

SUMMARY STATEMENT

1. My name is Ian William Bayliss. I have prepared evidence on behalf of the Christchurch City Council (**Council**) in relation to Chapter 8 Subdivision, Earthworks and Development, the Future Urban Zone (**FUZ**), and Outline Development Plans (**ODPs**).
2. I am here today to be heard on my evidence and recommendations regarding submissions and rezoning requests affecting the FUZ and ODPs and I am scheduled to appear separately on 22 November in relation to Subdivision. My qualifications and experience are set out in my statements of evidence.
3. The Residential New Neighbourhoods Zone (**RNNZ**) in the Operative Christchurch District Plan (**Plan**) has been assessed by Council to be a close fit to the FUZ outlined in National Planning Standards. PC14 proposes to rename land zoned RNNZ to FUZ in many instances. ODPs, which set out in map form and supporting text, matters that need to be addressed for urban development to achieve the Plan's objectives, have in some instances been retained.
4. In other areas, ODPs and RNNZ zoning is removed where the areas they apply to are no longer greenfield development sites as they are fully or substantively developed, or consents for development have been granted and are being implemented, such that the framework for managing greenfield development in the Plan is not required. In these instances, the land is rezoned to Medium Density Residential (**MRZ**) and High Density Residential (**HRZ**) in giving effect to policies 3 and 4 of the NPS-UD.
5. A range of options for land within the RNNZ have been assessed in the preparation of PC14, including rezoning the land to MRZ with ODP constraints applied as qualifying matters (**QMs**). Instead, where land is undeveloped, the existing framework of provisions for managing greenfield development is proposed to be retained as it currently exists in the Plan in the FUZ with very little change, as the best approach, based on the section 32 evaluation.
6. The FUZ is not considered to be a *relevant residential zone* subject to the implementation of MDRS. However, as outlined in my evidence, a number of ODP provisions are proposed to be deleted and a number of areas have been assessed to be appropriate to be rezoned to MRZ in the notified provisions (Halswell West, Richmond Hill, Hawthornden Road, Kennedys

Bush / Cashmere Road, Prestons (north and south), Yaldhurst, Wigram) with further areas recommended for upzoning in my evidence to varying extents (147 Cavendish Road Casebrook, Moncks Spur, Cashmere and Worsley).

7. I consider the submitter requests to rezone land zoned Large Lot Residential and Rural Urban Fringe (**RUUF**) to FUZ to be out of scope. In my rebuttal evidence I have responded to some of the issues raised by the rezoning of land from RUUF to MRZ at Cashmere Park notwithstanding this issue of scope but, while acknowledging the merits and potential benefits of the proposed rezoning, I remain opposed at this time.
8. Following the exchange of evidence, the key issues in contention regarding the North Halswell ODP relate to the zoning of land around the centre which is addressed in the evidence of Mr Ike Kleynbos.
9. I was not involved in the development or drafting of the section 32 evaluation for these topics. The most directly relevant parts of the section 32 analysis for these topics are:
 - (a) "Revised Provisions For Residential Subdivision Including in The Residential New Neighbourhood Zone, and Areas Subject to Outline Development Plans¹"; and
 - (b) "North Halswell ODP Connections section 32 evaluation" (paragraphs 6.24.1-6.24.6 pages 190-191)².
10. It has come to my attention since completing my section 42A report that two submissions on the FUZ provisions from Fire and Emergency NZ (s842.43 and s842.44) were not addressed in my evidence. The submissions seek the following relief:

(842.43) Amend 14.12.2.1 Building height as follows

1. *See the permitted height exceptions contained within the definition of height*
2. *Emergency service facilities, emergency service towers and communication poles are exempt from this rule.*

And

¹ <https://www.ccc.govt.nz/assets/Documents/The-Council/Plans-Strategies-Policies-Bylaws/Plans/district-plan/Proposed-changes/2023/PC14/Section-32/Plan-Change-14-HBC-NOTIFICATION-Section-32-Subdivision-Development-and-Earthworks.pdf>

² <https://www.ccc.govt.nz/assets/Documents/The-Council/Plans-Strategies-Policies-Bylaws/Plans/district-plan/Proposed-changes/2023/PC14/Section-32/Plan-Change-14-HBC-NOTIFICATION-Section-32-Qualifying-Matters-Part-2.pdf>

(842.44) Amend 14.12.2.5-Minimum building setbacks from internal boundaries and railway lines as follows:

... Advice note:

Building setback requirements are further controlled by the Building Code. This includes the provision for firefighter access to buildings and egress from buildings. Plan users should refer to the applicable controls within the Building Code to ensure compliance can be achieved at the building consent stage. Insurance of a resource consent does not imply that waivers of Building Code requirements will be considered/granted.

11. I recommend that submission 842.43 be accepted in part and submission 842.44 be accepted. Consistent with the evidence of Mr Kleynbos in relation to the equivalent rule 14.5.2.7 in the MRZ, a blanket exemption from the height standards is not supported. However, to address the issue raised, a 14m height limit for emergency service towers and communication poles is recommended to be added to Rule 14.12.2.1 matching the amendment recommended for the MRZ by Mr Kleinbos. An advice note drawing attention to building code requirements for firefighting access, which apply in addition to the building setback requirements, is supported on the same basis.
12. I have identified an omission in part of my section 42 report, which I wish to amend in order to avoid confusion at paragraph 8.2.4(c) as follows (text to be added shown underlined):

Rezoning of these areas to MDRZ (and HDRZ close to centres) while retaining constraints and infrastructure requirements contained in ODPs as QMs where required (as suggested by the submission) will simplify the range of residential zones but given that the FUZ is not a relevant residential zone, the provisions of the FUZ have been amended to be consistent with the level of development permitted under the clauses of schedule 3A of the RMA to an appropriate extent, and as such there is no compulsion to remove the benefits of having an integrated zone framework for managing larger-scale development in greenfield areas. These benefits are in my view important and potentially more important than a simplified suite of zones, for achieving a well-functioning urban environment.

Date: 1 November 2023

Ian Bayliss