

Before the Independent Hearing Panel
Appointed by the Christchurch City Council

Under the Resource Management Act 1991

In the matter of Plan Change 14 (Housing and Business Choice) to the
Christchurch District Plan

Between **Foodstuffs South Island Limited and Foodstuffs (South
Island) Properties Limited**

Submitter 705

Topic: Central City and Commercial Zones

**Legal Submissions for Foodstuffs South Island Limited and Foodstuffs (South
Island) Properties Limited**

17 October 2023

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May it please the Panel

- 1 These submissions are filed on behalf of Foodstuffs South Island Limited and Foodstuffs (South Island) Properties Limited (**Foodstuffs**), Submitter 705 on Plan Change 14 (Housing and Business Choice) to the Christchurch District Plan.
- 2 Foodstuffs is scheduled to appear before the Independent Hearings Panel (**IHP**) on 25 October 2023 on the topic relating to Central City and Commercial Zones.
- 3 These submissions address the following matters to assist the IHP:
 - (a) Foodstuffs' Submission;
 - (b) Background to PC14;
 - (c) Legal scope, in particular:
 - (i) Scope of a plan change;
 - (ii) Scope of an Intensification Planning Instrument (**IPI**);
 - (iii) Scope of PC14; and
 - (d) Qualifying Matter: Significant Tree T1118.
- 4 Due to the volume of material presented throughout this hearing, to assist the Panel, I have prepared a table of the decisions sought by Foodstuffs' submission, the submission point numbers, the reasons for the decision, the Officer Report recommendations and reference to filed evidence paragraphs which support the submission. This is provided in **Appendix 1**.

Foodstuffs' Submission

- 5 Through its submission, Foodstuffs sought a series of zoning tidy ups to better recognise the current or imminent future use of land around its supermarket activity in the following centres:
 - (a) New World Stanmore – centre proposed to change from Commercial Core to Local Centre Zone;
 - (b) PAK'n SAVE Wainoni - centre proposed to change from Commercial Core to Local Centre Zone;
 - (c) New World Lincoln Road - centre proposed to change from Commercial Core to Local Centre Zone;

- (d) PAK'n SAVE Papanui - centre proposed to change from Commercial Local to Neighbourhood Centre Zone. Foodstuffs seeks this to be upzoned to Local Centre Zone (consistent with other supermarket based centres) and extended to include all of its consented and imminent supermarket activity; and
- (e) New World Ilam – centre proposed to change from Commercial Core to Local Centre Zone.

6 Foodstuffs also:

- (a) supported that the Head Office Papanui was proposed to be retained as Industrial General, but requested that two additional allotments are included, consistent with the PC5 CCC Decision¹.
- (b) supported the zoning as notified by PC14 in relation to 185, 185A and 187 Halswell Road; 300 and 310 Manchester Street; and New World Durham Street;
- (c) did not support that supermarkets were deleted from Town Centre Zone rule (15.4.1.1) as a permitted activity or in related rules;
- (d) requested the inclusion of PAK'n SAVE Wainoni and PAK'n SAVE Papanui as Town Centres in Table 15.1; and
- (e) did not support the qualifying matter of a protected tree on its Stanmore New World site for reason of potential risk to public safety and property.

7 By way of context, where minor extensions are sought to zones none of these rezonings will result in a new overall activity. The supermarket activity already exists within the centre and the rezoning will extend the boundary of the centre over associated activities as they currently exist or will soon exist (9 Northcote Rd, 55 Peer St) (i.e. the proposed rezoned area adjoins the zoned centre).

8 It is submitted that PC14 provides a pathway to align the underlying zone with lawfully established, consented or intended supermarket operations that occur within the sites; and it is important to provide for existing business which will support and service the additional residential housing enabled.

9 The Section 32 evaluation is clear that Policy 3(d) of the National Policy Statement on Urban Development 2020 (**NPS-UD**) requires the Council to

¹ Lot 2 DP 14400 (159 Main North Rd), part of Lot 1 DP 14400 and accessway on Lot 7 DP14400.

