

Deans Avenue Precinct Society Inc. #222



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Presentation to the Independent Hearings Panel on Plan Change 14 (Housing and Business Choice) to the Christchurch District Plan

on behalf of

DEANS AVENUE PRECINCT SOCIETY INC. (#222)

8 November 2023

This Presentation

Introduces our group

Re-iterates key points from our original submission on PC14, as notified

Responds to changes subsequently proposed by CCC, assuming no expansion of the Airport Noise Influence Area (ANIA)

Then explains our position with respect to the way in which ANIA expansion should be considered

- And the zoning of our area, while that matter is resolved

Two technical appendices outline arguments supporting our position on:

- The sunlight and related planning process issues
- The airport noise zoning issue

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Who are we?

- Incorporated Society (since 1988) – 700 households
- Concerned with quality of life in our neighbourhood
 - Planning, safety, connectedness – within area, and beyond
 - Community events, regular newsletters
- Mix of housing types, with many rental properties
- Vibrant mixed neighbourhood, with:
 - Young adults sharing accommodation, often tenants
 - Older residents – often long term home owners
 - Some families – more high school students than primary school (zoned for CBHS and CGHS)
 - Retirement village
- Under the operative DP our whole area is in the airport protection zone

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Where are we coming from?

We endorse the broad movement towards urban intensification

- To decarbonise and minimise/mitigate other environmental impacts

We believe that well planned intensification can provide attractive and environmentally sound living environments

- But allowing random development over broad urban areas will NOT achieve that goal
- Some aspects of notified proposals cut across national de-carbonisation priorities
- And major changes have since been proposed, largely in response to a specific submission from a CCC owned company

• Continued on next slide

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Where are we coming from? (continued)

We accept that our area will eventually be a legitimate intensification focus

- But don't think high rise development should be "enabled" across the whole area, at this time

We understand that CCC have had their hands tied by a national "planning" regime that has been imposed outside the usual District Planning process.

- But also understand that they may be given a freer hand under the incoming Government
- So, this presentation is partly addressed toward that future
- Advocating a carefully considered, debated, planned, prioritised and phased intensification

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Our view on development priorities

Christchurch is fast developing into NZ's only "donut city"

- CBD intensification must be an over-riding priority
- ANY suburban intensification inevitably drains energy away from that project

Densification of an "urban spine", including Riccarton is NEXT priority

- But should not really start until we have a proper agreed development plan
- Including realistic development plans for mass transit
- Connecting well planned public spaces

Still, there are a few "no-brainer" opportunities

- Including the 'Saleyards' site in our area
- Although a development there is already consented, up to 5 storeys
 - And we suspect few developments will really go much higher, if greater heights are simultaneously enabled over the large areas currently contemplated.

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Our Area: **Currently MD**

but with 20m height on Saleyards block

"Chateau" Block
Residential Visitors
accommodation (RGA)

Due to railway and park, vehicles can only access southern block via marked bottleneck intersections.

- Deans Ave addresses can only be approached from South:
 - Via southern bottleneck (currently several lights cycles to get into Deans Ave at peak times, then several more to progress up Deans Ave, due to back up from Northern bottleneck)
 - Or (for northern half) via northern bottleneck, but with U turn in Deans Ave, or right turn into a circuitous route via Brockworth then back up northbound Deans Ave lane



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"Saleyards" Block

PC14 proposal as Notified

Two HRZ 'precincts', but both allowing:

- 14m (c. 4 storeys) without resource consent, when meeting associated controls, and
- up to 20m (c. 6 storeys) via resource consent.

Our PC14 Submission

- Accepted the broad goals of intensification
- Argued for a planned and phased intensification process
- Expressed concern about sunlight access, and impacts on rooftop solar
- Supported HD (to at least 20m) for ‘Saleyards’ and ‘Chateau’ blocks
- Preferred retaining remainder at Medium Density pending:
 - More progress on CBD development
 - More planning/ better rules to limit shading by ‘infill’ high rise buildings
- But otherwise development to at most 14m (4 storeys) or 20m(6 storeys) with consent, as notified.

