

**BEFORE INDEPENDENT HEARING COMMISSIONERS
IN CHRISTCHURCH**

TE MAHERE Ā-ROHE I TŪTOHUA MŌ TE TĀONE O ŌTAUTAHI

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the hearing of submissions on Plan Change 14 (Housing and Business Choice) to the Christchurch District Plan

MEMORANDUM OF COUNSEL FOR CHRISTCHURCH CITY COUNCIL

11 August 2023

BUDDLE FINDLAY

Barristers and Solicitors
Wellington

Solicitors Acting: **Dave Randal / Cedric Carranceja**
Email: david.randal@buddlefindlay.com / cedric.carranceja@buddlefindlay.com
Tel 64 4 462 0450 / 64 3 371 3532
Fax 64 4 499 4141 PO Box 2694 DX SP20201 Wellington 6011

MAY IT PLEASE THE INDEPENDENT HEARINGS PANEL:

Introduction

1. This memorandum of counsel for Christchurch City Council (the **Council**) accompanies the section 42A reports and other primary evidence filed on behalf of the Council, as regulatory authority, for Plan Change 14 (**PC14**).
2. The memorandum:
 - (a) briefly introduces the various witnesses (listed in the **Appendix** to this memorandum);
 - (b) notes the approach taken in the section 42A reports to changes recommended by the report authors to the PC14 provisions as notified;
 - (c) explains the altered approach taken to the Council's submission (#751) on PC14; and
 - (d) updates the Panel on the timeframe for the PC14 process as a whole, given that the Minister for the Environment has now specified a new date by which the Council must issue its decision.

Witnesses for the Council as proponent of PC14

3. The witnesses for the Council (as proponent of PC14) are listed in the **Appendix**. The Council's primary evidence comprises 13 section 42A reports¹ and the evidence of 47 other witnesses.
4. Once the Panel has settled on which topics and sub-topics are to be addressed in each of the hearing weeks, counsel will advise which evidence for the Council relates to each topic and sub-topic.

Recommended changes to the PC14 provisions as notified

5. The Council's witnesses have considered the relief sought in submissions (in light of the further submissions, where the time has allowed) as relevant to their areas of expertise and, in the usual way, the section 42A reports recommend various changes to the PC14 provisions as notified. Those recommendations are explained in the section 42A reports, and in some instances marked-up provisions are appended to those reports.

¹ Of 12 witnesses; Clare Piper has prepared two reports on different topics.

6. The Council is preparing a consolidated set of all PC14 provisions, incorporating the changes now recommended by the section 42A report authors, and will make that set available to the Panel and submitters as soon as possible.

The approach taken to the Council's submission on PC14

7. Counsel have previously addressed, in a memorandum dated 28 July 2023, the Panel's query regarding who had input to the Council's submission on PC14 and the Panel's expectation that different planners would be the section 42A reporting officers for the Council. Counsel are grateful to the Panel for indicating, in its Minute 4 (of today's date), that it would remove related text (in what was paragraph 30) from its draft hearing procedures as a result.²
8. For the Panel's information, the Council has modified its approach to give the Panel further comfort regarding the ability of the section 42A report authors to assist the Panel impartially. Key aspects of the approach are as follows:
 - (a) the section 42A reports all identify whether or not the report authors had input to the Council's submission;
 - (b) irrespective of that, none of the section 42A reports address the Council's submission or make any recommendations regarding the relief sought by the Council; and
 - (c) to assist the Panel, an expert witness (or witnesses) will prepare evidence, on behalf of the Council as submitter, that evaluates the relief sought in that submission (considered in light of the section 42A reports and the relief sought in other submissions, as relevant to the Council's submission). That evidence will be filed by the due date for submitters' expert evidence, 15 September 2023.

Updated timeframe for PC14

9. As noted in counsel's memorandum of 12 June 2023, the Council was originally required to issue a decision on its intensification planning instrument by 20 August 2023.
10. The Council has been corresponding with officials at the Ministry for the Environment regarding the necessary extension in respect of PC14, and can

² At paragraph 42.

now confirm that the Minister for the Environment has granted the Council's request to have until **12 September 2024** to complete the intensification streamlined planning process.

