

by

The Victoria Neighbourhood Association Incorporated (VNA) – Submitter #61

Introduction

My name's Geoff Banks. I was asked to chair a VNA subcommittee to consider and submit on proposed changes to our city plan (PC14). I've attached as evidence an introduction to the VNA⁽¹⁾, its membership, objectives, consultation including PC14, and a recent newsletter.

I've called this city home for most of my life. I need to disclose that I've been involved in the design of many city buildings from modest homes to its tallest cbd building through my career. I don't see that as a conflict of interest. I'm not an expert in planning.

This is a lay submission, not really about buildings, but about the people in the places we call home. It's not just for us, not just for now, but for generations to come.

What's most important? He tangata, he tangata, he tangata. It's the people.

Photo 4: A reserve in the VNA neighbourhood which our volunteers care for.



Our Oral Submission - Scope

Our written submission covered 13 topics with discussion and decisions sought. We thought it useful for this presentation to express why VNA has submitted, and then connect that to the submission itself.

There were three main drivers for us to submit:

1. We **CARE** deeply about the people and communities of Otautahi/Christchurch.
We are a people recovering from significant change after events on timescales from seconds to centuries. We think PC14 has potential to also be a significant change. We care very much that PC14 serves NPS-UD objective 1 of producing (and I quote) “...*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 into the future*”. We also care about “*the ethic of stewardship*” which the RMA at S7 requires us all to pay “*particular regard*” to.

2. We are **CONCERNED** as we believe PC14 will not meet NPS-UD and RMA objectives and requirements.

Even worse, adoption of the current PC14 proposal risks the opposite. That’s an ill-functioning urban environment that puts the wellbeing of residents at risk. I’ll give examples of concerns about social impact and other evaluations, and accuracies and omissions in reports used as evidence. These few examples point to the potential for many more, which we are concerned could seriously undermine the likelihood of PC14 meeting RMA expectations and compliance.

3. We feel we have both a responsibility and a right to **CONTRIBUTE** to the success of PC14.

Significant work has been done by others and much of what we’ve seen is helpful. But some is not. We aim to be constructive in both support and criticism.

This Mihi Whakatuwhera is from the earthquake Recovery Strategy for Greater Christchurch⁽²⁾ by CERA, ECan, Councils and Te Runanga o Ngai Tahu. It describes how our people have suffered and our collective task is now to weave **an unequalled cloak to shelter all**. (the full text is below)

*Here is the lament of the people
Those who have shed many tears
Those overcome with grief
Those of wounded heart.
Alas the agony of loss!*

*What is the remedy
To abate the pain of my heart?*

*To trust in the knowledge
There is a brighter day tomorrow.*

*So how can we reach promised shores
And reach the heights of our aspirations?
Not through division
But through uniting
Weaving an unequalled cloak to shelter all
Through unity our waka shall reach the shores of our ambition.*

*So to you all, the people of greater Christchurch
Let us launch the waka of our recovery forward
Each paddle moving us closer to a reawakening
And so to you, neighbour
Our journey begins!*

Oral Submission – Concerns

Background

There's a massive quantity of documents relating to PC14. A vast array of submissions, and reports linking to many more reports, most of them in a complex digital system. It's an extraordinary volume of information, some knowledge, and if you can find it, a few pearls of wisdom.

Many aspects of PC14 will impact people's lives. This isn't a small change to a District Plan. However, the VNA just don't have the resources and volunteer capacity to look at all the relevant documents and review them properly. We've therefore focused on the changes we think might impact our community the most. We've also found that some issues impact other communities in the city, well beyond the VNA's physical boundary.

We have serious concerns about omissions, errors, and conflicts we've found. I'll talk about a few of those relating to:

- Evaluations – General
- Sunlight Access
- Social Impact Evaluation
- Housing Capacity, Demand, and Height, and
- Time Considerations

Our concern is also that they might be representative of other flaws in the PC14 data we haven't looked at. Our submission Topic 10 seeks reasonable time and resources for everyone to look closely at the evidence behind PC14. We think this is fair and just.

S32 Evaluations - General

We see the RMA's requirement that the costs and benefits of changes must be evaluated as both a key support to excellent planning, and a key protection of Outautahi's people against the risk of adverse impacts exceeding benefits.

