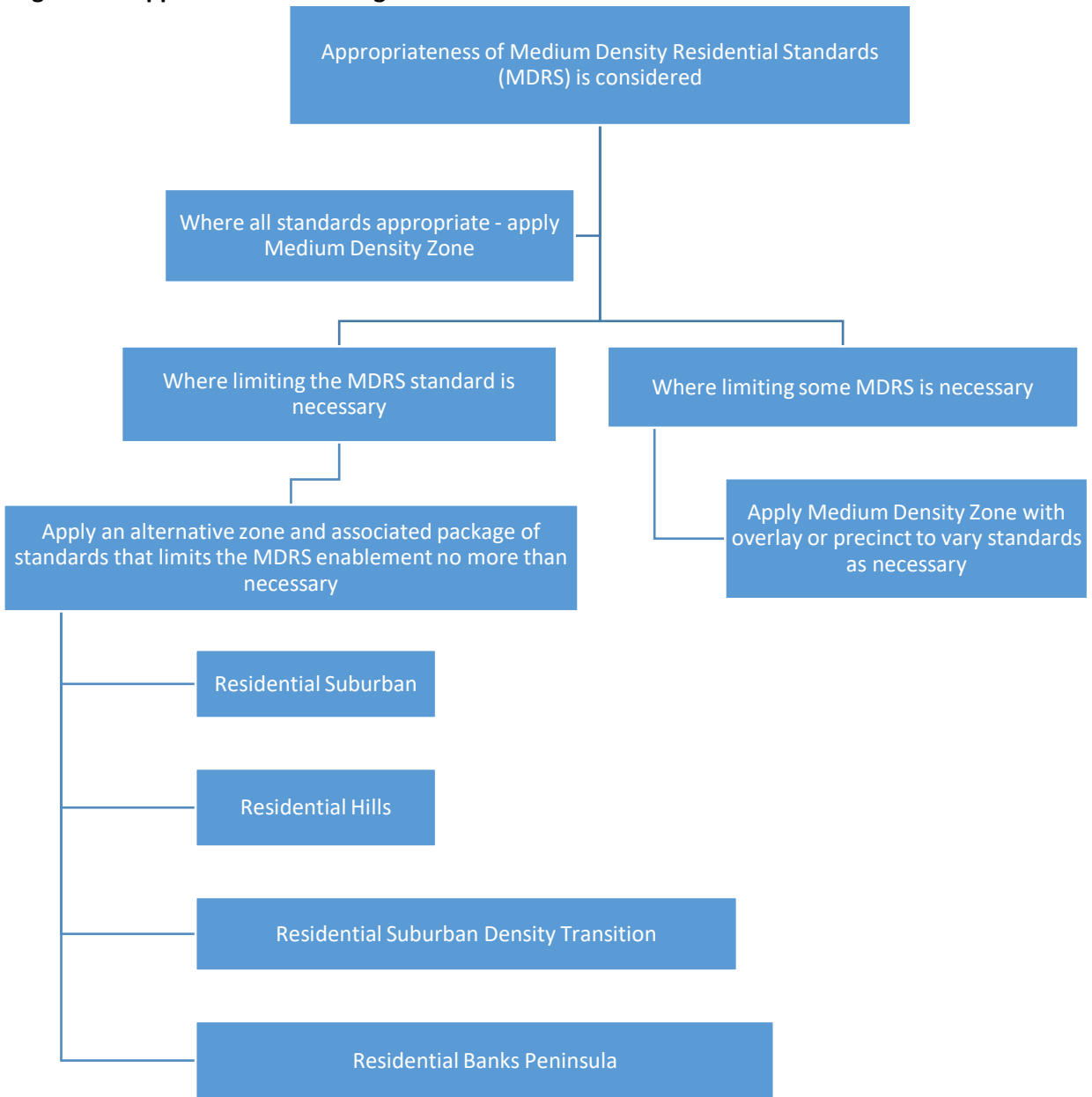
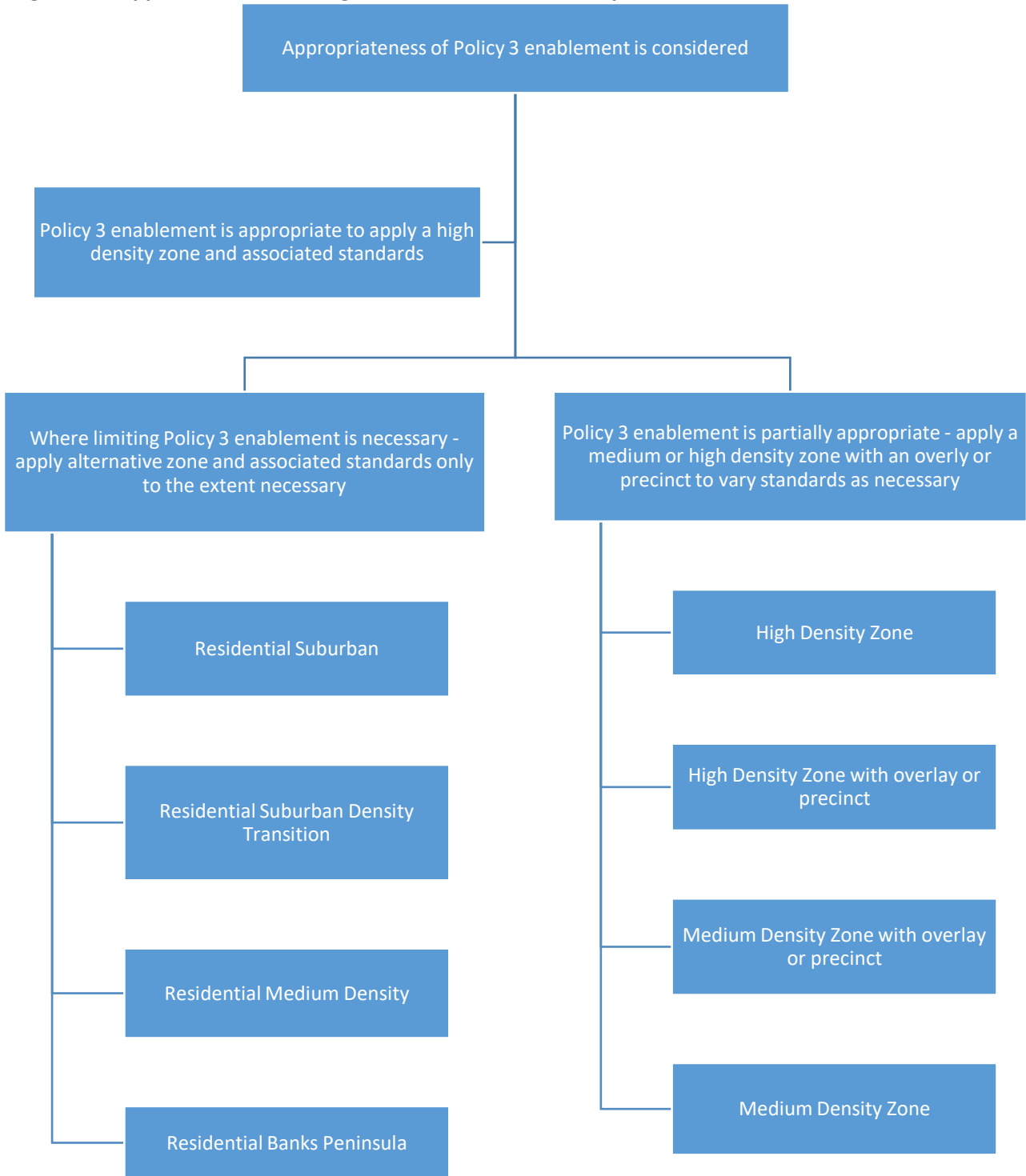


Diagram 2 – Approaches to reducing intensification under Policy 3



2.3. Impact of qualifying matters on development potential

2.3.1 **Overview of the evaluation requirements** - The Act requires the evaluation of the impact a qualifying matter (herewith referred to as 'impact evaluation') may have on development capacity. The relevant sections of the Act are summarised below:

Section	Application	Capacity loss requirement
77J(3)(b)	Any new qualifying matter for residential development	<i>assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity</i>
77K(1)(d)	Existing (Plan) qualifying matters for residential development	<i>describe in general terms for a typical site in those areas identified under paragraph (a) the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3</i>
77P(3)(b)	Any new qualifying matter for non-residential development (e.g. commercial)	<i>assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity</i>
77Q(1)(d)	Existing (Plan) qualifying matters for non-residential development (e.g. commercial)	<i>describe in general terms for typical sites in those areas identified under paragraph (a) the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been enabled by policy 3</i>

2.3.2 Development capacity is defined under section 30(5) of the RMA as meaning (in relation to housing and building land in urban areas):

"the capacity of land for urban development, based on –

- (a) the zoning, objectives, policies, rules, and overlays that apply to the land under the relevant proposed and operative regional policy statements, regional plans, and district plans; and**
- (b) the capacity required to meet –**
 - (i) the expected short and medium term requirements; and**
 - (ii) the long term requirements; and**
- (c) the provision of adequate development infrastructure to support the development of the land."**

2.3.3 Table 2 below provides an overview of the heights and densities that might otherwise be enabled under the MDRS and application of Policy 3 of the NPS-UD, namely through either a Central City, Central City Mixed Use, Medium or High Density zoning. The column titled “readily enabled” under Table 2, reflects the restricted discretionary status which is essentially a second threshold, whereby a development is likely to obtain resource consent provided it meets a specific set of criteria. For more information on expected housing yields refer to Part 1, Appendix 1 for Part 1 of the section 32 report containing an updated Housing Capacity Assessment for Ōtautahi Christchurch.

Zone	Permitted Activity	Readily enabled as a Restricted Discretionary Activity with specified criteria	Expected and/or most likely (long term) density yield
Medium Density Residential Zone	12m	14m	30-100hh/ha
Medium Density Residential Zone with Large Local Centre Intensification Precinct	14m	14m	50-150hh/ha
High Density Residential Zone	14m	32m	50-250hh/ha
High Density Residential Zone with an Intensification Precinct (varied)	14m	20m	50-150hh/ha
City Centre Zone (Residential and Commercial)	21m for narrow sites only	45m and 90m	50-300hh/ha
Central City Mixed Use Zone (Residential and Commercial)	17m	32m	50-250hh/ha
Mixed Use Zone	15m and 20m		100-150hh/ha

2.3.4 The proposed alternate building heights and/or rules that could (but not always in a significant way) impact housing density yields to accommodate the qualifying matter are broadly summarised in Table 3 below. For some proposed qualifying matters the impact on density and height cannot be specified with any certainty. For those qualifying matters, no building heights are included in Table 3 however the change in activity status (or lack of change) is noted. The potential impact is further discussed in the detailed evaluation for each matter contained in section 6 of this report and should be relied upon over the high level summary in Table 3.

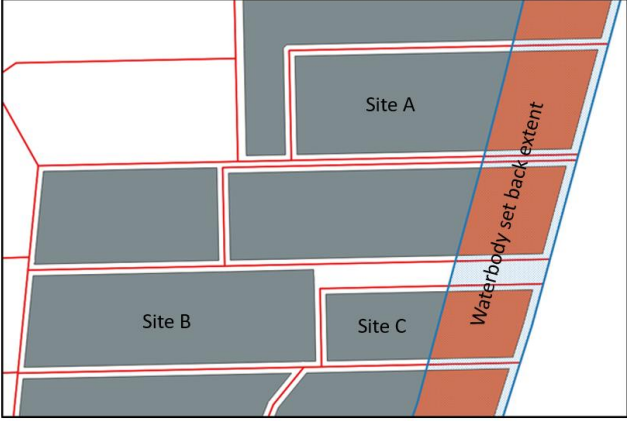
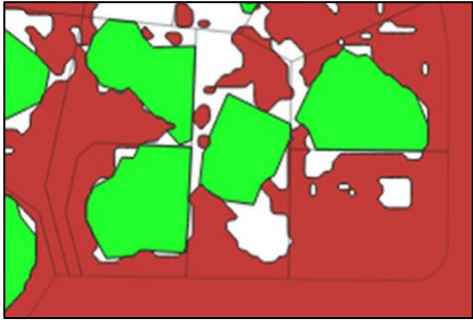


2.3.5 For some qualifying matters it is more difficult and complex to determine what the actual impact of the proposed rules might be in practice. A number of the proposed qualifying matters (and their associated rules), still provide a consenting pathway to develop a property for additional housing. The impact of the qualifying matter may not be as definitive as to reducing density and height, rather only change the activity status either from permitted to controlled to restricted discretionary. In many cases and as visualised in Diagram 3 below, appropriate site layout together with mitigation and innovative urban design solutions, may result in consent being granted for a development proposal. Therefore whilst an evaluation of the impact has been undertaken, the results should not be viewed as an absolute or definitive position as to the true and actual impact of a proposed matter.