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In Appendix 1 Dr Read explains:

Why the economic assumptions underlying the national policy directives under which CCC has been constrained to develop these proposals are flawed

- And why we therefore believe that a phased programme of coherently planned neighbourhood development should be initiated, if and when that becomes possible

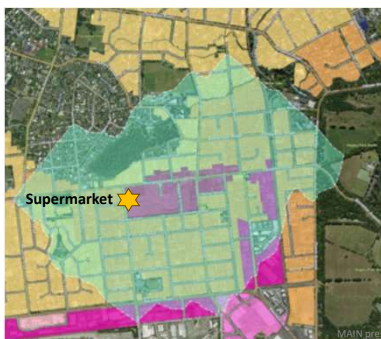
How that planned and phased approach could improve outcomes with respect to sunlight access, and rooftop solar:

- Because the fear of random shading anywhere across a wide area, reduces effective enjoyment, and discourages investment for many more households, over a much longer period, than the reality of shading concentrated in a small area during a brief transition phase.

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CCC’s ‘base-line’ S42a proposal

Expands Riccarton walking catchment to 800m (restricted by railway)
Apparently from nearest edge of Riccarton centre (not “the mass of buildings at the centre”)



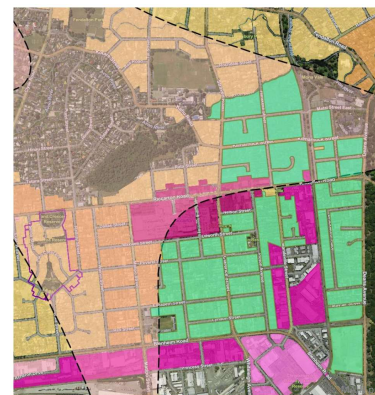
- But our area is actually:
- Up to 2km (30 mins walk) from any supermarket, in the south part
 - And a similar distance from central city (2.5km from Riverside Market)

CCC proposes increasing the building height from 20 to at least 22m (even without ANIA expansion)

We oppose that increase, which would only exacerbate problems identified in our submission

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Alternative CCC proposal, if ANIA is expanded....



Abandoning notified intensification in much of Riccarton:

- Using a 50dB limit over the worst season (rather than 55dB as in other NZ cities and/or the annual average)

“Compensating” by raising heights from 20m to 28m across the “teal” zone, including all of our area,

- Although some of that is also in the proposed ANIA

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In Appendix 2 Dr Read explains:

That noise exposure varies continuously, with similar impacts both inside and outside the suggested ANIA

That the optimal response to such a continuously varying impact:

- Should really be a continuously varying height enablement (which is not hard)
- Could be approximated by depressing allowable heights to a greater or lesser degree within one or more contours
- But could not possibly involve simultaneously reducing and increasing heights for equally affected sites, either side of an essentially arbitrary contour line

And that the most logical response to the increased awareness of potential aircraft noise issues is really to:

- Apply standards more similar to those applied by other NZ cities
- And/or accept that more growth should occur in areas other than Riccarton

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We also believe that:

Neither the CIAL submission, nor the CCC response have yet received adequate testing or scrutiny

The logic of the process under which CCC has operated seems to have constrained it to produce a proposal which is not a “commonsense” logical response to an essentially continuous airport noise issue

So, we do NOT support:

- The proposed ANIA expansion, at this time
- Radically different treatment of areas based on an essentially arbitrary ANIA
- Proposals to “compensate” by increasing heights in areas adjacent to the ANIA

Conversely, we DO support the proposal NOT to draw an arbitrary ANIA zoning line across our area

- But strongly suggest that more moderately graded responses be considered, if and when possible

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Subsequent ANIA Developments

Appendix 2 discusses the situation in more detail, but we understand that CCC now seeks to :