"enable building heights and densities of urban form within neighbourhood, local and town centre zones (or equivalent), commensurate with the level of commercial activity and community services in those centre zones. This requires an assessment of the relative role and function of each centre and the actual levels of commercial activity and community services in all centres..."(at 2.3.19).

- 10 This is a forward-looking exercise, and consideration of existing supermarkets (which are both commercial activities and commercial services²) and any consented or imminent expansions can and should be considered.
- 11 The following evidence was provided in support of Foodstuffs' submission:
 - (a) Ms Rebecca Parish (Foodstuffs' representative) – considers as PC14 will enable more people to live around existing supermarkets, the size of those supermarkets and catchments need to be reconsidered³. Ms Parish provides site specific details on the use of the land sought to be rezoned (i.e. supermarkets under construction, existing supermarket accessways, residential sites owned by Foodstuffs used for temporary carparking or intended for future carparking for supermarkets).
 - (b) Mr Fraser Colegrave (economics) – supports the additional rezoned areas on the basis they do not pose any risk of significant retail distribution effects on centres, given site constraints, the current level of supermarket development on the sites, and high likelihood of supermarket activities occurring. He supports the upzoning of the centre containing the (under construction) PAK'n SAVE Papanui site to Local Centre Zone (consistent with other supermarket centres).
 - (c) Mr Mark Allan (planning) – addresses the existing environments of the sites as lawfully established and authorised by CCC RMA Decisions, and the appropriateness of the Local Centre Zone for the entire Sites associated with the PAK'n SAVE Papanui and New World Ilam.
- 12 We understand from a review of the Officer's Reports and from subsequent discussions with the Council officers that the rezonings sought are

² Community services as defined in the NPS-UD includes those commercial activities that serve the needs of the community.

³ Ms Parish, at [6].

recommended or supported in principle⁴, subject to legal scope. These submissions address legal scope.

- 13 The Reporting Officers have recommended accepting Foodstuffs submission not to delete supermarkets from Town Centre Zone rule (15.4.1.1 P2).
- 14 The amendments to Table 15.1 for 174 Wainoni Road (PAK'n SAVE Wainoni) and PAK'n SAVE Papanui Site as Local Centres are omitted from the Officer's Report, and this appears to be excluded from Table 15.1 in error.
- 15 The Reporting Officers do not support removing the Stanmore Tree from the qualifying matters. This is addressed in the evidence of Ms Parish and below in these legal submissions.

Background to PC14

- 16 The National Policy Statement on Urban Development 2020 (**NPS-UD**) is designed to improve responsiveness, and is a recent statement which recognises the national significance of:
 - (a) Having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and in the future;⁵ and
 - (b) Providing at least sufficient development capacity at all times to meet the expected demand for housing and for business over the short term, medium term and long term.⁶
- 17 The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**Enabling Act**) made amendments to the Resource Management Act from 21 December 2021.
- 18 The Enabling Act was introduced to accelerate the implementation of the NPS-UD, and the Christchurch City Council as a Tier 1 authority, is required to implement the NPS-UD and the Medium Density Residential Standards introduced by the Enabling Act. It was required to do this through an IPI plan change, namely PC14.

⁴ It is acknowledged that no rebuttal evidence was received on the rezonings for the PAK'nSAVE Papanui or New World Ilam submissions from Council Officers.

⁵ Objective 1 NPS-UD 2020

⁶ Policy 2 of the NPS-UD 2020

Scope Discussion

19 It is submitted the rezoning relief sought by Foodstuffs' submission is within the scope of PC14 and an IPI, including when considering orthodox case law on scope. Accordingly, the relief sought in Foodstuffs' submissions is able to be granted by the Panel (in accordance with sections 77N and 80E of the RMA).