11. The Council is required to report to the Ministry every three months on its progress with PC14, in accordance with section 80L(1)(d) of the Resource Management Act 1991.

Date: 11 August 2023



D G Randal / C O Carranceja
Counsel for Christchurch City Council

COUNCIL WITNESSES

Witness name	Topic(s)
Section 42A report authors / planners	
1. Sarah Oliver	Strategic overview of PC14 (including Strategic Direction Objectives) Qualifying Matters impacting across zones: <ul style="list-style-type: none"> • Coastal hazard management areas • Tsunami risk management area • Electricity transmission corridors and infrastructure • Lyttelton Port influence overlay • NZ Rail network interface sites • Airport Noise Influence Area • Wastewater constraint areas • City spine transport corridor
2. Andrew Willis³	Central city (density and building heights) Office distribution effects within the central city Qualifying Matters: <ul style="list-style-type: none"> • Heritage precincts (Arts Centre, New Regent Street, and Cathedral Square) building heights • Radio communications pathway
3. Holly Gardiner	Central city (Urban form and other matters) including requests for rezoning
4. Kirk Lightbody	Commercial zones including requests for rezoning Industrial and Mixed-use zones Qualifying Matters: <ul style="list-style-type: none"> • Lyttelton building height qualifying matter • Belfast Community Centre and Styx River
5. Ike Kleynbos	Residential zones including requests for rezoning Qualifying Matters: <ul style="list-style-type: none"> • Sunlight access qualifying matter • Riccarton Bush interface qualifying matter • Low public transport accessibility qualifying matter
6. Glenda Dixon	Qualifying Matters: <ul style="list-style-type: none"> • Residential Heritage Areas (RHA) • Interface of RHAs
7. Suzanne Richmond	Heritage items and Heritage trees Qualifying Matters: <ul style="list-style-type: none"> • Heritage precincts (Arts Centre, New Regent Street, and Cathedral Square) building height qualifying matters
8. Liz White	Qualifying Matter: Residential Character Areas

³ Mr Willis' section 42A report analyses the relief sought in submissions relevant to his topics, as do the other reports, albeit that his report is in a different format.

9. Brittany Ratka	Qualifying Matters: <ul style="list-style-type: none"> • Slope Hazard Areas • Flooding including High Flood Hazard Management Areas and Flood Ponding Management Areas • Heritage, significant, notable, and other trees • Residential / industrial interface
10. Clare Piper	<i>Two separate s42A reports:</i> 10A. Transport chapter 10B. Specific purpose zones – tertiary, schools, cemetery, hospital
11. Anita Hansbury	Financial Contributions Qualifying Matters: <ul style="list-style-type: none"> • Outstanding and Significant Natural Features • Sites of Ecological Significance • Sites of cultural significance (Wāhi Tapu / Wāhi Taonga, Ngā Tūranga Tūpuna, Ngā Wai and Belfast Silent File) • Waterbodies setback • Ōtākaro Avon River Corridor / Open Space Zones
12. Ian Bayliss	Subdivision Residential future urban zone and outline development plans
Other technical experts	
13. Ruth Allen	Commercial feasibility (High Density Residential)
14. Dr Andrew Benson	Urban tree ecophysiology Setbacks and protection zones around significant and qualifying matter trees
15. Hermione Blair	Residential resource consents (application of built form standards, rule provisions (HRZ) and degree of enablement (MRZ and HRZ), assessment matters for restricted discretionary activities
16. Clara Caponi	Engineering - Qualifying Matter: Heritage (heritage sites)
17. Toby Chapman	Arborist Qualifying Matters: <ul style="list-style-type: none"> • Significant, notable and other trees • Financial contributions (trees)
18. Damian Debski	Qualifying Matter: Coastal inundation
19. Dr Jesse Dykstra	Geotechnical engineering (Slope Hazard Areas and Liquefaction hazards)
20. William Field	Urban Design: Specific Purpose (Hospital) Zone Transport Chapter Qualifying Matter - City Spine Transport Corridor