We're not planning experts or familiar with case law, so we've simply read what the RMA says as lay people, taking it at face value.

The RMA and Sections 2, 5, 32, and 77 include Council's obligations for:

- (i) Examining whether PC14 objectives are the **most** appropriate way to achieve the purpose of the RMA and identify reasonably practical options (S32).
- (ii) Considering the reasonably foreseeable needs of future generations and **avoiding or mitigating** any adverse effects (S5).
- (iii) Evaluating the benefits and costs to people, communities, amenity values, social, economic, aesthetic, and cultural conditions (S2, S32).
- (iv) Quantifying the benefits and costs if practical, and assessing the risk of acting or not acting if there is uncertain or insufficient information (S32).
- (v) Examining effects for the specific location (S32).
- (vi) Containing a level of detail that corresponds to the **scale and significance** of effects(S32).
- (vii) Considering specific intensification requirements in addition to S32, not instead of S32 (S77).

We also saw NPS-UD Policy 6 saying that planning decisions which detract from amenity values appreciated by some people, but improve amenity for others, are not in themselves an adverse effect. Amenity includes "pleasantness" or "aesthetic attributes" (S2). However, all other adverse impacts such as *social, economic, and cultural wellbeing, and health and safety* must be evaluated and mitigated etc by PC14 (S77).

Sunlight Access

Our concerns were first raised when we saw proposed sunlight access changes in mid-2022. No report or public presentation we had seen, including the initial consultation information about PC14, identified the obvious impact of Christchurch's southern latitude impacting residents access to, and need for, sunlight relative to those living elsewhere. We thought this might be a critical flaw so looked more closely into it:

- (i) We found a report for MfE by Sense Partners "Cost-Benefit Analysis of proposed Medium Density Residential Standards" in December 2021⁽³⁾. It used a very sophisticated model but a very flawed assumption at page 144. It said that it had the "*building located at the centroid of the target property land*". That certainly doesn't describe most flat Christchurch properties where homes are built closer to the southern boundary to get the most sun from the north. We think that's why the Operative Plan **already** has strict recession plans at southern boundaries to give neighbours access to adequate sunlight also. Makes sense.
- (ii) We drew some basic initial shade diagrams⁽⁴⁾ which we showed at the Council meeting on 8th September 2022 to vote on PC14 notification. We wanted to alert them to our concern.
- (iii) We've read the recent "Plan Change 14 Technical Report – Sunlight Access Qualifying Matter" ⁽⁵⁾, section 2.5, which says that "*The High-density Residential Zone uses the same recession planes as the MRZ up to a height of 12m*".

Well, it doesn't in VNA's area.

The Sunlight Access report fails to mention or assess these issues:

- The shading impacts from PC14 having no recession plane above 12m and up to 20m high and beyond, which is different from the MRZ zone, or
- The shading impacts from PC14 having NO recession planes applying at all along the first 20m of side boundaries up to 14m high (cl 14.6.2.2(c)(iv)(A)).

Photos on the following pages 6 - 8 show the impact in a street in our area.

Photo 1: Conference St 4 November 2023



Photo 2: Markup of PC14 Increased Dominance of 14m Apartments on Existing Home Built to Operative
Recession Planes