Scope of a plan change

20 The RMA requires that a submission is "on" (that is, within the ambit of) a plan change.

21 Case law has established a number of principles to determine this:

- (a) whether a submission is "on" a variation will be a question of scale and degree in the particular circumstances;⁷
- (b) the general test relates to procedural fairness, and requires consideration of:⁸
 - (i) whether the submission addresses the change to the status quo advanced by the plan change; and
 - (ii) whether there is a real risk that persons potentially affected by the submission would be denied an effective opportunity to respond in the plan change process.

22 Relevant to Foodstuffs' submission, incidental or consequential extensions of zoning changes proposed in a plan change are permissible, provided that no substantial further section 32 analysis is required.⁹ It is also noted that section 32 is amenable to submissional challenge and there is no presumption that the provisions of the proposed plan are correct or appropriate on notification.¹⁰

23 In a well-known plan change case (*Motor Machinists*) the submission in question requested a zone for two properties that were not connected to any land subject to the plan change. The Court found that "*given the manner in which PPC1 has been promulgated, and its focus on main road*

⁷ *Option 5 Inc v Marlborough District Council* (2009) 16 ELRNZ 1 (HC)

⁸ *Clearwater Resort Ltd v Christchurch City Council*, High Court Christchurch AP34/02 (14 March 2023); and *Palmerston North City Council v Motor Machinists Ltd* [2013] NZHC 1290.

⁹ *Westfield (NZ) Ltd v Hamilton City Council* [2004] NZRMA 556, at [81]

¹⁰ *Albany North Landowners v Auckland Council* [2016] NZHC 138, at [132]

rezoning, the inclusion of a rezoning of two isolated lots in a side street can indeed be said to “come from left field”. However, the case confirms that the Clearwater approach does not exclude altogether zoning extension by submission and that incidental or consequential extension of zoning changes may be permissible⁵.

- 24 The Environment Court has also noted, referring to *Motor Machinists*, that the fact a rezoning request does not fall within the area of a proposed plan change does not, in and of itself, make the submission out of scope¹¹. The Court observed that an example of a permissible, consequential change could be the rezoning of land adjacent to land proposed to be rezoned by a plan change.¹²
- 25 As noted above, all of the requests to extend the commercial zones in PC14 by Foodstuffs relate to land adjoining an existing commercial activity in a centre under consideration.
- 26 It is submitted, the clear impression you get when reviewing PC14 and its associated Section 32 evaluations is of a comprehensive and broad reaching consideration of the commercial activity within centres across Christchurch City, against all higher provisions. This included consideration of the nature of each centre (with reference to the national planning standards¹³), consideration of existing commercial and community activities in accordance with Policy 3(d) NPS-UD, appropriate height and densities, and various other provision and rule changes.
- 27 Within this context, it is not "left field" to consider whether the centre extent is appropriately located within this future looking planning exercise, but rather an incidental or consequential extension of a zone. Any persons potentially affected by the submission and any changes to centres or their surrounds are put on notice, and have had an effective opportunity to appear in PC14.

¹¹ *Well Smart Investment Holding (NZQN) Ltd v Queenstown Lakes District Council* [2015] NZEnvC 214 at [24]

¹² *Tussock Rise Ltd v Queenstown Lakes District Council* [2019] NZEnvC 111 at [76]

¹³ The Council seems to refer to this as a name change, but in order to justify the change the extent and make-up of the centre required specific analysis and was supported in a section 32 analysis which could equally apply to the Foodstuffs sites.