21. Rebecca Foy	Social impacts (intensification and coastal hazards)
22. William Fulton	Conservation architect - Qualifying Matter: Heritage (heritage sites)
23. Mike Green	Meteorology / wind effects
24. Phil Griffiths	Quantity surveyor - Qualifying Matter: Heritage (heritage sites)
25. David Hattam	Urban design - medium and high-density (urban design monitoring, heights and building envelopes) Qualifying Matter: Sunlight Access Qualifying Matter
26. Nicholas Head	Ecology (Sites of Ecological Significance)
27. Tim Heath	Economics
28. Marie-Claude Hebert	Geotechnical engineering (Qualifying Matter: Ōtākaro Avon River Corridor, including Fitzgerald Avenue geotechnical constraint)
29. Anne Heins	Cycle parking requirements (residential developments)
30. Dr Wendy Hoddinott	Heritage landscape Qualifying Matter: Riccarton Bush
31. Stephen Hogg	Engineering - Qualifying Matter: Heritage (heritage sites)
32. Tim Holmes	Conservation architect - Qualifying Matter: Heritage (heritage sites)
33. Dr Emily Lane	Qualifying Matter: Tsunami risk
34. Dr Kirdan Lees	Economic demand (Commercial and Industrial chapters)
35. Ben Liley	Atmospheric science – Qualifying Matter: Sunlight Access
36. Dave Little	Qualifying Matter: Ōtākaro Avon River Corridor
37. Amanda Mackay	Urban design - Specific Purpose (Schools) Zone
38. Michele McDonald	Wastewater and water supply infrastructure Qualifying Matters: <ul style="list-style-type: none"> • Wastewater Constraint Areas • Low Public Transport Accessibility Area Qualifying Matter
39. Dr Ann McEwan	Qualifying Matter: Heritage Residential Heritage Areas
40. Colin Meurk	Biodiversity - Qualifying Matter: Tree Canopy cover values
41. Ian Mitchell	Strategic Overview - Housing demand including specific typologies and affordable housing
42. Chris Morahan	Transport (including public transport) Qualifying Matters: <ul style="list-style-type: none"> • City Spine Transport Corridor • Low Public Transport Accessibility

	<ul style="list-style-type: none"> • Airport Noise Influence Area
43. Justin Morgenroth	Qualifying Matter: Urban Tree Canopy Cover/ Ecosystem service of urban trees, development impacts
44. Brian Norton	Flooding, water quality and planning for future stormwater infrastructure to support growth Qualifying Matters: <ul style="list-style-type: none"> • Flood Hazard Management Areas • Low Public Transport Accessibility
45. Amanda Ohs	Qualifying Matter: Heritage (listed heritage items)
46. Phil Osborne	Economics
47. Dave Pearson	Conservation architect - Qualifying Matter: Heritage (heritage sites)
48. Alistair Ray	Urban design - City Centre (development capacity, building heights, design)
49. Jane Rennie	Urban design and values assessment Qualifying Matter: Residential Character Areas
50. Hilary Riordan	Landscape Architecture Qualifying Matters: <ul style="list-style-type: none"> • Scheduled Significant Trees • Riccarton bush boundary
51. Chris Rossiter	Transport engineering - Private ways and vehicle access
52. John Scallan	Housing feasibility and capacity (up to 6 storeys)
53. Gavin Stanley	Quantity surveyor - Qualifying Matter: Heritage (heritage sites)
54. Chessa Stevens	Conservation architect - Qualifying Matter: Heritage (heritage sites)
55. Matthew Stobbart	Arboriculture (Qualifying Matter – Heritage – heritage site)
56. Derek Todd	Qualifying Matter: Coastal erosion
57. Dr Jeremy Trevathan	Acoustics Qualifying Matter: Residential / industrial interface
58. Nicola Williams	Urban design (commercial zones in and around centres)
59. Gareth Wright	Qualifying Matter – Heritage – (heritage site)