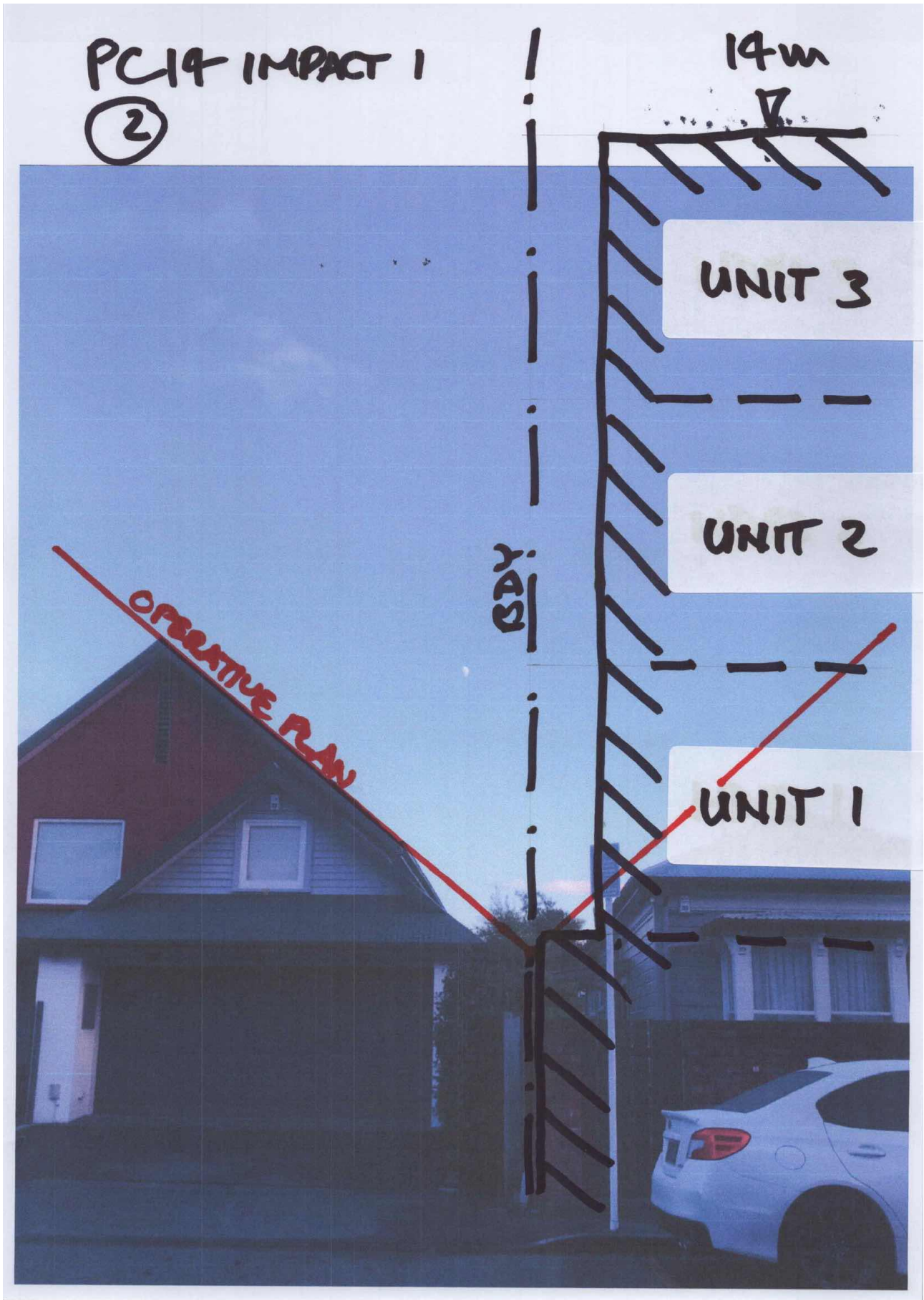
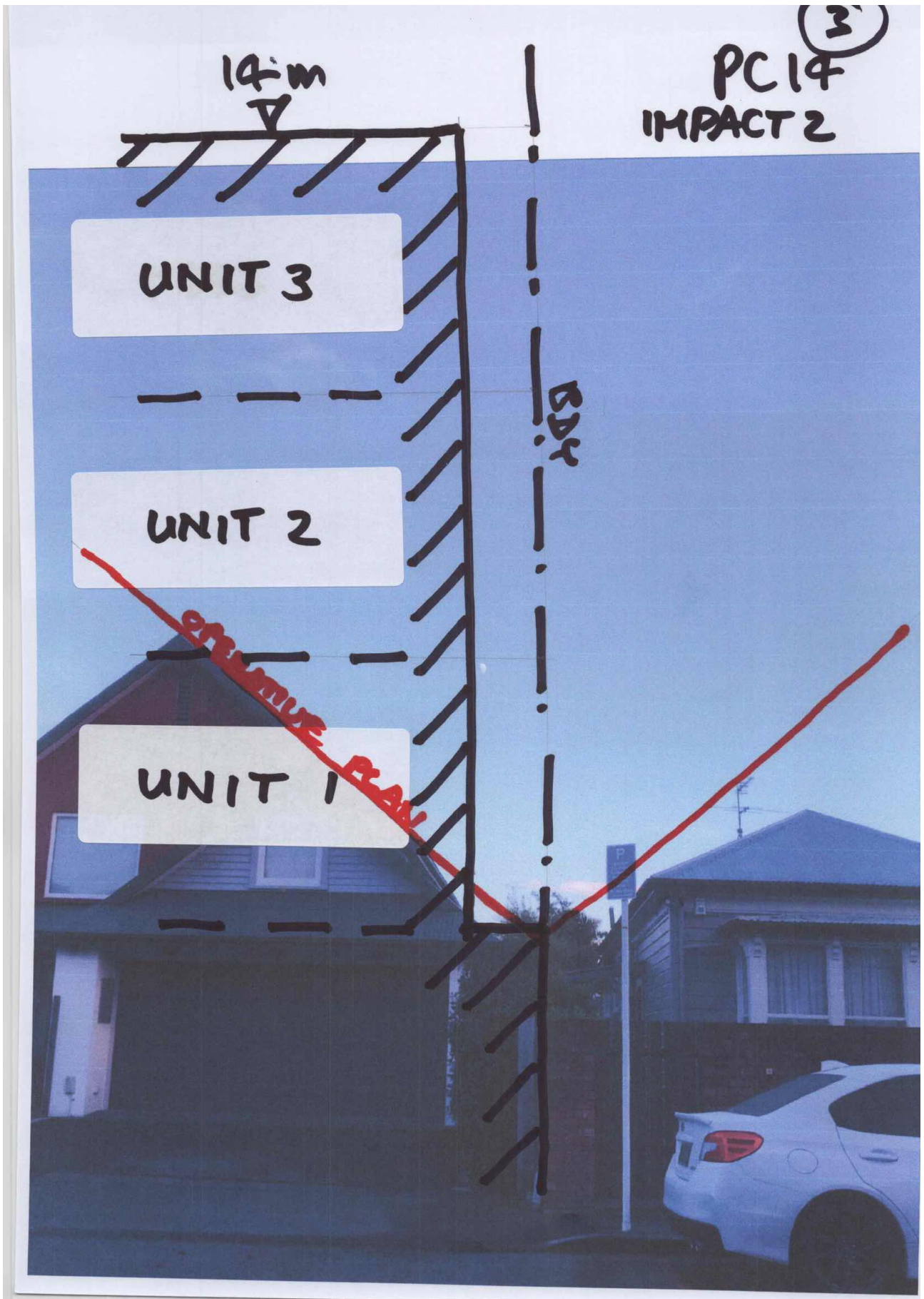