Table 3: Level of alternative enablement (density and height) when a qualifying matter is applied to Medium Density Residential, High Density Residential, City Centre and Mixed Use zones			
Qualifying Matter	Proposed Land Use Zone PC14	Proposed Zone with QM and expected and/or most likely density yield	Proposed Zone with QM and permitted and readily enabled building height
Sites of ecological significance	Medium/High Residential Zone	Restricted Discretionary Activity to build - Indigenous Biodiversity clearance standards	Restricted Discretionary Activity to build - Indigenous Biodiversity clearance standards
Outstanding natural features and landscapes	Medium/High Residential Zone	Restricted Discretionary Activity to build – ONFL Values	Restricted Discretionary Activity to build – ONFL Values
Sites of cultural significance (Wāhi Tapu; Silent Files; Ngā Tūranga Tūpuna; Ngā Wai)	Medium/High Residential Zone	Restricted Discretionary Activity to build – Cultural Values	Restricted Discretionary Activity to build – Cultural Values
Belfast/Northwood Commercial Centre area adjoining the Styx River	Town Centre Zone/Future Urban Zone	Unlimited – commercial	12m or 5m height standards depending on location
Historic heritage including scheduled heritage items, areas, settings and trees	Medium/High Residential Zone	Restricted Discretionary Activity – Alterations and new builds – Heritage Value	Restricted Discretionary Activity – Alterations and new builds – Heritage Value
Land affected by natural hazards, including flood ponding management areas, high flood hazards, and slope instability	Medium/High Residential Zone	Flooding Ponding Management Area Permitted Activity - 200m ² maximum floor area for a residential unit and one per site. High Flood Hazard Management Area – Restricted Discretionary any residential unit	Flooding Ponding Management Area – Medium/High residential standards High Flood Hazard Management Area – Restricted Discretionary – Flooding risk.
Waterbody setbacks	Medium/High Residential Zone	Within Setback – Restricted Discretionary Activity - Natural Hazard and Natural Values	Within Setback – Restricted Discretionary Activity – Natural Hazard and Natural Values
Coastal Hazard Medium Risk Management Area	Residential Suburban and Residential Suburban Density Transition Zone /Local Centre Zone	Discretionary activity to build more units, non-complying activity to subdivide	Discretionary activity to build more units, non-complying activity to subdivide
Coastal Hazard High Risk Management Area	Residential Suburban and Residential Suburban Density Transition Zone/Local Centre Zone	Non-complying activity to build more units, and to subdivide	Non-complying activity to build more units, and to subdivide

Tsunami Management Area	Residential Suburban and Residential Suburban Density Transition Zone/Local Centre Zone	Non-complying activity to build more units, and to subdivide	Non-complying activity to build more units, and to subdivide
Residential Heritage Areas	Medium/High Residential Zone	Restricted Discretionary Activity – Alterations and new builds – Heritage Value	Restricted Discretionary Activity – Alterations and new builds – Heritage Value
Residential Heritage Interface Area	Medium/High Residential Zone	Restricted Discretionary Activity – Any new building - Heritage Value	Restricted Discretionary Activity – Any new building - Heritage Value
Cathedral Square and Victoria Street Precinct	City Centre Zone	City Centre Zone	Reduced building enable heights for buildings – 45m
New Regent Street Height Precinct	City Centre Zone	City Centre Zone	Reduced building height for buildings facing New Regent Street – 8m
Arts Centre Height Precinct	City Centre Zone	City Centre Zone	Reduced building height within Arts Centre – 16m
Industrial Interface	Medium/High Residential Zone	Discretionary activity where development is over 7m or two storey	Discretionary activity where development is over 7m or two storey
Lyttelton Port Influences Overlay	Medium Density Residential Zone	Permitted Activity – 40m ² extension of residential unit. Restricted Discretionary Activity – Any greater than 40m ² with a no complaints covenant. Non-Complying – without a no complaints covenant.	N/A Per the medium density residential zone standards.
NZ Rail Network	Medium Density Residential Zone	N/A Permitted setbacks of 4m from rail corridor boundary.	N/A Permitted setbacks of 4m from rail corridor boundary.
Electricity Transmission Corridors (220kV, 110kV and 66kV National Grid lines, 66kV and 33kV Electricity Distribution lines, and the 11kV Heathcote to Lyttelton electricity distribution line)	Medium Density Residential Zone	Non Complying – Setback of sensitive activities within 5m – 12m depending on the transmission line.	N/A – Setback standards.
Christchurch International Airport – 50dBA noise contour	Low Density Residential Airport Influence Zone	Restricted Discretionary Activity where multi-	Restricted Discretionary Activity where multi-unit

		unit residential complexes proposed	residential complexes proposed
Radio communication pathways	Medium/High Residential, Commercial Zones	N/A height rule	Non Complying where height rule is breached. 40m to 79m
Residential Character Areas	Medium Density Residential Zone	Controlled Activity for one new residential unit to the rear of existing residential	Height standard 7m
Significant and other trees as scheduled under Appendix 9.4.7.1	Medium/High Density Residential Zones	Restricted Discretionary Activity for any works within the tree protection zone radius	N/A
Victoria Street building height	City centre Zone	N/A	Performance Standard - Building heights 45m and building base shall be 28m
Vacuum sewer wastewater system constrained areas.	Medium/High Residential Zones	Permitted Activity where the discharge of wastewater is the same or less than the existing maximum sewer flow. Restricted Discretionary Activity where maximum sewer flow standard is more than existing	N/A
Low public transport accessibility areas	Residential Suburban / Hills / Banks Peninsula Zones	Permitted Activity social housing complexes up to 4 units (RS)(RH) Restricted Discretionary Activity multi-unit residential complexes (RS)(RH)(RBP) Minimum net site area of 450m ² . 40% site coverage for multi-unit developments (RS/RH) Minimum net site area of 400m ² and 35% site coverage (RBP).	8m height standard, up to 9m restricted discretionary (RS and RH) . 7m height standards (RBP)
North Halswell ODP connections	Medium/High Density Residential Zones	Controlled Activity – subdivision in accordance with requirements of adjacent ODP	Controlled Activity – subdivision in accordance with requirements of adjacent ODP

Diagram 3 – Illustration of spatial application of Qualifying Matters (QM) and buildable areas

	<p>Grey = MDRS buildable area outside QM extent. Brown = MDRS buildable area within QM extent.</p> <p>Site A: 261m² buildable area within setback, 612m² outside. Max MDRS coverage = 512m². Feasible development is not impacted (design options may be more limited).</p> <p>Site B: All buildable area is outside setback, only the non-buildable driveway overlaps. Feasible development is not impacted.</p> <p>Site C: 175m² buildable area within setback, 229m² outside. Max MDRS coverage = 254m². Site feasible development is partially impacted and design options may be more limited.</p>
	<p>Red = QM extent.</p> <p>White = parts of site outside QM extent</p> <p>Green (over white) = potential buildable area remaining within site.</p>
	<p>Areas within site are outside of QM extent but size/shape indicates less likely buildable.</p>
	<p>For trees the process was:</p> <ol style="list-style-type: none"> 1. Identify sites that intersect with tree buffer. 2. Identify sites where the tree buffer intersects the 'buildable site' (i.e. the part of the site that a building can be on which is net of driveways, boundary setbacks and road setbacks) 3. Clip area of tree intersection from site and measure net site area. 4. Test if net site area is greater than maximum building site coverage (50%). 5. Test whether the net site shape can accommodate minimum building allotment (i.e. non-overlapping site is not too narrow to accommodate a building), 10m by 10m. 6. Calculate yield for developable area

- 2.3.6 The total estimated cumulative impact of the proposed qualifying matters has not been calculated, as doing so could be misleading as to the actual impact of the proposed qualifying matters. Sub-totals have however been provided for matters that manage density and heights in a similar manner, and have their spatial application is also broadly similar (see Table 4).
- 2.3.7 Notwithstanding this, the broader context is that there remains ample development capacity to meet projected demand² (880,000 dwellings as plan-enabled capacity and 145,000 feasible dwellings, these being the mid-range estimates, see Part 1, Appendix 1 for Part 1 of the section 32 report).
- 2.3.8 For the purpose of this evaluation, development capacity has only taken account of the plan-enabled capacity, not whether there is “adequate development infrastructure” for the total plan-enabled capacity. As discussed in Part 1 of the PC14 section 32 report, Council is required to identify, plan and provide for infrastructure to support and service development capacity. However under the NPS-UD and the Local Government Act, infrastructure requirements are based on 30-50yr growth (demand) projections (and scenarios).

² Refer to the 2022 Christchurch City Council Updated Housing Capacity Assessment which reports plan-enabled housing capacity from PC14 enablement to be 883,000 dwellings based on mid-range estimates. The projected expected 30 year annual average demand with a competitiveness margin is 38,000 (i.e. 12,600 average demand each decade). This indicates sufficient plan-enabled capacity for some 70 years, potentially to 2090, depending on immigration rates and other unforeseen major events which could impact long term demand.

- 2.3.9 The planning and provision of infrastructure for full-plan-enabled capacity is considered both unnecessary and unduly onerous. The 2021 Greater Christchurch Housing Capacity Assessment (section 6.2 of the GCHCA) includes an infrastructure assessment based on the plan-enabled long term (30yr) capacity and zoning provisions at that time. It concluded that generally “...no zoned land is significantly impeded in such a way that would make development or intensification impossible”. Infrastructure capacity constraints are further considered in this section 32 evaluation below, principally relating to the vacuum sewer constraints and low public transport accessibility areas (refer to section 6 of this report).
- 2.3.10 Residential feasible capacity has been included within the evaluation, as whilst not a specified requirement under the definition of “development capacity”, the Council’s feasibility model and outputs provide a greater level of site analysis and are more reasonably expected to be realised (see clause 3.26 of the NPS-UD).
- 2.3.11 Of further note are the many overlapping qualifying matters, for example where ecological areas overlap with waterbody setbacks and the significant overlaps for Residential Heritage Areas and Residential Character Areas. In the case of more bespoke qualifying matters such as significant and heritage trees the process for assessing the impact of protected trees has an additional step to assess the extent to which the buffers for protected trees intersected with buildable parts of a potential development site.
- 2.3.12 Protected trees are often located on boundaries with other sites, boundaries with open space or the road. Consequently the overlap of the tree buffer is partly over minimum setbacks or other non-buildable areas (for example, shared driveway access). Furthermore, tree canopies may count towards the minimum 20% landscaping requirement for a development site. The assessment of the impact on development capacity therefore took these factors into account and identified impacted capacity only where protected tree partially or fully reduced the development potential of a site. Again caution and context must be applied when reaching any conclusions on the cumulative impact of the proposed qualifying matters.
- 2.3.13 The evaluation of the impact on commercial areas has also only been assessed based on plan-enabled capacity (expressed as in floor areas or floorspace – see clause 3.28 of the NPS) as required under clause 3.29 of the NPS-UD. Notwithstanding this, recent city wide capacity assessments as to whether plan enabled development capacity is “infrastructure-ready” have found that 10% of plan enabled commercial land is not serviced adequately by current or planned infrastructure.
- 2.3.14 Methodology to evaluate loss of development capacity - The first step in the impact evaluation for residential and commercial zones, involved the conceptualisation of the minimum allotment size enabled under the proposed Medium Density Residential Zone (MRZ) and High Density Residential Zone (HRZ) as summarised in Table 4 below.
- 2.3.15 Qualifying matters can be categorised into three different types, each requiring a different approach to the impact evaluation (see Table 5 below).

Table 4 – Housing enablement under the proposed Medium and High Density Zones	
Zone	Zone parameters and density assumptions
Medium Residential Zone	<ul style="list-style-type: none"> • Minimum allotment size of 400m² possible, noting there is no minimum allotment size for any existing or proposed dwellings under MDRS. • When undertaking triplex terraced developments, expected allotment sizes are set at 100m² for each residential unit. This area is based on the most common and cost effective typology Council has assessed, at being between 70-90m² and two storey

	<p>town house typology. Three storey developments are enabled, but few examples currently exist. At 100m², adequate room is provided for outdoor living space, setbacks, site coverage, and access.</p> <ul style="list-style-type: none"> • Expected density ranges between 70-100 dwellings per hectare.
High Density Residential Zone	<ul style="list-style-type: none"> • Minimum allotment size of 300m² is possible, noting there is no minimum allotment size for any existing or proposed dwellings under MDRS. • All of the HRZ areas modelled enable up to six storey (20m) development. Aggregated out in the vertical dimension, the gross site area is estimated at 50m². This figure can be considered as an average figure, with some sites being easier to develop (likely resulting in a lesser gross site area) and others more difficult (likely resulting in a larger gross site area). • Density is expected to range between 180-210 dwellings per hectare.
Commercial	<ul style="list-style-type: none"> • Capacity loss here focuses on lost floor area that would otherwise be developed, rather than sites or units. • Estimates build upon work undertaken in the centres analysis and the evaluation of floor area occupation across centres. The figure compares the commercial floor area to the site size, to provide an average ratio of floor area occupation per m² of site area provided. • This is best provided for district centres (town centres) and neighbourhood centres (local centres), which technical reporting³ indicated was a ratio of 0.59 and 0.44, respectively, for every 1m² of site area. • Ratios were used and matched to their nearest equivalent commercial zone for analysis.

