

RESOURCE MANAGEMENT ACT 1991 CHRISTCHURCH DISTRICT PLAN

PROPOSED PLAN CHANGE 14 - HOUSING AND BUSINESS CHOICE

COUNCIL DECISION ACCEPTING OR REJECTING INDEPENDENT HEARINGS PANEL RECOMMENDATIONS SUBJECT TO POLICIES 3 AND 4 OF THE NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT AND ON FINANCIAL CONTRIBUTIONS

Christchurch City Council has made its decision on accepting or rejecting some of the Independent Hearings Panel's (IHP) recommendations on Plan Change 14 at its meeting on Monday, 2 December 2024 in accordance with Clause 101, Schedule 1 of the Resource Management Act.

Council's decision only applies to areas within or adjacent to commercial centres across the Christchurch urban area, including Lyttelton, known as a Policy 3 catchment. Various walking catchments have been used to delineate where Policy 3 applies, expressed as those areas being within a High Density Residential Zone catchment or Medium Density Residential Zone (MRZ) Policy 3 extent.

Commercial zones and overlays

The Council has accepted all of the IHP recommendations for:

- City Centre zone (for those not decided on 18 September 2024)
- Central City Mixed Use zone
- Central City Mixed Use zone (South Frame)
- Local Centre zone
- Neighbourhood Centre zone
- Large Format Retail zone
- Commercial Banks Peninsula zone
- Brownfield Overlay

Council accepts all of the IHP recommendations for the Town Centre zone, except as follows:

- Council rejects the permitted 32m building height standard for the Town Centre zone of Hornby (15.4.2.2.a.ii) and recommends a 22m building height standard. Reason - The recommended building height does not adequately reflect a building height that is commensurate with the commercial centre (Policy 3(d)) or its surrounds
- Council rejects the permitted 22m building height standard for the Town Centre zone of Linwood (15.4.2.2.a.i) and recommends a 20m building height standard, and a recession plane that applies the Sunlight Access qualifying matter. Reason - This building height is sufficient and retaining a recession plane angle that applies the Sunlight Access qualifying matter better support the wellbeing of neighbouring residents

Residential zones and overlays

Only within the Policy 3 Medium Density Residential Zone Extent (as per IHP Recommended Planning Maps), or where there are consequential changes, the Council has accepted all of the IHP

Recommendations for the following:

- Residential Suburban Zone
- Residential Suburban Density Transition Zone
- Residential Medium Density Zone
- Residential Banks Peninsula Zone
- Enhanced Development Mechanism
- Residential Visitor Accommodation zone

Council accepts all of the recommendations for the Medium Density Residential Zone, except as follows:

- Council rejects medium density residential zoning of the surrounds of Peer Street Local Centre zone and alternatively recommends that no decision is made (retains operative). Reason - The lessened scale of the centre and medium density not being a commensurate Policy 3(d) response
- Council rejects the removal of the Local Centre Intensification Precinct, and alternatively recommends that this is applied to Medium Density Residential zones surrounding the centres of Bishopdale, Barrington, Northwest Belfast, Halswell, Prestons, Wigram, Sydenham South, Richmond, but aligned to the 200m NPS-UD Policy 3 catchment recommended by the IHP. It is recommended that Council Reply provisions are altered to align with the 12m building height control of the zone (for both permitted height standards 14.5.2.3.a.i.b and height in relation to boundary exemption 14.5.2.6.b.iv.A). Reasons - To better provide for comprehensively developed perimeter block developments and is more responsive to the scale of respective commercial centres under NPS-UD Policy 3(d)

Council accepts all of the recommendations for the High Density Residential zone, except as follows:

- Council rejects the absence of Papanui War Memoria Avenues in matters of discretion and alternatively recommends that the Papanui War Memorial Avenues are considered as a matter of discretion for breaches of building height, building setback, and building coverage. Reason - This better consider the heritage value of the memorial avenues
- Council rejects in-part the High Density Residential zoning around the Town Centre zone of Riccarton and alternatively

recommends that the Policy 3(d) response surrounding the Town Centre zone of Riccarton is modified to not zone sites accessed via Matai Street West as High Density Residential zone, nor areas within the Riccarton Bush Interface, and to apply the Mixed Use zone over 25 Deans Avenue. Reason - High Density Residential zoning is unsuitable for the areas north of Matai Street West because of its unique character and for 25 Deans Avenue to be Mixed Use zone to enable a wider range of activities for the site. Applying Medium Density Residential zone within the Riccarton Bush Interface Area is in response to the qualifying matter