1. Not finalise its own position on ANIA issues until after ECAN makes a determination (probably in 2026)
2. Until then, defer enablement of notified intensification measures within the “potential” ANIA shown earlier (including all our area north of Riccarton Rd)
3. BUT still proceed with increased building heights to 28m, in the rest of our area (i.e. south of Riccarton Rd)

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Wrt that proposal we support:

Deferring the ANIA issue until the ECAN process is complete:

- Not least because it seems inappropriate for CCC to be now proposing major changes to its notified proposal, based on as yet untested analysis and submissions from its own company

Delaying zoning changes for that part of our area north of Riccarton Rd:

- Because ECAN’s decision with respect to the ANIA generally, across all western areas of Christchurch, critically impacts the logical basis for:
 - CCC’s S42a proposal for greater intensification in the “teal zone”
 - And, the subsequent counter-proposal to retain the status quo
- And because, as CCC argues, this gives time to develop integrated plans, particularly for transport access, hopefully via a process less constrained by current policy directives

Enabling greater heights (e.g. to 28 m) in the ‘Saleyards’ area, (as in our original submission)

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But we ALSO ask the Panel to recommend:

Delaying increased intensification in the rest of our area (i.e. south of Riccarton Rd), prior to ECAN's decision, because:

- That proposal was primarily introduced as "compensation" for reduced intensification within the areas closer to Riccarton Mall:
 - And is thus logically dependent on that reduced intensification proposal
 - Which we believe should now depend on future ECAN decisions
- Time, and a less constrained planning process, are required to develop an integrated plan to create workable vehicular/RMT transport links for areas on both sides of the ANIA boundary/RMT route along Riccarton road
 - With the larger southern block having much more critical issues

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Continued on next page...

Recommendation wrt Area South of Riccarton Rd:

(continued)

The other factors that CCC introduced to bolster arguments supporting greater heights in this area:

- Have not changed since the PC14 plan change was notified
- So should have been put forward at that time
- Have not been argued to justify heights over 22m unless the ANIA is expanded
- Do not imply any requirement for urgency
- And detract from the primary goal of CBD intensification, at this time

BUT, if such delay is considered inappropriate:

- Only enabling building to the notified height of 20m, in this zone, at this time
- OR at most 22m, as above

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In Summary

We recognise that the IHP may not be able to recommend development of a more appropriate planning framework while the current national policy framework is in place.

However, we do request the IHP to recommend:

- Accepting the "Sunlight Qualifying Matter" in whatever form maximises sunlight for neighbours
- Enabling development to 28m in Saleyards area (South of Mayfair)
- Retaining status quo for remaining DAPS area, at this time
 - Or MRZ (as in our original submission)
 - But if HRZ, then limited to 20m (as notified)
 - At least until ANIA issues have been resolved by ECAN
 - And a workable integrated vehicular/RMT access plan developed for DAPS areas on both sides of Riccarton rd.

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Appendix 1 to DAPS submission: *The Case for Phased Development* *(with reference to the sunlight access issue)*

prepared for presentation to:
Independent Hearings Panel, November 8, 2023

by Dr E Grant Read
Formerly Adjunct Professor in Operations Research/Management Science
(The science of optimal decision-making to maximise economic and/or societal value)
and ex President of the New Zealand OR Society

Our original submission noted that:

Increased shading (and reduced onsite parking):

- Would work against national objectives of:
 - Increasing rooftop solar installation rates; and
 - Increasing reliance on electric vehicles

We accept that CCC's options have been limited by national directives, to date:

- But still believe that, if and when possible
- Planned, phased area developments will produce better outcomes
- In this and other respects

APPENDIX 1: Planning/Sunlight

First: The sunlight/solar issue

We appreciate CCC's efforts in devising rules that mitigate the most severe shading impacts, in some cases:

- But exempting the front 60% / 20m of sites greatly reduces their potential effectiveness
 - Particularly on corner sites where up to 84% of area would be exempt
- Particularly in streets like Deans Ave, where:
 - This rule would allow 14m walls to be built 1m from South boundaries:
 - Thus blocking sun from the roofs and main north facing windows of houses
 - That have been built close to north boundaries in order meet current recession plane rules on the south side.