Photo 3: Markup of PC14 Increased Dominance of 14m Apartments on Restored Workers' Cottage



An evaluation of impacts of the change on sunlight access is required by the RMA, but not provided, for each situation created by PC14 and must be relative to our Operative Plan (not Auckland's Proposed Plan) (S32(2)(a)). It must be evaluated for effects on all residents, those in homes built under PC14, and those in existing homes. We think it needs to include at least six dimensions:

- (a) The type and bulk of new homes enabled by PC14, and existing homes.
- (b) Christchurch sun elevation throughout the year.
- (c) The time sunlight is accessible between sunset and sunrise in Christchurch.
- (d) The geography of Christchurch (generally a flat plane).
- (e) The unique proportion of new homes in Christchurch built following earthquakes and expected to be in place for over 50 years. They were built to provide sunlight access to residents under the Operative Plan rules. Any adverse impacts on these near-new homes from PC14-enabled neighbours, such as shading gardens or solar panels, could apply for **almost a century** until end-of-life (BRANZ say this is 90 years typically).
- (f) Finally, our residents' unique **need** for sunlight access, e.g. more natural warming in a colder climate, physical health (such as vitamin D), and high mental health needs post-cumulative disasters.

This is way more than just a number relating to sun elevation comparisons between Tier 1 cities.

This is about evaluating the benefits and costs as required by the RMA S32 and considering options to avoid or mitigate adverse effects as required by the RMA S5.

We are very concerned that we have not yet seen such evaluation or mitigation options for all social impacts, and also economic, environmental, and cultural impacts.

Social Impact Evaluation

In our written submission we noted the absence of a Social Impact Evaluation (SIE). Residents and Councillors have been calling for the CCC to commission a social impact evaluation for over a year because:

- It is required by the RMA, but was missing at the time CCC were voting to notify PC14.
- The CCC requested, and staff agreed, on 13 Sept 2022 that staff would commission a Social Impact assessment.
- Now we see a “*Research Review*” on Social Impacts of housing Intensification issued as a Draft 11 months later in August 2023. It’s now a Final issue but still only a “*Research Review*”.