- Council rejects Medium Density Residential zoning of 25 Deans Avenue and alternatively recommends that 25 Deans Avenue has a building height precinct applied that permits a building height of 36m. Reason - To better enable a wider range of activities for the site and provide for a taller built form, commensurate with the context of the site
- Council rejects in-part the High Density Residential zone extent around the Town Centre zone of Hornby and Council alternatively recommends that the walking catchment is reduced surrounding the Town Centre zone of Hornby. Reason - To better reflect the current location of the operative Residential Medium Density zone
- Council rejects the High Density Residential zone building height around the Town Centre zone of Hornby and Council alternatively recommends that the permitted building height (14.6.2.1.a) within the High Density Residential zone surrounding the Town Centre zone of Hornby is reduced to 12m. Reason - To better reflect a commensurate response under Policy 3(d) for the centre, to align with operative building heights, and the alternatively proposed commercial building height
- Council rejects in-part the High Density Residential zone extent surrounding the Town Centre zone of Linwood and Council alternatively recommends that the walking catchment is reduced surrounding the Town Centre zone of Linwood. Reason - To that of the Council notified position (400m catchment), to better reflect a commensurate response under Policy 3(d) for the centre and reduce the negative social impacts of local
- Council rejects the High Density Residential zone building height around the Town Centre zone of Linwood and Council alternatively recommends that the permitted building height (14.6.2.1.a) within the High Density Residential zone surrounding the Town Centre Zone of Linwood is reduced to 12m. Reason - To better align with operative building heights and reduce the negative social impacts of local intensification
- Council rejects the High Density zoning for 231 Milton Street and 12 Johnson Street and Council alternatively recommends that the High Density Residential zoning for 231 Milton Street and 12 Johnson Street should align with the current parcel configuration. Reason - To better reference the minor boundary adjustment of sites

Council rejects parts of the recommended residential pathways provisions that remove the independence of pathways or make this unclear. This is because the recommendations are contradictory and unwieldy as a framework.

The alternative is:

1. Accept IHP recommendations for Pathways A and B to be independent.
2. For the purpose of implementing Pathway B, accept the application of currently operative provisions for residential zones in Policy 3 areas.
3. Reject IHP recommendations to alter provisions (e.g. 14.2.e) that remove independence of Pathway A and B or make this independence unclear, and propose an alternative recommendation that provides for the independence of Pathways A and B.
4. Instead of integrating the Chapter 14B pathway "throughout the relevant chapters" as proposed in the Panel's Minute 58, propose the following as another way "that would achieve the same outcome and that is acceptable to the Panel" (as mentioned in paragraph 17 of the Panel's Minute 58):
 - a. Have planning maps that:
 - i. Outside Policy 3 areas: are based on the currently operative district plan maps (subject only to removing Residential Character Areas and other modified or removed qualifying matters as per the IHP recommendations).
 - ii. Inside Policy 3 areas: are based on the IHP zoning recommendations with an Overlay that identifies what the (previous) operative zoning of the relevant land was. This Overlay would only be used where a person chooses the operative pathway (Pathway B) approach.
 - b. Have two versions of the District Plan as follows:
 - i. Version 1 is based on the currently operative district plan

(subject only to removing Residential Character Areas and other modified or removed qualifying matters as per the IHP recommendations) which would clearly explain that it only applies in two circumstances:

1. Outside Policy 3 areas.
 2. Inside Policy 3 areas where the operative pathway (Pathway B) approach is chosen.
5. Version 2 is based on the full set of IHP recommendations (i.e. including the MDRS / Policy 3 recommendations) but which would only apply inside Policy 3 areas where the MDRS / Policy 3 Pathway (Pathway A) approach is chosen.

Other zones and Chapters:

The Council has accepted all of the IHP Recommendations for:

- Part of Chapter 2 – Definitions - confined to definitions used in provisions decided upon;
- Chapter 3 – Strategic Directions;
- Part of Chapter 6.1A – Qualifying matters (where related to zones and qualifying matters decided upon);
- Chapter 7 – Transport (where related to zones decided upon);
- Chapter 8 – Subdivision, Development and Earthworks (where related to zones decided upon);
- Chapter 13.2 – Specific Purpose (Cemetery) Zone (Barbadoes Street only);
- Chapter 13.5 – Specific Purpose (Hospital) Zone (excluding: Princess Margaret Hospital; Hillmorton Hospital; and Burwood Hospital);
- Chapter 13.6 – Specific Purpose (School) Zone (excluding those sites not within or adjacent to a zone decided on);
- Chapter 13.7 – Specific Purpose (Tertiary Education) zone;
- Chapter 13.8 – Specific Purpose (Lyttelton Port) Zone;
- Chapter 13.11 – Specific Purpose (Flat Land Recovery) Zone;
- Chapter 13.14 – Specific Purpose (Ōtākaro Avon River Corridor) Zone.

Qualifying matters and Financial Contributions

The Council has accepted all of the IHP Recommendations for:

- Financial Contributions for tree canopy cover (to remove)
- Public Open Space qualifying matter (to retain)
- Lyttelton Commercial Centre Heights (to retain)
- Lyttelton Port Influences Overlay (only within Commercial Banks Peninsula zone – to retain)
- Styx River Setback qualifying matter (to retain)
- New Regent Street Height Precinct (to retain)
- Arts Centre Height Precinct (to retain)
- Central City Heritage Interface (to remove)
- Residential Heritage Area Interface (to remove)
- Heritage Items and Settings, as follows:
 - ♦ reject submissions to remove from the heritage schedule 59 Hansons Lane and 181 High Street;
 - ♦ accept/accept in part submissions to amend the extent or location of heritage items or settings for New Regent Street Shops and 135 High Street;
 - ♦ accept not scheduling new items and settings ;
 - ♦ accept the operative Plan heritage items and settings are qualifying matters as it applies to zoned decided on;
 - ♦ accept the heritage height qualifying matter applying within the heritage settings of The Arts Centre and New Regent St and associated rule amendments in 15.11.1.3 RD11 and 15.11.2.11 a. ii;
 - ♦ reject the heritage qualifying matter for the Central City Heritage Interface applying to sites adjoining The Arts Centre and New Regent St settings and to replace this with a matter of discretion in 15.14.2.6 a. x.E. and repeated in 15.14.3.1 a. xiv;
- Cathedral Square Interface (to remove);
- Victoria Street Height qualifying matter (to remove);
- Radiocommunication Pathways qualifying matter (to retain);
- North Halswell Outline Development Plan qualifying matter (to retain);
- Only within zones decided upon:
 - ♦ Outstanding Natural Features and Landscapes (to retain);
 - ♦ High Flood Hazard Management Area (to retain);
 - ♦ Coastal Hazard Medium and High Risk Management Areas (to retain);
 - ♦ Tsunami Management Area (to retain);
 - ♦ Waterbody setbacks (to retain);
 - ♦ Wastewater constraint qualifying matter (to retain);
 - ♦ Sites of Ecological Significance (to retain);
 - ♦ Sites of Cultural Significance qualifying matter (to retain);
 - ♦ NZ Rail Network building setback (to retain);
 - ♦ Industrial interface (to retain);
 - ♦ Significant and Other Trees (to retain);
 - ♦ Residential Character Areas (only for Lyttelton (to modify), Ranfurly, Beverley, and Clifton (to remove all));
 - ♦ Residential Heritage Areas, including Piko Shand (to

remove);

- ♦ Accepts the Panel's recommendations on any other qualifying matter proposed by submitters (to remove all).

Council rejects recommendations to remove the Riccarton Bush Interface Area and Council alternatively recommends that the qualifying matter is retained and Medium Density Residential Zone is applied accordingly (as per 14.5.3). Reason: Council supports the qualifying matter as a section 6(b), section 6(e), and section 6(f) matter under the Resource Management Act.

Council rejects the recommendations in-part to remove the City Spine qualifying matter and Council alternatively recommends that all operative road boundary setbacks apply for sites that front a road across the qualifying matter area. Reason: Council supports the protection of this highly significant public transport corridor and not foreclosing the future expansion of the road reserve to accommodate the expansion of public transport services and development as a sub-regional greenway.

Council rejects the recommendations for the Sunlight Access qualifying matter, recommending that the qualifying matter is applied to all medium and high density residential zones (14.5.2.6 and 14.5.2.2), in accordance with the Council Reply. Reason: Council supports the position that Christchurch has latitudinal and climatic characteristics that are in contrast to where the vast majority (70%, by population) of where the MDRS applies.

Council rejects in-part the recommendations for the Airport Noise Influence Area, recommending that resource consent is required for three or more residential units to manage reverse sensitivity effects on the Christchurch International Airport. Except that the limited notification clause requiring approval from the Christchurch International Airport Limited (CIAL) within any 50 dB air noise contour is removed (as per Minute 58, 14A.5.1.3 RD35 and 14A.6.1.2 RD30). This is to align with the operative residential control within medium density areas as a response to effects of development on Christchurch International Airport and to leave the decision on affected party approvals for only Council to consider under the Resource Management Act.

Council rejects the recommendation to retain the heritage listing for Daresbury House, alternatively recommending that Daresbury heritage listing (Item 185) and associated heritage setting (Item 602) are removed. This is because Council considers that the house has been damaged to an extent where it is uneconomic to repair.

Council rejects the recommendation to retain the heritage listing for Antonio Hall, alternatively recommending that Antonio Hall heritage listing (Item 463) and associated heritage setting (Item 203) is removed. This is because Council considers that the building is significantly compromised and the site is better placed to deliver housing given its highly accessible location.

Council rejects the recommendation to retain the Residential Character Area for Piko, alternatively recommending that the Character Area is removed. This is because Council considers that housing has deteriorated in this area and is better placed to deliver new housing given its highly accessible location.

Mapping:

The Council has accepted all of the IHP Recommendations on District Plan mapping, as they relate to the decision, except where otherwise stated in this public notice.

Other information:

Consequential changes have yet to be integrated as part of the integration with the District Plan, however this will be completed as part of the changes becoming fully operative by 14 February 2025.

Any decision to accept an IHP recommendation will be operative from 12 December 2024. All relevant materials or links to IHP recommendations can be found on the Plan Change 14 website: ccc.govt.nz/pc14 and accessible via computer at the Council's libraries and service centres where it can be printed (fees and charges will apply).

The Minister Responsible for RMA Reform has directed the Council to notify its decisions on the balance of IHP Recommendations (i.e. outside of Policy 3 areas) by December 2025. Council has yet to determine when this decision will be made, which is likely to be influenced by forthcoming changes to the Resource Management Act.

