

OPENING REMARKS

Good afternoon and thank you for the opportunity to speak today.

“Incremental improvement” is how analysts often describe the small but positive steps that an organisation makes to improve their plans and processes.

But “incremental improvement” can also be used to describe how our built cities evolve.

Likewise, the planning rules that govern our cities traditionally develop through “incremental improvement”.

Ten years ago in 2014, our city went through a rigorous IHP process lasting five years.

Those changes were “incremental”.

Rules were “tweaked”, but the fundamental fabric of previous plans remained. The zone locations in which activities could occur and the expectations about what an could do (or what their neighbour could do) remained broadly the same for the majority of urbanised land.

There was also in-depth consultation. (Personally, I presented to the panel at least five times, once for each chapter I had submitted on).

Sadly, today we are presented with a proposal that is the very polar opposite of “incremental improvement”.

Before going further, I would like to preface my remaining comments by noting that I understand the contentious circumstances that led to this process and that I am not disparaging the energy and hard work that has been expended by those who worked on this proposal.

In today’s proposal, instead of “incremental improvement”, we see a deeply flawed plan based on “radical change” that will be more detrimental to its goal of housing affordability than it is beneficial.

And because this proposal weaves together so many radical plan changes (zone changes, recession planes, heights, road setbacks, tsunami zones...) most people will not be unaware of the significant impact that these will have on them, their future and their property.

Others who have tried to read and understand the proposal will be so overwhelmed and flummoxed by the sheer volume of changes.

Submission by Christian Paul Jordan (Submitter number 737)

Even I can't fully grasp the scope of changes or follow the numerous variations that have been made to the proposal since notified.

Indeed due to the breadth of changes I am struggling to succinctly outline its flaws.

On previous plan changes I have advocated for more permissive regimes and lobbied against unfair and restrictive rules, however today I am doing the opposite as this proposal is just simply the wrong direction.

It is the baby and the bathwater approach.

Or perhaps to clarify: Government threw away the baby and the bathwater with the MDRS, but the CCC has thrown away the baby, the bathwater, the bath and the whole house in their implementation it!

Look at the MDRS first.

Remember that the sole motivation of Central Government was to improve housing supply and affordability.

Their solution ... allowing more houses, closer together, is just too simplistic.

If the demand in a particular neighbourhood is for homes with a garage and a garden, then **excess supply** of units or apartments without parking won't affect the price of those sought after homes with a garage and garden.

Worse still the **demolition** for development of homes with a garage and garden further reduces the supply of those homes the market wants! Driving up their prices.

And even worse, the **fear** of units and apartments being built next door and stealing precious sun and privacy prompts owners who are financially able to purchase their neighbour, even further reducing supply!

On top of that, if a home on 750m² is suddenly considered a site for 6 units, then the price of land is forced so high that well maintained, renovated or even newly built homes become subject to demolition and redevelopment.

I give in my written submission an example where six new 2 bedroom units are each significantly more expensive than the original 4 bedroom home on the full site.

Ultimately market forces dictate prices, but previous Central Government policy to restrict interest deductibility, funneled investment towards new dwellings, fueled increased demand for development sites, led to more demolition of affordable existing rental homes and the result: was fewer homes affordable homes for sale or rent; more more-expensive units for sale or rent; and higher and higher house prices and rents.

Submission by Christian Paul Jordan (Submitter number 737)

Super charge this with low interest rates, forced landlord upgrades and bright line tests distorting supply of existing homes for sale (which encouraged non-owner occupiers to hold off selling in order to make your capital gains tax free).

(Really who would accept 61% of their capital gain now, when they know they can take 100% of it if they just wait another 4,5 or 6 years plus receive rental return while they wait?)

Any considerations of today's affordability crisis must be looked at in the context of a recent firestorm of inflationary policy distortions.

This is not the normal.

Throw in other external factors such as record migration, covid, quantitative easing, cpi inflation and look only at the small time window of the past 4 years and you could be easily convinced that radical change is required.

I have been involved in property investment and development for almost 27 years. This is not normal and it is not a new normal.

It reminds me of a famous line in Dicken's (David Copperfield). With a bit of licence, let me adapt Wilkins Micawber's line on annual income:

20 houses for rent
19 tenants looking
Result happiness;
20 houses for rent
21 tenants looking
Result misery.

If you excuse my adaptation, the point being made is that affordability turns on small margins.

Current construction running at over 4,000 additional homes per year (potentially 120,000 in 30 years) that is triple the long term rate of new home construction that has been determined as necessary; therefore the current spike in townhouse activity should not be used as a guide for future demand.

The recent (now oversupplied) boom in these small townhouses does not reflect a long term shift in demand towards this type of housing.

The fact that over the past year I could advertise a flat and get 100 enquiries within two days is a measure of a broken system.

However, the Christchurch City Council's proposal is far from a panacea.

Submission by Christian Paul Jordan (Submitter number 737)

Instead of liberating planning rules, it brings constraint, conjuring new qualifying matters that zone the city in a similar way to a traditional city plan, constraining development into central suburbs that are full of character and heritage, yet completely disregarding that character and heritage and installing almost industrial type sunlight and setback rules.

In one of the plans biggest flaws, it restricts subdivision of vacant lots to house size sections. In existing RMD zones doubling the minimum site size from 200 to 400m².