We’re **really concerned** that the advice from the expert reviewer is that “...the timeframe to respond to submitters requests for an SIA were very short.” That’s just plain wrong.

The VNA points out that a Social Impact Evaluation was not required just because submitters asked for it, and even if it was, we asked for it a year ago. It’s a requirement of the RMA and should have been provided alongside the original PC14 and available to those who wished to provide submissions informed by the evaluation. This hasn’t happened.

Do we think the Social Impact Research Review is adequate as an Evaluation?

- (i) No way. The research review does highlight some alarming concerns and risks regarding PC14, but due to its lateness couldn’t have had any influence in shaping PC14. It’s preparation looks like an afterthought in the process. How could PC14 **avoid or mitigate** adverse effects as required without knowing what they were first?
- (ii) There’s a lack of any reasonable relationship between the **scale and significance** of the effects and the level of detail. We’re a city in recovery from multiple and compounding life-changing events and deserve a lot of care and detail assessing and mitigating social impacts.

The report’s described as a research review only, rushed through in hindsight and in a “very short” timeframe, with a vast list of links to researched articles which themselves link to many more. Just summarizing such important issues in a research review is unrealistic, inadequate, risky, and transparency for readers also is practically nil.

A Social Impact Evaluation needed to be commissioned at the outset of the plan change process with a scope aligning with S32, time to properly research and consider, and with a significant level of engagement with residents and community groups, and specialist independent experts. This hasn’t happened.

- (iii) An example of omissions we've seen is no mention in PC14 reports of Multi-generational homes (MGH). The Building Research Association BRANZ⁽⁷⁾ say "**Urban intensification goals often focus on increasing housing density and smaller houses, overlooking the needs of MGH's**". That excludes choices for residents who value their cultural and other drivers for choosing MGH's.
- (iv) The research review has some reference to "transitioning" at P29 which is helpful and we refer to that later.
- (v) The research review doesn't either quantify the benefits and costs of PC14, or assess the risks of acting or not acting, as required by S32 for an Evaluation. Instead, it has an imprecise judgement call on:
 - The benefits of intensification, but not the costs, and
 - Comparisons of benefits (but not risks as required by S32) of acting or not acting.

These are some more examples of our concerns:

- (a) There are 115 reference reports in the research review. We selected Austin (2022) as the first recent one in the list to read. It's 97 pages long and has its own 101 referenced articles. The maths could quickly compound to hundreds of thousands of pages to read to identify what has and hasn't been included in the research review. Is that fair?

The writer(s) of necessity are selective in which relevant reports to review and which comments to include or leave out. This comment from Austin is not included: **MDRS presents "... a radical shift in the way New Zealand plans its cities."** Or from Yoeman that **"More time should have been devoted to understanding the likely impacts."** That sounds to us pretty important for residents to know, especially given anecdotal feedback that residents are unaware of the PC14 process, let alone its **"radical shift"**.

- (b) The research review's authors are anonymous other than being the "Monitoring & Research Team". We should be told whose opinions they are when given, and who decided what to include or exclude from the vast amount of linked research data.
- (c) We haven't seen a peer review, but have simply been advised by Rebecca Foy of Formative that she, quote, "*provided guidance to Council*". That isn't even stated in the Review, and we don't consider that to be a peer review.

- (d) The Austin paper did have relevant comments we saw on impacts such as:
- “There is an important relationship between the built environment and human **health and wellbeing**”. (6.3.2.3). and “in denser environments, these interactions are more superficial and impersonal.” And..
 - “Lower density environments form a higher degree of trust...”
- (e) The Yoeman paper was referenced and says that “the **unplanning** approach to be implemented under HSAA is likely to result in **unintended consequences**, where the positive benefits from intensification are diminished...”.
- (f) However, we’ve seen almost nothing on how serious mental and physical health impacts will affect Christchurch whanau. Surely this should be a major topic of a social impact evaluation looking at the increased risk of even more adverse effects on a polutaion already impacted. Refer to Te Papa Hauora “How research is helping our children after the earthquakes”⁽⁶⁾ .

