

**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

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**MEMORANDUM OF COUNSEL FOR CHRISTCHURCH CITY COUNCIL**

1 August 2023

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**BUDDLE FINDLAY**

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**MAY IT PLEASE THE INDEPENDENT HEARINGS PANEL:**

1. In Minute 3, the Panel sought information from Christchurch City Council (the **Council**) regarding various matters, including:

*"a proposed detailed breakdown of sub-topics within each zone category in the table set out at paragraph 19 of Minute 3, with the number of submitters who have indicated that they wish to be heard that fall into these categories".*

2. Counsel's memorandum dated 28 July 2023 addressed this request:
  - (a) at paragraphs 44 to 50; and
  - (b) in Appendix 2, which contained the Council's proposed detailed breakdown of sub-topics.
3. Appendix 2 also contained indicative numbers of submissions on the provisions in PC14 relevant to each suggested sub-topic. Those numbers were subject to various limitations, explained briefly in the memorandum, such that they were not a reliable basis for the Panel to schedule the hearings for Plan Change 14 (**PC14**).
4. Following further analysis by the Council, **Appendix A** to this memorandum contains updated indicative numbers of submissions (of persons who wish to be heard) that relate to each of the topics specified by the Panel.
5. While this presents a clearer picture of the number of people who might wish to be heard in each hearing week, further information is nonetheless required before an accurate schedule can be prepared. The reasons why the numbers in Appendix A are not definitive include that:
  - (a) they are largely derived from the initial coding of submissions carried out by the Council, before the specific proposed sub-topics were identified;<sup>1</sup>
  - (b) they aggregate the number of submissions coded against each of the topics identified by the Panel (but footnotes record where submissions were coded as having a focus on a suggested sub-topic);

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<sup>1</sup> The Council's spreadsheet containing the coding data can be made available to the Panel and Secretariat if that would assist.

- (c) further submissions are still in the course of being coded and summarised (prior to being provided to the Panel on Friday, 4 August 2023), and are not currently reflected in the numbers; and
  - (d) over 1,000 submissions and further submissions have been made on PC14, the relevant parts of the coding exercise and subsequent analysis relate to the submissions of several hundred submitters who wish to be heard, and both exercises have been carried out in condensed timeframes.
6. Further, as noted in counsel's memorandum of 28 July 2023, the allocation of each submission to one or more sub-topics involves judgement and may not reflect the preference of a submitter.
7. Counsel note paragraph 49 of the Panel's draft hearing procedures, which envisages submitters appearing once to present their submission on all topics, wherever practical, and being invited to elect to present at the hearing topic most relevant to their submission points. In terms of next steps, subject to the views of the Panel and submitters at the pre-hearing meeting, the Panel may wish to direct that each submitter (wishing to be heard) advise the Secretariat, by a nominated date, of:
- (a) each hearing topic and sub-topic, from the Panel's approved list, to which their submission relates;
  - (b) any (known) witness the submitter intends to call in relation to each topic and sub-topic; and
  - (c) any preferred hearing week(s) in which the submitter wishes to present its case.

Date: 1 August 2023



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

**APPENDIX A – UPDATED SUGGESTED BREAKDOWN OF SUB-TOPICS AND INDICATIVE SUBMITTER NUMBERS**

<b>Hearing week</b>	<b>Topic and suggested sub-topics</b>	<b>Number of submitters<sup>2</sup></b>
<b>1 (10-13/10/23)</b>	<b>Strategic overview and commence general submissions on whole of plan change</b>	18
	<i>Strategic overview</i>	
	<i>Strategic directions objectives – proposed changes</i>	
	<i>Whole of plan change submissions<sup>3</sup></i>	
<b>2 (18-19/10/23)</b>	<b>General submissions on whole of plan change (continued)</b>	(As above)
<b>3 (24-26/10/23)</b>	<b>Central City and Commercial Zones</b>	61 <sup>4</sup>
	<i>Centres approach</i>	
	<i>Central city (including Victoria St) specific building height limits</i>	
	<i>Central city heritage matters – Arts Centre, New Regent St, Cathedral Square precincts</i>	
	<i>Radio communications pathways qualifying matter</i>	
	<i>Centres approach beyond the central city</i>	
<b>4 (31/10, 1-2/11/23)</b>	<b>Central City and Commercial (continued) and commencement of Residential Zones</b>	(As above re central city and below re residential)
<b>5 (7-9/11/23)</b>	<b>Residential Zones</b>	242 <sup>5</sup>
	<i>MRZ and HRZ</i>	
	<i>Sunlight access qualifying matter</i>	
	<i>Residential heritage areas</i>	
	<i>Riccarton Bush interface qualifying matter</i>	
	<i>Residential character areas</i>	
	<i>Residential – industrial interface qualifying matter</i>	
	<i>Low public transport accessibility qualifying matter</i>	