Scope of an Intensification Planning Instrument

- 28 It is submitted there is scope within the Enabling Act and the IPI process to amend an existing urban non-residential zone.
- 29 The requirements for introducing an IPI are contained within section 77F – 77T and Schedules 3A and 3B of the RMA.
- 30 In particular:
- (a) Section 80E provides that an IPI means a change to a district plan that must:
 - (i) incorporate the MDRS; *and*
 - (ii) give effect to policies 3 and 4 of the NPS-UD.
 - (b) It may also include the following:
 - (i) provisions relating to financial contributions;
 - (ii) provisions relating to papakāinga housing in the district; and
 - (iii) related provisions,¹⁴ including objectives, policies, rule, standards, and zones, that support or are consequential on the MDRS; or policies 3, 4, and 5 of the NPS-UD, as applicable.
- 31 Section 77N provides that a specified territorial authority may create new urban non-residential zones or amend existing urban non-residential zones to give effect to policy 3 or 5 of the NPS-UD.¹⁵

Scope of PC14

- 32 The public notice for PC14 provides a broad scope of the plan change. A copy is provided in **Appendix 2**. The public notice starts by saying that the changes proposed in PC14 and PC13 are *extensive* and the plan change should be read for full details. It then states the changes *include* but are not limited to a list of matters.
- 33 Relevant to Foodstuffs' submission, the Local Commercial and Commercial Core Zones respectively through PC14 have been rezoned to

¹⁴ "Related provisions" also includes provisions that relate to any of the following, without limitation: district-wide matters; earthworks; fencing; infrastructure; qualifying matters identified in accordance with 77I or 77O; stormwater management (including permeability and hydraulic neutrality) and subdivisions of land.

¹⁵ Section 77N(3) of the RMA

Neighbourhood Centre and Local Centre Zones. As shown in the public notice, PC14 also includes:

"ii. Increases in building heights enabled in most suburban commercial centres, ranging from 12 metres in the smallest neighbourhood and local centres to 22 metres in the Larger Town Centre Zones. Precincts around these centres will also enable increased building heights for housing (14-32 metres).

iii. Changes and additions to rules within the commercial zones to ensure that they achieve high quality urban environments and to permit small buildings that meet certain criteria to be established without the need for resource consent in some zones."

...

"vii. Changes to objectives, policies and other provisions throughout the District Plan that support or are consequential on the above changes."

- 34 The Section 42A Report¹⁶ explains that in giving effect to Policy 3 of the NPS-UD, the nearest equivalent commercial zones in the National Planning Standards to the current commercial zones in the Christchurch District Plan had been identified and incorporated into PC14 as new commercial zones. The spatial extent appears otherwise largely confined to existing commercial centre zones. This in my submission, opens the consideration of the appropriateness of each centre against the National Planning Standards, and in a manner consistent with Policy 3 NPS-UD which requires consideration of the level of existing and planned commercial activity and community services.
- 35 The overview Section 32 report is clear that all commercial centre zones, including the surrounding area within a walkable catchment and potential qualifying matters, are within scope. The relevant extract is below¹⁷.

¹⁶ Section 32 Evaluation – Commercial and Industrial Chapters

¹⁷ <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-Introduction-Issues-and-Strategic-Directions.pdf>

2.2.4 In the Christchurch District context, the scope of this plan change is defined as follows:

In Scope	Out of Scope
All urban residential zones, including associated potential qualifying matters	Any changes to Rural Zones, including the rezoning of new additional greenfield areas
All commercial centre zones, including the surrounding area within a walkable catchment and potential qualifying matters	Changes to any zones within Banks Peninsula being outside of the definition of an 'urban environment', except for Lyttelton which is included within scope.
Changes to provisions controlling industrial land related to residential development commensurate with the level of accessibility to public transport, and range of commercial and community activities, and relative demand in the location.	Changes to provisions controlling industrial land outside commensurate intensification area enabled under Policy 3.
	Changes to zones and provisions controlling commercial zones that are not commercial centres, such as Large Format and provisions for office development, where this is not part of a centre.