Table 5 – Qualifying matter types and evaluation approach	
Type	Description & approach
Area specific	<ul style="list-style-type: none"> • Qualifying matters that capture specific spatial features, such as flood hazard extent, ecological areas, railway setbacks. • A geospatial intersect is undertaken of where sites overlap with specific features and captures the area of overlap with the site in square metres and as a percentage. This included proposed zoning and existing site size. • All area specific types were s77K or s77Q matters, including: <ul style="list-style-type: none"> ○ Sites of ecological significance ○ High flood hazard management area ○ High risk slope hazard areas (multiple Plan layers) ○ Outstanding natural landscapes and features ○ Transmission line and structures setbacks ○ Railway setbacks ○ Waterway setbacks ○ Coastal hazards (inundation, erosion, and tsunami) ○ Airport noise contours ○ Lyttelton Port Influences layer ○ Wāhi Tapu / Wāhi Taonga

³ The Property Group, Centres Review: Data Collection Summary Report, January 2022

Site specific	<ul style="list-style-type: none"> • Qualifying matters that relate to specific sites, rather than spatial areas, such as Wāhi Tapu sites and Character Areas. • A geospatial output was provided of intersecting sites, showing the proposed zoning and site area. • These were all ‘other’ matters under s77L, including Character Areas, Vacuum sewer constraint area and Low Public Transport Accessibility Area.
Bespoke approach	<ul style="list-style-type: none"> • Qualifying matters that are unique in their spatial configuration or type of development controls. This captures the schedule of significant trees, and heritage sites, features, and areas. • A bespoke model was developed for each of these qualifying matters, factoring in what would otherwise be enabled over intersecting sites/areas verses what the proposed control for the qualifying matter is. • These involved a combination of 77J, 77K, 77L, and 77P matters, as follows: <ul style="list-style-type: none"> ○ Schedule of Significant and Other Trees (minority are ‘other’ under s77L) ○ Heritage areas, settings, items, and features ○ Radio communication pathways (‘other’ under s77L) ○ ODPs and Residential New Neighbourhood zones (‘other’ under s77L)

2.3.16 **Area specific qualifying matter process** - Geospatial outputs discussed in Table 4 above, are divided into the respective proposed zones. Capacity loss calculations are different for either residential or commercial zones. The process for residential zones was as follows (see also Diagram 4 for an illustrative example of the process):

- Divide feature intersect area by modelled zone site size (100m² for MRZ and 50m² for the HRZ);
- Round result down to nearest whole figure to avoid over inflation;
- Sum total, by zone, to provide overall plan-enabled capacity loss.

2.3.17 As an example, Site A, being 613m², is located within the MRZ site of 613m² and impacted by Outstanding Natural Landscape overlay that overlaps the site by 173m². When the impacted area is divided by 100 this equals 1.7 or rounded down to the nearest whole, is one potential impacted residential dwelling.

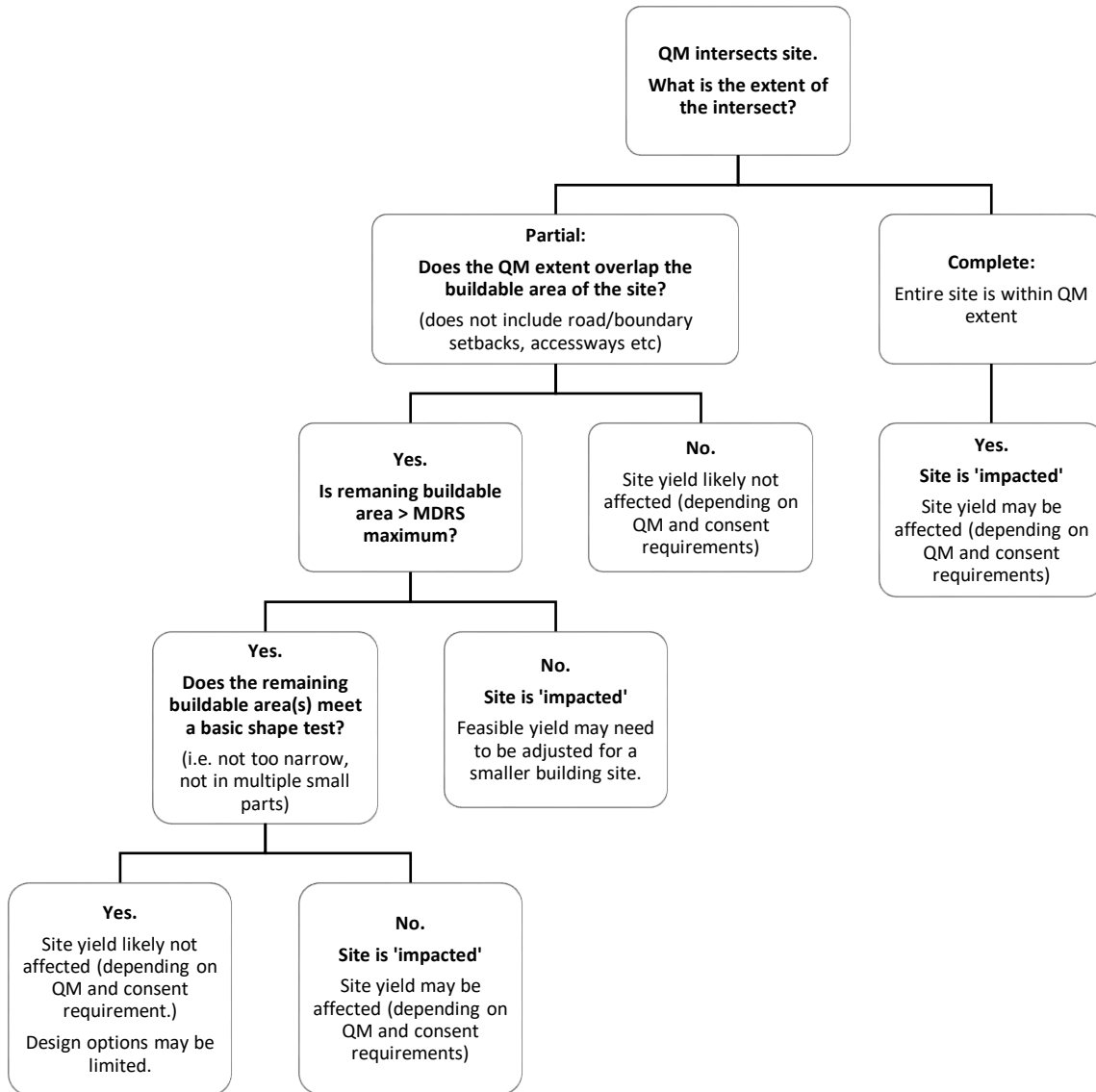
2.3.18 For commercial areas, calculations are based on the average impact across commercial sites. The geospatial output is divided into the separate commercial centre zones and the median site size is calculated for each zone. The average percentage of intersect across respective zoned sites is then calculated and the median site size by zone is multiplied by the average percentage of intersect to provide an average square metre area of QM encroachment, per zone. To calculate average commercial floor area loss, results for each zone are then multiplied with the average ratio of floor area occupation per 1 square metre of site area, as detailed above in the density assumptions table. This final figure is then multiplied by the number of commercial sites per zone to provide a total anticipated floor area loss for each zone, based on the average amount of QM encroachment across sites within that zone.

2.3.19 As an example, there are 133 Mixed Use Zone (MUZ) sites that intersect a qualifying matter B, with an average intersect of 37.7%. With a median site size of 507m², the average area encroachment across sites is 191m². The ratio of floor area per square meter of site area is considered 0.44, resulting in an average loss of 84m² per MUZ site (191 x 0.44). Multiplied by the total number of COMZ sites intersecting qualifying matter B results in a total average sum loss of 11,182m² of Mixed Use Zone floor area.

- 2.3.20 **Site specific qualifying matter process** - The proposed Vacuum Sewer Constraint, Low Public Transport Accessibility Areas and Character Areas are 'other matters' under the Act and the NPS-UD, requiring a higher level of evaluation. Wāhi Tapu/Wāhi Taonga sites are also applied at a site specific level, however the detailed approach undertaken for Area Specific qualifying matters is seen to suitably address impacts on capacity, simply applied to 100% of the site, rather than the proportion of QM intersect.
- 2.3.21 The site specific impact evaluation begins with a GIS export of all intersecting sites, and next an assessment of what would have otherwise been enabled if an MDRS or Policy 3 response was undertaken (being either MRZ or HRZ applied). The HRZ zone provides for six storey development, with modelled densities as set out in Table 3 above. When calculating the impact, additional site constraints are taken into account. For MRZ, 20% of the site is allocated to access and manoeuvring. This increases in the HRZ to 30%, based on the anticipated greater demand at the ground level for access space due to greater occupation in the vertical dimension. Access constraints are increased to 30% for hilled sites, only affecting the Character Areas of Cashmere and Lyttelton. The greatest constraint applied to any site is 30%.
- 2.3.22 Calculating the potentially impacted number of dwellings (yield) is similar in nature to the residential process for Area Specific QMs, albeit that there is an additional process for removing the aforementioned constraints. Calculations are applied for each individual site, with the same rounding down process as previous, and then summed together to calculate total impacted dwelling capacity per QM feature (catchment or character area). This step provides a baseline for what would be provided if the QM feature did not exist.
- 2.3.23 The next step involves comparing the base figure to what development the QM does provide for, which in the case of Character Areas, will still enable some level of intensification to occur subject to meeting built form standards which are unique to each individual Character Area. For each residential site within a Character Area, the site area (with 20% or 30% removed) is divided by half the proposed minimum allotment size⁴ (results again are rounded down to avoid over inflation). It is assumed each site contains one existing character home, which is essentially the impacted area. The remaining net area is enabled for development (capacity) and not considered impacted by the qualifying matter.
- 2.3.24 The situation is however different for the Vacuum Sewer Constraint, as the proposed provisions manage development such that it remains static, hence no comparison is necessary nor provided. Further discussion on this is provided in section 6 of this report.
- 2.3.25 **Methodology for assessment of impacted feasible development** - The flow diagram (Diagram 4) sets out the assessment method for undertaking an assessment of impacted feasible capacity. Where the term "QM intersect" is used this means the mapped area of QM overlaps or encloses development site. "Buildable area" means the area of the site that can be physically built on (therefore excludes MDRS minimum road and boundary setbacks and areas that do not meet the definition of site in the District Plan). A "Basic shape test" is a buildable area that has been 'clipped' by a QM extent and can accommodate a shape with a minimum dimension of 5 metres (this provides a general guide to if the site is still developable using only the remaining site buildable area).

⁴ Applying only half accounts for the fact that provisions provide for two dwellings. Only in the case of Lyttelton do proposed Character Area controls provide for less than this, being only a minor residential unit. In this case, the proposed allotment size is simply divided by 1.5, rather than 2 for the other Character Areas.

Diagram 4 – Methodology for evaluating feasible capacity impacted by a qualifying matter



- 2.3.26 **Overview of the evaluated impact of the proposed qualifying matters** - Table 6 below provides a summary of the impact evaluation, with section 6 of this report providing a more detailed assessment for each proposed qualifying matter. The 'estimated impact' in Table 6 relates to the impact of the qualifying matter on the development capacity estimated as a reduction in terms of the number of dwellings or amount of floorspace that would otherwise be enabled with no qualifying matter applied.
- 2.3.27 In conclusion, the impact of the proposed qualifying matters on development capacity, other than the Low Public Transport Accessibility Qualifying Matter, is not considered significant when considered in context with the substantive total amount of plan-enabled capacity across the city. Qualifying matters that are 'existing matters' under the Plan, except in relation to heritage and significant trees, new proposed heritage areas and interfaces to heritages areas and setting, will impact less than 4% of the total plan-enabled capacity (where total plan-enabled capacity is calculated based on no application of any qualifying matter). Qualifying matters for heritage and significant trees and new proposed heritage areas and interfaces to heritage areas and settings, will impact less than 1% of the total plan-enabled capacity, recognising that a consenting pathway is provided for development within these areas, subject to meeting matters of discretion.
- 2.3.28 Qualifying matters that protect and maintain the operation of nationally significant infrastructure will impact less than 0.5% of the total plan-enabled capacity. The proposed Airport Noise Influence Area (based on the 50dBA Annual Average contour required to protect and maintain the operation of the nationally important Christchurch International Airport) will impact approximately 3% of the total plan-enabled capacity.
- 2.3.29 Qualifying matters for Residential Character Areas are similar to proposed Residential Heritage Areas with significant overlaps and therefore double counting should be taken account of. Further, a consenting pathway is provided for development within these areas, subject to meeting matters of discretion. Notwithstanding this, Character Areas will impact just over 1% of the total plan-enabled capacity. Qualifying matters that protect and maintain heritage and significant trees will impact a negligible amount of the total plan-enabled capacity.
- 2.3.30 The proposed Vacuum Sewer wastewater constraint will impact just over 2% of the total plan-enabled capacity. The Low Public Transport Accessibility Area qualifying matter impacts approximately 25% of plan-enabled capacity where no hills precinct is applied and 21% where the hills precinct does apply.
- 2.3.31 For commercial floorspace, the evaluated impacted area has been assessed by Property Economics Limited as summarised in Table 7 below. It is noted that the total at the bottom is a preliminary cumulative estimate of the qualifying matters that does not fully account for overlaps (i.e. the net effect where two or more QM's affect the same area of a site). The current floorspace has not been distinguished by activity type. This therefore may include residential and industrial activities that could be redeveloped.