This does the exact opposite of what the law change intended.

This prevents individual homeowners from doing those small scale “backyard” subdivisions that have been the genesis of so many infill homes across the city.

Requiring houses to be constructed before a small scale subdivision takes place will make funding this type of project virtually impossible, especially for the young.

It plays into the hands of big developers who have the capital and funding to tear down the existing house and redevelop the site entirely.

Individual home builders will be shut out. These are the very people who have traditionally contributed so much to the city, building and creating their own homes that they and future generations also go on to enjoy.

The entire plan seems to take this approach.

Shut development out of the east because of Tsunami risk (I will come back to that).

Shut development out of the outer suburbs because of lack of access to transport – despite some of these areas being located on cycleways, within a short walk of bus stops and shops, and with immediate access to major arterials – an example is the area around Winters Rd in Papanui.

Shut development out of the west because of airport noise! Ironically the CCC have decided that it is more important for university students get a good night sleep than be able to live within walking distance of their lectures!

And if you live in those inner areas that can be developed, homeowners face a future of social disharmony, agitation with the fear of having sunlight stripped, privacy eliminated and their local heritage and character flattened.

For a house in Christchurch’s wintry climate to lose such a significant amount of sunlight will abrade the very humanity out of that home and also out of its community.

When you step back and objectively looking at this plan, sadly it looks like a plan of disruption. It looks like a plan that a radical activist would dream up:

Submission by Christian Paul Jordan (Submitter number 737)

Punish those who dare to live in comfortable inner suburban locales. Take their light. Take their privacy. Take their trees. Take their heritage.

Punish those who live too far out. Don't let them develop anything.

Punish those who live near the coast. They are at risk of climate change. Don't let them do anything. Devalue their property and red zone it by stealth.

All commonsense, all pragmatism and all logic has been eviscerated.

The tsunami and coastal hazard zones defy logic.

It is safe to build a 6 bedroom home on 400m² that could house 6 or more adults but building 2 x 1 bedroom units that house 2 individuals is prohibited?

The zone also extends kilometers inland, almost as far as Aldwins Rd following contour lines with pockets of land (of imperceivably different elevation included and excluded).

This zone begs the question, what hazard actually exists?

For a damaging tsunami wave to reach that far inland, a wavefront of flotsam would have been pushed through and fences and foundations. It seems unlikely that an imperceivable change in elevation would protect those pockets.

If there is a true and significant risk to public safety then the proper planning for mitigation, safety refuges and detailed escape plans should be developed throughout the city.

Ironically there are properties on opposite sides of the same street which offer the same characteristics to escape yet fall in different zones due to slight elevation variations.

This is despite the fact the raising the foundations in these restricted tsunami zones would offer the same level of safety as afforded by the land not in that zone.

In fact increased foundation heights and raised raft foundations created during developments in such areas, could act as community protection. Forming a network of barrier walls if the right strategic planning was put in place.

The effective red zoning without compensation of some land (through non complying activity status) which is without appeal to the Courts (due to the accelerated IHP process) is unconscionable.

Given the lack of direct consultation and the overwhelming amount of information that makes up the CCC proposals, I believe that most affected owners, would be completely unaware of the consequences of the proposed changes around activity status. I certainly was unaware of this aspect of the proposal until I took it upon myself to look at it in depth.

Submission by Christian Paul Jordan (Submitter number 737)

Given that all sites have their own characteristics, there should be no non complying activities where a property can be built that complies with minimum floor levels and has access that is not subject to a significant hazard.

The concept of so brutally restricting development in the east, whether it around New Brighton, Redcliffs, Sumner, Woolston or Linwood, is that it will leave communities destitute, with no ability to improve or move forward due to onerous planning complexities. This is the exact opposite of what the legislation change intended to deliver.

To put some perspective on sea level changes. Just 18,000 years ago, sea level was 120m below current levels. For comparison the shops at the intersection of Hackthorne and Dyers Pass Roads are 120m above current sea level.

R. P. Suggate's "Late quaternary deposits of the Christchurch metropolitan area" detail the great depth of recent material the city sits on with wood material from the last ice age found over 60m below ground level in a Blighs Rd borehole for example.

We have seen the real geological uplift both recently in Kaikoura and also in the 1931 Napier earthquake, where changes were measured in metres. The entire premise to write off the east of Christchurch without real consultation complete overreach and does not improve the outcomes or mitigate any hazard risk for the tens of thousands of people already living in the zone.

President John F. Kennedy once paraphrased author G. K. Chesterton: "Don't ever take a fence down until you know why it was put up".

This is advice council should have heeded when they considered this proposal.

There are so many reasons why the proposal must be entirely rejected.

But to me the biggest reason is that it focuses on something that will never solve our affordability crisis.

It focuses on demolition rather than infill.

The homes that past generations spent their lives creating are their gift to our future. We need to cherish both this heritage and the value that it creates for us.

I outline in my written submission in some detail, why we are targeting the wrong type of development. Small box units are not a solution for the whole population, we need a plan that protects our heritage but also delivers extra homes in a way that does waste the resources that have already gone into building the homes that we have right now.

The plan, as it stands, is unsustainable. We need a straight forward plan that allows extra homes to be built but also protects the existing heritage and character of the city.