36 The Part 4 Commercial and Industrial Sub-Chapters Evaluation report identifies the specific issues that this plan change seeks to address, and states they are all directly related to giving effect to Policy 3 of the NPSUD, including Policy 3(d) – intensification in suburban commercial zones. It is recorded that (**emphasis added**):

- (a) Policy 3(d) requires council to enable building heights and densities of urban form within neighbourhood, local and town centre zones (or equivalent), commensurate with the level of commercial activity and community services in those centre zones. This requires an assessment of the relative role and function of each centre and the actual levels of commercial activity and community services in all centres. The technical report entitled, “Centres: Approach to Alignment with National Planning Standards” (Appendix 2), provides the context and centre composition analysis in relation to that direction... (2.3.19)

37 The Part 4 Commercial and Industrial Sub-Chapters Evaluation report goes on to provide a thorough analysis of the importance of providing for commercial activity, and identifies, relevantly:

- (a) Section 77N RMA must be addressed by Council and that the Council has discretion to create new urban non-residential zones or amend existing urban non-residential zones (2.1.7);
- (b) PC14 directly responds to the outcome sought in Objective 3 relevantly by enabling more people to live in, and more businesses and community services to be located in areas of an urban environment (2.1.14);

- (c) Policy 3 requires a degree of evaluation to determine the appropriate scale of intensification. For Policy 3(d), it means that each suburban commercial centre must be evaluated in accordance with the hierarchy of centres through National Planning Standards and an intensification response provided accordingly. Lastly, the requirement in Policy 10 is to ensure that any intensification response is consistent across the urban environment, recognising opportunities for infrastructure optimisation and relative land development opportunities (2.1.17);
- (d) Policies 1 and 2 contain the supply-driven directions of the NPS-UD. As described earlier, Policy 1 anticipates that the city has “a variety of sites that are suitable for different business sectors in terms of location and site size” (2.1.18);
- (e) RPS Objective 6.2.5 states that centres will be high quality, support a diversity of business opportunities including appropriate mixed-use development, and incorporate good urban design principles. The plan change must give effect to these directions (2.1.27-32);
- (f) The Future Development Strategy contained in the Greater Christchurch Spatial Plan confirms the City to have more than sufficient long-term plan-enabled development capacity for housing and industrial activity and only sufficient medium-term capacity for commercial activity. Reflecting the above, it is anticipated that employment is concentrated in a select number of areas, being “existing industrial and commercially zoned land and expansion of existing centres in the long-term if required” (5.2, page 27);
- (g) Relevant district plan provisions (2.2.1) including:
 - (i) Strategic Objective 3.3.5 – Business and Economic Prosperity
Whilst high level, this objective expresses the critical importance of business and economic prosperity to Christchurch’s recovery and to community wellbeing and resilience by providing a range of opportunities for business activities to establish and prosper. This acknowledges the importance of commercial centres and their role as community focal points and the resource management basis (community wellbeing) for intervening in the market to ensure their success and prosperity.
 - (ii) Strategic Objective 3.3.10 – Commercial and industrial activities. This objective supports the centres-based strategy which focuses on revitalisation of centres to support their

recovery and long term economic and employment growth. In line with the NPS on Urban Development, it also requires sufficient and suitable land development capacity to be available to meet growth needs, and which supports proposed amendments in this plan change aimed at ensuring sufficient opportunities are available to meet projected needs for commercial land, whilst enabling the operation of competitive land markets and managing centres efficiently to promote their vitality and viability.

- (h) States the policies and rules of Chapter 15 set out how the centres-based framework is to be achieved and which includes a description of the role of each centre with reference to the extent of each centre, their size, function, catchment areas and the range and scale of activities anticipated within them.
- (i) Identifies significant provision changes to Chapter 15 (applicable to all zones including Local Centre Zones), including:
 - (i) Introduction amended to add the words “and the form and function of commercial centres and mixed use zones” to better reflect the matters covered by Chapter 15, as particularly relevant to PC14 i.e. commercial centres and mixed use zones;
 - (ii) Policy 15.2.2.1 – Role of centres - amendments to reflect new centre zone structure, identification of local centres with different levels of commercial activities and community services (small, medium and large) to enable implementation of NPS-UD Policy 3(d);
 - (iii) Amendments to Local Centres to better express the density of residential activity proposed to be enabled within and around local centres depending on their level of commercial activity and community services;
 - (iv) Amendment to delete references to the different zoning of standalone supermarket centres which is no longer necessary as a result of the increased height enabled for all neighbourhood centres
 - (v) Split the current Commercial Core zone rules that relate to operative district centre and neighbourhood centre zones, into Town and Local Centre zones depending on the role/centre classification identified in Policy 15.2.2.1.