We therefore submit that this exemption should be at least moderated.

- But will also argue that re-zoning our area from Medium to High Density will actually detract from city development, at this time

APPENDIX 1: Planning/Sunlight

And btw we reject the assertion that impacts on surrounding property values should be ignored

The NETT national gain from any development is obviously:

- The completed value of the new development
- PLUS any positive impact on surrounding properties
- MINUS the direct cost of that development
- MINUS the incremental cost of infrastructure support
- MINUS any negative impact on surrounding properties

If developments are allowed to ignore this last term:

- Their developments may seem to be "economic"
- But actually have negative overall impact on national welfare

For practical reasons, we don't require developers to compensate neighbours

- But we can and should impose restrictions
- To at least moderate the economic/social harm done

APPENDIX 1: Planning/Sunlight

But we also accept that:

Eventually, dense high rise development will preclude effective sunlight access in some areas:

- With solar potential still partially available at the new rooftop level
- But increasingly insignificant on a per-household basis

Our point is that the downside of reducing enjoyment and deterring solar uptake is greatly increased by a regime that:

- Immediately spreads the threat of neighbouring high-rise development across wide areas of the city,
- Rather than confining it to slowly spreading areas that transition quickly from mid- to genuine high-density status

APPENDIX 1: Planning/Sunlight

The case for PLANNING

Current proposals seem driven by national directives that rely heavily on market forces to produce “optimal” socio-economic outcomes

This author has extensive international experience in designing sector-level markets, and:

- Fully embraces the power of the paradigm
- To drive innovation and efficiency
- By harnessing the entrepreneurial energy of investor/developers

But much of this particular debate is about provision/destruction of “public goods” for which there are no markets

- And we have no market frameworks or mechanisms to achieve coherent neighbourhood outcomes

APPENDIX 1: Planning/Sunlight

High-rise developments can be beneficial

We accept that high-rise developments can

- Provide for the same population, with
- Lower public infrastructure costs
- Much more open/green space,
- Improved viability for public transport, entertainment facilities, etc
- And positive social impacts

But great international examples have only been produced by coordinated facilitation of coherent area plans:

- With effective transport links
- Complementary buildings, not shading each other, or public spaces
- Which need to be carefully sited
- On land that some owner must agree to “sacrifice” for the public good (and be compensated for)

APPENDIX 1: Planning/Sunlight

Christchurch (still) has a unique opportunity

To develop great neighbourhoods in the central city

- Although greater heights will need to be incentivised very soon
- If they are ever to form part of a coherent plan

To foster great developments on some large sites:

- Such as the Saleyards site in our area

But sadly also to achieve some quite negative outcomes

- By randomly retro-fitting smallish developments into existing neighbourhoods
- And spreading apprehension and risk aversion over unnecessarily large areas

APPENDIX 1: Planning/Sunlight

For example, wrt the sunlight/solar issue

Focussing high-rise development on a single neighbourhood, for say a decade:

- Will greatly inconvenience existing residents in that area
- And definitely stop investment in solar on their rooftops

BUT:

- That effect will quickly become irrelevant as high-rises replace all lower buildings in that area, and meanwhile
- Most of the city will know that their area will be safe from such developments for some more-or-less predictable period
- And thus be able to enjoy and plan their lives, and potential solar investments, on that basis
- So, increasing aggregate welfare, across the city

APPENDIX 1: Planning/Sunlight

Accordingly...

We strongly support proposals to foster rapid development to greater heights in the central city

- And do not believe that simultaneous intensification of even major “town centres” like Riccarton should be allowed to distract the city from that critical development requirement, at this time

We re-iterate our original submission in favour of CCC adopting a less “hands off” approach in favour of

- Planned, phased development of coherent area plans
- If and when a relaxation of current national directives make that possible

(Recognising that ours may be one of the areas developed soonest after the central city)

APPENDIX 1: Planning/Sunlight

In the meantime ...