Submission by Christian Paul Jordan (Submitter number 737)

A plan allowing homes to be built in all urban areas with no minimum section sizes, with density governed only by site coverage, building set backs and recession plans.

A plan retains much of the earlier plans zoning hierarchy but with the ability to infill and develop all areas of the city in a way that is both considerate and compatible with the existing character of our suburbs.

This is the key. No minimums, but density governed by the characteristics of the immediate environment.

As I outlined in my original submission my position is that this plan should be rejected outright and a new one developed to allow sensible and sustainable development.

Further Submissions on PC 13 and 14

Submitter 842 - Fire and Emergency NZ

842.28, 842.73, 842.81.

Oppose FENZ proposed changes. I am an owner of a heritage listed Chester St East property opposite and support retaining as plan notified.

91 Chester should remain in Chester St East heritage area and all other heritage provisions and design restrictions should remain. The FENZ site is a significant part of the most historically significant section of Chester St East, even though it contains no significant buildings at present any development on the site should have to comply with strict consideration of the heritage values of the area.

Submitter 1052.5 Baptist Church

Support requiring strict restrictions on new buildings on 94-96 Chester St East. This site was part of the row of 4 semi-detached homes and as 2 of the original pairs and 1 new contemporary pair have been rebuilt this remaining site needs to be developed in careful consideration of the existing heritage setting.

Submitter 874 Daresbury Limited

Oppose all submissions to alter or reduce heritage provisions and also strongly oppose 874.14 to remove heritage status of Daresbury House.

This is a significant heritage building and is one of the few remaining heritage buildings of its type in Christchurch. With the loss of so many historic homes in the earthquakes, this building needs to be preserved.

The current owner purchased knowing it was a Category 1 Historic Building, significantly damaged and needing substantial repair and the price paid was adjusted for that. The current owner should not have purchased had they not either intended to restore the house or facilitate another party to restore the house for them.

Using this plan review to attempt to demolish this building is not appropriate and the owners should have attempted to find a solution to repair and restore building.

Submitter 402 Justin Avi

Oppose all submissions to remove heritage status and up zone Antonio Hall (265 Riccarton Rd).

Despite the damage the site retains Heritage significance. As the property was neglected for many years, removing the designation via this process sets an unacceptable precedent - that heritage building neglect is rewarded with favourable planning changes.

Removing the designation through this process is not appropriate and any redevelopment or repair to the existing heritage building should be negotiated through a resource consent process with the remaining heritage aspects of the site (including the setting and trees) dealt with expert heritage planners on a site specific basis.

Submitter 1092, 137 Cambridge Ltd

Oppose all submissions to remove heritage status and up zone 137 Cambridge (Harley Chambers)

As the property has been neglected for many years, removing the designation via this process sets an unacceptable precedent - that heritage building neglect is rewarded with favourable planning changes.

I made a substantial submission opposing the demolition when a consent was proposed a few years ago. The reasons to retain including the fact that it is the only intersection in the CBD where all 4 corners remain the same as 2010 is a significant reason.

Submitter 699 Christ's College

Oppose all submissions to remove heritage status of all properties listed in 699.1 and 699.7. Oppose any removal of heritage zone or any change in zone.

This part of the Inner West is one of the few remaining pockets of larger inner city early Christchurch housing from the late 19th and early 20th centuries. They are of significant cultural and heritage value. Few such properties now remain and the buildings form an important and complementary part of the Arts Centre, Museum and Christ's College precinct.

Submitter 729 Independent Producers Ltd

Oppose submission rezoning Styx Mill Rd. With other parts of the northern green belt falling with the noise contour, it is not appropriate to rezone this particular pocket. For the time being this area should remain within the rural urban fringe zone.

Submitter 849 Entropy MMX Ltd

Oppose submission to rezone residential or commercial. This pocket is on a key entry point to the city with difficult access and surrounded by low lying land. It is not appropriate to rezone at present.

Submitter 848 Peebles Group Ltd

Oppose rezone 468-470 Cranford St. The land is low lying and there is significant other rural zoned land in the immediate block which would not be rezoned but could potentially be disadvantaged by this rezoning. Rezoning these individual sites at present is not appropriate.

PC13 Submission CCC

Historic Heritage:

1. This *Plan* review should not be used to remove any Historic Sites from the register even if the site is damaged or destroyed.
2. A qualifying matter requiring an assessment of the heritage value for any pre 1940 building intended for demolition should be created.
3. The *qualifying matter* should require options for retention and reuse of any pre 1940 building (either in situ or via relocation within the site or immediate local area) to be considered prior to granting demolition consent. Consent for demolition should only be granted if the building does not contribute to the character of the area. This should apply across the entire city and not just in *Heritage* areas.

Heritage Areas:

Further heritage areas need to be assessed and created across the city to protect Christchurch's remaining built history. Further thorough examination of the city needs to be undertaken to achieve this, however a requirement for all pre 1940 homes to be assessed prior to demolition consent being granted would counteract the urgency in identifying the appropriate areas needing protection.

Built history tells the story of the city and after a period of such great loss following the Christchurch earthquakes, far greater effort needs to be made to preserve the best of what remains.

Rationale:

Heritage tells the story of our past. It is also a gift from *past generations* to *our* future.

Memories of place are important for a sense of belonging and community.