Table 6 – Evaluated (plan-enabled) development and feasible dwelling capacity overlap with proposed qualifying matter extents

Modelling approach	Yield calculated for conservative settings. Future Urban Zone calculated at 15HHpHa and 80HHpHa (reported in brackets). Yield based on intersection of QM extent with applicable zone. Impact on intersected zone will depend on the detail of the QM. Yields have been rounded.	Site by site assessment reporting the most feasible development – filtered for realisation based on dwelling age and land to value ratio (LVR) as at August 2019 (RV data). Yield is based on the intersection of the site with the QM extent. Impact in intersected site will depend on the detail of the QM.	Sub-totals below are provided for plan-enabled only, grouping some similar types of qualifying matters. Qualifying matter overlap areas are as a proportion of total plan-enabled capacity estimated at ~875,000 dwellings
Qualifying Matter Name	Assessed ‘Plan Enabled’ capacity for sites or part of sites within the QM extent (reported as Dwellings Gross) ⁵	Assessed ‘feasible’ capacity for sites or portion of sites that are within the QM extent ⁶ (reported as Dwellings Net gain of existing dwellings) ⁷	
Sites of Ecological Significance s771(a),s77K – Existing	500	<100	Existing qualifying matters (excluding trees) – 37,940 overlap (plan-enabled) development capacity.
Outstanding Natural features and Landscapes s771(a),s77K – Existing	550	<100	

⁵ Assesses overlap of QM extent on urban block. Actual capacity loss may be subject to site specific considerations or avoided with use of a resource consent to mitigate adverse effects or demonstrate that they are avoided (in particular for sites with a partial overlap with a QM extent). Dwelling totals based a narrow set of potential development outcomes. Total yield may increase or decrease if different development typologies are tested.

⁶ Estimated feasible development for sites where QM extent intersects site and potentially impacts on capacity. Sites where the QM extent overlap is partial or insignificant can be feasible for development (e.g. overlap is with access driveway or within required street/boundary setback; i.e. not affecting buildable area). Feasible dwelling totals are from all the development typologies tested for feasibility (with the most feasible determining the measured yield).

⁷ Feasible capacity estimates are reported as net totals of existing development except where the capacity is from infill development outcomes where the original dwelling is retained on site (i.e. the total is a mix of gross and net depending on the development outcome).

Wāhi Tapu / Wāhi Taonga s771(a),s77K – Existing	140	No feasibility assessment undertaken	
Heritage items and settings s771(a) – Existing, Removed and New	3150	570	
High Flood Hazard Management Area s771(a),s77K – Existing	6860 (7410 FUZ at 80HHpHa)	1050	
Flood ponding management area ⁸ - s771(a), s77K – Existing	8130 (11840 FUZ at 80HHpHa)	300	
Slope Instability High Hazard Management Areas - s771(a), s77K – Existing	7050	1370	
Waterbody Setbacks - s771(a), s77K – Existing	18,470 (20,390 including Future Urban Zone at 80HHpHa)	2280	
Building height for properties adjoining Riccarton Bush	1220	300 (<100 two storey limit)	
Significant and Heritage trees - s771(a),s77K, s771(j) – Existing and new	680	180	Significant and Heritage trees - 680 impacted (plan-enabled) development capacity
Coastal Hazard Medium and High Risk Management Areas ⁹ - New s771(a), s77K and s6(h) (includes high erosion extents)	25,400	3,900	Proposed new coastal hazard management areas have significant overlap of spatial extents – combined extent is 73,300 overlap (plan-enabled) development capacity
Tsunami affected areas	73,100	9,500	
Residential Heritage Areas New s771(a), s77K and s6(f)	6,410 ¹⁰	1,500	Proposed new heritage areas and heritage interface areas but excluding New Regent Street Interface as minor – 7,760 overlap (plan-enabled) development capacity
Residential Heritage Interface Areas - New s771(a), s77K and S6(f)	580	<150	
Lyttelton Commercial Centre Interface Area - New s771(a), s77K and s6(f)	Not applicable	Not applicable	

⁸ The estimate excludes areas currently zoned Residential New Neighbourhood (i.e. greenfield) but does include some large areas just to south of QE2 drive which are zoned Residential Suburban under the operative plan but still show as undeveloped and/or are now open space, for example Buller Stream.

⁹ Combines Medium and High risk areas.

¹⁰ Based on full site redevelopment potential. The proposed rules do allow for a minor dwelling unit which could reduce this total.

New Regent Street Interface - New s77I(a), s77K and s6(f)	<100	<100	
Arts Centre Interface - New s77I(a), s77K and s6(f)	330	<100	
Cathedral Square Interface - New s77I(a), s77K and s6(f)	340	<100	
Lyttelton Port Influences Overlay - s77I(e), s77K- Existing	160	<100	Nationally Significant Infrastructure - new and proposed matters – 3,960 overlap (plan-enabled) development capacity
NZ Rail Network building setback - s77I(e), s77K – Existing	520	<100	
Electricity Transmission and Distribution Corridors - s77I(e), s77K – Existing	3,120 (3,310 FUZ at 80HHpHa) ¹¹	400	
Radio Communications Pathways - s77I(e), s77K – new	160	Not assessed as requires a site specific assessment for design approach to address partial height restrictions on only a few sites.	
Christchurch International Airport Noise Influence Area - s77I(e), s77K – Existing matter, new spatial extent	29,860 (3,010 FUZ at 80HHpHa)	9000	Airport Noise Influence Area - 29,860 impacted (plan-enabled) development capacity
Residential Character Areas - s77I(j) – existing but amended matter and new spatial extents	13,700 (10,700 dwellings ¹² less other enablement)	2,900	Residential Character Areas (note significant overlap with Residential Heritage Areas) – 10,700 impacted (plan-enabled) development capacity
Victoria Street building height - s77I(j)	257,050sqm	<100	Victoria Street Height - 257,059sqm
Vacuum sewer wastewater constraint - s77I(j) - new	20,400 34,340 including Prestons	2,840	Prestons reported separately as this is a recently developed (and developing) greenfield area therefore unlikely to realise plan-enabled capacity for decades.

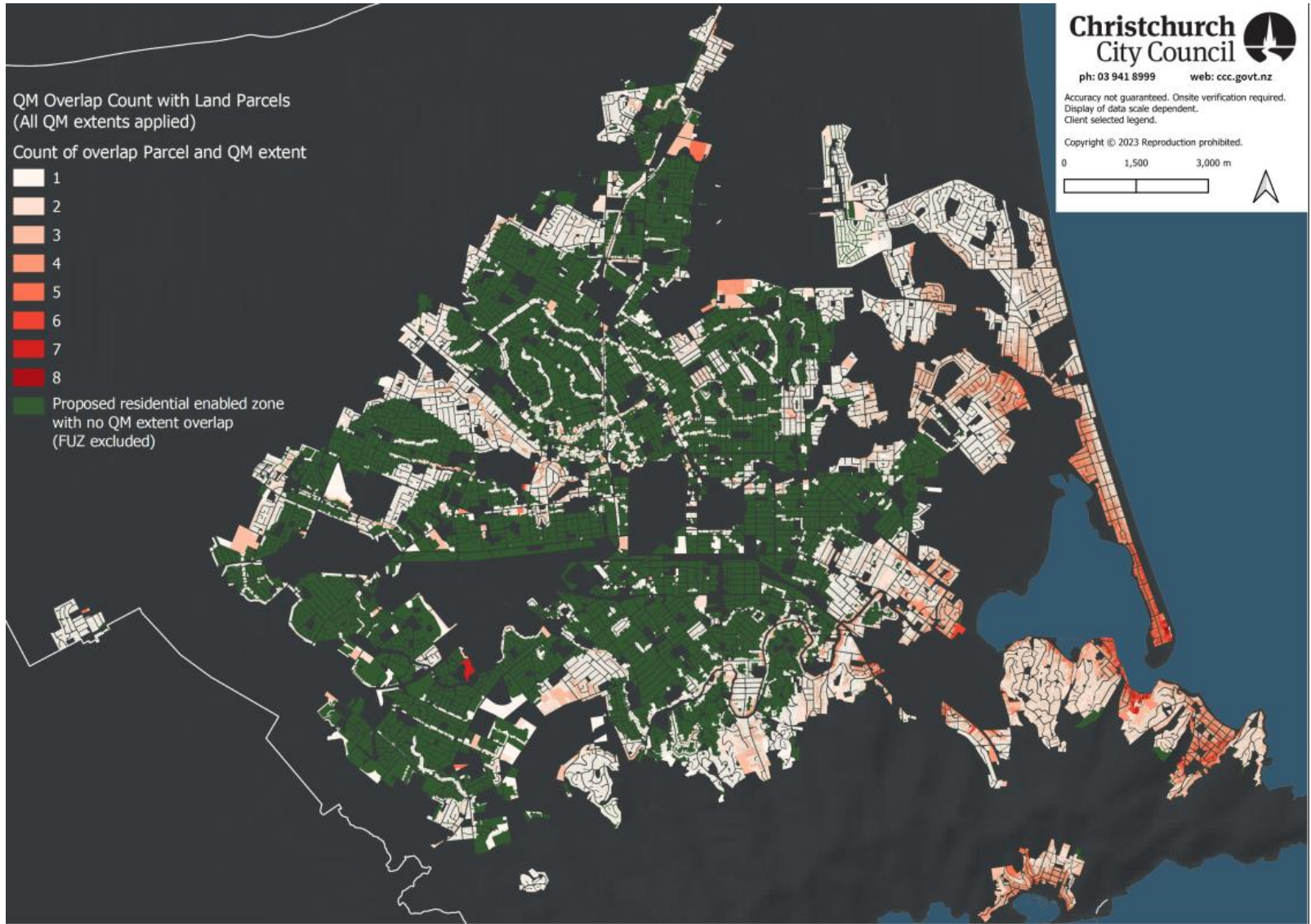
¹¹ Includes some sites zoned for residential activity that are currently in use as electricity supply infrastructure.

¹² Total is net of additional dwellings that may be provided for within the proposed Character Area rules. The proposed rules do also allow for a minor dwelling unit, which could reduce this total further.