We therefore don’t expect our Council to finalise any Plan Change until:

- (g) A Social Impact Evaluation is done which meets the requirements of the RMA, ideally peer reviewed formally by independent experts, and
- (h) PC14 is changed to avoid or mitigate adverse effects identified by this SIE as required.
- (i) PC14 is re-issued to all stakeholders for consultation as required (RMA S32(5)(b)).

Photo 5: Neighbourhood garage sale organized by VNA.



Capacity, Demand, and Height

We appreciated the request by Commissioners for a bundle of information including housing capacity and demand. Our understanding of this information and other CCC advice is that:

- (i) We have “Oodles of capacity” already under the operative Plan (the evidence of Mr Randall on 31 October).
- (ii) A conservative estimate of a PC14-**enabled capacity surplus** after 30 years is over half a million households.
- (iii) There is a conservative estimate of a **feasible capacity surplus** after 60 years.
- (iv) Feasible capacity under PC14 could be more than demand for well over a century depending on QM’s and building above 6 storeys (our extrapolation).

To help our understanding of Feasible and Enabled capacity, and what types of homes were considered feasible, we read the following:

- (v) The NPS-UD which defines Feasible as meaning “*currently commercially viable to a developer.*”
- (vi) The Property Group report in the bundle, which said:
 - a. Whilst the city centre HRZ Precinct location was able to achieve the greatest profitability under a 10-storey scenario, it shows a loss for affordable homes and in all cases it fell significantly short of what was Feasible.
 - b. **No housing of 4 levels or more in HRZ is Feasible.**
 - c. The same trend applied to city fringe HRZ locations, with **none of the options of 4 storeys or being Feasible.**
 - d. The difference in estimated cost between zones is related to land price assumptions.
- (vii) Our neighbourhood’s experience is that land values adjust upwards when plan changes allow more development. Perhaps that’s why in Christchurch currently, 3 storey attached townhouses sell for about the same price wherever they are? (The Press 14 October ⁽⁸⁾).
- (viii) There’s good alignment between The Property Group and developer Mike Greer Homes recent advertising ⁽⁸⁾ that a Feasible building height is 3 storeys maximum. Not so however on the significance of location build price. Similar housing price is happening for similar housing typology irrespective of location.
- (ix) The CCC Technical Report – Urban Design – MD and HD Residential Zones at P68 recommends that the height limit for high density zones be set at six storeys. We assume this comes from the NPS-UD.

- (x) Finally, as I've already mentioned, BRANZ ⁽⁷⁾ advice is that "multi-generational households are on the rise", but we haven't seen any reference to this being considered or integrated into capacity and demand calculations.

In summary, we say for the above reasons that using the NPD-UD definition, **it's only feasible to build homes up to 3 stories anywhere in Christchurch.** There is no practical reason or requirement for PC14 to propose heights for homes which are higher than the current Operative Plan when the experts say, and the developers seem to agree, that higher homes are not Feasible. This is the, quote, "*most appropriate way to achieve the objectives*" in the RMA S32(1)(b).

Time Considerations

We note that progressive enabling to meet progressive demand is largely absent from the reporting we've seen, with the exception of the social impact research review at p29 which suggests testing housing typologies for a smoother transitioning of existing neighbourhoods to denser ones.

The VNA supports a smoothly managed transition process to further housing density if needed, over time, in order to provide living quality for all. VNA residents are already living in a transitioning neighbourhood under the Operative Plan.

Therefore:

- (i) The RMA S5(2) refers to sustainable management to meet reasonably foreseeable needs of future generations while avoiding, remedying, or mitigating any adverse effects. We consider 30 years to be reasonably foreseeable, but not a century out. What would the planners of 1923 have thought of our 2023 needs?
- (ii) The NPS-DU at 3.26(2)(c) states that there is a case to *“integrate information about past development trends and future landowner and developer intentions into the feasibility model, which could mean modifying assumptions about densities, heights, and **timing of development**”*. The proposed PC14 doesn't take this approach.
- (iii) The economic experts who presented to the IHP on 31 October gave their basis of a 50 year life for homes. This means a rebuild cycle throughout a 30 year horizon and total replacement of new homes built now after 60 years. This fits with an incremental enabling of housing capacity as homes reach their end of their life and new, more intensified, ones are built if there is demand. Impacts will also change over time. Evolving the next century's intensification in stages makes sense. This approach would mitigate risks of massive over-enablement.
- (iv) Our attached research on the city of Leipzig ⁽¹⁰⁾ may not seem directly relevant but is the closest we've found for a city of a similar scale faced with greater housing capacity than the demand. The consequence for Leipzig was disastrous spatial segregation of population groups such as low-income households, the unemployed, older people, and migrants.