We think that re-zoning most of our area to High Density:

- Would be counter-productive to city development, at this time
- And should logically be deferred
- At least until:
 - A coherent and consistent understanding of, and response to, the airport noise issue has been agreed
 - Including a coherent and workable plan for vehicular and public transport access across our whole area
 - As discussed in our other Appendix

APPENDIX 1: Planning/Sunlight

PS: Technically (for the record)..

The economic arguments here relate to non-existence of certain key markets, due to excessive “transaction costs”

In this case:

- It is possible to imagine markets trading “sunshine rights”, “noise rights”, “transport access rights”, “public space access rights”, etc.
- And the “efficient markets hypothesis” suggests that “planning” should not actually be necessary IF all such “markets” existed and worked efficiently
- But they don’t exist, and never will, for all kinds of practical reasons
- Implying that active competition in the markets that do exist (e.g. for land and construction inputs) will produce imbalanced and socially undesirable outcomes
- Unless those market forces are somehow restrained
- Which is why we have City Councils, and planning rules
- And why we are making this submission

APPENDIX 1: Planning/Sunlight

Appendix 2 to DAPS submission:

Potential Responses to the Airport Noise Zoning Issue

prepared for presentation to:
Independent Hearings Panel, November 8, 2023

by Dr E Grant Read
Formerly Adjunct Professor in Operations Research/Management Science
(*The science of optimal decision-making to maximise economic and/or societal value*)
and ex President of the New Zealand OR Society

The BIG picture: CIAL

We accept that CIAL are acting prudently in seeking to maximise the future potential value of their assets

We are sceptical about many aspects of CIAL's analysis, and believe it should not be accepted, or acted upon, without being subjected to much stronger scrutiny and debate in another forum (e.g. ECAN)

We do not accept that the zone should be pushed out to the outer contours of a 50dB limit applied over the peak season for aircraft noise:

- We are not greatly troubled by those noise levels in our area
- We note the hospital helicopters fly much lower and louder over parts of our area OUTSIDE of the proposed noise control zone
- And we do not see any grounds for making a strong distinction between parts of our areas depending on whether they are supposedly inside or outside the contour under discussion

APPENDIX 2: Airport Noise

The BIG picture: CCC's conflicted position

We understand and respect the logic that has led CCC planners to recommend as they have, but the proposed response implies that

- The actual protests of actual present day citizens
- Should be largely over-ridden by CIAL's speculations about the hypothetical impacts on CIAL's business of hypothetical protests, in the quite distant future, about noise from as yet unknown (hydrogen/electric?) aircraft, by citizens who have willingly chosen to live in an airport noise zone.

And we believe that CCC is fundamentally conflicted. With respect:

- It does not have the right resources or incentives to properly scrutinise, let alone oppose, the submissions of its own company
- And should not be in the position of deciding the merits of its own company's submission
- Let alone fundamentally changing notified proposals in response to it

APPENDIX 2: Airport Noise

The seriousness of the noise problem & argument is still unclear

But rational and reasonable responses include accepting that:

- Riccarton may never be as attractive a target for business development and intensification as was previously thought
- Christchurch may have to adopt the same higher noise threshold as other NZ cities in order to increase housing density
 - Or at least apply the standard on an averaged basis rather than focussing on peak seasonal noise levels

We are concerned that such responses do not seem to have received any serious consideration to date:

- And do not believe that banning intensification within an arbitrary zone could ever be an optimal response

APPENDIX 2: Airport Noise

The FORM of CCC’s proposed response

We understand the process of logic that has led CCC to make its various proposals, in the context of the national framework in which they have been forced to operate

BUT:

- The FORM of the CCC response has been (in our view unreasonably) constrained by national policy directives
- And the consequent OUTCOME is (in our view) manifestly inappropriate, from a commonsense perspective. (and also from the perspective of optimal decision-making theory)
- In that it implies diametrically opposed responses in arbitrarily differentiated areas facing the same problem to very similar degrees