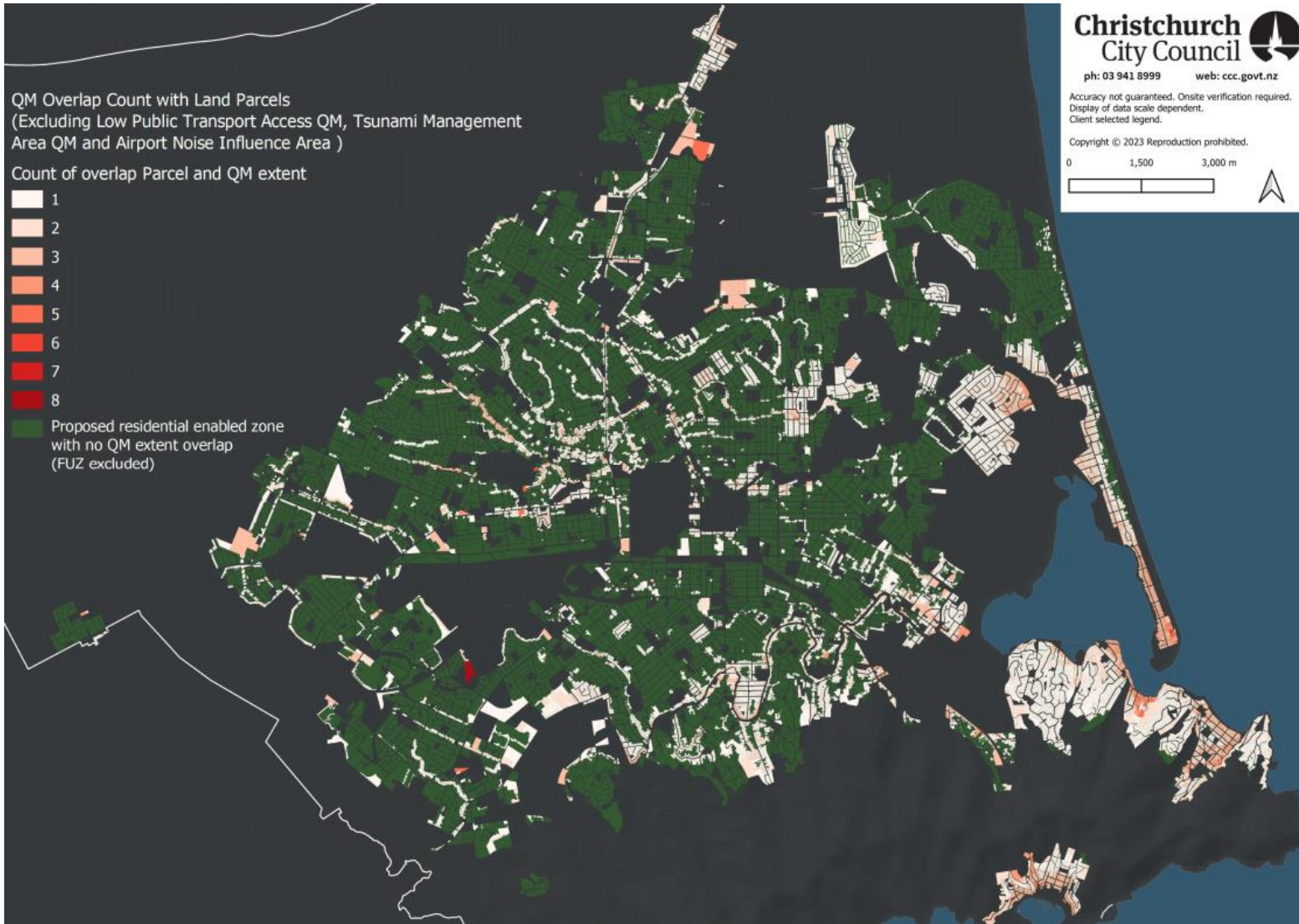
Sunlight access	Less than 5% change.	<5%	Impact is more on design and layout of the development rather impacting density and yield of units on a site.
City Spine Transport Corridor setback	Less than 100 dwellings	<100	For MDRS for most sites 50% of the site will remain developable. The reduction in capacity will be more for the greater enablement in the HRZ, and then only for some sites.
Low Public Transport Accessibility Area (with hills precinct applied)	188,970	26,400	This number is based on hills precinct applying which sets a minimum subdivision allotment size of 650m ² which equates to a maximum yield of 46hh/ha, and has been filtered by dwelling age and LVR
Low Public Transport Accessibility Area (no hills precinct applied)	216,280	34,100 (for reference: unfiltered yield is 70,800)	This number is based on hills precinct applying MDRS and yield of 80hh/ha, and has been filtered by dwelling age and LVR (with unfiltered in brackets). Actual capacity will likely be significantly less than reported as the feasibility model has not taken account of site geotechnical constraints.
Industrial Interface	8300	1150	Plan-enabled and feasible development to two storey maximum not affected by this Qualifying Matter.
North Halswell ODP Connections	No appreciable impact on development density		

Table 7 – Evaluated plan-enabled commercial capacity impacted by proposed qualifying matters	
Total Current Floorspace	3,820,977
Total Additional Floorspace in Zone before QFM	27,393,030
Airport Noise Contour	499,897
Art Centre Height	365,152
Cathedral Square And Victoria Street	201,296
City Heritage Interface	247,185
Coastal Inundation Zone	475,314
District Plan Port Influence	18,359
District Plan Heritage Setting	3,744
District Plan Designation	531,786
District Plan Heritage Item	1,860
District Plan Water body Setback	38,589
Flood Ponding Management Area	106
Heritage Area	59,293
New Regent Street Height	33,307
Powerline and Structure	43,865
Proposed Heritage Item	58,728
Proposed Heritage Setting	91,242
Railway Building Setback	27,562
Residential Character Area	1,540
Styx River Setback	4,826
Tree Setback	131,070
Waste Water Constraint	525,188
Total QFM Impact on Zone (See Notes)	3,261,195
Proportion of Total Potential	12%

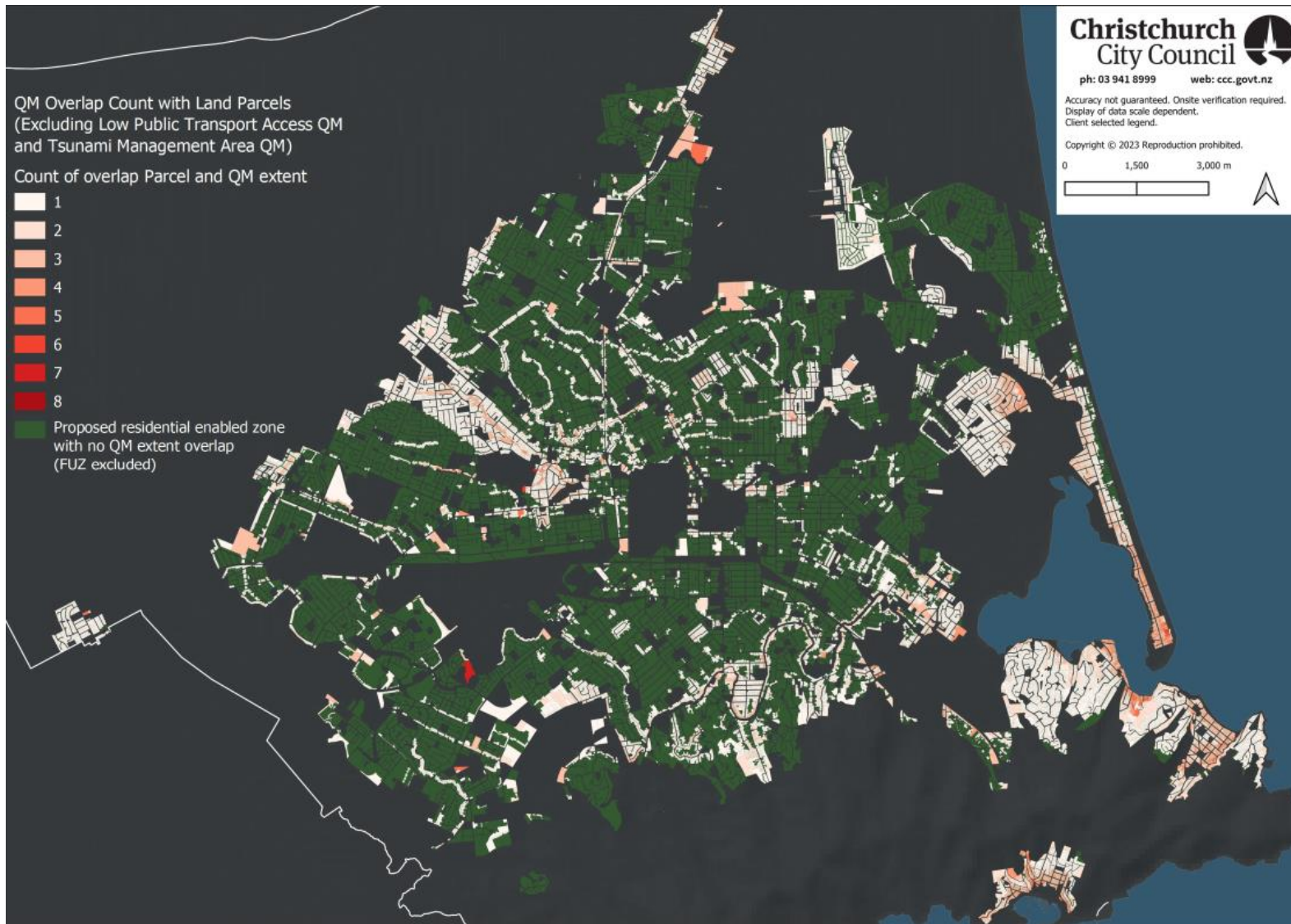
- 2.3.32 ***Extent of qualifying matters and overlaps on residential zones*** - The below map series of five maps demonstrates the extent of qualifying matters over residential zones. These maps indicate where residential properties will have no qualifying matter impacting the property, as well as where qualifying matters apply, and the number of overlapping qualifying matters on each property. The purpose of these maps is to show a city-wide general distribution of qualifying matter impact, rather than to be used for site by site analysis.
- 2.3.33 Where the 'Proposed residential enabled zone' is shown this includes properties zoned MRZ, HRZ, mixed use, and airport noise zone. The maps purposefully do not include the following:
- Any zone where residential is not a primary expectation (i.e. commercial zones, industrial, and rural)
 - Future Urban Zone (not a relevant residential zone)
 - Residential Large Lot (not a relevant residential zone)
 - Residential Small Settlement (not a relevant residential zone)
 - Blocks of land in Halswell currently in development that are zoned Residential New Neighbourhood proposed to be MRZ given the only applicable qualifying matter is an out of date drain setback requirement.
 - Various blocks that have state highway or adjacent infrastructure or similar. This area includes the land the state highway sits atop, and therefore is unlikely to be developed for housing over the next decades.
- 2.3.34 Map 1 includes all applicable qualifying matters (except those mentioned above). This map demonstrates there is a distribution of qualifying matters city wide. A number of properties only have one qualifying matter applying. Some properties have multiple (up to 8) qualifying matters overlapping on the site, particularly (but not exclusively) along the coast.
- 2.3.35 Map 2 excludes the Airport, Low public transport accessibility and Tsunami qualifying matters. In comparison with Map 1 the sheer volume of properties with qualifying matters is significantly reduced in removing the above three qualifying matters. A number of properties evidently are within the three above qualifying matters. Some properties have much less overlapping such as properties along the coast. The distribution of qualifying matters over the city is still widespread.
- 2.3.36 Map 3 excludes the Low public transport accessibility and Tsunami qualifying matters. Compared to Map 1 there are a number of properties that would not be impacted by a qualifying matter if these two qualifying matters are excluded.
- 2.3.37 Map 4 excludes the Tsunami qualifying matter. Comparing this to Map 1 it appears that Tsunami does not add many further sites to the extent of qualifying matter coverage however does result in more overlaps with other qualifying matters.
- 2.3.38 Map 5 excludes the Low public transport accessibility qualifying matter. This map compared to Map 4 (which does not exclude this qualifying matter) shows that without this qualifying matter there is still a significant distribution of qualifying matters throughout the city. When compared with Map 1 (which includes all qualifying matters) there are a number of sites that would not be impacted by a qualifying matter if this qualifying matter is excluded.



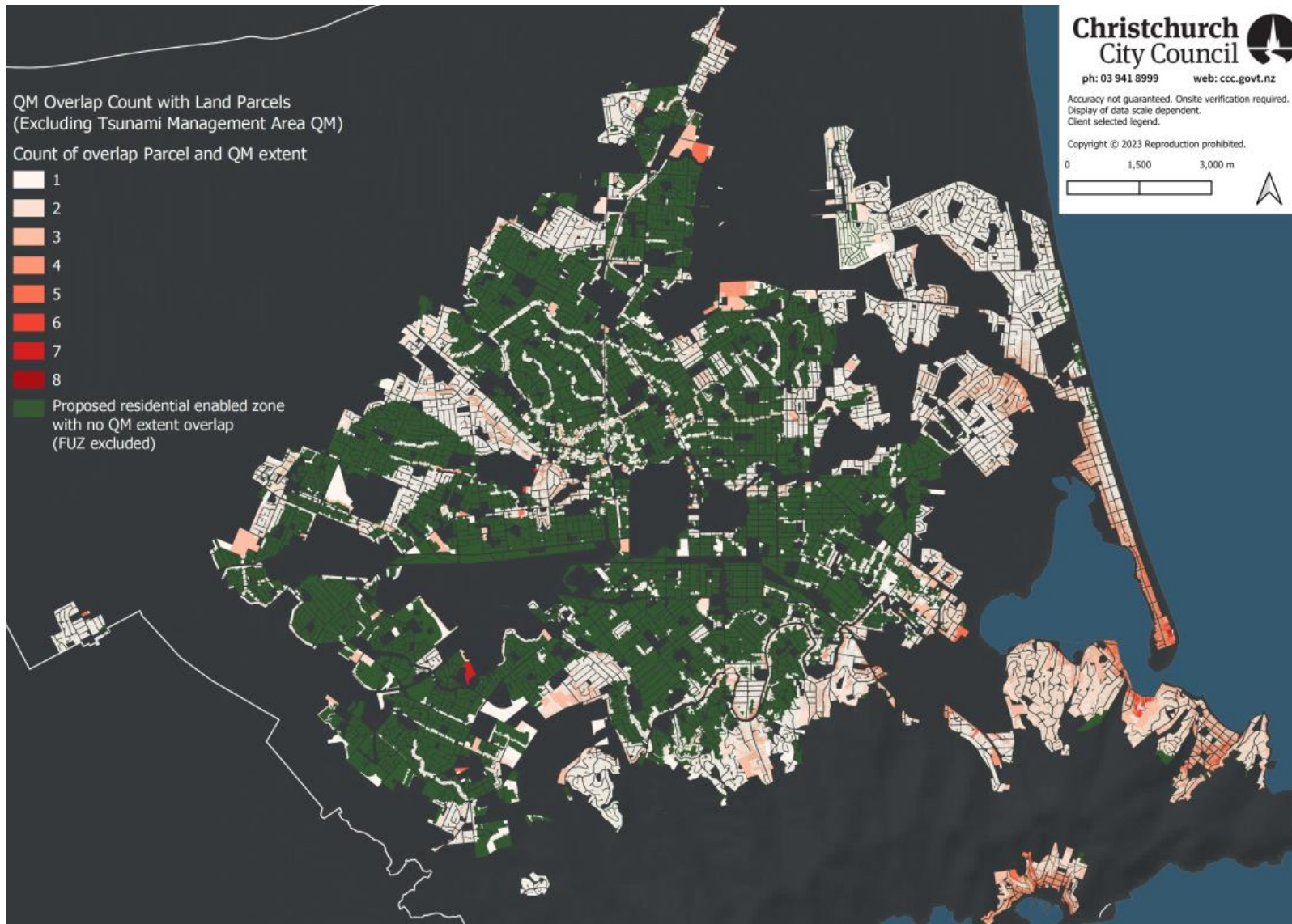
Map 1 – Qualifying matter extent with no exclusions



