

8 April 2025

Hon Chris Bishop  
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Tēnā koe Minister

## Decisions on Intensification Planning Instrument – Plan Change 14 – Request for modification of timeframe under section 80M(3) of the Resource Management Act

We are writing to seek an extension to 30 September 2026 to notify decisions on the balance of the Independent Hearing Panel (IHP) recommendations on our Intensification Planning Instrument (IPI), Plan Change 14 (PC14).

### Scheduling of PC14 final decision and MDRS opt-out

On 2 December 2024, Christchurch City Council (Council) made decisions on part of PC14. Those decisions were timed in accordance with the Gazette Notice of 16 September 2024 which directed that Council must notify decisions on IHP recommendations related to Policies 3 and 4 of the National Policy Statement on Urban Development (NPS-UD) by 20 December 2024 and notify decisions on the balance by 12 December 2025.

We have now considered both the current regulatory deadline of 12 December 2025 and the prospective ability to 'opt-out' of undecided MDRS components of the plan change proposed under the Resource Management (Consenting and Other System Changes) Amendment Bill 2024.

Your approval for Council to have separate decision dates between IHP recommendations implementing Policies 3 and 4 of the NPS-UD and other IHP recommendations was, in part, because of planned changes to the Act intended to enable opt-out of the MDRS. The final December 2025 date was estimated based on when those legislative changes may come into effect and how a Council could seek to opt-out of the MDRS.

Current estimates are that the Environment Select Committee will report back to the House in June this year, with the Bill likely to receive Royal Assent by August.

In its current form, the Bill sets several requirements for any Council seeking to opt-out of the MDRS, including:

- a 12-month period from Royal Assent before applications can be made;
- evaluative requirements for any application; and
- the requirement to initiate a Streamlined Planning Process to give effect to the revised 2025 NPS-UD for any opt-out.

Council has made a submission against these aspects of the Bill and are grateful for Ministry staff engaging with us on the changes sought in that submission to address our unique position.

Irrespective of changes made to the Bill, we do not consider that the current 12 December 2025 deadline to make a decision on the balance of PC14 is practicable and are therefore seeking an extension to 30 September 2026. The Council will not be in a position to evaluate its options until the Bill comes into effect, and once in effect, the process to consider options, meet any evaluative requirements, and seek the approval of the Minister is certain to take longer than the period up to 12 December 2025.

Furthermore, this additional period is needed to ensure that having an opt-out of the MDRS (even in-part) remains an option. Not providing an extension is likely to mean that Council's only option is to make a decision on all of the IHP Recommendations. Given the forthcoming changes to the Act, we are of the view that doing so would lead to an inferior outcome, reducing the future effectiveness of delivering any future NPS-UD.

If the changes sought in Council's submission on the Bill are made, then what Council would be deciding upon is likely to better deliver any future NPS-UD and ensures that adequate resources are available to deliver this future plan change.

### Modified timetable for Plan Change 14

Council requests that the Minister amend under s80M(3) his direction under s80L(1)(c) of the date by which the Council notifies a decision on the balance of the IHP recommendations on the ISPP.

We have prepared a timeline for the remainder of the plan change (Attachment 1). We consider that the time provided is necessary for producing a good quality assessment of issues, assessment of prerequisites of the Act, and sound decision making.

The following addresses the matters that the Minister must have regard to under s80L(3), being Sub-part 5A of the Act (s80D to s80N) and Part 6 of the First Schedule of the Act.

#### *Consideration of Sub-part 5A:*

- (a) Council has produced an IPI, which has proceeded through the hearing process. The IHP issued their Recommendations to Council in July 2024.
- (b) PC14 incorporated a variety of more enabling controls to support a competitive consenting framework that incentivises greater levels of uptake and intensification.

- (c) Council on 2 December 2024 decided on IHP recommendations on implementing Policies 3 and 4 of the NPS-UD and the MDRS within these areas, as well as Financial Contributions across the urban environment.
- (d) Council's report on IHP recommendations rejected and Council's alternative recommendations was delivered to you on 24 February 2025.
- (e) Reporting by Council has been transparent throughout its IPI on how it has sought to incorporate MDRS across residential provisions, including the application of qualifying matters. Proposed provisions were annotated to clearly show where MDRS-derived or where text had been made more lenient in accordance with the Act.
- (f) No other Ministerial directions have been made under s80L to s80N .

*Consideration of Part 6 of Schedule 1:*

- (g) Council has produced an Intensification Planning Instrument and initiated an ISPP in accordance with the requirements of the Act.
- (h) Council established an IHP in mid-2022, incorporating the views of Te Rūnanga o Ngāi Tahu, and it first convened on 2 September 2022. The IHP consists of five members, with one being appointed by mana whenua, and Ms C. Robinson as Panel Chair.
- (i) In accordance with the Act, s32 evaluation reporting and associated content have been made publicly available on the Council's webpage.

To this end, we have notified the plan change, made a decision in-part, and continue to provide as much guidance as practicable. The Council is providing clear messaging, with a Consenting Newsletter providing detailed information on the current status of the plan change to stakeholders and weighting given to provisions.

We welcome the opportunity to discuss this request in further detail with you or Ministry staff.

Yours sincerely



Phil Mauger  
**Mayor of Christchurch**



## Attachment 1 – Prospective timeframe for MDRS opt-out and final PC14 decisions

Approximate Timing	Decision/Milestone	Involving
August 2025	Royal Assent of Resource Management (Consenting and Other System Changes) Amendment Act	Government
September 2025	Councils' review MDRS opt-out criteria and begin any required evaluation work	Council
11 October 2025	Local Government Elections	Territorial Authorities
November 2025	New Councils' form	Territorial Authorities
December 2025	First Council meetings, potential initial discussion on MDRS opt-out	Council
January 2026	Council complete draft evaluation reporting for MDRS opt-out application	Council
February 2026	Seek Council endorsement of MDRS opt-out application and associated reporting	Council
March 2026	MDRS opt-out application and associated reporting formally submitted to Minister	Government
Before end of Q2	Minister approves MDRS opt-out request	Government
Before end of Q3	Council partially withdraws PC14 in accordance with MDRS opt-out and makes final decision on PC14.	Council