APPENDIX 2: Airport Noise

The optimal form of response

Even without the mathematics of “convex optimisation” it should be clear that:

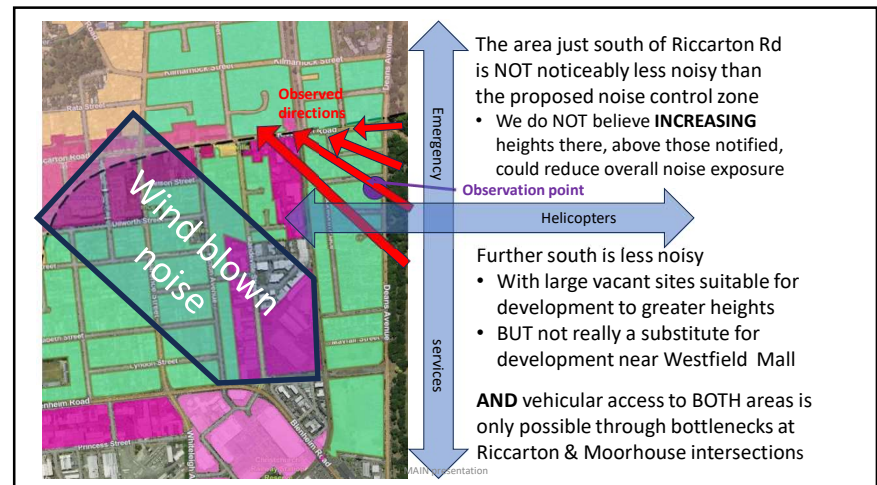
- Potential noise levels vary continuously
- An optimal response to the issue would also vary continuously
 - Or on a graduated scale
 - And could involve lower heights in areas most affected
- And that response may indirectly stimulate building to greater heights in areas not affected by the noise problem:
 - But it cannot logically justify greater heights in ANY area that is affected by the noise problem
 - Whether that are be inside, or just adjacent to, some arbitrary contour

APPENDIX 2: Airport Noise

Our lived experience OUTSIDE “the zone”



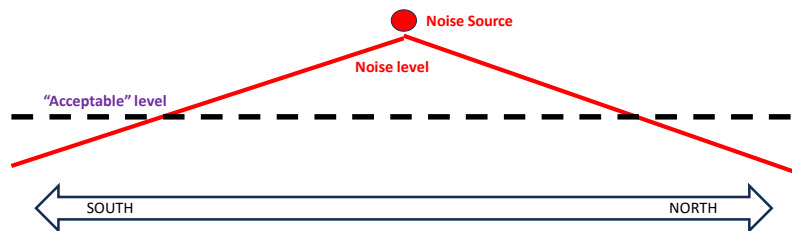
Our observations do NOT support drastically different treatment inside vs outside the zone
But we are open to debating evidence from a broader dataset, in due time.



Suppose we have a noise problem...

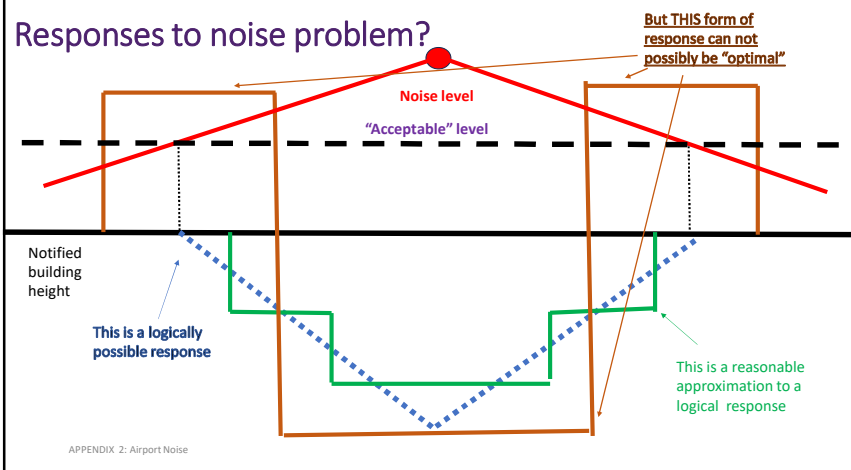
And let the following diagram represent the noise levels:

- Say in a South-North cross-section of our area
- With the highest noise levels along an East-West line
- Through the point labelled "Noise Source"



APPENDIX 2: Airport Noise

Responses to noise problem?