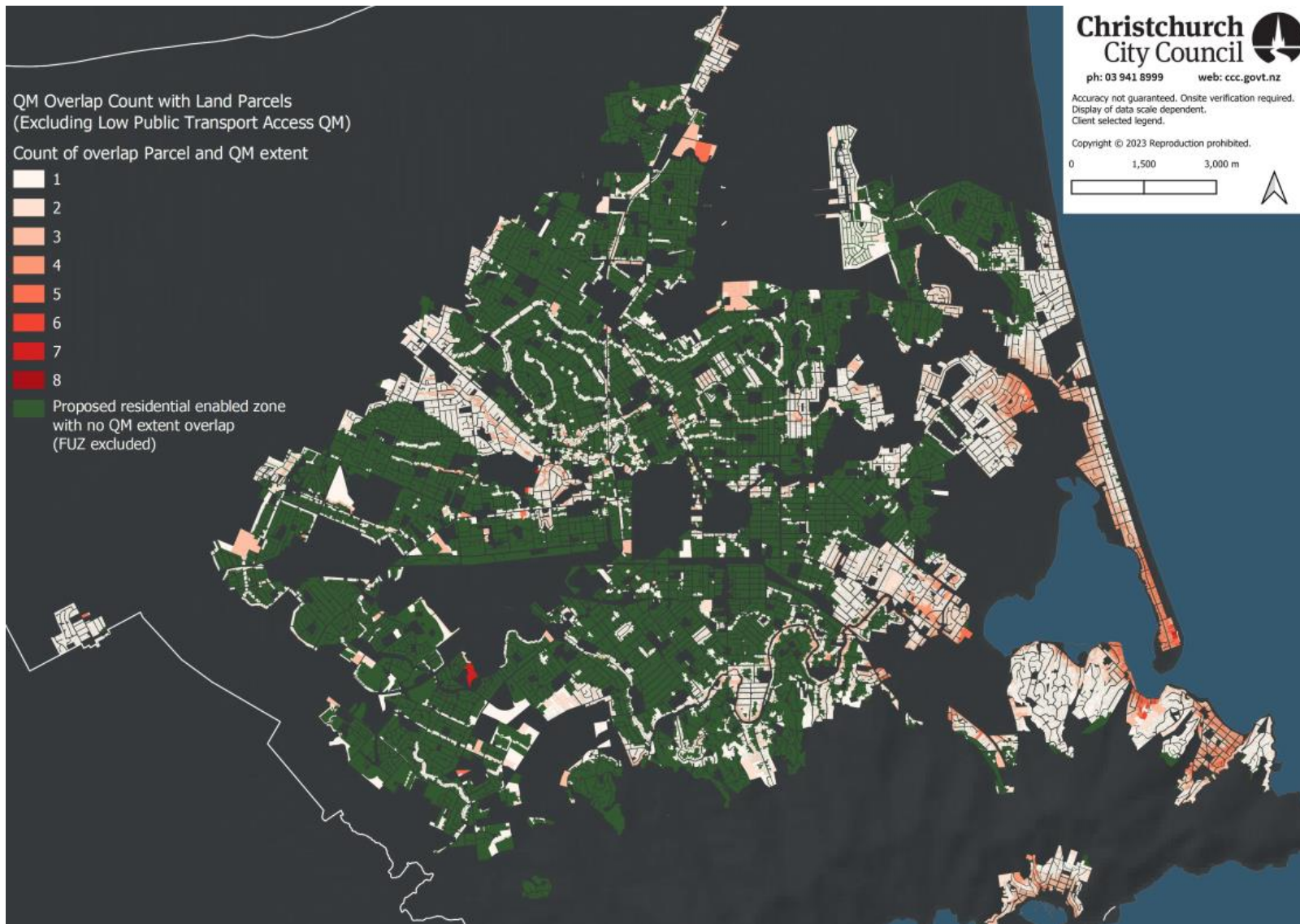
Map 2 – Qualifying matter extent excluding the Airport, Low public transport accessibility and Tsunami qualifying matters



Map 3 – Qualifying matter extent excluding Low public transport accessibility and Tsunami qualifying matters



Map 4 – Qualifying matter extent excluding Tsunami qualifying matter



Map 5 – Qualifying matter extent excluding Low public transport accessibility qualifying matter

3. Background and Technical information

3.1. A summary of the Council commissioned technical advice from various internal and external experts to assist with assessing the proposed qualifying matters, is provided in Table 8.

Table 8: Background and Technical Reports informing Plan Change 14 Qualifying Matters				
	Title	Author	Description of report	Location of report within PC14 s32
Existing qualifying matters				
a.	Series D Planning Maps	Christchurch City Council	Maps showing the spatial extent of qualifying matters.	Part 2, Appendix 1
b.	Proposed Qualifying Matters Provisions	Christchurch City Council	List of proposed provisions pertaining to qualifying matters.	Part 2, Appendix 2
c.	Carry Over Qualifying Matters	Barker and Associates	This report provides an assessment of a number of potential qualifying matters. This includes: <ul style="list-style-type: none"> • Sites of Ecological Significance • Outstanding Natural Features and Landscapes • Sites of Ngāi Tahu Cultural Significance • High flood hazard • Slope instability hazard • Waterbody setbacks • NZ Rail Network • Electricity Transmission Corridors 	Part 2, Appendix 3
Housing Capacity Assessment				
d.	Christchurch City Council Updated Housing Capacity Assessment 2022	Christchurch City Council	This report updates the housing sufficiency assessment from the published 2021 Greater Christchurch Housing Capacity Assessment. It takes account of the additional housing enablement under Proposed Plan Change 14, both in regard to plan-enabled and feasible capacity.	Part 1, Appendix 1
Historic heritage				
e.	Christchurch City PC13 Heritage Areas – Cost Benefit Analysis - August 2022	Property Economics	This report is a cost benefit analysis of heritage areas in Plan Change 13.	Part 2, Appendix 4
f.	New Items – Statements of Significance	Christchurch City Council	This document includes heritage statements of significance for new heritage items.	Part 2, Appendix 5
Coastal hazards				
g.	2021 Coastal Hazard Assessment	Tonkin + Taylor	This assessment provides updated technical information about the	Part 2, Appendix 6

	– Full Technical Report		potential effects of coastal erosion, coastal flooding and rising groundwater, and how this might change over time with sea level rise.	
h.	2021 Risk Based Coastal Hazard Analysis for Land-use Planning	Jacobs	This technical assessment identifies a range of high, medium, and low hazard exposure categories for coastal erosion and inundation hazards. The report includes analysis undertaken to justify the recommended thresholds for the hazard categories and the spatial extent of the resulting hazard zones for both coastal inundation and erosion.	Part 2, Appendix 7
i.	Qualifying Matter Addendum to the 2021 Risk Based Coastal Hazard Analysis for Land-use Planning	Jacobs	This addendum been developed to support the use of Coastal Hazards as a qualifying matter and it reflects the ongoing work to refine the Risk Based approach for Plan Change 12.	Part 2, Appendix 8
Lyttelton Port Influences Overlay				
j.	Memorandum on the Qualifying Matters Relevant to Lyttelton Port Company Limited	Andrew Purves Planning and Resource Management (on behalf of Lyttelton Port Company Limited)	The memorandum is to assist Council in the identification and drafting of existing and new qualifying matters for both the Lyttelton Port and the Inland Port (CityDepot) to include in its IPI.	Part 2, Appendix 9
Airport Noise Contours				
k.	Airport Related Qualifying Matters in the Christchurch District Plan - Section 77K RMA Assessment - 11 July 2022	Resource Management Group Limited	This report considers the inclusion of the operative District Plan planning regime managing residential density and intensification within the 50dBA Air Noise Contour for Christchurch International Airport as a qualifying matter under section 77K of the Act.	Part 2, Appendix 10
l.	Airport Contour s77K Appendix One: AAOCB Contour	Resource Management Group Limited	Illustration of the Annual Average 50dBA contour.	Part 2, Appendix 11
m.	Airport Contour s77K Appendix Two: Airbiz Report – Airport Operations and Safeguarding	Airbiz	This report includes an explanation of how the potential loss of existing levels of land-use protection could lead to restrictions on the airport, a reduced ability to operate the airport efficiently and negative impacts on existing operations. It also examines international examples of approaches to land-use protection in the vicinity of airports and considers how, when these have not been implemented	Part 2, Appendix 12

			appropriately, they have resulted in constraints to airport operations.	
n.	Airport Contour s77K Appendix Three: International and Domestic Airfreight Assessment	Paling Consultants	This report provides a review of international and domestic freight trends.	Part 2, Appendix 13
o.	Airport Contour s77K Appendix Four: CIAL Operational Constraints Economic Assessment	Property Economics Limited	This report provides an evaluation of the potential economic impacts of operational constraints on the Christchurch International Airport.	Part 2, Appendix 14
p.	Airport Contour s77K Appendix Five: Assessment of Noise Effects: Annual Average Contour	Marshall Day Acoustics	This report provides an assessment of noise effects relating to the annual average updated contours.	Part 2, Appendix 15
q.	Airport Contour s77K Appendix Six: Land Use Planning 50-55dB Ldn	Marshall Day Acoustics	This report evaluates the effects of aircraft noise on people and considers what level of aircraft noise is reasonable.	Part 2, Appendix 16
r.	Airport Contour s77K Appendix Seven: Caselaw extracts		This provides a summary of the relevant caselaw.	Part 2, Appendix 17
s.	Airport Contour s77K Appendix Eight: Section 32 evaluation	Resource Management Group Limited	A section 32 evaluation of the options to support the s77K(1)© requirements.	Part 2, Appendix 18
t.	Airport Contour s77K Appendix Nine: Housing Capacity in Greater Christchurch in relation to airport noise impacted areas only	Colliers Limited	This report provides an analysis quantifying the total plan enabled capacity and projected feasible capacity in Greater Christchurch in relation to airport noise impacted areas only.	Part 2, Appendix 19
Radio Communication Pathways for the Justice and Emergency Services Precinct				
u.	Christchurch Justice and Emergency Services Precinct Radio Communication – Cost Benefit Analysis	Formative Limited	This report is a cost benefit analysis of the Christchurch Justice and Emergency Services Precinct Radio Communication Pathways.	Part 2, Appendix 20
Residential Character Areas				
v.	Investigation of Qualifying Matters Ōtautahi	Boffa Miskell	This report contains a review of existing character areas within District Plan.	Part 2, Appendix 21

	Christchurch Suburban Character Areas			
w.	Investigation of Qualifying Matters Ōtautahi Christchurch Suburban Character Areas – Stage 2A Addendum Report	Boffa Miskell	This report contains a review of potential new character areas (and including the addition of Tennyson to Beckenham character area).	Part 2, Appendix 22
x.	Investigation of Qualifying Matters Lyttelton Character Area	Boffa Miskell	This report contains a review of the existing Lyttelton character area (with additional areas included).	Part 2, Appendix 23
Significant and other Trees (Appendices 9.4.7.1)				
y.	Significant Trees Qualifying Matters Technical Report	Christchurch City Council	This assessment provides advice on Christchurch District Plan's Appendix 9.47.1 Schedule of Significant Trees in relation the MDRS.	Part 2, Appendix 24
z.	Attachment A FINAL Full Trees Assessment Schedule	Christchurch City Council	This document sets out the findings of trees and group trees listed in Appendix 9.4.7.1.	Part 2, Appendix 25
aa.	Attachment B1 Significant Individual Trees	Christchurch City Council	This document provides a landscape contribution assessment.	Part 2, Appendix 26
bb.	Attachment B2 Significant Individual Trees	Christchurch City Council	This document provides a landscape contribution assessment.	Part 2, Appendix 27
cc.	Attachment C Significant Tree Groups	Christchurch City Council	This document provides a landscape contribution assessment.	Part 2, Appendix 28
Building heights				
dd.	Lower Height Limits – Victoria Street, and Cathedral Square	Christchurch City Council	This report identifies the issue of building height restrictions in two defined areas – Victoria Street, and Cathedral Square.	Part 2, Appendix 29
ee.	Lower Height Limits – Lyttelton Commercial Banks Peninsula Zone	Christchurch City Council	This report identifies the issue of building height restrictions in the Lyttelton town centre.	Part 2, Appendix 30
ff.	Central City Heritage Height Limits evidence	Christchurch City Council	This report identifies the issue of building height restrictions relating to the Arts Centre, and New Regent Street.	Part 2, Appendix 31
gg.	Arts Centre and New Regent Street Modelling and Sun Studies	Christchurch City Council	This document includes the Arts Centre and New Regent Street modelling and sun studies.	Part 2, Appendix 32
Vacuum sewer wastewater system constrained areas				
hh.	Technical Memo on Vacuum Sewer	Christchurch City Council	This report provides technical input on the vacuum sewer systems. It	Part 2, Appendix 33