Actively discouraging developers who do not value heritage buildings by requiring them to do additional assessment before demolition consent is granted (irrespective of a buildings heritage status), will create opportunities for other buyers to develop and restore these buildings in a way that respects their heritage values.

Often it is only a marginal decision whether a building can be saved or demolished and encouraging development of later (and now often dilapidated) 'tract' or 'housing company' 1950s and 60s homes sitting on large sites but still within close proximity of suburban centres is a better outcome for the city.

High quality houses with heritage value often sit on slightly larger sections which in a rapidly rising market through late 2020 to early 2022, led to decisions to demolish being made purely on the economics at *that moment in time*, rather than on the long view of the intrinsic value that a heritage building may have.

As these are irreversible losses, and the value of workmanship on these buildings generally well exceeds the current market value of the improvements, real care is needed to ensure potential value for future generations is not being discarded on the basis artificial economics.

Artificially constraining zonings outside areas of pre 1940 homes while liberalising zoning in areas containing significant numbers of pre 1940 homes, creates artificial economic rationale for heritage demolition.

The solutions for the city should also be read in context of my submission on PC14.

Christian Jordan May 2023

PC14 Submission CCC Plan Review 2023

The intention of the Enabling Housing Supply amendment was to expeditiously make consenting new homes in urban areas simpler, more cost efficient and allow a more diverse range of housing options.

What the Christchurch City Council has delivered (notably well outside the Act's intended timeframe of August 2022) is a *Plan* that significantly reduces development options in much of the city (including downzoning operative Residential Medium Density and RSDT land to effective single unit sites in areas which are within immediate walking distance of public transport and shopping in Woolston, New Brighton and other areas), a *Plan* that significantly reduces the ease of subdivision by increasing the minimum lot size from 200m² to 400m² in most of the operative Residential Medium Density zone (and increases from 300m² to 400m² in most of the operative RSDT zone), and a *Plan* that fails to implement sufficient protection of sunlight in areas where the overall character of the neighbourhood would have justified applying qualifying matters.

The result is a city divided into areas of an ultra liberal zero planning restrictions and other almost equally large areas of repressive restrictions preventing almost all development.

Those residential areas that do fall into the ultra liberal zones face a future of social disharmony, agitation and fear. Stripping sunlight from a house in Christchurch's wintry climate will abrade the very humanity from that home and also its community. The fear of this *aggressiveness* occurring in one's own backyard, will lead those (who are privileged enough to be able) to buy their neighbour's, further reducing supply of homes for sale in these already affluent areas.

Demand for 40,000 homes over 30 years:

Christchurch has seen an unsustainable bubble in terrace townhouse development over the past four years. Driven initially by falling interest rates and then supercharged by Government changes to interest rate deductibility, ex-pats seeking a pandemic bolthole and non residents (North Islanders and Singaporeans) seeking a place to invest.

Current construction running at over 4,000 additional homes per year (potentially 120,000 in 30 years) is triple the long term rate of new home construction that has been determined as necessary; therefore the current spike in townhouse activity should not be used as a guide for future demand.

The scale and density of many of the current unit developments are not dissimilar to those constructed during the housing booms that occurred during the mid 1970s (oil shock era) and the mid 1990s (prior to the Asian financial crisis). Notably these types of developments fell significantly out of favour during period of stable/normalised price growth.

The recent (now oversupplied) boom in these small townhouses does not reflect a long term shift in demand towards this type of housing.

Memories of post earthquake insurance and Body Corporates issues together with difficult geotechnical conditions in much of the proposed HDRZ (such as TC3 land around and

north of Bealey Ave, in Merivale and Fendalton), mean that both demand and supply of apartment developments is also likely to be subdued.

The majority of demand in the affluent north-northwestern and popular southwestern inner suburbs that are proposed to be MRZ and HDRZ will continue to be for family homes that are primarily detached. **This means these neighbourhood must remain a comfortable place to have a single family home.**

The most sustainable and economically efficient way to add homes is to infill already vacant land such as backyards. This lowers the price of the existing home plus provides a site (or sites) for a new home that could be in a similar price range as the existing home. (This is what kept Auckland prices from running away between 1980 and 2010 despite a huge increase in population over the period).

In contrast, what we are see with total redevelopments is that (by way of actual example), a \$500,000 (2022 value) good EQC repaired 4 bedroom home in Linwood on 750m2 gets demolished and replaced with 6 x \$649,000 2 bedroom townhouses. This total redevelopment both increases the average cost of a home in the area and decreases the average size of a home. (Note also that in the near term, this kind of redevelopment will be unsustainable as investor purchasers will not accept a sub 4% gross yield when market interest rates are 6.5%+).

Details of the case study discussed above. This could have been subdivided and 2 units built behind – which would have been a better outcome for providing affordable housing, however the new rules would prevent this subdivision even as a single subdivided site (due to increased minimum size requirements):





How can 40,000 homes be achieved?

A hypothetical scenario for where new homes could be built:

Proposed mixed use and brownfield zones:

1000 non residential sites at an average of 10 units per site

10,000 new homes

Total redevelopment with townhouses (and a few apartments)

2000 sites with an average of 6 units per site

10,000 new homes

Subdivision of existing homes (primarily new dwellings added behind existing, but could also include conversion or replacement of existing dwelling with 2 or 3 new homes)

5,000 homes adding 2 additional units

10,000 new homes

10,000 homes adding 1 additional unit

10,000 new homes

Total 40,000 new homes

In this scenario with around 160,000 homes in Christchurch in 2023, only 2,000 existing homes would need to be demolished for intensive redevelopment over 30 years - about 67 houses (or 1 in every 2,400) per year.