Let's learn from the attached *“The Blessings of Disaster”* ⁽⁹⁾. A social impact evaluation is essential to understand, eliminate, and mitigate the impacts of PC14 + “oodles” of capacity.

Oral Submission – Contribution

We think our suggestions and decisions sought will contribute to PC14 “**Weaving an unequalled cloak to shelter all**” as expressed by the Mihi Whakatuwhera and a similar ambition of the NPS-UD.

Topic 1 relates to the proposal to dual-zone a unique hospital site that Te Watu Ora – Health NZ don’t want to lose from future health use. Does someone think that housing intensification in the city will reduce the demand for hospitals in the city? This is siloed thinking ignoring residents’ health needs without evaluation. Any changes to this site should be consulted on separately, not slipped through under the cover of Housing Choices. NICU is overloaded. **We also need Health Choices.**

Topic 2 addresses potential dual adverse impacts on the neighbourhood, by dual zoning this Specific Purpose land with alternative rules, and without evaluation.

Topic 3 addresses bulk and location in our HRZ area. We support some changes but highlight a major boundary wall problem that isn’t described in the information bundle. An evaluation is needed, but we’ve also suggested a practical way to enable progressive intensification over time while minimizing adverse effects. A win-win.

Topic 4 suggests a reasonable adjustment to zone boundaries and a practical way to **improve** housing choices with lower heights in the CCZ.

Topic 5 supports the tree canopy provisions and seeks practical improvements to these.

Topic 6 strongly supports the principle of a Sunlight QM but with a challenge to Council to undertake the comprehensive Evaluation required, then maximise the positive impacts and mitigate the adverse effects of PC14. This could be what “unequalled” housing choices look like.

Topic 7 seeks to enhance the distinctive nature of Victoria St which is geographically not part of the core cbd, with consistent decisions sought to align with those of the southern frame.

Topic 8 seeks to encourage business, homes, and vibrancy back to the central city by seeking lower heights, and says why. Apparently “*Christchurch among the world’s top 10 cities people want to move to*” (from The Press 4 November). We can be No.1 if we do this well.

Topic 9 refers to the serious lack of evaluation of over-enabling, and seeks evaluation and a staged approach to mitigate what could be a serious unmitigated disaster. Our lay evidence includes “The Blessings of Disaster”⁽⁹⁾ covering 3 decades of investigation and insight into human factors contributing to disasters and their avoidance, with examples of building the wrong houses in the wrong locations. It’s by a global disaster guru with a knowledge of Christchurch.

Topic 10 suggests a way forward to allow consultation with residents in a way that deals with the “radical shift” in planning, and addresses the complexity of this PC14 process, in a fair and just way. We sought a time extension from the IHP at the pre-hearing meeting by way of a Memorandum, which we accept was not given. We have since taken advice from the Minister, which we are following.

I note the Social Impact research review also referenced calls for more time and assessment effort.

We appreciate the extra 15 minutes sought from and given by the IHP for this oral submission.

Topic 11 seeks to integrate a number of contributions we have seen, such as from residents and Te Runanga o Ngai Tahu, to planning for our city. We seek decisions that recognise those consultations and feedback prior to PC14, that support developers, and that incentivise intensification done well in the southern frame where amenity, services, and walkability are already present. We think this is a real winner to revitalize our city, subject to evaluation.

Topic 12 seeks a defense against seriously bad intensification outcomes, or a “Black Swan”⁽⁹⁾ disaster, by a staged approach.

Topic 13 seeks a rebalance of the unbalanced central city layout produced by the current PC14 proposal, by encouraging and incentivizing residential development done well in currently untapped areas.

Our city can be “unequalled”.

We are concerned that PC14 doesn’t harm residents.

We support the Mihi’s vision of unity and want to be seated in the waka, paddling alongside our Council.

Thank you for your attention.

Nga mihi nui.

The Victoria Neighbourhood Association

Plan Change 14 Subcommittee