- (vi) Changes to provisions including building heights, building form, sunlight and outlook at the boundary with a residential zone.
- 38 The collective impression a reader is left with, upon reviewing PC14 (and the 80-page section 32 analysis on centres) is that the make up of centres is under consideration, that existing commercial zones and their surrounds are subject to considerable change, and that, in my submission, this could include expansions of adjoining land based on the level of anticipated commercial activity and community services.
- 39 The minor changes to zoning requests by Foodstuffs are all extensions of the rezoning of centres proposed by Council through PC14. The Council is able to undertake this rezoning in accordance with Section 77N(3) of the RMA, in respect of amending and creating new non-residential urban zoning.
- 40 The change in zoning, accompanied by the public notice for PC14 explicitly provides for changes to provisions and rules in the commercial zone and consequential changes across the City. Potential would-be submitters were therefore put on notice that changes to commercial zoning could be sought through PC14.
- 41 The relief sought by Foodstuffs' submission is clearly on PC14 and within the scope of an IPI. Accordingly, in my submission the Panel is able to grant the relief in accordance with sections 77N and 80E of the RMA.

Qualifying Matter: Significant Tree T1118

- 42 Rebuttal evidence has been filed by the Council in relation to Significant Tree T1118, the "Hadfield Elm". This tree is located at 300 Stanmore Road, Richmond within the Local Centre Zone and New World Stanmore site (as proposed under PC14), and has been identified as a Qualifying Matter Tree (**QM Tree**) in PC14.
- 43 For Significant Tree T1118 to be included as a QM Tree, it would need to be recognised as a matter of national importance that decision makers are required to recognise and provide for under section 6 RMA. In particular, the protection of historic heritage from inappropriate subdivision, use and development. 'Historic heritage' means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from a number of qualities, including historic.
- 44 It is unclear how the evidence filed by the Council meets the criteria for Significant Tree T1118 to be a QM tree on the basis it is historic heritage.

Reference is made to age, size and health of the tree. Mr Thornton's rebuttal evidence primarily focuses on the health and safety of the tree, in response to Ms Parish's evidence, and concludes that its health is Fair. As you know, the Enabling Act is focused on removing barriers and enable intensification and commensurate development in commercial areas to give effect to the NPS-UD.

- 45 It is submitted that the inclusion of Significant Tree T1118 within a private site operating as a supermarket is not justifiable as a QM Tree, and it should be removed. It is also appropriate to remove T1118 from the District Plan significant tree schedule as a consequential change to a related provision to give effect to policy 3 of the NPS-UD as provided for under section 80E(b)(iii) of the Act.

Conclusion

- 46 It is submitted, the rezonings sought by Foodstuffs in relation to a number of its sites within Christchurch City is within scope of PC14, and of an IPI. It is considered the relief is the most appropriate use of the Sites given their current and imminent future use.
- 47 Tree T1118 does not meet the tests required for a qualifying matter and should be removed.
- 48 PAK'n SAVE Wainoni and PAK'n SAVE Papanui as Town Centres appear to have been excluded in error in Table 15.1, and should be included.
- 49 A table of the decisions sought by Foodstuffs' submission, the submission point numbers, the reasons for the decision, the Officer Report recommendations and reference to filed evidence paragraphs which support the submission is provided in **Appendix 1**.