The scenario would require 15,000 homes to be subdivided (etc) over 30 years - about 500 (or 1 in every 320) homes per year.

Impacts on House Price and affordability:

Total redevelopment of residential land for medium density townhouses and apartments:

- Reduces supply of existing homes (which are generally the lower priced homes in an area)
- In the Christchurch context, generally increases the average price for homes while decreasing the average floor area
- Is generally undertaken by medium sized firms intending to make a profit and thus inflating the price paid by the new home buyer well above the actual cost.

Infill subdivision

- Retains existing homes on a reduced site, so generally at a lower price
- Provides new infill homes generally of a similar size to existing homes at or around the price of existing homes
- Generally undertaken by individuals, often with the motivation of providing a home for themselves, therefore less incentive for profit to be the sole driver of supply

When the above scenario and the impact on price affordability is viewed together, it is clear that **the key to creating affordable supply is the allowance of infill across the city wherever land is available.**

A *Plan* that enables and rewards medium to large corporations constructing 'pens' or 'coups' to house a renter underclass while prohibiting individuals from creating innovative and dynamic housing solutions that suit their own needs on their own terms is destined to fail the people of Christchurch.

Solutions:

Since the 1995 City Plan was notified, there has been a rewrite of Medium Density rules in 2009/10 and a rigorous Independent Hearing Panel process through 2014 to 2018. Tens of thousands of hours were spent by submitters, Council staff, consultants, lawyers and the Hearing Panel themselves. Throwing most of this away and allowing potentially hundreds of mini plan change applications (through submissions) on this new *Plan*, so soon after the completion of the last plan change process is a travesty and disheartening.

Option 1

- (i) Withdraw the current proposal and implement the MDRS in all zones (RS,RSDT, RCC, RH and RMD) **except for the provisions relating to street setback, recession planes and building height.**
- (ii) Leave all RS, RH and RSDT geographically the same as the operative plan, but use qualifying matters of character to retain the relevant existing (operative) street setback, building height and recession planes.
- (iii) In the RMD and RCC adopt MDRS except for recession plane which could be either 4m vertical with existing operative RMD/RCC recession planes above that or 5m vertical with existing operative RMD/RCC planes above that (note that this would allow a 2 storey dwelling close to the boundary but would create a greater setback for 3 storey dwellings).
- (iv) **Have no minimum size for subdivision of vacant lots in any zone** except that a detached house must be shown to be able to comply with all rules (no consent or actual build required for issue of title).
- (v) Retain all proposed Heritage and Character area provisions. With the further character and heritage areas added (outlined later in this submission).
- (vi) Apply the Mixed Use zone to all the proposed area except for the land between Blenheim Road and the railway line (which is not appropriate for residential). Also add the Phillipstown industrial general zone (east of Fitzgerald Ave, north of Ferry Rd) into the mixed use zone - as this area is close to the city and contains many under-utilised industrial buildings close to the end of their economic usefulness.

Option 2

I strongly believe that the fundamental principles of the MDRS should be applied across all areas of the city but with the strict limitation on recession planes, heights and setbacks outline above; however failing that I raise the following objections to the following qualifying matters and rules:

Subdivision:

As outlined in my opening statements - the proposed *Plan* is contrary to the intent of the legislation by further restricting subdivision in several zones.

The increase in minimum section size from 200m² to 400m² in most of the RMD zone and 300m² to 400m² in most of the RSDT zone will all but eliminate the subdivision of vacant sections for infill housing; therefore eliminating the option for individuals who, without the vast financial resources required to construct multiple homes, will be unable to find affordable sites to construct their individual home.

It will also prohibit existing home owners from the opportunity to “right size” (ie subdivide) their land and remain in their own homes in their own neighbourhoods.

As outlined earlier - infill housing is critical to retaining housing affordability - it sustainably retains existing homes (and their character) on smaller sites at a lower price and it grants individuals an opportunity to create and design their own home also at a lower cost.

Take an example of a corner site 40m by 15m (600m²). Perhaps the homeowner finds the garden a little large but they can retain the existing house on a slightly smaller site by slicing off an 8m x 15m lot at the end of the garden. This could accommodate a 6m by 6m two storey unit (72m²), a single carpark and a small 35m² garden. Why can't the owner subdivide this as a vacant 120m² section if it can be showing that a compliant house could be built?

There should be no minimum section size for a vacant lot in any urban residential zone if a compliant house can be shown to fit (no requirement for consent or actual building for title to be issued).

Airport Noise:

There is no justification and it is potentially unlawful to reduce density due to the Airport Noise zone (in areas so far from the airport) given that noise can be mitigated through construction and design. The close proximity to Education facilities, transport links etc and good ground conditions mean the principle MDRS should be adopted with limits to recession planes and heights as outlined further below.

Transport Accessibility:

Again there is no justification and it is potentially unlawful to reduce density due to transport accessibility given that provision of space for private transport mitigates this impact.