<sup>2</sup> Approximate number of submitters wishing to be heard.

<sup>3</sup> The Council did not code any submissions as relating to PC14 as a whole; it may be that some submitters whose submissions were coded as relating to 'residential' (for example) may have a high-level position on PC14 and / or the intensification directed by central government and would instead prefer to address their submission points in the opening weeks of the hearing.

<sup>4</sup> Of this number, five submissions were coded as having a focus on the radio communications pathways qualifying matter.

<sup>5</sup> Of this number, the submissions coded as focusing on relevant sub-topics were: sunlight access qualifying matter: 15; Riccarton Bush interface qualifying matter: 6; residential character areas: 25; residential-industrial interface qualifying matter: 1; low public transport accessibility qualifying matter: 9; and residential future urban zone and outline development plans: 9.

	<i>Residential future urban zone and outline development plans</i>	
<b>6 (14-16/11/23)</b>	<b>Residential Zones</b>	(As above)
<b>7 (21-23/11/23)</b>	<b>Residential Zones and commencement of other zones</b>	(As above re residential and below re other)
<b>8 (28-30/11/23)</b>	<b>Other Zones</b>	
	<i>Industrial and mixed-use zones</i>	7
	<i>Brownfield overlay</i>	1
	<i>Specific purpose zones – tertiary education; schools; cemetery; hospital (increased height limits)</i>	9
<b>9 (30-31/1, 1/2/24)</b>	<b>City-wide qualifying and other matters</b>	154 <sup>6</sup>
	<i>Airport noise qualifying matter</i>	
	<i>Outstanding and significant natural features</i>	
	<i>Sites of ecological significance / significant indigenous vegetation</i>	
	<i>Sites of cultural significance (Wāhi Tapu / Wāhi Taonga, Ngā Tūranga Tupuna, Ngā Wai and Belfast Silent File)</i>	
	<i>Waterbodies setbacks</i>	
	<i>Ōtākaro Avon River Corridor, including Fitzgerald Avenue geotechnical constraint</i>	
	<i>Public open space areas</i>	
	<i>Slope hazard areas</i>	
	<i>High flood hazard areas</i>	
	<i>Coastal hazards (including tsunami)</i>	
	<i>Historic heritage (other than residential heritage areas qualifying matter)</i>	
	<i>Trees – heritage trees, significant, notable, and other tree qualifying matters</i>	
	<i>Financial contributions</i>	
	<i>Infrastructure reverse sensitivity – (1) electricity transmission corridors and infrastructure</i>	
	<i>Lyttelton Port overlay</i>	
<i>NZ Rail network interface sites</i>		
<i>Vacuum sewer qualifying matter</i>		
<i>Key transport corridors – city spine</i>		

<sup>6</sup> Of this number, the submissions coded as focusing on relevant sub-topics were: airport noise qualifying matter: 10; Ōtākaro Avon River Corridor, including Fitzgerald Avenue geotechnical constraint: 1; Public open space areas: 1; slope hazard areas and high flood hazard areas: 7; coastal hazards (including tsunami): 6; historic heritage: 57; trees: 11; financial contributions: 15; vacuum sewer qualifying matter: 1; key transport corridors – city spine: 1.

<b>10 (13-15/2/24)</b>	<b>City-wide qualifying and other matters and conclusion of hearings</b>	
	<i>Subdivision</i>	12
	<i>Wash-up / other matters</i>	TBC