

20 September 2022

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Tēnā koe Minister

Christchurch City Council - Proposed Plan Change 14 Housing and Business Choice

As you are aware, our Council declined to notify the proposed plan change to give effect to the NPS-UD and the new provisions of the RMA to enable housing supply for Tier 1 councils.

You may not be aware that the Council authorised staff to undertake pre-notification engagement, which resulted in extensive feedback being received from a wide range of community groups. There was support for intensification to address both housing supply and affordability issues, however there were serious concerns raised about the impact of the one-size-fits-all intensification approach.

As a Council, we have asked Ministers and officials to take our unique circumstances into account from the outset of the NPS-UD process. This legislation has never made sense for Ōtautahi Christchurch in the context of the extensive post-earthquake land-use changes that were made to the Christchurch District Plan. Unfortunately, these changes took effect after the initial report you relied on in your First Reading speech on the RMA Amendment Bill last year. I covered this, and many other critical issues, in my oral submission, which I have attached to this letter.

Our environment and our planning arrangements are quite different to both Auckland and Wellington. With our neighbours to the north and south, we stretch into the Canterbury Plains. We are much flatter than our counterparts in the north, and we don't have the valleys and gullies which naturally inhibit development elsewhere. This means the impact of the housing intensification provisions is significantly greater when it comes to tree canopy and liveability.

Through our existing planning arrangements, which include the Greater Christchurch Partnership and now the Whakawhanake Kāinga Committee (Urban Growth Partnership with central government), we are already seeking to address housing affordability and availability – without exacerbating urban sprawl – by (under our current District Plan) enabling intensification in areas where it makes sense i.e. focussing on centres and key public transport routes.

I am aware that the Council is now technically in breach of our statutory obligations and that there are powers available to Ministers to intervene. I am asking Ministers not to do so.

Instead, I am calling on you to work alongside the Council to find a bespoke solution for Ōtautahi Christchurch that meets the Government's objectives whilst promoting a sustainable urban form that protects our tree canopy and enhances the liveability of our city. It is what our residents want, and it is in the best interests of the city that we do. In fact, it will enable the development of a well-functioning urban environment, as anticipated by the NPS-UD.

Given that voting for local body elections closes on 8 October, I hope that you agree it would be most appropriate to allow the new Council time to investigate a solution once governance arrangements are in place.

In the meantime, Council staff are ready and willing to work alongside your officials in more detailed discussions about possible options, until the new Council is in a position to engage.

I have attached more detailed information which supports the position set out in this letter. I have also attached a letter from Professor Peter Skelton, former Judge of the Environment Court and former Canterbury Regional Council Commissioner, who has very kindly written to me in support of the Council position on this matter.

I would greatly appreciate a response from you on the approach we are recommending before Thursday 29 September, so that I can report this to my colleagues before the Council breaks up for the election period.

While I won't be on the new Council, I fervently hope that the new Council and the Government can collaborate on finding a solution that is tailored to the special circumstances of Ōtautahi Christchurch.

Ngā mihi



Lianne Dalziel
Mayor of Christchurch

cc Hon Nanaia Mahuta
Hon Dr Megan Woods
Hon Phil Twyford

Attachment 1: Detailed request from Christchurch City Council to Ministers

Introduction

1. On Tuesday, 13 September 2022, the Christchurch City Council chose not to approve a staff recommendation to notify Plan Change 14 (PC14), which was intended to give effect to the National Policy Statement on Urban Development 2020 (NPS-UD) and the 2021 amendments to the Resource Management Act 1991 (RMA).
2. The Council resolved (in part) to:
“Request the Minister work with us in partnership given our unique situation that means we have sufficient capacity of land in the short, medium, and long term available for housing given our extensive land use planning changes to increase density and intensification post-earthquake, and look at land use planning that addresses the issues of housing affordability and sustainable development.”