If this is a valid qualifying matter it defeats the entire purpose of the legislation which is to enable affordable housing supply, as it grants a council the option to zone the city essentially as per the status quo (ie distance from the city/suburban centre determining density rather than accepting the intention of the legislation). It is also questionable how recession plane and road setbacks are affected by transport accessibility.

Furthermore the location of these zones is questionable, take the area between Innes Rd, Rutland and Cranford Sts; and also the area around Autumn Pl on Winters Rd. Both locations are immediately adjacent to major cycleways, a major arterial and within a very short walk of Cranford St bus stops. They are also only a short distance to Merivale and Papanui shopping. There appears to be little validity in the qualifying matter.

Tsunami Zone:

The justification for this zone is perplexing.

If there is such a risk to life that no development should occur in these areas (some of which is currently RMD and RSDT zones and subject to intense redevelopment) why was this not raised in the 2014-2018 plan review?

If there is such a risk why are there pockets only a few centimetres higher than the surrounding land (for instance in the Mackworth St area) that are isolated and not in the zone? A damaging Tsunami wave would likely have a wavefront that would be at least feet high and given that it would have passed hundreds of obstacles (fences and buildings) of various heights is unlikely to be stopped by such a minor change in elevation.

If there is such a high risk, protection structures such as levies and elevated refuges should surely be constructed by Council to protect the public?

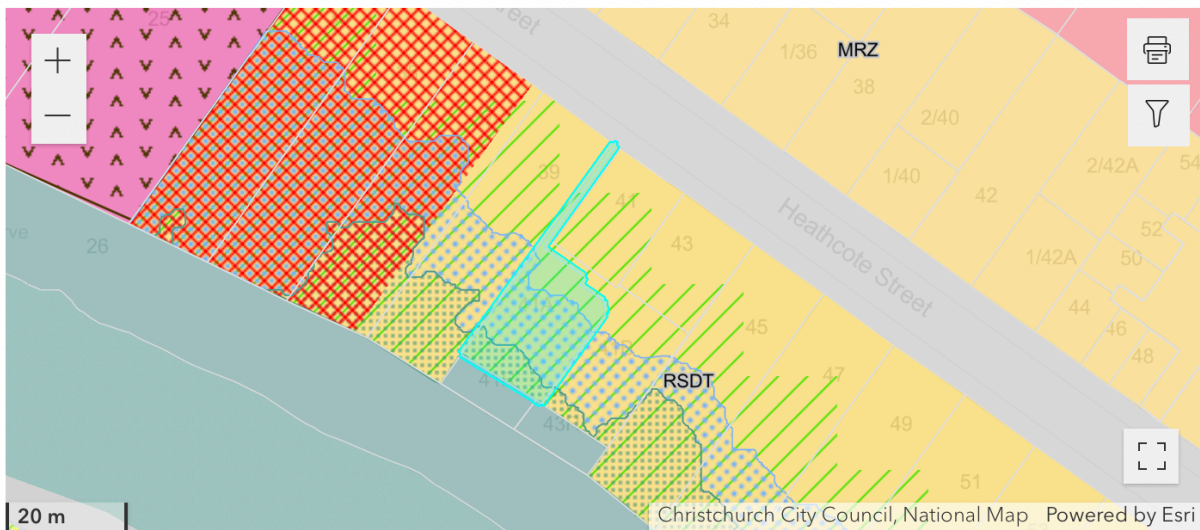
I acknowledge that there is a small risk of damaging Tsunami, however plans to mitigate the risk should be made and areas where homes can either be elevated or there is an easy escape path should not be put in no development zones. Given the existing communities in the area and the need for the area to not fall into decay, a more in-depth analysis and long term plan needs made, especially when many of the proposed medium density areas have their own issues with local flooding which are not addressed by any qualifying matters (such as around Papanui and Fendalton streams).

Coastal Hazard Zone:

The non complying status of activities in the “coastal hazard” zone is essentially red zoning by stealth.

I own property at 39-41b Heathcote St, which is behind the gate at Woolston cut, the land access is not in any hazard zone. There is absolutely no risk of coastal erosion due to wave action as it is a river boundary and not the sea. The only potential risk could be flooding or tsunami. The area of the site which was raised with an engineered building platform to 11.5 on the council datum is included in the medium coastal hazard zone. (This building platform allowed for an intended finished floor level of 11.8 which was the requirement at that time). There is no logic or fairness in this zoning. The floor level can be raised to well exceed council requirements and there is no issue around access.

The coastal hazard zoning should be removed from all sites beyond the Woolston cut gate and the non-complying and discretionary status should only apply to new buildings and developments where access to the site is below a certain level that would endanger safe access.



Qualifying Matters

Natural Hazards and Water Bodies

Coastal Hazard Medium Risk Management Area

This Qualifying Matter restricts any further residential development and prevents any further subdivision in areas expected to have increased coastal flooding and/or erosion.

Tsunami Management Area

This Qualifying Matter sets out where intensification is inappropriate due to risk of tsunami. It restricts any further residential development except that permitted or controlled in the Residential Suburban and Residential Suburban Density Transition zones.

Coastal Hazard High Risk Management Area

This Qualifying Matter prevents any further residential development or subdivision in areas expected to have increased coastal flooding and/or erosion.