Dated this 17th day of October 2023



Alex Booker
Counsel for Foodstuffs South Island Limited and Foodstuffs (South Island)
Properties Limited

Appendix 2 – PC14 Public Notice

Changes we are proposing to the Christchurch District Plan

The changes to the District Plan proposed in PC14 and PC13 are extensive. Read the Plan Change for full details. The changes include but are not limited to:

- i. Changes to height limits in and within walking distance of the central city, with the greatest height proposed to be enabled in the City Centre (90 metres) and Central City Mixed Use zones (32 metres). (PC14)
 - ii. Increases in building heights enabled in most suburban commercial centres, ranging from 12 metres in the smallest neighbourhood and local centres to 22 metres in the Larger Town Centre zones. Precincts around these centres will also enable increased building heights for housing (14-32 metres).(PC14)
 - iii. Changes and additions to rules within commercial zones to ensure that they achieve high quality urban environments and to permit small buildings that meet certain criteria to be established without the need for resource consent in some zones. (PC14)
 - iv. Applying MDRS, and in some situations more lenient provisions than the MDRS, across all urban residential areas, including (but not limited to) some Residential Port Hills areas, through new medium and high density residential zones. (PC14)
 - v. Changes to the zoning and associated policies and rules for some industrial areas located within walking distance of the central city and the introduction of a brownfield overlay for some industrial areas within walking distance of large commercial centres. This is to enable redevelopment for housing and mixed-use activities if certain criteria are met, most notably within the Sydenham area and surrounds. (PC14)
 - vi. Introducing Qualifying Matter areas where the scale and density of buildings enabled by the MDRS and NPS-UD is reduced. These include matters of national importance (RMA s6), being: Outstanding and Significant Natural Features and Landscapes; Sites of Ecological Significance; Sites of Wāhi Tapu; Wāhi Taonga, Silent Files, Ngā Tūranga Tūpuna; Ngā Wai; Areas at risk of rockfall, cliff collapse and mass movement (Slope Instability Areas); High Flood Hazard Management Areas; Flood Ponding Management Areas; Historic Heritage items and settings; Heritage Areas and interface sites; and Waterbody Setbacks. Other Qualifying Matters we are proposing include: Public Open Space areas (various Open Space Zones and Specific Purpose (Cemetery) Zone); Designated areas; Residential Character Areas; Electricity Transmission corridors and structures; Airport Noise Influence Area; Heritage, Significant and Other Trees; Lyttelton Port Influences Overlay and Lyttelton Master Plan Overlay; NZ Rail Network Overlay; Coastal Hazard Management Areas; Radio Communication Pathways for the Justice and Emergency Services Precinct; Waste water constraint areas overlay; reduced height limits in the central city including Cathedral Square surrounds (Sites of historic heritage items and their settings (City Centre Zone)); Victoria Street Building Height; New Regent Street and surrounds (Central City Heritage Qualifying Matter and Precinct), and Arts Centre and surrounds; Belfast Commercial Centre and Styx River Setback; Sunlight Access; Public Transport Access (Low Public Transport Accessibility Area); Industrial Interface; Riccarton Bush Interface Area and Riccarton Bush Significant Trees Area; Tsunami Management Area; Ōtākaro Avon River Corridor, Fitzgerald Avenue Geotechnical Constraint (Land subject to Private Plan Change 11); Outline Development Plan Features; and Key transport corridors (City Spine Transport Corridor). (PC14)
 - vii. Changes to objectives, policies and other provisions throughout the District Plan that support or are consequential on the above changes. (PC14)
 - viii. Protecting heritage areas across the city to recognise Ōtautahi Christchurch's special identity. We are introducing 11 Residential Heritage Areas, and adding 44 buildings and items, and 26 building interiors to the Schedule of Significant Historic Heritage. (PC13)
 - ix. Simplifying and clarifying heritage provisions and strengthening some rules by changing the activity status for resource consent. Minor wording changes are also proposed to five of the heritage policies. (PC13)
-