As a Council, our key concern is that the legislation and process do not take into account the unique situation in Ōtautahi Christchurch

3. Our Council has stated repeatedly in engagement, submissions, and presentations to select committees and communication with ministers that the Council has strong concerns with the legislation and process undertaken to get to this point. While the Council recognises the need for intensification in appropriate areas to ensure housing affordability and sustainable development, the one-size-fits-all approach in the legislation fails take into account the relevant local context and what is appropriate to achieve a well-functioning urban environment.
4. One of the key drivers of the legislation is to ensure that land supply for housing is sufficient both in the short term and the longer term; however, unlike other Tier 1 centres, Ōtautahi is in the unique situation of having sufficient land capacity for housing in the short, medium, and long term. This is detailed in the evaluation assessment for the proposed plan change 14. This is due to both extensive long-term partnership over many years by the Greater Christchurch Partnership, and the result of the recovery plans, regeneration plans and bespoke Independent Hearings Panel process for the Christchurch District Plan. These endeavours have provided for extensive land use planning changes in the post-earthquake environment, which has enabled Ōtautahi to provide for housing supply and intensification more thoroughly than other centres already – in this respect, we are ahead of the game.
5. We have repeatedly expressed our concern that the statutory obligation to implement medium density residential standards (MDRS) has the effect of reducing the potential uptake of development opportunities in areas of the city that are highly accessible by walking, cycling and public transport to employment, services and amenities. The vast scope of MDRS results in an urban form that is expansive in all directions - that is not appropriate for Ōtautahi. Our level of accessibility ranks poorly compared to other centres because growth here is unconstrained by bays, gullies, and other landforms that direct and limit growth opportunities for other larger Tier 1 councils.
6. Enabling medium density through the MDRS in these poorly accessible areas of Ōtautahi fails to align with areas of employment, local services, public transport corridors, and fails to deliver a low-carbon future. Whilst parking spaces cannot be mandated through the District Plan, the market (and indeed lenders) will be forced to provide parking due to the lack of alternative transport options and the dislocation from employment and services.
7. We want to make it clear that, other than the introduction of MDRS, we are generally supportive of the direction of the NPS-UD. As previously indicated, we support changes that seek to intensify within and around centres. In order to meet all of our objectives, intensification must be enabled in a more focussed way in

Ōtautahi. This would best contribute to increased efficiencies in land use and infrastructure for the city; support the viability of multi-modal transport systems, and contribute to a reduction in greenhouse gas emissions and the broader affordability goals desired in Ōtautahi.

8. Our Council truly believes that bespoke provision for Ōtautahi's implementation of the NPS-UD would better provide us with the opportunity to provide for a low-carbon, accessible form of residential living. In order to help us achieve other government priorities, we hope that you agree.

Request to work in partnership to achieve an appropriate outcome for Ōtautahi Christchurch

9. Despite the concerns expressed with the legislation and process, the Council agrees with the Government's objective of improved intensification, particularly to ensure housing affordability and sustainable development. Liveability is an important part of that.
10. The Council would progress in partnership with Government to find a solution to land use planning that addresses the issues of housing affordability and sustainable development, specifically tailored to the our context. We seek an approach that enables the specific issues relating to land use planning in Ōtautahi to be addressed, as opposed to the one-size-fits-all approach.
11. We consider it is in the best interests of the Council and the Government to achieve an urban form outcome for Ōtautahi that appropriately reflects our unique situation and that has regard to the extensive land use planning changes to enable increased density in a post-earthquake environment.
12. As you know, the Council is working in partnership with other local councils, central government and mana whenua through the Urban Growth Partnership for Greater Christchurch – the Whakawhanake Kāinga Committee – to develop a spatial plan which sets the direction for the future urban form for our city and surrounding towns. Integral to this work is the consideration of enhanced public transport provision, particularly investigation of mass rapid transit.
13. At the Whakawhanake Kāinga Committee briefing 12 August 2022, members were supportive of urban form direction to inform the development of the draft spatial plan. This included focusing growth on 'higher densities around centres and major transport routes / MRT across all Greater Christchurch centres'. This urban form direction is consistent with our view of the type of intensification which will best deliver a well-functioning urban form for Greater Christchurch that can reduce private car dependency, provide affordable, quality housing and support economic prosperity.