Vacuum Sewer:

This is an infrastructure issue that Council should look to resolve with a deadline not something that should restrict development indefinitely.

Having allowed some high density in these areas at the detriment of other sites (which are then forced into remaining under utilised), is the ultimate in poor planning.

It is a poor outcome for both those shoehorned into large scale high density developments in the area and those remaining on large sites that are no longer able to change. In the future, many homes that become in need of redevelopment due to age and other damage will fall into limbo as they stay uneconomic to redevelop as a single unit site.

Industrial Interface:

The height restriction on the residential side of an industrial site is appropriate, however there should be reciprocal height restrictions of 8m for 20m on the industrial side of the boundary.

The recession plane that applies to the industrial side of ANY industrial/residential boundary should comply with RS recession planes. This is because the bulk, size and site coverage of an industrial building will cause far greater shading than a residential one.

Also where any industrial building is located within 10m of a residential boundary a landscaping strip with trees and planting at least 3m wide should be included on the industrial site to create separation.

Mixed Use Zone:

The mixed use zone **should not apply** between Blenheim Rd and the Railway track. The zone is otherwise a positive change. The Phillipstown area east of Fitzgerald Ave and north of Ferry Rd **should be included** in the zone.

Historic Heritage:

This plan review should not be used to remove any Historic Sites from the register even if the site is damaged or destroyed.

Heritage Areas:

Further heritage areas need to be assessed and created across the city to protect Christchurch's remaining built history.

Built history tells the story of the city and after a period of such great loss following the Christchurch earthquakes, far greater effort needs to be made to preserve the best of what remains.

A qualifying matter requiring an assessment of the heritage value of any pre 1940 building intended for demolition with options considered for retention and reuse should have been made a requirement as part of this *Plan*.

Character Areas:

As outlined earlier further character areas are needed to protect the liveability of the city. These character areas should have recession plane, building height and setback rules similar to the operative plan.

Additional character areas of importance that should be included are:

All of the Special Amenity Areas from the 1995 City Plan not already character areas including in particular:

Fendalton SAM 8 and 8A

Deans Bush SAM 7 and 7A
Opawa SAM 5
St James SAM 16 (plus Windermere Rd)

Also the following larger areas which were not SAMs bounded by:

- *Knowles St, Rutland St, Papanui Rd, Dormer/Perry Sts*
- *Normans Rd, Papanui Rd, Blighs Rd, railway line plus St Andrews Square and Circuit St*
- *Gloucester St, Woodham Rd, Trent St/England St*

Given the earlier calculation about the number of homes required in the city and the type of homes that are actually in demand today (and likely for the foreseeable future). The areas outlined above, which predominantly include some of the most desirable streets in the city, must remain desirable areas for both existing homes and new stand alone homes into the future.



Example of Watford St in Strowan

Protection of sunlight is the main factor in maintaining desirability.

Higher density housing within these areas could be achieved without detriment if the following apply:

1. Realistic recession planes (ideally existing RS recession plane angles - although could utilise the RS recession planes with a higher vertical height at boundary such as 3.5m)
2. Street setbacks that reflect the neighbourhood and allow tree planting between the road and dwelling.

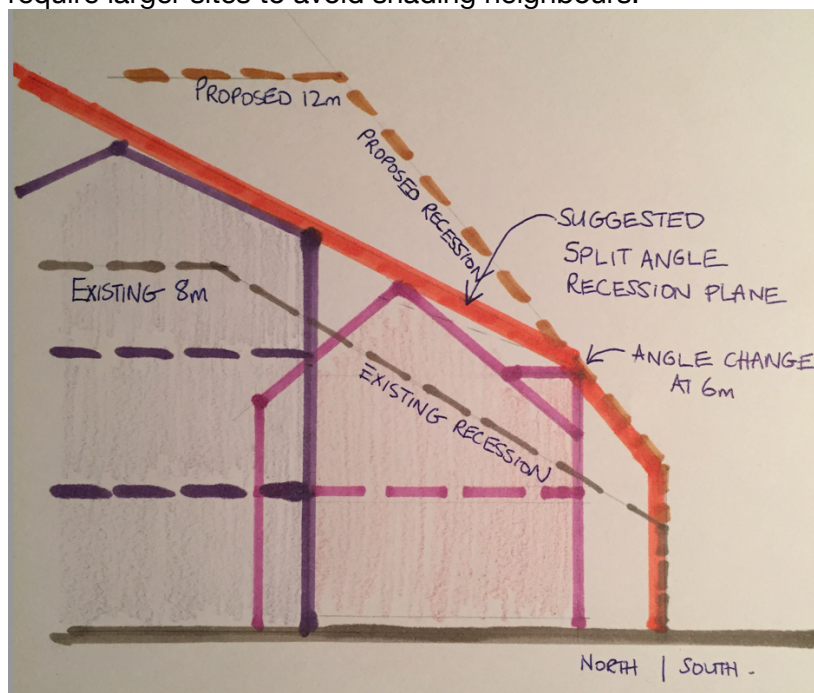
3. Reasonable height limits that allow sunlight to reach neighbouring properties in early and late in the day especially in winter.
4. Appropriate limits to bulk of any building such as a maximum number of attached units in a particular character area. (Ie a character area could have a limit of 1, 2 or 3 attached dwellings as could be determined appropriate for the geographical zone).