	Systems as Qualifying Matter		describes the Shirley, Aranui and Prestons vacuum sewer systems and outlines why vacuum systems should be included as a qualifying matter in the draft PC14.	
Sunlight access				
ii.	Sunlight access	Christchurch City Council	This report provides an evaluation of the proposed sunlight access qualifying matter.	Part 2, Appendix 34
jj.	Technical Report - Residential Recession Planes in Christchurch(DH)	Christchurch City Council	This analysis informs recommendations for a recession plane that could be applied in Christchurch as an alternative to the 4m and 60 degree recession plane used in the MDRS.	Part 2, Appendix 35
Residential Character Areas (cont.)				
kk.	Planning Assessment of District Plan Character Areas, Christchurch City Council, February 2023	Christchurch City Council	This document is a planning assessment of Character Areas.	Part 2, Appendix 36
ll.	Technical Analysis of Proposed Character Area Provisions, Christchurch City Council, 19 January 2023	Christchurch City Council	This document is a technical analysis of the proposed Character Area provisions.	Part 2, Appendix 37
MDRS housing enabled				
mm.	New Medium Density Residential Standards (MDRS) Assessment of Housing Enabled, The Property Group, January 2022.	The Property Group	This document is an assessment of the housing enabled under MDRS.	Part 2, Appendix 38
Industrial interface				
nn.	Industrial Residential Interface - Review of potential noise issues - Report - Acoustic Engineering Services - January 2023	Acoustic Engineering Services	This report provides technical acoustic input on the industrial interface qualifying matter. It assesses potential noise issues at the interface.	Part 2, Appendix 39
oo.	Industrial Residential Interface - Review of potential buffer	Acoustic Engineering Services	This memo provides technical acoustic input on the industrial interface qualifying matter. It assesses modelling outputs and	Part 2, Appendix 40

	size - Memo - Acoustic Engineering Services - February 2023		reviews a potential buffer size.	
Open Space				
pp.	Appendix to Open Space/SPOARC s77 evaluation - Appendix 13.14.6.1 - Development Plan - SPOARC - new Edge Housing Area (CCC)	Christchurch City Council	This document is a map setting out the development plan for the Otakaro Avon River Corridor.	Part 2, Appendix 41
qq.	Appendix for Open Space/SPOARC s77 evaluation - Geotechnical Evaluation Memo (M-C Hebert - CCC)	Christchurch City Council	This document is a geotechnical engineering memo for 54 and 256 Fitzgerald Avenue and 5 Harvey Terrace, which are sites subject to Private Plan Change 11.	Part 2, Appendix 42
Riccarton Bush Interface Area				
rr.	Pūtarīngamotu Riccarton Bush Heritage Landscape Review	WSP	This report provides analysis of the landscape values of Riccarton Bush and potential effects of increased residential height on these values.	Part 2, Appendix 43
Residential Character Areas (cont.)				
ss.	QM - Character Areas - Background Only - Additional Areas Review Boffa Miskell - October 2022	Boffa Miskell	This document is an investigation of additional Character Areas.	Part 2, Appendix 44
City Spine Transport Corridor				
tt.	QM - City Spine Transport Corridor Background Information	Christchurch City Council	This document provides background information in support of the City Spine Transport Corridor.	Part 2 Appendix 45
Low Public Transport Accessibility Areas				
uu.	Three Waters perspective on proposed qualifying matter to focus intensification within 800 metres of public transport routes	Christchurch City Council	This memo provides a Three Waters perspective on the District Plan Change 14 proposal for housing intensification to be allowed within 800 metres of core public transport routes only.	Part 2 Appendix 46
vv.	Greater Christchurch Public Transport Combined Business Case	WSP New Zealand Limited, Aurecon New Zealand Limited, QTP Limited and	This document provides a business case for public transport in Greater Christchurch.	Part 2 Appendix 47

		Boffa Miskell Limited		
ww.	Greater Christchurch Public Transport Futures Combined Business Cases	WSP New Zealand Limited, Aurecon New Zealand Limited, QTP Limited and Boffa Miskell Limited	This document provides a non-technical summary of the business case for public transport in Greater Christchurch.	Part 2 Appendix 48
xx.	PC14 Public Transport Accessibility QFM Economic Overview	Property Economics	This document provides a high level overview of economic costs and benefits of the Public Transport Accessibility qualifying matter.	Part 2 Appendix 49
yy.	Accessibility – Qualifying Matters – Technical Report	Christchurch City Council	This document provides a technical assessment of the Public Transport Accessibility qualifying matter.	Part 2 Appendix 50
zz.	Greater Christchurch Spatial Plan Dwelling Affordability Assessment	Formative Limited	This report provides a dwelling affordability assessment for the Greater Christchurch Spatial Plan.	Part 2 Appendix 51
aaa.	Greater Christchurch Spatial Plan and Mass Rapid Transit Indicative Business Case Briefing	Whakawhanake Kāinga Committee Urban Growth Partnership for Greater Christchurch	This document is a briefing for the Greater Christchurch Spatial Plan and Mass Rapid Transit Indicative Business Case.	Part 2 Appendix 52
bbb.	A Summary of a National Survey on Living Locally in Aotearoa, New Zealand	The University of Waikato	This document is a summary of a national survey on living locally in Aotearoa, New Zealand.	Part 2 Appendix 53
ccc.	The costs and benefits of urban development – Final Report – For Ministry for the Environment	MRCagney	This report provides a cost and benefit analysis of urban development.	Part 2 Appendix 54
ddd.	Christchurch City Council Updated Housing Capacity Assessment 2022	Christchurch City Council	This report updates the housing sufficiency assessment from the published 2021 Greater Christchurch Housing Capacity Assessment. It takes account of the additional housing enablement under Proposed Plan Change 14, both in regard to plan-enabled and feasible capacity.	Part 1, Appendix 1
eee.	New Medium Density Residential Standards (MDRS) Assessment of	The Property Group	This document is an assessment of the housing enabled under MDRS.	Part 2, Appendix 38

	Housing Enabled, The Property Group, January 2022.			
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4. Community/Stakeholder engagement

- 4.1 An overview of community and stakeholder engagement is provided in Part 1 of the section 32 report. In relation to the use of Qualifying Matters, feedback was specifically received in relation to the following matters:
- Residential Character Areas
 - Residential Heritage Areas
 - Infrastructure
 - Coastal Hazards
 - Tree Protection
 - Airport Noise Contours
 - Radio Communication Pathways
 - Other/New Qualifying Matters
- 4.2 General comments on the use of Qualifying Matters, which seek to restrict and/or control the intensification in areas, either:
- Supported the use of Qualifying Matters – 71 comments;
 - Sought to increase application and extent of how Qualifying Matters are applied – 644 comments;
 - Sought to decrease or remove the specific application of Qualifying Matters – 79 comments.
- 4.3 In relation to Residential Character Areas, as the Plan already includes existing Residential Character Areas the feedback received understood the use of this previous overlay as a way to support retention of suburban residential character. Given the locational matter of Residential Character Areas, the feedback was very location specific. Support for character areas (and for increased extension of character areas) was provided for the character areas of Beckenham Loop; Dudley; Malvern; Tanui; Cashmere; and Riccarton Bush (noting this is not a Character Area under the Plan).
- 4.4 Feedback concerning decreasing character areas related to costs associated with retaining the character of houses, restrictions on development opportunities available to property owners, and the current erosion, or perceived lack of, existing character which questioned the value of protection in those locations.
- 4.5 Feedback was also received seeking to have other areas included as a new Residential Character Area. Each area was reviewed for its' coherent or cohesive character, and some have been recommended for further investigation to include as a Residential Character Area. In particular, of these, three additional areas were recommended to be included: Roker/Penrith Streets, Ryan Street, and Bewdley/Evesham Street.
- 4.6 There was some interweaving of feedback in relation to matters around residential character and heritage areas. In some cases, locations had both Qualifying Matters applied to them. However the use of a 'Heritage Area' overlay was partially understood by some, as this is currently used in Akaroa, in that it pertained to heritage (as opposed to character value). However there was also some confusion on the 'heritage' planning terminologies, such as the protection of heritage items, buildings and settings as separate District Planning provisions.

- 4.7 Feedback received mostly supported the use of a Residential Heritage Area Qualifying Matter to retain heritage values of residential areas. In addition, further sites, and residential areas were offered up for consideration of becoming a Residential Heritage Areas. Respondents commented provisions should go further to protect heritage values of a collective area of features and buildings – including the streetscape (i.e. street layout and design, and street trees), and commented on the need to review this more frequently to add more heritage as an evolving matter in the District Plan. Concern was raised about vacant sites, redevelopment, and further subdivision which may be permitted in the Residential Heritage Area proposed, that may not be in keeping with heritage values identified.
- 4.8 Feedback received on the infrastructure Qualifying Matter related to the proposed ‘Waste Water Constraints Area’, in that it seeks to restrict intensification due to infrastructure capacity constraints. There was feedback received generally from a board range of respondents on the ability of infrastructure to cope with further intensification within the city. However specific comments on the Qualifying Matter were received from those affected by the constraint area proposed (i.e. Shirley, Aranui and Prestons areas). Feedback was mostly concerned about the restrictions on development opportunities available to property owners, and the lack of attention, and budget, for infrastructure in these areas.
- 4.9 At the time of pre-notification for this plan change, there was also feedback sought on the proposed Coastal Hazards - Plan Change 12. Feedback noted here is only in relation to the provision of having coastal hazards as a qualifying matter limiting the level of intensification that might otherwise be provided through MDRS and application of Policy 3. Feedback supported the application of the Qualifying Matter, in that commenters acknowledged the risk of the hazard, and that this approach would avoid inappropriate intensification development of areas that are exposed to ha increase risk of harm from coastal flooding, inundation, erosion and tsunami.
- 4.10 Initially the QM’s included three mapping layers under PC12 being Coastal Erosion, Coastal Inundation Zone, and the existing Tsunami Inundation Area. Further technical reviews and expert evidence have now been provided after pre-notification to consider how to apply the Qualifying Matter Coastal Hazards for this plan change. Coastal hazard plan layers are now separated out into two qualifying matters, being the Coastal Hazard High Risk Management Area and Coastal Hazard Medium Risk Management Area. A new Tsunami Risk Management Area qualifying matter has been included.
- 4.11 The city currently has tree protection provisions in the District Plan, and feedback received understood the use of these provisions as a way to support retention of significance trees. Feedback received noted that further protection of trees is required, and to be strengthened, due to the proposed residential intensification changes proposed. In particular, Riccarton Bush and the Papanui Memorial trees were noted as needing further protection. After pre-notification, consideration was given to how to further support protection of Riccarton Bush, and in response Council is proposing a qualifying matter apply to all properties adjoining Riccarton Bush, referred to as the Riccarton Bush Interface Area.
- 4.12 The city currently has Airport Noise Contour provisions in the District Plan, and feedback generally understood the current use of these provisions. Feedback was mostly concerned about the restrictions on development opportunities available to property owners, and the location of sites affected being suitable for intensification (i.e. near centres, community facilities and transport routes). After pre-notification, consideration was given to how to apply the Qualifying Matter with regards to land use zoning. Council’s response is to essentially retain the existing provisions under the District Plan and lower density suburban zoning.
- 4.13 At the time of pre-notification for this plan change, there was also feedback sought on the proposed Radio Communication Pathways - Plan Change 15. The majority of the feedback received supported the application of a QM for Radio communication pathways to ensure that this pathway was protected for emergency services activities, as they relate to their communication requirements. After pre-notification Plan Change 15 was incorporated into this plan change and included as a qualifying matter.

4.14 There are other new Qualifying Matters that have been considered after pre-notification to be included as a way to support an area focused approach to public transport and three waters infrastructure, and urban form, and heritage areas and settings, including in respect to land that interfaces with:

- Victoria Street – proposed height reduction
- Cathedral Square - proposed height reduction
- New Regent Street - proposed height reduction
- Arts Centre - proposed height reduction
- Riccarton Bush - proposed height and density reduction
- Styx River at Belfast proposed height reduction, building setback and landscape provisions; and
- Lyttelton Commercial Centre

4.15 As a result of further review and consideration since pre-notification, some proposed Qualifying Matters were deemed not suitable to proceed with, including a qualifying matter for State Highway Adjoining Sites, 400v powerline setback, and the Lyttelton Port – City Deport (Hillsborough).