APPENDIX 2: Airport Noise

A Graduated Maximum Height Rule

Would be the most obviously logical response to this continuously varying problem

And a fully continuous rule would not be:

- Hard to devise
- Or hard to apply to any particular site
 - And we have developed a prototype we could share, if desired

But a simpler approach may be just to:

- Create a nested set of ANIA zones based on noise contours
- With progressively lower heights in progressively noisier zones

APPENDIX 2: Airport Noise

Given the uncertainties, yet to be debated ...

We support interim lower limits being placed on developments within the proposed "Provisional Airport Noise Qualifying Matter"

And we agree that :

The benefit of a "Provisional Airport Noise Qualifying Matter" will also be to enable Waka Kotahi and the Council to explore in more detail alternative options, both in terms of optimisation of land-use development and transport improvement opportunities. (S. Oliver *Rebuttal Evidence*, October 9 2023, p.7)

But that same logic applies equally to areas on both sides of the potential ANIA boundary:

- And to both sides of the proposed RMT route being discussed there
- Which actually lies right on that boundary
- And the southern area actually has the most critical access issues

APPENDIX 2: Airport Noise

We see no logical grounds for.....

Simultaneously suppressing development on one side of the “potential” ANIA boundary/RMT route, while “compensating” by enabling greater heights on the other

- Despite the seemingly impeccable process of logic, the end result just does not meet simple “common sense” tests

We agree with CCC that delay would allow for more consideration of transport and land-use options across the whole area:

- When CCC will hopefully be less constrained by current policy directives
- And able to consider more graduated responses
- Which would allow more development closer to Riccarton, and require less “compensation” elsewhere

We also see no urgent need to enable greater heights in our area

- And indeed believe that would undermine the primary goal of boosting inner-city intensification

APPENDIX 2: Airport Noise

Thus, we believe that..

By CCC’s own logic, changes to most of our area should ideally be put on hold until the ANIA issue is decided

And we certainly see no logical grounds to proceed, at this time, with increasing heights above those previously notified, in that part of our area south of Riccarton road, because that proposal:

- Primarily flows from a now debateable assumption that heights will be permanently restricted across much of Riccarton
- Combined with a supposed requirement to “compensate” for that potential restriction derived from an interpretation of a national policy statement that seems likely to be rescinded very soon.

APPENDIX 2: Airport Noise

Finally.....

CCC has advanced secondary reasons supporting greater heights in our area, inside and outside the provisional ANIA

- And extended the central city walkable zone with the apparent intent of specifically targeting our area

And, of course, we do recognise the advantages of this locality

- And stand ready to engage positively in formulating a coherent and balanced area development plan
- In the context of a hypothetical future framework that allows for a more coherent neighbourhood planning approach
- And particularly to develop a workable plan for vehicular/public transport access for the area south of Riccarton Road.

APPENDIX 2: Airport Noise

But, so far as this current process is concerned:

None of those factors has changed since the original PC14 proposal was notified

- They should have been considered in forming the notified in the plan, and put forward for debate at that time
- And, even now, they are argued to only justify building to 22m, unless the ANIA is expanded and assumed to preclude any intensification in that area
- So, we do not believe any case has actually been made for increasing heights beyond the notified 20m, or at most 22m, in any part of our area, prior to any ANIA resolution
- But will concede that we have always believed the area south of Mayfair to be suited to higher rise development

APPENDIX 2: Airport Noise