NOTE 1: The shortest shadow that a 12m structure will cast on the shortest day in Christchurch is 28.2m. In Auckland the same structure would cast a 21m shadow. A 12m structure that lies 10m inside its boundary therefore casts an 11m shadow into its neighbour in Auckland but an 18.2m shadow into its neighbour in Christchurch - **that is 65% greater shading in Christchurch compared to Auckland.**

NOTE 2: The even lower morning and evening sun angles require far greater protection than proposed. Even the operative plan recession planes can create significant shading however the proposed *Plan* will see homes possibly two or three doors away from a tall development significantly impacted (eg a 12m structure will cast a 56m shadow when the sun is 12 degrees to the horizon (the sun is below that angle for about half the day in winter)).

NOTE 3: Outer suburban areas (such as 1980-2020s subdivisions where houses are low-set to the ground) will be badly affected by high recession plane angles particularly as the homes are generally designed towards the sun without large rear or side yards. This is quite different to the situation in hilly territories (such as Auckland and Wellington) where homes are often elevated on hillsides sloping towards the sun (whereas southern facing slopes are often less developed). The impact on these areas warrant them also being considered to have a special 'character' in this context.

Below is a suggested alternative/compromise to have a split angle recession plane with the angle decline to 25 degrees above 6m. This would still allow 2 stories closer to the boundary but would shift 3 storey structures further away. Taller structures would require larger sites to avoid shading neighbours.



Summary:

Overall the proposed *Plan* will undeniably fail Christchurch if implemented.

It will divide the city into areas of no development, no improvement and decay; and into other areas where sporadic high intensity housing aggressively stifle their neighbours of sun and outlook.

The *Plan* will also fail in its intention to increase affordable housing supply, by restricting development to those capable of funding multi-unit developments and preventing individuals from constructing their own creative and sustainable homes on affordable sites.

The *Plan* will lead to increased unsustainable use of resources, demolishing high quality liveable homes with decades of economic use in front of them, while poor quality redundant housing stock is preserved in areas due low transport, airport noise, vacuum sewer or tsunami qualifying matters.

The *Plan* will fail abysmally to protect the intrinsic character of the City and the remaining Heritage that has been so devastated by earthquakes and wracked more recently by Central Government and Central Bank economic distortion through stimulating demand for new investor housing.

I believe that the current proposed *Plan* is so poorly conceived that it must be set aside.

A new replacement should embrace the principles of MDRS in respect to a liberal approach to section size across the vast majority of the city and allow a diverse range of housing options, however with stronger protection than is proposed for sunlight, character, heritage and tree planting.

The outcome for Christchurch from the current proposed *Plan* change will be:

1. Less homes of the type that will be in demand due to:
 - Neighbours buying neighbours to protect their sun and outlook in affluent areas.
 - Affordable homes on large sections being bid up in price by developers.
 - Less sustainable infill subdivision.
 - More demolition of good homes while poor homes in non-developable zones are left to decay and stagnate.
 - Currently desirable areas becoming less desirable due to sporadic high density developments destroying local character.
 - Elimination of smaller affordable sites for individual development by owner builders.

2. More social disharmony due to:
 - An aggressive incoherent juxtaposition of housing types;
 - Theft of sunshine, privacy and congestion;
 - Loss of tree cover;
 - Loss of character, heritage, history and memory of place.

3. More expensive housing due to:

- Lack of supply of infill sections;
- Lack of supply subdivided existing homes;
- Demolition of the types of homes in demand;
- Undersupply of larger permanent family housing options;
- Increased costs for new build homes (due to higher density housing typology) driving up cost of all remaining existing homes in area;
- Higher ground work costs in TC3 zones driving up costs for new builds, and hence driving up cost of all remaining existing homes in area.
- Large parts of the city becoming non-developable, hence those areas become higher cost per unit single unit sites.

Conclusion:

The proposed plan is so egregiously bad to the point of incredulity, that I had wondered if the intent has been to produce a *Plan* that gets overwhelmingly rejected by the public.

It is clear that insufficient time, care and thought has gone into producing this *Plan*.

The Council as an elected body has the responsibility to act in the best interests of its citizens.

Citizens' best interests are not served by taking their sunlight, restricting the rights of (about) half of the city to develop their properties and jamming most new development into areas where the land is already expensive, often susceptible to liquefaction, in expensive (uneconomic) to develop and largely unwanted apartment blocks, while at the same time encouraging unsustainable demolition of good and heritage homes **that past generations spent their lives creating as their gift to our future.**

The proposed *Plan* will fail to produce affordable housing. It will fail to produce housing of the type that is wanted. It will wreck the character of the city.

Reject this *Plan*. Instead apply sensible MDRS across the city with appropriate protection for sunlight and character.

Footnote:

The past 30 years has seen CCC and Central Government act in many ways that have created and exacerbated the current housing affordability crisis in Christchurch.

Notably:

- 1995: CCC increasing minimum section sizes in most suburban areas (living 1 zone 450m2)
- 2007: CCC increasing development contributions for the lowest value sections (increase from less than 10% to up to 35% of section value - almost eliminating supply)
- 2011-12 Red zoning without any plan to sustainably reuse the built resources.

Christian Jordan May 2023 (edited Nov 2023)