4.16 A new qualifying matter has been introduced after pre-notification consultation, being the Industrial interface which manages reverse sensitivity effects of new three storey development on adjoining industrial activities on industrial land.

4.17 Other feedback and Council’s response is set out in Table 9 below.

Table 9 – Specific feedback and Council’s response and resulting change to feedback	
Feedback received	Resulting change to the draft proposal
Did not support the extension to the current QM Residential Character Area.	No change to provisions. Minor site specific removals for Cashmere
Did not support the proposed new QM Residential Character Area.	No change to provisions.
Decrease existing and proposed QM Residential Character Area.	No change to provisions. Minor site specific inclusions for: <ul style="list-style-type: none"> • Lyttelton • Beckenham
Proposing new QM Residential Character Area – Support to include new ones not identified in pre-notification consultation.	<ul style="list-style-type: none"> • Areas suggested and not supported for further investigation due to no coherent or cohesive character: <ul style="list-style-type: none"> ○ Rogers Street, Waltham ○ Castle Way ○ Edgeware Block ○ South Richmond ○ Rose Street • Areas suggested and proposed for further investigation: <ul style="list-style-type: none"> ○ Ashgrove Terrace ○ Mountfort Street

	<ul style="list-style-type: none"> ○ Therese St ● Areas suggested and proposed as new additional RHA's: <ul style="list-style-type: none"> ○ Roker/Penrith Streets ○ Ryan Street ○ Bewdley/Evesham Street
Did not support the proposed new QM Residential Heritage Area.	<ul style="list-style-type: none"> ● No change – this would not protect heritage adequately as a S6 Matter of National Importance.
Decrease the area of the proposed QM Residential Heritage Area.	<ul style="list-style-type: none"> ● Removal of non-residential buildings from the edges of RHA in Lyttelton (e.g. designated School site). ● Removal of part of church site and reduction of the area of the fire station site included in Chester Street East/ Dawson Street RHA. ● No change to other RHA's - may result in holes/unacceptable outcomes. - evidence for removal was not related to heritage values ● Non-regulatory methods to address owner financial assistance and advice with maintenance and repair
Increase the area of the proposed QM Residential Heritage Area.	<ul style="list-style-type: none"> ● No change ● Maintain tight boundaries which are justified based on heritage values and integrity and authenticity of remaining heritage fabric ● RHA extent based on heritage value - whole streets already included where justified but not a suitable blanket approach.
New QM Residential Heritage Areas – Include new ones not identified in pre-notification.	<ul style="list-style-type: none"> ● No additional RHAs are proposed ● Insufficient evidence provided to support additional areas
Support for controls for development adjacent to QM Residential Heritage Areas.	<ul style="list-style-type: none"> ● New rule controlling new buildings on sites in some zones (High Density residential, Central City Mixed Use zone or Mixed use zones) sharing a boundary with a Residential Heritage Area.
Support for a reduction in controls on QM Residential Heritage Areas.	<ul style="list-style-type: none"> ● No change to controls. ● Add subdivision controls – these were not drafted at time of pre-notification. ● New developments to rear can impact on the heritage values of RHAs – will be managed through controls.
Did not support the application of the Infrastructure Qualifying Matter.	No change to provisions.
Decrease the area of the Infrastructure Qualifying Matter.	No change to provisions.
Increase the area of the Coastal Hazard Qualifying Matter (include North Shore).	No change to provisions.

Application of the QM for Trees is too lenient – need to be strengthened.	Further controls have been introduced that provide greater protection for trees in relation to girth.
Application of the Qualifying Matter for tree to be extended to other sites.	<ul style="list-style-type: none"> • New QM for Riccarton Bush Interface Area. • Papanui Memorial trees included.
Did not support the application of the QM Airport Noise.	No changes to provisions.
Decrease the area of the QM Airport Noise.	No changes to provisions.

4.18 Consultation with iwi authorities

4.18.1 Consultation on the proposed plan change was undertaken with Mahaanui Kurataiao on behalf of the papatipu rūnanga of the area. In terms of qualifying matters, the extent of the qualifying matters was discussed with Mahaanui Kurataiao, who emphasised the importance of applying qualifying matters to Wāhi tapu/Wāhi taonga, Ngā wai and Ngā Tūranga tūpuna in order for Council to fulfil its statutory obligations under S6(e). These have all been applied as requested.

5 Scale and significance evaluation

5.1 Scale and significance of the evaluation required

- 5.1.1 The level of detailed assessment undertaken for each qualifying matter has been informed by the legal requirements under sections 32 (Requirements for preparing and publishing evaluation reports), 77I (Qualifying matters in applying medium density residential standards and policy 3 to relevant residential zones), 77J (Requirements in relation to evaluation report), 77K (Alternative process for existing qualifying matters) 77L (Further requirement about application of section 77I(J)), 77O (Qualifying matters in application of intensification policies to urban non-residential areas), 77P (Requirements governing application of section 77O), 77Q (Alternative process for existing qualifying matters) and 77R (Further requirements about application of section 77O(j)).
- 5.1.2 The range of options considered for each proposed qualifying matter is proportionate to the scale and significance of the specific matter and its anticipated effect. The evaluation of options for qualifying matters that already exist under the Operative District Plan has been less detailed, in particular those that are categorised as section 6 matters of national importance that must be recognised and provided for.
- 5.1.3 For example, because (section 6) existing qualifying matters had already undergone a public plan-making process, there was no need to relitigate their extent or provide significant evidence justifying their inclusion. Rather, for those matters, the assessment focused primarily on how to accommodate the existing qualifying matters through appropriate heights and densities (using the alternative evaluation process prescribed by sections 77K and 77Q).
- 5.1.4 However, a more detailed evaluation was undertaken for the new proposed qualifying matter for coastal hazards, also deemed to be a matter of national importance under section 6 of the Act. As the proposal seeks to include a new policy, rules and spatial layers defining where medium to high risks will occur from coastal inundation and erosion, this has been supported by extensive technical modelling, and risk assessments, and evaluation of a range of options.
- 5.1.5 Table 10 provides a high level summary of the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of each proposed qualifying matter (both existing and new), and the corresponding level of detailed evaluation undertaken within the options evaluation (see section 6 of this report). The scale and significance of effects has been considered having regard to impact on development capacity, extent of justification required having regard to alignment with higher order documents, and the degree of shift of the proposed provisions from the existing provisions of the Operative Plan. These are discussed further below.
- 5.1.6 Impact on development capacity (see Table 6) – Where fewer than 500 dwellings of possible development capacity are impacted by the qualifying matter a low rating is accorded. Where between 500-1000 dwellings are impacted a moderate rating has been accorded and where over 1000 dwellings of possible development capacity is impacted a high rating is accorded.
- 5.1.7 ***Extent of justification required having regard to alignment with higher order documents*** – Where the qualifying matter is considered a matter of national importance under section 6 of the Act, lesser justification is deemed necessary on the basis that such matters must be recognised and provided for by decision-makers exercising functions and powers under the Act (under section 6). Such matters are therefore accorded a ‘low’ rating in terms of the justification required. Where the matter is considered a section 7 “other matter”, a slightly higher level of justification is deemed necessary and this has accorded a ‘moderate’ rating on the basis that decision-makers are required to have “particular regard to” those matters. Where the matter aligns with other policy requirements and objectives of higher order documents but is not specifically a section 6 or 7 matter, this has been accorded a ‘high’ rating (i.e. greater justification is considered necessary).

5.1.8 The degree of shift in provisions – Where the provisions that manage activities may result in a lesser enablement but are existing under the ODP and are required to accommodate a section 6 matter of national importance or section 7 “other matter”, this has been accorded a ‘low’ rating in terms of degree of shift of provisions. Where there are new or amended provisions proposed to manage a new proposed section 6 or 7 matter, this has been accorded a ‘moderate’ rating. Where new or amended provisions are proposed to manage matters important to achieve higher order documents and objectives, but not necessarily section 6 or 7 matters, this has been accorded a ‘high’ rating in terms of degree of shift of provisions.

Table 10 – Summary of the scale and significance, and proposed shift in provisions.

Qualifying Matter Name and Type	Impact on Development Capacity	Extent of justification required in relation to higher order legislation	Degree of shift in provisions	Overall scale and significance
Sites of Ecological Significance - s77I(a), s77K – Existing	Moderate	Low	Low	Low
Outstanding Natural features and Landscapes - s77I(a), s77K – Existing	Low	Low	Low	Low
Wāhi Tapu / Wāhi Taonga - s77I(a), s77K – Existing	Low	Low	Low	Low
Scheduled Tree – Heritage - s77I(a), s77K – Existing	Low	Low-Moderate	Low	Low
Heritage items and settings - s77I(a)	Low-Moderate	Low	Low	Low
High Flood Hazard Management Area - s77I(a), s77K – Existing	High	Low	Low	Low-Moderate
Flood Ponding Management Area – s77I(a),s77K – Existing	Moderate	Low	Low	Low-Moderate
Slope Instability Hazards: Cliff Collapse Management Areas 1 and 2 - s77I(a), s77K – Existing	High	Low	Low	Low-Moderate
Waterbody Setbacks - s77I(a), s77K – Existing	High	Low	Low	Low-Moderate
Coastal Hazard Medium Risk Management Area and Coastal Hazard High Risk Management Area - New s77I(a), s77K and s6(h)	High	Low	High	Moderate-High
Tsunami Management Area – New s77I(a), s77O(a), and s6(h)	High	Low	Low	Moderate
Residential Heritage Areas - New s77I(a), s77K and s6(f)	High	Low	Moderate	Moderate-High
Residential Heritage Interface Areas - New s77I(a), s77K and s6(f)	High	Moderate	Moderate	Moderate-High

Lyttelton Commercial Centre Interface Area - New s771(a), s77K and s6(f)	Moderate	Low-Moderate	Low-Moderate	Low-Moderate
Riccarton Bush Interface Area New s771(a), s77K and s6(b),(c) and (f)	Low-Moderate	Low	Low	Low-Moderate
New Regent Street Interface Area - New s771(a), s77K and s6(f)	Low-Moderate	Moderate	Moderate	Moderate
Arts Centre Interface Area - New s771(a), s77K and s6(f)	Low-Moderate	Moderate	Moderate	Moderate
Cathedral Square Interface Area - New s771(a), s77K and s6(f)	Low-Moderate	Moderate	Moderate	Moderate
Lyttelton Port Influences Overlay - s771(e), s77K- Existing	Low	Low	Low	Low
NZ Rail Network building setback - s771(e), s77K – Existing	Low	Low	Low	Low
Electricity Transmission and Distribution Corridors - s771(e), s77K – Existing	Moderate	Low	Low	Low
Christchurch International Airport Noise Influence Management Area - s771(e), s77K – Existing matter, new spatial extent	High	Low	Moderate	Moderate-High
Radio Communications Pathways - s771(e), s77K – new		Low	Low-Moderate	Low
Residential Character Areas - s771(j) – existing but amended matter and new spatial extents	High	High	Moderate	High
Significant and other trees - s771(j) – existing	Low	Moderate	Moderate	Moderate
Victoria Street building height - s771(j)	Moderate	Moderate-High	Moderate	Moderate
Vacuum sewer wastewater constraint - s771(j) - new	High	High	Moderate-High	High
Industrial interface – new s77(i)	Low	Moderate	Low	Low
Sunlight Access - s771(j) - new	Low-Moderate	High	Low-Moderate	Moderate
Low Public Transport Accessibility – s771(j) - new	High	High	Moderate - High	High
City Spine Transport Corridor – s771(j) - new	Low-Moderate	Low-Moderate	Low-Moderate	Low-Moderate
North Halswell ODP connections – 771j- existing	Low	Moderate	Low	Low

6.1 Evaluation of the proposed qualifying matters

6.1.1 Sections 6.2 to 6.32 of this report provides an evaluation of the proposed qualifying matters to a level of detail appropriate to each matters scale and significance (see Table 10). Further, the legal requirements specific to qualifying matters (noting that the impact on development capacity has already been evaluated in section 2.3 of this report), include the need to demonstrate:

- i. **why an area and/or site is subject to a qualifying matter;**
- ii. **why the qualifying matter is incompatible with the prescribed level of intensification that would otherwise be plan-enabled in that area;**
- iii. **the relevant higher order documents and their directions; and**
- iv. **the costs and broader impacts of imposing the proposed limits.**

6.1.2 The following evaluation of options has been prepared with assistance from GHD consultants in regard to the significant trees and vacuum sewers, Liz White Consultants in regard to the residential character areas, Resource Management Group Limited in relation to airport noise, and B&A consultants in regard to low public transport accessibility areas.